

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2023TY006SA
Name of School Age Service:	Tua Bheag Before and After School Service
Name of Registered Provider:	Jody Harkin
Address of School Age Service:	Castleiney National School, Castleiney Village, Templemore Tipperary
Eircode:	E41 X386

Date of Inspection:	11 November 2024			
Number of school age children present during inspection:	AM	Not applicable	PM	9
Registration status:	Registered			
Conditions (if applicable):	Not applicable			

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

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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:

Tua Bheag Before and Afterschool Service is a standalone school age service caring for children between the ages of 4 to 12 years. The service provides a breakfast club between the hours of 8.05 and 9.05am and is registered to provide afterschool care between the hours of 3.00 and 5.00pm. The service is located in a rural primary school in the village of Castleiney close to Templemore town. Rooms in use include an afterschool room and the school resource room which has a soft sensory area for relaxation. Sanitary accommodation for both children and staff is available in the school hallway. The children have the use of a secured schoolyard area, a green area which is equipped with climbing frames and swings and a picnic area with seating for outdoor play. The service is operational between August and June annually.

Staffing:

The service is staffed by three adults. The registered provider does not work directly in the service and is available to provide relief cover as required.

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, registered provider and staff members 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)(c): 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 7 (1): Notification of change in circumstances;
- Regulation 8(1)(a)(b)(d): Vetting disclosures;
- 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 submitted by the registered provider. This has been accepted and is deemed to meet the regulatory requirements.

Regulation 7: Notification of change in circumstances

(1) A registered provider of a school age service shall, subject to paragraph (2), notify the Agency in writing of any proposed change in the details in relation to the school age service contained in the register pursuant to section 58C (2) of the Act or Regulation 6(2) or 6(3) at least 60 days before it is proposed that the change would take effect.

(1)

Records confirmed that the maximum number of children in daily attendance was 16 and the service was operational between the hours of 2.00 and 5.00pm. The service did not secure approval for a change in circumstances to increase the number of children cared for from 12 to 16, and to change the service's operational hours to 2.00 to 5.00pm, as introduced in September 2024.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)

The registered provider submitted an approved change in circumstances as secured from Tusla registration office on 20 November 2024 to increase the number of children cared for

in the service from 12 to 24 children. As a preventive measure, the registered provider advised in the CAPA response to the inspection report that any changes to the service will be notified to Tusla before they occur.

Summary of Findings

The non-compliance identified on inspection has been addressed by the registered provider.

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)(c)

A Garda vetting disclosure was held on file in respect of the three staff members working in the service. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

Regulatory Requirement not met

(1)(a)(b)(d)

Validated references were not held on file in respect of the staff working in the school age service. Curricula Vitae or employment histories were not available for the staff members. Thus, it was not possible to evidence that none of the staff had lived outside of the state for over six consecutive months as adults and required Police vetting. This could pose a risk to the children in attendance. It was acknowledged that the registered provider stated that none of the staff lived outside of the state for any period of time.

(2)

All of the necessary vetting procedures were not conducted prior to appointment of staff to work in the service.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)(a)(b)(c)(d)(2)

Two validated references as sourced from past employers, in the case of four of the references and from sources other than past employers, in the case of two of the references were submitted in respect of the three staff members working in the service. Curricula Vitae were submitted in respect of the three staff members. A police vetting was submitted in respect of one staff member who had lived outside of the state for over six consecutive months as an adult.

In the CAPA response to the inspection report, the registered provider advised that a policy is now in place in the school to ensure that all of the necessary vetting procedures are conducted prior to employment of staff to work in the service.

Summary of Findings

The non-compliances identified on inspection have been adequately addressed by the service and will be reviewed on the next inspection of 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.*
- (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)

Two staff members cared for nine children on arrival of the inspector. Children were observed to be appropriately supervised while in the afterschool room engaging in homework, playing with arts and crafts materials and having snacks comprising of pieces of fruit, crackers and toast. The children had open access to both the school age room and the enclosed outdoor area off the room. The children were supervised at all times by sight as both staff members who engaged in conversation with the children during their movements from indoors to outdoors.

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 total of 28 children in daily attendance in a school age service. Insurance cover was valid from the 1 February 2024 to the 31 January 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 register of the children's daily attendance, detailing their time of arrival and departure. Parents communicated with the service via telephone to advise of the children booked into the service weekly.
2. The service did not maintain a staff roster that detailed, on a daily basis, the full name of each staff member working and their time 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 an online parent sheet was held in the service to confirm the number of children booked into the service on a weekly basis for both the breakfast club and the after school service.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider submitted a copy of the children's attendance records for the 9 and 10 December 2024. The attendance record included the name of the child, the time of arrival and departure from the service and was initialled by the staff member rostered as working in the service.
2. A staff roster outlining the hours worked daily in the service for the aforementioned dates was submitted by the registered provider.

As a preventive measure in the CAPA response, the registered provider advised that both children's attendance record sheets and a staff roster will be available for weekly recording of childrens and staff attendance in the service. It was also advised that the records will be checked daily by the registered provider to ensure they are completed.

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Summary of Findings

The measures taken by the registered provider have addressed the non-compliances identified on inspection.