

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2021WX033SA
Name of School Age Service:	Amber Springs Kids Club
Name of Registered Provider:	Eibhear Coyle
Address of School Age Service:	Amber Springs Hotel, Wexford road, Gorey, Wexford
Eircode:	Y25 FY07

Dates of Inspection:	27 November 2025			
Number of school age children present during inspection:	AM	n/a	PM	13
Registration status:	registered			
Conditions (if applicable):	Not applicable			

Address of the Early Years Inspectorate	Primary Care Centre, Castle Park, Arklow, Co Wicklow
Inspection undertaken by:	L O' Connor
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:

The Amber Springs Kids Club is located within the Amber Springs Hotel in Gorey, Co. Wexford. The service is registered to accommodate a maximum of 50 children aged 4 to 12 years old. It is registered to operate from 9am to 9.30pm. During term time, from Sunday to Thursday Kids Club is open from 6.30pm to 9.30pm. And on Friday and Saturday, Kids Club provides a Pizza party from 5.30pm to 6.30pm. At the weekend, there is a morning Kids Club from 10am to 1pm.

Kids Club operates from one room which is located on the first floor in the hotel.

Staffing:

There are seventeen adults employed within the service, including the registered provider. The registered provider does not work directly with the children.

On the day of inspection, there were three adults present in the Kids Club.

Additional Information:

The inspector conducted an unplanned inspection of the service due to information received by the Inspectorate.

The service was operating an unregistered pre-school. A referral was made to Service's Operating Outside of Registration (SOORs) team within the Early Years 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 inspector wishes to acknowledge the co-operation of the children, 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(1)(c)(d)(2): Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 12: Insurance;
- Regulation 13: Complaints.

The registered provider was found to be non-compliant in relation to the following:

- Regulation 8: Vetting disclosure(1)(a)(b)(2);
- Section 58(G) of the Child Care act 1991 as amended.

Conclusion and follow up actions:

The registered provider submitted actions to demonstrate the measures taken to address the non-compliance, and the measures in place to reduce the likelihood of the re-occurrence of the finding. Based on the implementation of these actions, it is deemed that the requirement has been met for Regulation 8: Vetting disclosure and Section 58(G) of the Child Care Act 1991 as amended. These regulations will be assessed 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)(c)(d)

Seventeen staff files were reviewed. The person in charge confirmed that seven new staff members were employed since the previous inspection in April 2024. The following was available:

- Garda Vetting was available for the seven staff members.
- Four Garda vetting disclosures were due for renewal. Evidence was available to demonstrate that one was renewed. Please refer to Section 58(G) of this report.
- A review of documentation determined that Police vetting was not required for any staff members recruited since the last inspection.

Regulatory Requirement not met

(1)(a)(b)

While four references were on file for three of the seven new recruits, there were no validated references available for any of the seven staff members.

A review of corrective actions provided following previous inspection was carried out. The corrective and preventive actions provided by the registered provider had not been implemented adequately to correct the non-compliance. A review of ten staff files from the previous inspection in April 2024 was carried out. Of the twenty validated references required, ten references were available. There were no validated references available for any of the ten staff members.

(2)

The required documentation was not in place prior to all staff being appointed, assigned or allowed access to or contact with a child attending the school age service. Adequate consideration of references was not carried out for the seven staff members prior to being appointed, assigned or allowed access to or contact with children.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)(a)(b)

The reference validation process for current employees will commence, the service will have all references validated by 22/1/2026. The onboarding employee check list has been updated with reference validation section. As part of the onboarding, it is required that a reference is on file & verified prior to commencement of employment. The validated references were submitted to the inspectorate.

(2)

All staff that have not either applied for renewal of Garda vetting or do not have verified reference checks by 22/1/2026 will be removed from roster. Any staff that have no Garda vetting will be removed from roster until Garda vetting comes through. The on-boarding employee check list will now be signed off by deputy general manager or general manager to ensure all is compliant before being added to roster. Supporting documentation was submitted to demonstrate that Garda Vetting was re-applied for.

The registered provider submitted a monthly audit template which includes a review to check that employee files are up to date. A template was submitted with the names of the staff, list of required files and evidence of review carried out for each staff member. An onboarding form was submitted, to include the required files for each staff member.

Summary of Findings

The requirement has been met for Regulation 8: Vetting disclosure. This regulation will be reviewed on the next inspection.

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) There was an adequate number of adults working with the children during the inspection.
- (2) The adult to child ratio was maintained during the inspection. There were three adults present with 13 school age children.
- (4) Throughout the inspection, children were appropriately supervised by staff members through sight and sound.

Regulation 12: Insurance

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

Regulatory Requirement met

The service was insured for 50 children to attend at any one time. The policy was dated from 07 November 2025 to 06 November 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.*

Regulatory Requirement met

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

The service had a complaints policy in place. The policy detailed how a complaint was made to the service and supporting procedures, to include how a complaint was managed and the timelines.

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

The interactions between the staff members and the children were warm and playful. The staff members engaged with the children as they played. The equipment available to the children was age appropriate. Children had access to a play kitchen, football table, blocks, trucks, games and an air hockey table. The room was set-up prior to the children arriving. For example, the table was observed to have colouring sheets and pencils.

Regulatory Requirement not met

1. The registered provider did not ensure that effective measures were in place for children attending who required emergency medication. The following was noted:
 - a. The practices discussed were at variance with the service's administration of medication policy. Staff members confirmed that they would administer emergency medication. However, the service policy stated that the service does not administer any medication to a child in their care.
 - b. The procedure to follow in the event of a child requiring emergency medication was unclear. In discussion with the staff members, it was outlined that where a child requires emergency medication, it was brought to the service when the child arrives. Through further discussion and a review of records, information for the plan of care, in the event of an emergency, was not available. On a review of the attendance records, information provided by the child's parent indicated that two individual children may require emergency medication. Staff confirmed that the children did, however, were unable to provide details on the procedures regarding administration. This posed a risk of delayed or ineffective intervention with a child in the event of a medical emergency.
 - c. The service's administration of medication policy stated that parents complete and sign a medication form prior to the child attending. These records were not available.

2. The service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. On review, Garda vetting disclosures for three staff members required renewal.
3. The registered provider did not adhere to their child safeguarding policy. This posed a risk to children's welfare as there may be an inadequate response if there was a child safeguarding concern. The service's safeguarding policy outlined that the service staff members had access to ongoing training and information, particularly on child protection. Staff confirmed they have not engaged with child protection training.
4. The registered provider did not ensure that effective measures were in place to reduce the likelihood of recurrence of the non-compliances identified on the previous inspection in April 2024 regarding recruitment procedures. This was demonstrated through the following:
 - a. The registered provider outlined through the CAPA response that a policy was developed & implemented within the service regarding the safe recruitment of staff members. The policy outlined the procedures in place to ensure the consideration of references, prior to the appointment of staff within the school age service. The registered provider did not put adequate measures into place to ensure the actions were implemented within the service.
 - b. The measures submitted through the CAPA process were not effective to ensure that all children attending the service were school age children. Through the CAPA process, the registered provider stated that they would request a declaration from the parent/ guardian to confirm that the child is between 4 to 12 years & attending primary school. This measure was observed to be in place on the attendance record. However, it was not effective as it did not reduce the reoccurrence of the non-compliance as the service was found to be operating outside registered status on the night of inspection.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The plan of care in emergency situation has been added to the services child safeguarding policy in medication policy and emergency plan of care. The team has been met with to ensure they all understand the services child safeguarding policies, with sign off that they have read / understood and accept the child safety statement, medication management policy and the terms and conditions of entry to kid's club. Sign off statements will be part of the onboarding process, if there is any change to any policy or procedure this will be communicated to all staff and signed off. The registered provider submitted a monthly audit template which includes a spot check of medication sign off. An updated medication management template was submitted which stated that children must self-administer or parents must administer emergency medication.
2. Renewals for garda vetting are now in process. Going forward, the employee file will have an updated check list which includes renewal date for garda vetting. The registered provider submitted a monthly audit template which includes a review of Garda Vetting renewal dates. The registered provider submitted supporting documents to demonstrate that Garda Vetting was re-applied for.
3. All training is complete. Mandatory training to be completed is now part of the onboarding & any future training will be communicated through the hotel training portal. The registered provider submitted a monthly audit template which includes a review to check that training is completed. Supporting documentation to demonstrate the completion of staff training on child protection. And confirmation that staff members read the service's child safeguarding statement and the service's medication policy.
4. The service has moved back from the age and are now concentrating to ensure that the child is in attendance of a primary school. The service will use a secondary declaration when the service is uncertain or doubtful that child is attending national school or if parent declares the child to be 4 years. The deputy general manager will audit sign-in sheets monthly.

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The registered provider submitted the monthly audit template which includes a spot check of attendance records and secondary declaration forms. Updated sign-in sheets were also submitted as supporting documentation. A sample of completed secondary declaration forms were submitted dated January 2026.

Summary of Findings

Based on the implementation of these actions, it is deemed that the requirement has been met. Section 58(G) of the Child Care Act 1991 as amended will be assessed on the next inspection.