

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2021TY014SA
Name of School Age Service:	Ladybirds CBS Breakfast and Afterschool Service
Name of Registered Provider(s):	Stephanie Kennedy
Address of School Age Service:	St Josephs C.B.S Nenagh, Summerhill, Nenagh, Co. Tipperary.
Eircode:	E45F890

Date(s) of Inspection:	15 August 2024			
Number of school age children present during inspection:	AM	Not applicable	PM	28
Registration status:	Registered			
Conditions (if applicable):	Not applicable			

Address of the Early Years Inspectorate	Tusla Primary Care Centre Church Avenue Tullamore Co Offaly
Inspection undertaken by:	A Spain
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:

Ladybirds CBS Breakfast and Afterschool Service is located in Nenagh town. The service is situated on the grounds of both a primary and secondary school in a prefabricated unit. The service is open between the hours of 7.30 and 9.00am and between the hours of 1.30 and 5.30pm during school terms. The service also operates during school holidays and for 51 weeks of the year. Children in the age range 4 to 12 years are catered for. Rooms in use in the service include two playrooms and a kitchen area off one of the playrooms to prepare breakfast and evening snacks. Sanitary accommodation is provided off one of the playrooms. There is an outdoor play area directly outside of the service. In addition, children have access to the school playground, basketball court and a sensory garden on site. A part-time preschool service is also provided during school terms between the hours of 9.00am and 2.00pm.

Staffing:

The service is staffed by five adults which includes the person in charge of the service. The registered provider does not work directly in the service.

Additional Information:

The inspector conducted a planned focused inspection of the service.

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

- Regulation 8: Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 12: Insurance;

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

- Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Act, 2013.

Conclusion and follow-up actions:

The registered provider provided actions to correct and prevent the reoccurrence of the non-compliance identified on inspection. This has been accepted by the inspectorate and is deemed to meet the regulatory requirement.

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)(a)(b)(c)(d)(2)

References were available for all five staff working in the service. References were sourced from past employers or sources other than past employers. A Garda vetting disclosure was held on file in respect of all five staff members working in the service.

Curriculum Vitae confirmed that Police vetting was not required as none of the staff members had lived outside of the state for more than six consecutive months as adults.

(2)

All of the necessary vetting procedures were carried out prior to appointment of staff 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

- (1)
An adequate number of staff were working with the children as three staff were caring for 28 children during the morning in the service. At 2.30pm, three staff were caring for the remaining 19 children playing in the schoolyard outside of the service.
- (2)
Rosters were reviewed for the week of 29 July to August 2nd 2024 which demonstrated that there were adequate staff to care for and supervise the children that were in attendance. The 19 children remaining in the service at 2.30pm on the day of inspection were also noted to be registered as still in attendance at this time.
- (4)
The staff were observed to supervise the children by both observation and by moving to different groups of children both in the playroom and in the school yard. The staff were observed to move around the yard area to ensure children were supervised at all times. Children were observed by staff as they played in a “shop”, sat in a shelter and played with balls on the basketball court. A sign in and out sheet was taken to the outdoor area when children were taken outdoors to sign children out of the playroom and back into the service on return to the room. Staff were observed using the sheet to document when children were leaving the service at certain times which ensured the correct number of children present at any given time in the service.

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 40 children in daily attendance in a school age service. Insurance was valid from the 28 March 2024 to the 27 March 2025.

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 not met

1. A Garda vetting disclosure, dated within the last three years was not available for two staff members. The service had therefore not demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

Corrective & Preventive Action Response submitted by the Registered Provider

The registered provider submitted renewed Garda vetting as required for two staff members. The Garda vetting's were conducted on the 26 February 2024 and the 30 January 2024. The registered provider confirmed in the response to the inspection report that all Garda vetting for staff in the service will be updated as required and available for inspection.

Summary of Findings

1. The vetting disclosures submitted by the registered provider confirmed that both staff had a current Garda vetting on file.