

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2021SO010SA
Name of School Age Service:	Tubbercurry Family and Childcare Resource Centre
Name of Registered Provider(s):	Brendan McCauley
Address of School Age Service:	Mountain Road Tubbercurry Co. Sligo
Eircode:	F91 YR25

Date(s) of Inspection:	30 April 2025
Number of school age children present during inspection:	PM 30
Registration status:	Registered
Conditions (if applicable):	Not applicable

Address of the Early Years Inspectorate	Early Years Inspectorate 180-189 Lakeshore Drive Airside Business Park Swords Co Dublin
Inspection undertaken by:	M. McDonnell
Title:	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).

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Description of Service:

Tubbercurry Family and Childcare Resource Centre is a registered school-age service located in a town in Co Sligo. The service provides care for children aged 4 to 12 years old. An afterschool club is provided from 2.00 to 6.00pm during term time and 8.00am to 6.00pm during non-term time. The service is based in a single storey building with direct access to outdoor areas. The school age children have access to two main care rooms within the service. There is a registered preschool service on the site.

Staffing:

The registered provider does not work in the service. The service is staffed by ten adults, which includes the person in charge, who is available to the service in a supernumerary capacity, and two adults who were working in the service through an employment scheme.

Additional Information:

This inspection was triggered following 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:

- 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.

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Acknowledgements:

The inspector wishes to acknowledge the co-operation of the children, person in charge, members of management and staff who were present on the day of inspection.

Summary of Findings:

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

- Regulation 8: Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 10: Policies etc. of school age service;
- Regulation 12: Insurance;
- Regulation 13(1)(a)(b)(c)(2)(a)(b)(3)(a)(b): 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:

- 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 registered provider submitted actions and evidence in their corrective and preventive action plan which addressed the non-compliances identified in Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013 during the 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 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

The staff files for the registered provider and ten adults' files were reviewed. Two written and validated references from past employers or a reputable source were held on file in respect of the ten adults working in the service. Two references were also available for the registered provider. A Garda vetting disclosure was held on file in respect of all 11 adults. Documentation available demonstrated that seven adults did not require international police vetting. The police vetting required was held on file in respect of for four adults who had lived outside of the state for over six consecutive months as an adult.

Records confirmed that the necessary vetting procedures were conducted prior to the appointment of adults to work in the service.

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

The inspector observed that there were four staff members working directly with 30 children. Throughout the inspection, these staff members working directly with the children were supported by supernumerary staff. The children were observed to be supervised appropriately both indoors and outdoors. For example, in one room the outdoor area was directly connected to the indoor space and children moved freely between the two areas. Staff members sat with children as required to provide support for homework. Children were supervised in the communal areas of the service, for example when going to their bags in the hallway. A sample of records reviewed for the week of 28 April 2025 demonstrated that there was sufficient staff supervising the children with support staff available.

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 inspector reviewed the managing behaviour policy and the complaints policy. Both contained information from schedule 6 to support staff in safe practices working with the children.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service had insurance which covered the maximum of the 48 school age children attending the service. Insurance cover was valid from the 2 March 2025 to the 1 March 2026.

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

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.

There was a record of a recent complaint which was being dealt with by the service.

Documentation, which was dated and signed, demonstrated that the service had responded to the complaint in relation to the service's own complaints policy.

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 inspector observed the health, safety and welfare of children being supported by the following:

- The management staff spoke with the inspector concerning a recent incident which had been notified to the inspectorate. The staff member had a record of the incident and records to demonstrate the investigation of the incident. From these records a plan had been put in place which identified meetings with staff and focused training were required. On the day of the inspection the staff member was able to demonstrate that other staff members had been invited to attend training the week following the inspection. A plan for the meeting agenda was in place and support had been gained from the service's management structures. Staff spoken to were aware of the training day and spoke of regular team meetings which were documented, and provided training opportunities and support for staff members.
- The inspector observed that staff members were aware of the behaviour management strategies within the service and there were training records available. Staff were observed interacting kindly with the children and discussing the children's days with

them. A selection of children spoken with were aware that they could speak to staff as well as parents should they have any concerns.

- The children and staff members discussed the monthly plans that were available in the service. They discussed how staff and children were involved in the plans and that there was a flexible approach to activities. A selection of children spoken with discussed how staff helped them with different activities of their choice, for example creating art activities and playing games outdoors.

Regulatory Requirement not met

1. The registered provider had not ensured that all service policies had been adhered to ensure the children's safety. The service had not adhered to a procedure in their 'Child Care Good practice' policy to confirm if actions taken were appropriate. It is acknowledged that through discussions and some documentation available that alternative actions were taken, but these were not in line with a signed service policy in place from May 2024.
2. The registered provider had not ensured that Garda Vetting disclosures had been renewed in line with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda Vetting every three years. Of the 11 Garda Vetting disclosures in place, one had not been renewed in the last three years.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider stated that the process had been updated to include best practice recommendations. The amended policy wording and the agenda for the meeting held with staff members on the 6 May 2025 to update them on changes was submitted.
2. The registered provider submitted evidence of the updated Garda Vetting disclosure. As a preventive action the registered provider stated that checks will be conducted on the paperwork of external members to ensure all disclosures are updated within specified timelines.

Summary of Findings

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