

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2023KK004SA
Name of School Age Service:	Newmarket Kidz Club
Name of Registered Provider:	Margo Brennan
Address of School Age Service:	St. Brendan's National School Newmarket Hugginstown Co. Kilkenny
Eircode:	R95 A394

Date of Inspection:	4 November 2024			
Number of school age children present during inspection:	AM	Not applicable	PM	10
Registration status:	Registered			
Conditions (if applicable):	Not applicable			

Address of the Early Years Inspectorate	Early Years Inspectorate 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:

Newmarket Kidz Club is a standalone school age service located in a rural primary school outside of Higginstown in Co. Kilkenny. The service cares for children in the age range 4 to 12 years during school terms. The service is operational for a breakfast club between the hours of 7.45 and 8.50am and for after school care between 1.40 and 5.00pm. The service has the sole use of the school age room in the school building. Sanitary accommodation for children is available directly outside of the room. Staff have the use of the staff sanitary accommodation. An enclosed tarmac yard, pitch, an all weather surfaced area and a shelter with seating is available for outdoor play.

Staffing:

The service is staffed by three adults. The registered provider does not work directly in the service.

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:

- 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, the deputy person in charge, and staff member 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.

Conclusion and follow up actions:

The service was found to be compliant with the regulations inspected under the Registration of School Age Services Regulations 2018. No further action is required.

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)

Validated references were held on file in respect of the three staff members working in the service. Garda vetting disclosures were held on file in respect of the three staff members.

The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. Police vetting was not required as records confirmed that none of the staff had lived outside of the State for over six consecutive months as adults.

(2)

Records confirmed that the necessary vetting procedures were conducted prior to appointment of staff to work in the service.

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)(3)

One staff member cared for 3 school age children from the junior classes in the school on arrival of the inspector at 2.30pm. One staff member cared for a total of 10 children after 3.00pm in the service. A review of the children's attendance records and staff roster for the week of the 21 October 2024 confirmed that the maximum number of children in attendance during the week

was 9 children. One staff member was rostered as in attendance with nine children for both the breakfast club on the 21 October 2024 and after school hours on the 22 October 2024. It was observed that the staff member signed the children's arrival and departure times in and out of the service on the day of inspection. An emergency contact person was present in the service on arrival of the inspector and for the duration of the inspection.

(4)

Children were observed to be supervised by the staff member while having a snack after school hours, playing on the pitch and on the all weather surface outdoors and while engaging in colouring, drawing pictures and doing homework in the school age room. A soft chair provided a child with a suitable area to relax when required.

Regulation 12: Insurance

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

Regulatory Requirement Met

The school age service had insurance cover for a maximum of 12 children in daily attendance. Insurance cover was valid from the 1 February 2024 to the 31 January 2025.