Early Years Inspectorate Regulatory Report
School Age Services

TUSLA Identifier:	TU2021KE043SA
Name of School Age Service:	Happy Hands
Name of Registered Provider(s):	Ms Elaine Moore Meaney
Address of School Age Service:	1 Old Chapel Court Caragh Kildare
Eircode:	W91EE76

Date of Inspection:	28 November 2023			
Number of school age children present during inspection:	**AM**		**PM**	19
Registration status:	Registered			
Conditions (if applicable):	None attached			

Address of the Early Years Inspectorate	The Brunel Building Heuston South Quarter Saint John's Road West Dublin 8 D08X01F
Inspection undertaken by:	C. Whelan M. Mc Donnell
Title:	Inspection and registration manager Early years inspector

Authority to Inspect
Tusla's Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Description of Service:	Happy Hands is a school age service based in a residential area of Co. Kildare. The service is registered to accommodate children aged 4 to 12 years old. The service operates from the ground floor of a multi-story building. Two care rooms are designated for use by the school age children. A third room on the ground floor is allocated to children who attend a registered pre-school service that is also operated by the registered provider. There are toilets and kitchen facilities on site. There is also an enclosed outdoor play area on the premises. During school term time, the service is registered to operate from Monday to Friday between 7.30am-9.00am, and 1.40pm-6.30pm. Outside of school term time, the service is registered to operate from Monday to Friday between 7.30am-6.30pm. During the inspection, a manager who works in the service advised the inspectors that the service is currently opening at a later time of 8.00am and closing at an earlier time of 6.00pm.

Staffing:	Four people who are employed by the registered provider work directly with the school age children. This includes a staff member, a manager, and two other persons (a cook and a pre-school staff member) who both regularly provide relief staff cover in the school age service.

Additional Information:	This inspection was triggered following information received by the Inspectorate. During the inspection, a manager who works in the service advised the inspectors that the named person in charge had recently changed.

	The service had not submitted a change in circumstances application to Tusla in advance of making that change. The service was therefore operating outside of its approved registration status. The service has since submitted the change in circumstances application to Tusla and it has been approved.

Legislation

Tusla's Early Years Inspectorate is the independent statutory regulator of School Age Services in Ireland, and its role is to promote and monitor the safety and quality of school age care provision in accordance with the following legislation:

- The Child and Family Agency Act 2013, Part 12.
- Child Care Act 1991 (Early Years Services) (Registration of School Age Services) (Amendment) Regulations 2022.
- The Child Care Act 1991 (Early Years Services) Registration of School Age Services Regulations 2018 (S.I. 575 of 2018).

A school age service means any early years service, play group, day nursery, crèche, day-care or other similar service which:

a) caters for children under the age of 15 years enrolled in a school providing primary or post-primary education,
b) provides a range of activities that are developmental, educational and recreational in manner, which take place outside of school hours, the primary purpose of which is to care for children where their parents are unavailable, and
c) the basis for access to which is made publicly known to the parents and guardians of the children referred to in point (a) above.

It is the responsibility of a registered provider to ensure the safety and well-being of school age children and the above legislation authorises Tusla to assess compliance with the Regulations.

Inspection Methodology:
The inspection is unannounced to assess compliance with the Child Care Act 1991 (Early Years Services) Registration of School Age Services Regulations 2018 (S.I. 575 of 2018), Child Care Act 1991 (Early Years Services) (Registration of School Age Services) (Amendment) Regulations 2022, and the Child Care Act 1991, Section 58 as amended by Part 12 of the Child and Family Agency Act, 2013. The findings on inspection are gathered through a triangulation method, including: • Information obtained through examination of documentation. • Direct observation. • Discussion with relevant staff. This inspection aims to determine the extent to which service is appropriate for the care, safety, and wellbeing of children in accordance with the regulations cited above. Inspection findings are documented in the School Age Services inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have corrected the non-compliance and how they will prevent them from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements, an escalation process may be commenced. The Inspectorate reserves the right to edit CAPA responses received for reasons including clarity, completeness and compliance with administrative and legal processes. The contents of the report are compiled by the Inspectorate body.

Acknowledgements:

The inspectors wish to acknowledge the co-operation of the children, manager, and staff who were present on the day of the inspection.

Summary of Findings:

On the day of inspection, the registered provider was found to be compliant in relation to:

- Regulation 8(1)(c): Vetting disclosures;
- Regulation 9(2)(4): Staffing levels;
- Regulation 10: Policies etc. of school age service;
- Regulation 12: Insurance;
- Regulation 13(1)(a)(b)(c): Complaints;
- Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

On the day of inspection, the registered provider was found to be non-compliant in relation to:

- Regulation 7(1): Notification of change in circumstances;
- Regulation 8(1)(a)(b)(d)(2): Vetting disclosures;
- Regulation 9(1): Staffing levels;
- Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

Conclusion and follow-up actions:

The completed actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have addressed the non-compliances identified on inspection. These actions and any planned actions will be reviewed on the next inspection.

Regulation 7: Notification of change in circumstances
(1) A registered provider of a school age service shall, subject to paragraph (2), notify the Agency in writing of any proposed change in the details in relation to the school age service contained in the register pursuant to section 58C (2) of the Act or Regulation 6(2) or 6(3) at least 60 days before it is proposed that the change would take effect.
Regulatory Requirement not met
(1) The registered provider had not submitted a change in circumstances application to Tusla in advance of implementing a change to the person in charge of the service. The service was therefore operating outside of its approved registration status.
Corrective & Preventive Action Response submitted by the Registered Provider
(1) On 15 December 2023, the registered provider submitted a change of circumstances form to Tusla regarding the relevant changes. The inspector was provided with evidence to confirm that this proposed change had been accepted by Tusla. The registered provider stated that they are now aware of the time frame for submitting a change of circumstances form to Tusla. They also stated they will ensure that changes are approved by Tusla before a change is made.
Summary of Findings
The actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have addressed the non-compliance identified on inspection and will be reviewed on the next inspection.

Regulation 8: Vetting disclosures

(1) A registered provider of a school age service other than a childminding service shall ensure that each employee, unpaid worker and contractor is suitable and competent, taking into consideration the nature of the needs of children, including by-

(a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,

(b) consideration of references from reputable sources in the case of a person who has no past employers,

(c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochana in accordance with the Act of 2012 in respect of the person, and

(d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(2) The procedures specified in paragraph 1 shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the school age service.

Regulatory Requirement Met

(1)(c)

The inspectors reviewed the files of the persons who worked with the school age children. The required Garda vetting disclosures were on file.

Regulatory Requirement not met

(1)(a)(b)(d)(2)

A former staff member had commenced work with the children before the registered provider received their garda vetting disclosure. Two references in respect of the former staff member had not been validated.

References in respect of another staff member were validated after the staff member had commenced work with the children.

During the inspection, it could not be established if one staff member required police vetting. There was no Curriculum Vitae (CV) on file in respect of the staff member.

These practices are contrary to the service's procedures for managing the risk of abuse to children. These practices present a risk to the safety of the children attending the service.

(1)(a)(b)(d)(2)

The registered provider noted the following in their correction and preventive action plan:

- They are now aware they need to apply for a staff member's Garda vetting instead of accepting a Garda vetting that was previously applied for by a third-level institution for college placement purposes.
- They will ensure to apply for a staff member's Garda vetting going forward.
- They now have guidelines in place for new staff members. The guidelines include that the service will only accept references that can be validated before employees start in the service and that a Curriculum Vitae (CV) will be obtained. The outstanding CV was submitted as evidence. A copy of the guidelines was also submitted as evidence.

Summary of Findings

The actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have addressed the non-compliance identified on inspection and will be reviewed on the next inspection.

Regulation 9: Staffing levels

(1) Subject to this Regulation, a registered provider of a school age service other than a childminding service shall ensure that there is at all times an adequate number of competent and suitable adults on the premises while the service is operating.

(2) Without prejudice to paragraph (1), a registered provider of a school age service other than a childminding service shall ensure that there is a minimum ratio of 1 adult to 12 children at all times while the service is operating.

(4) A registered provider of a school age service shall ensure that the school age children attending the service are appropriately supervised at all times.

Regulatory Requirement Met
(2)(4) During the inspection, the registered provider ensured that the minimum ratio of 1 adult to 12 children was maintained. The children were observed spending time in the school age care rooms in the service and being provided with direct supervision by staff.
Regulatory Requirement not met
(1) On the day of inspection, the registered provider had not ensured that there was an adequate number of competent and suitable adults on the premises. Two staff members did not fully understand their role and the service's role in terms of child protection. One staff member who was working with the children did not demonstrate to the inspector that they had a comprehensive understanding of the service's child safeguarding policies and procedures. They were not aware of who the Designated Liaison Person (DLP) was for the service. They were not aware of the follow-up actions that they and the service should complete if a child protection concern is witnessed and reported to management. During a recent incident, the staff member had not implemented the child safeguarding procedure. They had not relayed a child protection concern to the Designated Liaison Person as a matter of urgency or documented what they had observed. A second staff member informed the inspector that they were not familiar with the service's child safeguarding policy and procedures. They also informed the inspector they had not received training in respect of this or completed external training such as 'An Introduction to Children First' training. The manager confirmed with the inspector that the staff member had not completed this training. Where staff members do not fully understand their role and the service's role in terms of child protection, it presents a risk to the safety and protection of the children attending the service. It is also contrary to the service's procedures for managing the risk of abuse to children.

Corrective & Preventive Action Response submitted by the Registered Provider
(1) The registered provider stated that a manager has spent time with staff and discussed child protection procedures and their understanding of such. They noted that this included speaking in detail about the Designated Liaison Person (DLP) and the service's role in terms of child protection and reporting any concerns in the future. A staff meeting was scheduled for 29 January 2024 and child protection training was scheduled for 6 February 2024. A schedule of staff meetings was submitted. As a preventive action, the registered provider stated that a meeting will be held on the first Monday of every month in which there will be a focus on two policies where the key points will be discussed. A staff meeting template was submitted as evidence.
Summary of Findings
The completed actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have addressed the non-compliance identified on inspection. These actions and the planned actions will be reviewed on the next inspection.

Regulation 10: Policies of a school age service
A registered provider of a school age service shall ensure that the policies and statements specified in Schedule 6 are in place for the service.
Regulatory Requirement Met
The registered provider ensured there was a complaints policy and a managing behaviour policy in place in the service.

Regulation 12: Insurance

A registered provider shall ensure that the school age service is adequately insured.

Regulatory Requirement Met

The registered provider had ensured that the service was adequately insured. The service was insured from 28 March 2023 to 27 March 2024.

Regulation 13: Complaints

(1) A registered provider of a school age service other than a childminding service shall ensure that the complaints policy of the service specifies—

(a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,

(b) the manner in which such a complaint shall be dealt with, and

(c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.

Regulatory Requirement Met

(1)(a)(b)(c)

The inspector reviewed the service's complaints policy. The complaints policy detailed the procedure for making a complaint and how verbal and written complaints would be dealt with. The policy referenced how a complainant would be kept informed of the complaints procedure and the appeals process.

On the day of the inspection, the manager informed the inspector they would check if the service had received any complaints regarding the school age service. Following the inspection, on 6 December 2023, the manager informed the inspector that the school age service had not received any complaints.

Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013
It shall be the duty of every person providing an early years service to take all reasonable measures to safeguard the health, safety and welfare of children attending the service and to comply with regulations made by the Minister under this Part.
Regulatory Requirement Met
• The inspectors observed supportive interactions between the staff and children. The children were encouraged to choose activities to engage in. The staff provided the children with the materials they required to immerse themselves in the activities, and the staff also took part. • The inspectors observed children being provided with a hot meal which they appeared to enjoy.
Regulatory Requirement not met
1. On one recent occasion, the registered provider who was the DLP for the service, had not reported a child protection concern to Tusla. This practice presents a risk to the safety and protection of the children attending the service. 2. There were no records to demonstrate that the service had reflected on a recent child protection concern to identify any measures that could be put in place to reduce the likelihood of the matter occurring again. This practice presents a risk to the safety and protection of the children attending the service. 3. The manager of the service informed the inspector that the staff roster and the staff sign-in records were not accurate. The manager stated that a former staff member had not been named on the roster or noted in the staff sign-in book for dates they worked with the children which preceded their Garda vetting disclosure being received by the service. The practice of inaccurate record-keeping regarding a staff roster and staff sign-in records presents a risk to the safety and protection of the children attending the service. 4. On the day of the inspection, the attendance records were inaccurate. Staff informed the inspector that in the event of a fire in the service, the attendance book would be used to account for the children during evacuation. This inaccurate record-keeping presents a risk to the safe evacuation of children and staff in the event of a fire in the service.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider has stated that two staff will be attending a child protection training event on 28 February 2024. They stated there is a plan in place to attend other training events throughout 2024. The registered provider submitted evidence to confirm the purchase of tickets for these events. They also stated there has been time set aside for the DLP to review and understand the role. As a preventive action, they noted there will be a monthly meeting to discuss policies and develop staff's understanding.
2. The registered provider stated that a staff meeting will take place on the 29 of January 2024 which will include a detailed breakdown of a staff member's role and the service's role in terms of child protection. They noted that a new form named 'Child Safeguarding Concerns' has been created for internal use. A copy of this form was submitted as evidence. As a preventive action, the registered provider stated that induction training has been updated in which a staff member's role in child protection is detailed. A copy of the updated introduction training sheet was submitted as evidence.
3. The registered provider stated that they are now aware of how they need to update the rosters to keep them accurate. As a preventive measure, the registered provider stated that they now have a roster change sheet beside the printed roster where they can document any changes that day.
4. The registered provider stated they have created a change of room attendance sheet as with afterschool ratios, they may sometimes need to use separate rooms. They noted that the new document was created for days in which a child must move room to maintain correct ratios. They stated that there is currently an attendance book for each room and the document will identify a child who is not on the attendance book of the room. A copy of the change of room attendance sheet was submitted as evidence. As a preventive action, they stated that there will be regular checks from the management of the weekly sign-in books.

Summary of Findings

The completed actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have addressed the non-compliances identified on inspection. These actions and the planned actions will be reviewed on the next inspection.