

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2023DY005SA
Name of School Age Service:	Little Smarties Academy
Name of Registered Provider:	Sarah Shields
Address of School Age Service:	55 Terenure Road North, Terenure, Dublin 6
Eircode:	D6W VP08

Date of Inspection:	26 June 2024
Number of school age children present during inspection:	PM 17
Registration status:	Registered
Conditions (if applicable):	Not applicable

Address of the Early Years Inspectorate	Brunel Building, Heuston South Quarter, Saint John's Road West, Dublin 8. D08 X01F
Inspection undertaken by:	A. Bradshaw
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:

Little Smarties Academy is one of two services operated by the registered provider. It is based in an adapted residential property in Dublin 6. It is a school age service with two care rooms, a kitchen, and a sanitary area on the ground floor. On the first floor, there is an office however the children do not have access to this floor.

The service is registered to accommodate 25 children aged between 4 to 12 years. On the day of the inspection, there were 17 children present. The registered hours of operation are from 1 to 6pm during the school term and 8.30am to 6pm outside of the school term.

There is an outdoor area to the rear of the building which the children have access to.

Staffing:

On the day of the inspection, three staff members were working directly with 17 children. The registered provider does not work directly with the children but was on the premises during the inspection.

Additional Information:

The inspector conducted a follow-up inspection of this service. The service was previously inspected on 16 December 20 July 2023.

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

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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.

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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:

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

- Regulation 8(1)(a)(b)(c)(d)(2): Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 10: Policies of a school age service;
- Regulation 12: Insurance.
 - Health, Safety and Welfare of Children, Child Care Act 1991, Section 58 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 corrective and preventive action plan, have addressed the non-compliance identified on inspection.

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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)

The inspector reviewed four staff files including the registered providers file. Six validated written references from past employers and two written references from a reputable source were available to the inspector. Four Garda vetting disclosures were on file. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. Records demonstrated that two staff members required police vetting as they had resided outside the state for a period of more than six months. These police vetting disclosures were available on the day of the inspection.

(2)

This evidence demonstrated that relevant vetting disclosure procedures had been carried out prior to staff working with the children.

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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)

The registered provider ensured that appropriate staffing levels were maintained during the inspection. The 17 children attending the service were supervised directly by 3 adults. Through discussion with staff members and a review of the staff and children's attendance records from 27 May 2024 to 21 June 2024, it was evident that the minimum ratio of 1 adult to 12 children was maintained during this period.

During the inspection, staff members were observed to engage with the children. Staff members were observed to talk with children on their arrival from primary school. The inspector noted that a staff member placed themselves in a position in the garden where all children could be observed.

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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

A copy of the following policies was available to the inspector:

- Complaints policy;
- Policy on administration of medication;
- Policy on infection control;
- Policy on Managing Behaviour;
- Policy on the dropping off and collection of children;
- Fire Safety policy;
- Statement of purpose and function.

The policy document was on the premises and available to all staff. Updated policies were signed and dated by management.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service was insured for an afterschool service from 28 March 2024 to 27 March 2025. The insurance cover was for a maximum of 25 children to attend the service.

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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 inspector observed following compliances since the last inspection in July 2023:

- The inspector was requested to sign in when they arrived at the service.
- Staff described the induction process for new staff members, including shadowing an experienced staff member, and ensuring all policies are read and understood. This was in line with the services recruitment policy.
- A written record of fire safety training and monthly fire drills carried out between January 2024 and April 2024 was available to the inspector.
- There were sanitary facilities including warm water and soap, available to the children.

Regulatory Requirements not met

On the previous inspection on 6 and 7 July 2023, a non-compliance was outstanding as the fire certificate had not been submitted to the inspectorate. This remains outstanding on this inspection.

While it is acknowledged that the service provider had engaged with the Building Control Department of Dublin City Council since August 2023 and in March 2024 received a decision to grant a Fire Certificate with conditions. The registered provider stated that these works would be completed when the service is closed during the summer break.

Corrective & Preventive Action Response submitted by the Registered Provider

On 19 September 2024, the registered provider submitted photographic evidence to demonstrate the remedial works required to meet the requirements of the conditions of the fire certificate were completed.

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Summary of Findings

The actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have addressed the non-compliance identified.