

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2021LK063SA
Name of School Age Service:	ACM KIDZ
Name of Registered Provider(s):	Josephine O' Donovan
Address of School Age Service:	14-15 Castle Street Castleconnell Limerick
Eircode:	V94CW29

Date of Inspection:	13 November 2024
Number of school age children present during inspection:	PM 28
Registration status:	Registered
Conditions (if applicable):	Not applicable

Address of the Early Years Inspectorate	Early Years Inspectorate, 2 nd Floor, Estuary House, Henry Street, Limerick.
Inspection undertaken by:	S O'Brien & A Spain.
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).

Early Years Inspectorate Regulatory Report

School Age Services

Description of Service:

ACM Kidz is a community childcare service located in the village of Castleconnell, in Co. Limerick. The services operates a school age service for children aged from 4 to 12 years. The service operates from 8:00am to 9:00am and 1:30pm to 5:30pm, Monday to Friday. The service is located in a community centre in a single-story terraced house in the centre of the village. It is purposely designed as a childcare service. It has two well-resourced childcare rooms and a kitchen. There is a large outdoor area to the rear of the building. ACM Kids is also registered as a full day care service for preschool children.

Staffing:

The service is staffed by three adults. The registered provider does not work directly with the children and is available to provide relief cover as required.

Additional Information:

The inspection was completed as a result of information received by the inspectorate.

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 wishes to acknowledge the co-operation of the children, registered provider, person in charge, and staff who were present on the day of inspection.

Summary of Findings:

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

- Regulation 8: Vetting Disclosures.
- Regulation 9(1)(2)(4): Staffing Levels.
- Regulation 10: Policies of a school age service.
- Regulation 12: Insurance.
- Regulation 13: Complaints.

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

- Regulation 10: Policies of a school age service.
- 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 inspectors reviewed the registered providers response, documented and photographic evidence that was submitted. The non- compliances found on inspection have been adequately addressed. This will be reviewed on the next inspection of the service.

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)(a)(b)(c)(d)

Two validated references were held on file in respect of the three staff members working in the service. A Garda vetting was held on file in respect of all staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. The service forwarded evidence of an application for Police clearance for a staff member who had lived outside of the state for over six consecutive months as an adult, on the 21 November 2024.

(2)

Evidence confirmed that the necessary vetting procedures were conducted prior to appointment of staff to work in the service. Documented evidence submitted to the inspectors confirmed that police vetting was sought for one staff member on as required.

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)(2)(4)

The registered provider ensured that adequate staffing levels were maintained during the inspection. Twenty-eight children attended the service and were supervised by three staff members. An additional staff member drove the school age children in a car owned by the service from one of the local national schools that was not within walking distance from the service.

A car that was owned by the service and driven by a staff member, was used to collect children from a local national school that was not within walking distance. At 1.30pm, two children were collected and at 2.30pm, five children were collected.

Staff were observed collecting children from a local national school that was within walking distance of the service. The 1.40pm collection, eight children were supervised by one staff member. At the 2.40pm collection, thirteen children were supervised by two staff members.

Staff were observed supervising the children at all times while in the school age room. Staff were observed supporting children with homework and chatting to the children during activities such as colouring and while the children sat in the rest area. Staff were also observed supervising the children by sight and sound in the large outdoor that was available to the school age children. Staff were observed supervising the school age children in a respectful way when using the sanitary area as this was a shared space with the preschool children that also attended the service.

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 policy was assessed and contained the information to support the staff in their care practices:

- Drop off and Collection Policy.
- Behaviour Management Policy.

The inspectors reviewed the above policies, and they were observed to contain the information required as per Regulation 10 and Schedule 6 of the regulations to support staff in their practice.

Regulatory Requirement not met

1. There was no documented evidence of staff having received the policies as per Regulation 10 and Schedule 6 of the regulations or having received training on the policies. This posed a risk to the children as staff may not be fully aware of the policies and procedures that should be in place in the service. It was acknowledged that documented evidence was submitted subsequent to the inspection listing all staff and advised that all staff had read the service policies and procedures. Staff signatures were dated subsequent to the inspection. Thus, it was not clear from the correspondence what policies the staff had received and when the staff had read the policies.
2. The registered provider also submitted records of training conducted in the service. However, it was not evidencing what staff received the training.
3. Documented evidence was not received to confirm that all school age staff received training on the revisions to the Drop off and Collection Policy introduced subsequent to the inspection.

Corrective & Preventive Action Response submitted by the Registered Provider

Corrective Action

1. The registered provider submitted documented evidence to confirm that staff in the school age service had received and read the service policies and procedures subsequent to the inspection.
2. The registered provider submitted evidence of records of training for each staff member working in the school age service.
3. The registered provider submitted evidence that the staff had received the policy and training on the 28.11.24 in relation to the drop off and collection policy.

Preventive Action

The registered provider advised in their response that staff will receive training on any updated policies and procedures for the school age service and the training will be recorded in individual staff training records held by the service.

Summary of Findings

The documented and photographic evidence submitted has been reviewed by the inspectors 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 service had insurance cover for a maximum of 67 children in a childcare service. Insurance was valid from the 4 May 2024 to the 3 May 2025. Records confirmed that the maximum number of children in daily attendance in the school age service was 33 children. Records confirmed that the maximum number of children in daily attendance in the preschool service was 25 children.

The service also had insurance cover to transport children to and from the national school that was not within walking distance from the service. Motor insurance was valid from 21/11/2023 to 20/11/2024, which confirmed the service had cover to transport children.

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.*
- (2) A registered provider of a school age service other than a childminding service shall ensure that—*

(a) a record in writing is kept of a complaint made to the provider in respect of the school age service, and

(b) the complaint is duly dealt with in accordance with the provider's complaints policy.

(3) A record in writing referred to in paragraph (2)(a) shall—

(a) include the nature of the complaint and the manner in which the complaint was dealt with, and

(b) be open to inspection on the premises by an authorised person.

Regulatory Requirement Met

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

The service had a complaints policy which included details of how to make a complaint, how the complaint was dealt with and the procedure for keeping the complainant informed of the manner in which a complaint was dealt with.

(2)(a)(b)

The service had a record of a complaint and an appeals provision in the event that the complainant was not satisfied with the outcome of the complaint investigation.

(3)(a)(b)

The nature of the complaint and how the complaint was dealt with was provided to the inspectors.

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

During the inspection, the inspectors observed the health, safety and welfare of children being supported by the following:

- The staff were observed speaking to the children in a respectful manner. The staff chatted to the children walking from the national school. The staff were observed asking the children how their day was at school and listened to each child's needs.
- The children were observed to be happy in the service and were observed playing in the outdoor area and were observed sitting and chatting to staff in the care room.

Regulatory Requirement not met

The following regulatory requirement was not met and may present as a safety risk to a school age child:

1. While observing the school age children being collected at the national school within walking distance of the service, at the 1.40pm school collection, the children crossed a railway track and a busy road and were not given hi visibility jackets and staff did not wear same. The inspector highlighted this safety risk to the staff collecting the children from the national school. While there was evidence of a risk assessment in relation to walking children from the school to the service, the importance of high visibility jackets was not outlined safety measures to ensure the safety of the children while crossing the road and railway track.
2. On crossing the busy road, the staff member at the 1.40pm school collection, stood in the middle of the road to allow the eight children to cross safely but could not adequately supervise the children who had crossed the road and those who were waiting to cross.

While walking on the foot path, children were both in front of the staff member and behind the staff member resulting in difficulty ensuring the safety of the children at all times. This posed a risk to the school age children as there was not adequate supervision of children while crossing the road.

3. The drop off and collection policy was assessed, and the staff did not adhere to the procedure that was outlined in the collection of school age children. The policy required the staff to have a collection list at each collection from the school. This was not observed at the 1.40pm school collection, which posed a risk to the children as staff were not fully aware of the names of children that were for collection on the day. For example, a child could be left behind at the school in the event of not having the collection list and therefore would be missing from the service.

It was acknowledged that new collection books were introduced in the service subsequent to the inspection. The collection books were submitted to the inspectors, and it was advised that the book would be used to record the names of children that were collected at each national school. Any school cancellations as notified by parents, were also required to be noted in the collection books. It was also advised that both children and staff would wear hi visibility jackets walking between the national school and the service.

Evidence was not submitted to indicate if staff had received training and induction on the new practices and to indicate that the revised practices was reflected in the drop off and collection policy. This could pose a risk to the safety of the school age children walking to and from the service.

Corrective & Preventive Action Response submitted by the Registered Provider

Corrective Actions

1. The registered provider submitted documented evidence that parents and guardians of each child attending the school age service have been advised to supply a hi visibility jacket for drop off and collections between the service. It was also advised that the service will provide additional hi visibility jackets in the event a child forgets their own. Photographic evidence has been submitted for the purchase of hi visibility jackets for staff to wear during school collections.

2. The registered provider stated that two staff will conduct the drop off and collections of school age children from the service to ensure that children are adequately supervised while crossing the road.

3. The registered provider advised that a collection book has been introduced which records the name of each child to be dropped off and collected daily from the service. The staff are required to bring the collection book to each school drop off and collection.

Preventive Actions

1. The registered provider confirmed that hi visibility jackets are now available and will be worn by both children and staff on each drop off and collection.

2. The registered provider has confirmed that an additional member of staff will assist the drop off and collection from school when the number of children to be dropped off or collected exceeds five children.

3. The registered provider submitted documented evidence that all staff have recorded and confirmed in writing that they have received training on the updated drop off and collection policy and staff are now aware of the procedures to be followed on drop off and collection times.

The registered provider submitted photographic evidence of signage placed on the exit door to remind staff to wear hi visibility jackets and to bring the collection book on each school drop off and collection to prevent a reoccurrence of the non-compliance that was identified on inspection.

Summary of Findings

The documented and photographic evidence submitted has been reviewed by the inspectors and has met the regulatory requirements.