

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2021WW022SA
Name of School Age Service:	Riverside Childcare
Name of Registered Provider:	Michael Dunster
Address of School Age Service:	Aughrim Community Sports Centre, Rednagh Road, Aughrim, Co. Wicklow
Eircode:	Y14 F868

Date of Inspection:	13 June 2024
Number of school age children present during inspection:	PM 12
Registration status:	Registered
Conditions (if applicable):	Not applicable

Address of the Early Years Inspectorate	Brunel Building, Heuston South Quarter, Saint John's Road West, Dublin 8. D08 X01F
Inspection undertaken by:	A. Bradshaw
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).

Description of Service:

Riverside Childcare is a privately run service in a rural town in Co. Wicklow. It is based at the Aughrim Community Sports Centre. The service has the use of a care room on the first floor of the building and a large amenities hall on the ground floor.

The service is registered to accommodate up to 22 children at any one time between the ages of 4 and 12 years old. The service is registered to operate from 2pm to 6pm.

The children have access to a small, enclosed garden at the side of the building and the sports pitches at the front of the building.

A registered pre-school service is also in operation on the site.

Staffing:

There are three adults employed by the registered provider. On the day of the inspection, there were 3 staff caring for 12 children. The registered provider does not work directly with the children but is available for support if required.

Additional Information:

The inspector conducted a follow-up inspection of this service. The service was previously inspected on 16 December 2022.

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 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(1)(a)(b)(c): Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 12: Insurance;
- Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

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

- Regulation 8(1)(d) (2): Vetting disclosures.

Conclusion and follow-up actions: The actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have adequately addressed the non-compliance identified.

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)

The inspector reviewed four staff files. Since the last inspection, eight validated written references from past employers were available. Four Garda vetting disclosures were on file. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

Regulatory Requirement not met

(1)(d)

Records demonstrated that two staff members required police vetting and these were not available on the day of the inspection.

(2)

Documents reviewed demonstrated that relevant vetting disclosure procedures had not been carried out prior to persons being allowed access to children in the service.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)(d)

The registered provider submitted copies of the outstanding police vetting required for two staff members.

(2)

The registered provider has stated that going forward all vetting disclosure will be in place before a staff member is employed.

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.

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 appropriate staffing levels were maintained during the inspection. The 12 children who attended the service were supervised directly by 3 adults. Discussion with staff members and a review of the staff and children's attendance records from 27 May 2024 to 13 June 2024 demonstrated the minimum ratio of 1 adult to 12 children was maintained during that period.

During the inspection, staff members were observed to engage with children. Staff members were observed to chat with children as they arrived at the service from primary school. The inspector noted that the staff members moved around the care room to observe the children's

activities.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service was insured for a breakfast club and afterschool care from 28 March 2024 to 27 March 2025. The insurance cover was for a maximum of 22 children to attend the after school service.

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

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

- The room layout allowed children the freedom to choose their activities and to play and work independently. Children were observed to sit at a table and participate in arts and crafts, while others completed their homework. A child was observed to play with cars, trucks and tractors and explained to a second child that they were building a car park and described each of the vehicles to them.
- The furniture in the room was an appropriate size for the children's age and stage of development. There was a large table with adult-sized chairs, smaller tables and lower chairs.
- Staff members were observed to sit with a child who was finding it difficult to settle after

arrival from school. The staff member talked to the child about their day and then suggested an activity the child could participate in. The child engaged in the activity and began playing with the other children in the room.

- As the weather was inclement the children did not use the outdoor area on the day of the inspection. The staff verbally described how they check the garden before the children use it to ensure there are no hazards. They also indicated that the children prefer to use the football pitches on the grounds as they play ball games. On a review of the outdoor area, the play space was secure, and the equipment was safe.