

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2021KY023SA
Name of School Age Service:	Tir nan Og Ballybunion (Ballybunion Community Centre)
Name of Registered Provider(s):	Claire Nash
Address of School Age Service:	Community Centre, Lartigue Road, Ballybunion, Kerry.
Eircode:	V31 TV25

Date of Inspection:	11 March 2026			
Number of school age children present during inspection:	AM	N/A	PM	34
Registration status:	Registered			
Conditions (if applicable):	N/A			

Address of the Early Years Inspectorate	2 nd Floor, Estuary House, Henry Street, Limerick, V94 XT5F
Inspection undertaken by:	S O'Brien & N O'Donoghue
Title:	Early Years Inspectors

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).

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Description of Service:

Tir na nOg Ballybunion (Ballybunion Community Centre) is a community operated school age service based in Ballybunion, Kerry. The service caters for children aged between 4 and 12 years. The service operates from 7.30am to 9.30am and 1.20pm to 5.30pm, Monday to Friday. The service is located upstairs in the community centre. The service consists of a large hall, a dining room, an art room, a kitchen and sanitary facilities. The service is also registered as an early years service which is located downstairs in the community centre.

Staffing:

There are 31 adults attached to the service. The registered provider is not based in the service. On the day of inspection, five staff were working directly with the school age children. The person in charge was also available to provide relief if required.

Additional Information:

This inspection was triggered by information received to the inspectorate.

An Immediate Action Notice was issued on 11 March 2026 in relation to an unsecure entrance door to the service. Further information is available under Regulation 58G. An adequate response was submitted on 12 March 2026 with the steps that were taken to mitigate the risk.

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:

- caters for children under the age of 15 years enrolled in a school providing primary or post-primary education,
- 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
- 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, person in charge, and staff who were present on the day of inspection.

Summary of Findings:

On inspection, the registered provider was found compliant in relation to the following:

- Regulation 8: Vetting disclosures
- Regulation 9: Staffing levels
- Regulation 12: Insurance

On inspection, the registered provider was found non-compliant in relation to the following:

- Child Care Act 1992, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

Conclusion and follow up actions:

The registered providers response and documented evidence was reviewed by the inspectorate and has met the regulatory requirements.

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 Síochána 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) Thirty-one adults were identified as working in the service. Following inspection in the Early Years service on 08 July 2024, eight new staff files were reviewed on day of inspection.

(a) Eight of the references available were from a past employer and were validated.

(b) Eight of the references available were from a source other than a past employer and were validated.

(c) Garda vetting disclosures were available for all eight new staff members. A further 14 garda vetting disclosures were identified as requiring renewal and all 14 garda vetting disclosures were available onsite. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting disclosures were available in respect of five staff members who had lived outside of a state for longer than six consecutive months

(2) The procedures outlined above had been carried out prior to the staff members being appointed, assigned or allowed access to or contact with a school age child.

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

- (1) The registered provider ensured there was an adequate number of staff caring for the school age children during the inspection.
- (2) There were 34 children being cared for by 5 staff members on the day of inspection; therefore, the service adhered to the minimum adult to child ratios.
- (4) It was observed that the staff supervised the children at all times during the inspection. The staff were observed chatting and playing with the children. The children were observed by sight and sound.

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 following policies were reviewed: Drop off and collection of children The policy was observed to contain the required information to guide the staff in their care practices.
Regulatory Requirement not met
1. The managing behaviour policy did not outline the approaches on how the service manages bullying by a school age child attending the service.
Corrective & Preventive Action Response submitted by the Registered Provider
The registered provider stated in their response: Corrective action The service has reviewed and updated the managing behaviour policy to include clear procedures on how bullying behaviour is managed within the service and staff have signed the updated policy. An anti-bullying statement has been added to the parents handbook and shared with the parents via the online communication system. Child friendly posters have been placed in the service for the children to read. Documented evidence of the updated policy was submitted. Preventive action All the actions above have been implemented, and regular supervision will continue in the service. the manager will ensure that the policy is reviewed and that all staff remain familiar with the procedures.
Summary of Findings
The registered providers response and documented evidence was reviewed and has met the regulatory requirements.

Regulation 12: Insurance

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

Regulatory Requirement Met

The registered provider ensured the service was adequately insured. The insurance policy commenced on 28 March 2025 and expired on 27 March 2026.

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 children were observed freely moving around the service partaking in activities of choice. The children were observed playing with plastic bricks, making bracelets with loom bands, peg boards, jigsaws, playing with playdough and partaking in art and crafts. On arrival to the service, the younger children were observed dancing and partaking in some mindfulness activities.
- The children were observed having snack which consisted of fruit and toast. Some children were observed bringing snack from home such as bagels, soup and yoghurts.
- The staff were observed listening to the children's voices and providing support to the children with emotional regulation. This was observed when a staff member took a child to a quiet area and was observed chatting to the child on the couch.

Regulatory Requirement not met

1. The main entrance door to the service was observed to be unsecured and did not prevent a child from exiting the building unsupervised or any unauthorised access to the service. This posed a safety risk to the children. An Immediate Action Notice was issued to the person in charge on 11 March 2026. On 12 March 2026, a response was received and was deemed adequate. The service

outlined that a gate mechanism has been placed inside the service door to prevent children from exiting the service. The service has also contacted a company to place an electromagnetic lock on the main entrance door and on the doors in the hall. Evidence of communication with the company was submitted.

2. At 3.02pm, in the dining room, a staff member was observed telling the children it was time to tidy up and move to the hall. A child was observed picking up his bag and began moving towards the door. A staff member was observed grabbing the child's arm to prevent them from moving. This practice was at variance to the services managing behaviour policy, which outlined that physical restraint would only be used in the event of a child being in immediate danger. This posed a risk to the child's well-being.

3. On review of the written attendance record of the children, it was observed that no child had been signed in on 13 February and 17 February 2026 on the 2.30pm school collection. On discussion, the staff in the care room outlined that this record was used in the event of a fire occurring. It was also acknowledged on review of the attendance records that the time in which each child was checked in to the service was not recorded. This posed a safety risk to the children.

4. In the kitchen area the following was observed:

- Sharp knives were observed in a drawer that was unsecure and easily accessible to the children.
- Staff members personal belongings were easily accessible to the children.

This posed a safety risk to the children.

5. On review of the accident and incident records, it was observed that three reports had not been signed by the child's parent or guardian. It could not be determined whether the parent or guardian had been informed of the accident or incident. This posed a safety risk to the children.

Corrective & Preventive Action Response submitted by the Registered Provider

The registered provider stated in their response:

Corrective action

1. A secure gate mechanism has been installed inside the main entrance door to the prevent children from exiting the premises unsupervised. A secure gate mechanism has been installed in the hallway and doorway to the school age care room located upstairs. Alarms on the doors have been changed to a louder setting. Staff have been instructed to ensure that the entrance is monitored at all times during arrivals, collections and busy periods. On 13 April 2026, the service outlined that a wired alarm system has been placed on the doors in the service which will alarm when opened. Building works will commence where a new front door will be installed with safety mechanisms to prevent children from exiting. While these works are being carried out, the door to the rear of the service is in use where a member of staff is supervising the entry and exit of people.

2. The incident was reviewed with the staff member and immediate guidance was provided on appropriate behaviour management techniques. Staff were reminded that physical intervention must only be used where there is an immediate risk of harm in line with the services managing behaviour policy.

3. The room leader did not communicate that an electronic application is used to log in children attendance as well as the physical handwritten attendance in the books. The previous sign in system has been updated to one single sign in book to be signed by both parents and staff. the service will continue to use the electronic application however a physical sign in record will also be maintained as a visual reference for both parents and staff. An updated sign in sheet was submitted.

4. Locks have been placed on the relevant storage areas and drawers to ensure hazardous items and personal belongings are securely and inaccessible to children. Photographic evidence of the locks was submitted.

5. All staff have been reminded of the requirement to inform parents of any accident or incident on the same day and to ensure the records are signed.

Preventive action

1. The service has appointed a contractor to install electromagnetic locks on the main entrance door and internal hall doors to ensure control access at all times. Evidence of communication with

the contractor was submitted and works are to be carried out in the coming weeks. A visitor access procedure is in place to ensure that all visitors are signed into the centre. Staff have been reminded of their responsibilities regarding security, supervision and safeguarding of children.

Follow up meetings will be carried out with the staff once all actions have been put in place.

2. The managing behaviour policy was reviewed with all staff with emphasis on positive behaviour management strategies. A staff training refresher session has been carried out with the staff once a date arises. Increased supervision and support from the room leader and staff will be in place to ensure appropriate practices are consistently followed. Regular team meeting and discussions will be carried out.

3. Robust measures have been put in place to ensure this does not reoccur. Staff training, improved communication procedures are ongoing.

4. Daily room checks will be carried out by staff to ensure all storage areas remain secure. The room leader will oversee this. All staff have been reminded of their responsibilities to relation to health and safety and reinforced at regular team meetings.

5. A clear procedure has been put in place to ensure the records are signed on the same day of the accident or incident. Staff received additional guidance on the services accident and incident policy. On going monitoring will take place.

Summary of Findings

The registered providers response and documented evidence was submitted to the inspectorate and has met the regulatory requirement. This will be reviewed at the next inspection.