

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2022FL013SA
Name of School Age Service:	Bopeep Creche & Montessori
Name of Registered Provider:	Roseanna Keegan
Address of School Age Service:	Church of the Visitation, Aspen Road, Kinsealy, Co. Dublin
Eircode:	K67 PY28

Date of Inspection:	4 September 2024
Number of school age children present during inspection:	PM 24
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. Bradshaw
Title:	Early years inspectors

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:

Bopeep Creche & Montessori is located in a residential area in Co Dublin. The service operates from a large room in a portacabin, in which sanitary facilities and a small kitchen are available. A school aged service is provided to children aged 4-12 years old. Whilst the service is registered to operate from 1.30 to 5.00pm the service currently operates a breakfast club from 7.30 to 9.30am. A sessional pre-school service, from 9.00am to 12.00pm, is in operation at this location.

Staffing:

The registered provider works in the service in a supernumerary capacity. There are two staff members employed to work with the 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:

- 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 inspectors wish to acknowledge the co-operation of the children, registered provider, and staff who were present on the day of inspection. These actions will be reviewed on the next 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)(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:

- Regulation 7(1): Notification of change of 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, in their preventive and corrective action plan, 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.

(2) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) of a 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), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.

Regulatory Requirement not met

(1)

The registered provider had not informed Early Years Inspectorate in advance of an addition to the operational hours of the service. Children's attendance records for 4 September 2024 and 3 May 2024 demonstrated that children had attended the service between 7.30 to 9.30am. On the day of inspection, the service was not registered to operate these hours.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)

The registered provider submitted a change of circumstances (CIC) for the change in hours and this has been approved by the Early Years Inspectorate. The registered provider has stated they will refer to the CIC form regularly to ensure nothing has changed.

Summary of Findings

The actions and evidence submitted by the registered provider, in their preventive and corrective action plan, have addressed the non-compliance identified on 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 of the registered provider and two staff members were reviewed. There were six references available for the three adults from a previous employer or source other than a previous employer. These references were validated by the registered provider as required. Garda Vetting disclosures were available for the three adults working in the service. These Garda Vetting disclosures were dated within the last three years demonstrating compliance with the Renewal of Garda Vetting regulatory notice. The documentation reviewed demonstrated police vetting was available as required. These documents were in place before the staff members commenced employment as required by legislation.

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)

There were 3 adults working directly with the 24 children in attendance on the day of the inspection. During the inspection, all the children chose to play in the garden. Staff were observed in the different areas of the garden, directly supervising small groups of 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 service's behaviour management policy, statement of purpose and complaints policy were reviewed. These documents contained required information as per Schedule 6 of the regulations to support staff in their practice.

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 2024 to 27 March 2025 for a maximum of 24 children. On the day of the inspection, there were 24 children in attendance.

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

(1)(a)(b)(c)(2)(3)(a)(b)

The complaints policy was available on-site for parents and was given to parents during enrolment. The 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 and the appeals process. The policy included advice for staff in supporting parents in making a complaint.

The registered provider and staff stated to inspectors that no verbal or written complaints had been received.

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:

- Staff were observed interacting positively with the children and facilitated their requests to play different activities. For example, a staff member joined in with the children's play whilst they were having a 'tea party' in the garden area. Another staff member played with other children indoors with magnetic blocks. The children spoke to inspectors about what activities they enjoyed and this included quiet time. A child was observed to use the quiet space available which had books and a small couch.
- Staff spoke about the positive behaviour management policy and strategies that were used to support children, which included individual support. Staff were observed using these various strategies, such as positive engagement, to support a small group of children in resolving a dispute. The children responded calmly and respectfully to the staff.

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Regulatory Requirement not met

1. The registered provider did not follow the service's safeguarding policy to ensure the safety of the children attending the service. The following was observed during the inspection:
 - Whilst the registered provider had a record available concerning an alleged incident this record did not demonstrate that the service's safeguarding policy had been followed.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider has stated that they will ensure all policies and procedures will be referred to and referenced more.

Summary of Findings

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