

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2023CW001SA
Name of School Age Service:	Stay and Play Afterschool
Name of Registered Provider:	Aine Byrne
Address of School Age Service:	St Brigids School Grange Killerig Co. Carlow
Eircode:	R93 FX22

Date of Inspection:	23 October 2024			
Number of school age children present during inspection:	AM	Not applicable	PM	12
Registration status:	Registered			
Conditions (if applicable):	Not applicable			

Address of the Early Years Inspectorate	Early Years Inspectorate Tusla Primary Care Centre Church Avenue Tullamore Co Offaly R35K1W4
Inspection undertaken by:	A Spain
Title:	Early years inspector

Early Years Inspectorate Regulatory Report School Age Services

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:

Stay and Play Afterschool is located in a rural school close to Carlow town. The service cares for children in the age range 4 to 12 years. The service is operational between the hours of 1.50 and 6.00pm daily. A breakfast club is offered between the hours of 8.00 and 9.00am daily. The service has the sole use of the school age room. There is sanitary accommodation for both children and staff directly off the school age room. The service has access to the kitchen in the school for morning breakfast and an afternoon snack. There is an all weather surfaced secured outdoor area directly off the school age room for children to avail of outdoor play.

Staffing:

The service is currently staffed by the registered provider.

Additional Information:

The inspector conducted a planned focused inspection of the service.

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 and registered provider who were present on the day of inspection.

Summary of Findings:

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

- Regulation 8(1)(a)(b)(c)(d)(2): Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 12: Insurance;

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

- Regulation 9(3): Staffing levels;
- 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 inspector reviewed the actions and evidence that the registered provider submitted. The non-compliances found on inspection have been adequately addressed. This will be reviewed on the next inspection of the service.

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)

Two references were held on file from past employers in respect of the staff member caring for the children. A Garda vetting was held on file in respect of the staff member. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. The employment history for the staff member confirmed that Police vetting was not required.

(2)

Records held on file confirmed that vetting procedures were conducted prior to the recent opening of the service and the staff member having contact with children.

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.*
- (3) Without prejudice to paragraph (1), a registered provider of a school age service shall ensure that, where the person in charge operates the service singlehandedly, a second person familiar with the operation of the service and in a position to provide assistance in operating the service to the person in charge is, at all times, within close distance of the service and available to attend the service to assist the person in charge or the registered provider of the childminding service in the event of an emergency.*
- (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)

The number of children cared for on the day of the inspection was 12 children with 1 adult present. The number of children present after 3.50pm was 11 children with 1 adult present.

(4)

The staff member present was observed to be aware of the responsibility with regard to the supervision of children. The staff member was observed to engage with the children as they sat at a table colouring pictures, reading books and playing with games. The staff member was observed to encourage a child to rest on the soft couch in the room when the child signalled a need to rest.

Regulatory Requirement not met

(3)

An emergency contact person who was familiar with the operation of the service and available to assist the person in charge was not available to attend the service in the event of an emergency. This posed a risk to the children, for example in the event of a medical emergency.

Corrective & Preventive Action Response submitted by the Registered Provider

(3)

The registered provider advised in the CAPA response that an emergency person is now available daily. It was also advised that the emergency person will be present daily in the service during snack time in the kitchen. As a preventive measure, the registered provider advised that the service will continue to have an emergency person while operational.

Summary of Findings

The registered provider submitted actions to correct and prevent the reoccurrence of the non-compliance identified under Regulation 9(3) Staffing levels.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service had insurance cover for a maximum of 22 children in daily attendance in a school age service. Insurance was valid from the 4 June 2024 to the 27 March 2025.

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 not met

1. The service did not maintain a consistent register of the children's daily attendance, detailing their time of arrival and their time of departure from the service.
2. The service did not maintain a consistent staff roster which detailed daily the name of the staff member working in the service and times of arrival and departure from the service.

This posed a risk to the children in the event of a requirement for an emergency evacuation from the service or in the event of a medical emergency. It was acknowledged that both the children's attendance records and staff roster were completed up until the 14 October 2024. Records held on file confirmed that the maximum number of children in daily attendance up until this date was 12 children with 1 adult present.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider advised in the response to the inspection report that the children's attendance record has been completed and is up to date with records of children's attendance.
2. The registered provider advised that the staff roster is now completed daily to reflect the presence of the staff member in the service.

As a preventive measure, the registered provider advised that both the time of arrival and departure of the children and the staff member will be recorded on a daily basis.

Summary of Findings

The measures taken by the registered provider have addressed the non-compliance identified on inspection of the service.