

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2023DR003SA
Name of School Age Service:	Sherpa Kids Rathfarnham Educate Together NS
Name of Registered Provider:	Jennifer Lee
Address of School Age Service:	Rathfarnham Educate Together Loretto Avenue Dublin 14
Eircode:	D14V5W4

Date of Inspection:	01/12/2025
Number of school age children present during inspection:	PM 29
Registration status:	Registered
Conditions (if applicable):	Not applicable

Address of the Early Years Inspectorate	Early Years Inspectorate, 7 th Floor Brunel Building, Heuston South Quarter, St John's Road West, Kilmainham, Dublin 8 D08 X01K
Inspection undertaken by:	L.A Webster and M. McDonnell
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).

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Description of Service:

Sherpa Kids Rathfarnham Educate Together NS is based in a national school in Dublin 14. The service has the use of two rooms once the school day is over. The children are cared for in each room depending on their age. The service is registered to operate from 7.50am to 8.50am and 1.30pm to 6pm during the school term and from 9am to 5pm during non-term time. The service offers care to children from 4 to 12 years of age.

The children have access to the school's outdoor area after school hours. This space includes a yard, and an all-weather surface area.

Staffing:

The registered provider does not work within the service. There are five staff members employed by the registered provider to work directly with the children. This includes an area manager, a service manager, and three staff that work directly with the children.

Additional Information:

The 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:

- 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 inspectors wish to acknowledge the co-operation of the children, area manager, person in charge, and staff 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:

- Regulation 8: Vetting disclosures
- Regulation 9(1)(2)(4): Staffing levels.
- Regulation 10: Policies etc. of school age service.
- Regulation 12: Insurance.
- Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

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 files of three new staff members who had commenced employment following the last inspection on the 2 December 2024 were reviewed. There were two references available for each of the three adults from a previous employer or source other than a previous employer. These references were validated by the area manager as require. Garda vetting disclosures were available for the three adults working within the service, and the service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years for all staff employed. 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 four staff members working with 29 children. The children were well supervised by staff and were engaged in a variety of activities both indoors and outdoors on the day of inspection. Staff were observed throughout to check the number of children when transitioning between indoors, outdoors and at home times.

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 services drop off and collection and behaviour management policy was reviewed. This policy contained the 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 to provide care for 48 children. The insurance was valid from 28 March 2025 to 27 March 2026.

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 service notified the inspectorate of an incident and outlined the measures that had been taken in response to the incident. A copy of the services risk assessment, dropping off and collection procedure, and child safeguarding statement was submitted, which included immediate measures to reduce the risk of a repeating incident. On inspection inspectors were also able to review policies which demonstrated there were procedures in place for staff to follow. Management and staff discussed with inspectors the ongoing plan to evaluate the risks and put any further measures required in place. Throughout discussion with staff members, they reiterated their knowledge and understanding of safe collection procedures, and what to do in the event a child should go missing from the collection point. The inspectors observed staff members completing the parental collections procedure as discussed by staff.
- The inspectors observed the staff members interacting kindly with the children and supporting the children's choice. On the inspector's arrival the children were playing outside, and they had equipment such as balls and hoops to play with. There were also small climbing structures and a playhouse available. During this time the staff members played games with the children and talked to them about their day and families. Children

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were given clear instructions on returning to the care room and children were observed following this guidance.

- The staff members were observed responding positively to minor behaviour management issues between children. Staff were responsive to incidents and dealt with them in a calm manner, ensuring the issues were discussed the children. The actions implemented by staff were reflective of the service's behaviour management policy.