

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2021TY027SA
Name of School Age Service:	Busy Bees Rathkeevin
Name of Registered Provider(s):	Vanessa Moriarty
Address of School Age Service:	Rathkeevin National School Cahir Road Clonmel Tipperary
Eircode:	E91 YY24

Date of Inspection:	17 January 2024
Number of school age children present during inspection:	PM 19
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 A. Spain
Title:	Early years inspector Registration support manager

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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:

Busy Bees Rathkeevin is a school age care and pre-school service based in a single storey building in a rural area of Tipperary. The service is registered to accommodate children aged 4 to 12 years old. The service is open Monday to Friday between 7.30 and 9.10am for a breakfast club, and from 2.00 and 6.15pm for an afterschool club. A specific room in the service is allocated for use by the school age children. The children have direct access to an outdoor space from the care room. The children and staff have access to sanitary facilities, and there is an onsite kitchen.

Staffing:

The registered provider works in the service. The registered provider employs six staff members who work with the school age children. This includes a person in charge and three school age care staff. There are also two teachers who provide support for homework to the school age children.

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.

Acknowledgements:

The inspectors wish to acknowledge the co-operation of the children, registered provider, person in charge, 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:

- 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): 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:

- Regulation 7(1): Notification of change in circumstances
- 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 actions and evidence submitted by the registered provider have addressed the non-compliances identified on 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 informed Tusla in advance of a change in the operational hours of the service. The attendance records reviewed by the inspectors and discussions that inspectors

had with staff confirmed that children had attended the service on the 15, 16 and 17 January 2024 from 1.50pm. However, the service was not registered to operate between 9.10am and 2.00pm.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)

The registered provider submitted a change of circumstances application to the Inspectorate for a change of afternoon opening hours from 2.00pm to 1.50pm. This application was approved by the Inspectorate. The registered provider stated changes will be requested in the future.

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. The actions 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 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)

The inspector reviewed the staff files of the registered provider and the six staff members employed in the service who worked with the school age children. There were written references available for the registered provider. There were two written and validated references available for the six staff members from a previous employer or source other than a previous employer. A Garda vetting disclosure was available for all six staff members and the registered provider. A review of documentation demonstrated that police vetting was either not required or was available where required.

(2)

A review of the staff members' start dates demonstrated that vetting procedures had been completed before they commenced employment 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)(2)(4)

On the day of the inspection, 4 staff members were working directly with the 19 children in attendance.

The inspectors observed appropriate supervision of the children. For example, staff members supervised the children based indoors and supported them with their homework. In the outdoor area staff were playing games with the children.

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 service's infection control policy, complaints policy, and behaviour management policy. The policies contained information as per Schedule 6 of the regulations to support staff in their practice. There was documentation available to show that parents and staff had been informed of these policies.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service was insured from 28 March 2023 to 27 March 2024 for 52 children. On the day of inspection, there were 19 school age 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.*

Regulatory Requirement Met

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

The complaints policy detailed the procedure for making a complaint and how verbal and written complaints would be dealt with. There was an informal, formal, and escalation process documented in the policy. The policy referenced how a complainant would be kept informed of the complaints procedure and the appeals process. On the day of the inspection, staff members informed the inspector that there were no 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

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

- The registered provider ensured there was a behaviour management policy in place. Staff were aware of the policy and training records demonstrated that staff had signed that they had read and understood the policy. Staff were observed to interact positively with the children whilst they played games and activities. A calm atmosphere was observed whilst staff supported children in completing their homework. The sample of staff members who spoke with the inspectors described a close working relationship with the school the children attended to support the children in completing their homework when in the service. This included some teachers from the school attending the service for homework support.
- A staff member discussed the rules of the service with inspectors and noted they had been devised with the children in September 2023. The rules were on display in the service and children who inspectors spoke with discussed how the rules helped them engage positively with their peers in the service.

- The inspectors discussed the service's child protection procedures with a number of staff members. A safeguarding statement was available onsite. Staff were aware of the procedures, including a code of behaviour, and who to discuss any concerns with, which included if they had concerns regarding other staff members. Records of safeguarding training were reviewed which showed safeguarding training had taken place in October 2023.
- Children were provided with heated food on the day of inspection. The food, which was stored in the fridge, had been provided by the children's parents/guardians and was reheated by staff in the service. The service was registered with the Environmental Health Service and records demonstrated staff had been trained in the safe preparation and handling of food. The food was provided to children while it was still warm. Children were observed enjoying their dinners whilst they were warm. Staff members discussed with the inspectors how the children had been given the options of the dinners provided by the service but that they all preferred their own dinners provided by their parents/guardians.

Regulatory Requirement not met

1. The registered provider did not support the welfare of the children in the service as the temperature of the room was not consistently kept warm. Whilst it is acknowledged that it was a cold day, a sample of children informed the inspector that the room was sometimes quite cold. On the day of inspection, the temperature in the room varied from 15.8°C to 19°C between 3.14pm and 3.20pm. At 4.16pm the temperature of the room varied from 16.0°C to 18.7°C.
2. The temperature of the water used for children's hand washing in the service was not maintained to prevent the risk of infection to children and staff. The temperature of the water was 4.6°C at 2.52pm and 4.2°C at 3.10pm.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider stated that on the day of the inspection, it was particularly cold, and the door was opened more than usual to facilitate the inspection. Since the inspection, the registered provider stated that they have introduced a room temperature sheet which is monitored daily. The registered provider submitted an example of this sheet being implemented.

2. The registered provider stated that there was a delay in turning on the water due to the inspection. The registered provider stated that the water was normally switched on at 1.50pm and that it was an oversight on the day. A picture of the water system was provided to demonstrate the system was in good working order. The registered provider stated that the system was switched on at 3.30pm on the day of inspection upon noticing the oversight.

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. The actions will be reviewed on the next inspection.