

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2022WX006SA
Name of School Age Service:	Bright Start
Name of Registered Provider(s):	Mary Whitney
Address of School Age Service:	Barntown Community Centre, Ballygoman, Barntown, Wexford.
Eircode:	Y35 X032

Date(s) of Inspection:	06 February 2024			
Number of school age children present during inspection:	AM	Not Applicable	PM	22
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:

Bright Start is located in Barntown Community Centre which is on the outskirts of Wexford Town. The service caters for 36 school age children aged between 4 to 12 years old from Monday to Friday. During term time, the service is open from 7.30 to 9am and 1.30 to 6pm. During school holidays, the service operates from 7.30am to 6pm.

The service is located within a multipurpose building. On the first floor, the children have access to the main care room and a homework room. There is a kitchenette and sanitary facilities adjoining the care room. On the ground floor, the children have access to an indoor sports hall.

The registered provider operates a number of early years services within Co Wexford.

Staffing:

There are six adults, including the registered provider working in the service. On the day of inspection, there were four adults and one student present within the service.

Additional Information:

The inspector conducted a planned focussed inspection of the service.

An Immediate Action Notice (IAN) was issued on 06 February 2024 under Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013. A response was received from the registered provider on 07 February 2024 which addressed the immediate risk that had presented. For further information, please refer to Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013 within this report

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, registered provider, person in charge, and staff who were present on the day of inspection.

Summary of Findings:

The inspector planned to focus on Regulation 8: Vetting disclosures, Regulation 9: Staffing levels, and Regulation 12: Insurance.

On inspection, the registered provider was found to be compliant in relation to the following:

- Regulation 8(1)(c)(d): Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 12: Insurance;
- 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 relation to the following:

- Regulation 8(1)(a)(b)(2): Vetting disclosures;
- Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

Conclusion and follow-up actions:

The registered provider submitted actions to correct and actions to reduce the likelihood of the reoccurrence of the non-compliances identified. Alongside the supporting documentation submitted, the inspectorate is assured that the regulatory requirement has been met.

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) Six files were reviewed, and the following was available:

(c) Garda Vetting disclosures were available for the six adults.

(d) A review of documentation and discussion with the adults demonstrated that police vetting was not required.

Regulatory Requirement not met

(1)(a)(b)

Of the six files reviewed, the following was not available:

It is acknowledged four of the required twelve references were available from a previous employer. However, three validated references were not available for three adults, and one reference from a previous employer required validation. Two validated references were available from a reputable source, however, two references required validation for one adult.

(2)

The procedures, as required, were not carried by the registered provider prior persons being appointed within the service.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)

(a)(b) The registered provider stated through their CAPA submission that a full review of all of the staff files has been completed. All references are available and validated. The required validated references were submitted to the inspectorate.

(2) The registered provider outlined that a business stamp will be used for future employees for reference validation in future to ensure validation is more easily identifiable.

Summary of Findings

The regulatory requirement for Regulation 8: Vetting disclosure has been met.

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 was an adequate number of adults working with the children for the duration of the inspection. At 2.30pm, there were 9 children present with 4 adults. At 4pm, there were 21 children present with 4 adults. The children were appropriately supervised throughout the inspection.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service was insured for 36 children to attend at any one time.

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 environment and supporting equipment within the care room appeared appropriate for the age group of the children. It was equipped with a range of appropriately sized furniture to suit the various age groups attending the service. Staff were observed to positively engage with the children and were familiar with the child's interests. For example, for the duration of the inspection, three of the adults positively encouraged and acknowledged one child's interest in drawing on a blackboard and the characters which the child was drawing. The child positively reacted by smiling and sharing stories about the characters and quotes the characters use.
- Staff discussed the routine of the service and measures taken to support the younger and older group of school age children who arrived. For example, a dining area was set up in the main care area for the older children who arrived at 2.40pm. During this time, the younger children were prompted to choose an activity and were brought to the homework room. Following the mealtime, both groups of children were combined. This practice recognised the needs of all the children and measures taken to support the varying age groups.
- Children's choice was supported through varying practices. For example, a group of children went to the indoor sports hall on the ground floor. Individual children were overheard to ask to return to the main room, and likewise, within the main room individual children requested to go to the sports hall. Providing choice and flexibility in activities supports children's independence and decision making

Regulatory Requirement not met

1. The service's administration of medication policy was at variance with the practice observed on inspection:
 - a. The policy stated where there is a medical condition for a child, the service would develop an individual medical care plan. On the day, there was a child who was diagnosed with two medical conditions. A care plan was not in place for one of the conditions.
 - b. The required emergency medication for the above child was not available within the service.

This practice posed a risk to the health of the child. An Immediate Action Notice was issued on 06 February 2024, and a response was received from the service on 07 February 2024.

2. The service's policy on the dropping off and collection of children did not specify the collection or drop off procedures followed by the service.
 - a. While it is acknowledged that staff discussed the general measures in place for the collection and drop off, varying procedures for the age group of children and/or time of collection were outlined by staff. These procedures were not documented within the service policy.
 - b. The procedure for the 'checking in' of children at collection time was not detailed within the service's policy. On the day of inspection, staff did not bring a copy of an attendance record and/or other records at collection time to specify which children were due for collection on the day. This practice poses a safety risk to the children.
 - c. A procedure was not in place between the service and parent(s) or guardians to detail the actions to follow in the event a child is not attending school, and subsequently not present at collection time by the service.

This practice poses an increased risk to safety during the collection and/or dropping off times.

3. The service's dropping off and collection policy stated that children arriving at the service must be signed in by a member of staff. The practice on the day of inspection was at variance with the service policy as the attendance records were not reflective of the children present. The following was observed:

- a. At 2.20pm, there were eight children present. On the attendance record, there were 21 children pre-marked into the records prior to their arrival to the service.
- b. One child was pre-marked to arrive at 2.40pm and did not arrive to the service.
- c. One child who was present at 2.20pm was not marked in the attendance book.

This practice poses a risk to the safe evacuation of children and staff in the event of an emergency.

4. A record of staff rosters or sign in/out was not available. On the day of inspection, there were four staff and one student present.

- a. Staff did not sign in to indicate who was working directly with the children.
- b. Staff did not sign out when leaving the premises for the two collections of children from the nearby school.

The inspector requested for this information to be recorded during the inspection.

This practice posed a risk to the safe evacuation of children and staff in the event of an emergency.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider responded to the Immediate Action Notice stating the service had received the medication for the child and a care plan was developed. The service submitted photos evidencing the medication available and the care plan. The registered provider stated through their CAPA response a full review of all children with medical conditions has taken place to ensure emergency medication and an up-to-date care plan is available in the service. The services administration of policy has been updated and the policy has been circulated to staff and parents.
2. The registered provider responded through their CAPA stating there has been a full review of the services dropping off and collection policy.

The dropping off and collection policy has been updated to include actions to follow in the event of a child not being present at school at collection time. The updated policy has been circulated to staff and parents, and staff are fully aware of the requirement to bring a record of children due to be collected from school with them on pick up. The dropping off and collection procedures will be on the agenda of our monthly staff meetings.

The service policies and procedures were submitted for review and demonstrated the updated procedures.

3. The registered provider stated the services drop off and collection policy has been revisited with all staff. Children attendance records will be reviewed daily by the manager to ensure the practice of recording attendance is in line with service policy and to ensure no children are pre-marked to arrive. The dropping off and collection procedures will be on the agenda of our monthly staff meetings.

The service policies and procedures were submitted for review and demonstrated the updated procedures.

4. The registered provider stated a staff register and roster is in place and available within the service. The staff register will be reviewed daily to ensure all staff working with children are recorded and that staff leaving the premises for school collections will sign in and out. Staff roster will be updated every Friday for the following week and any changes will be recorded.

Photographic evidence of the staff roster was submitted.

Summary of Findings

The regulatory requirement has been met for Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013. through the actions and supporting documentation submitted by the service. This will be reviewed on the next inspection.