

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2023WX003SA
Name of School Age Service:	Pirates Cove
Name of Registered Provider(s):	Karl Fleming
Address of School Age Service:	Courtown Harbour, Gorey, Wexford.
Eircode:	Y25 WD85

Date of Inspection:	01 February 2024			
Number of school age children present during inspection:	AM	Not Applicable	PM	5
Registration status:	Registered			
Conditions (if applicable):	Not Applicable			

Address of the Early Years Inspectorate	Primary Care Centre, Castle Park, Arklow, Co. Wicklow
Inspection undertaken by:	L O' Connor
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).

Description of Service:

Pirates Cove is located in Courtown, a village on the outskirts of Gorey town in County Wexford. It is registered to accommodate 48 school age children aged between 4 to 15 years. The service operates for 50 weeks of the year Monday to Friday. During term-time, the service operates between 7.30 to 9.25am and 1.30 to 6pm. Outside term time, the service operates from 7.30am to 6.00pm.

The school age service is located on the ground floor of a multi-use entertainment premises. The care room is located on the lower ground floor. There is a kitchenette available and the sanitary facilities for the children adjoin the care room.

Staffing:

There are five adults working in school age service, including the registered provider. Four adults are employed to work directly with the children.

On the day of inspection, there were two adults working directly with the five children in attendance. An additional adult was available to provide support if required.

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, person in charge, and staff who were present on the day of inspection.

Summary of Findings:

The inspector planned to inspect the following regulations, and on inspection, the registered provider was found to be compliant in relation to:

- Regulation 8: Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 12: Insurance;
- 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 service was compliant with the regulations examined and there are no follow up actions following the inspection.

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)

Five staff files were reviewed, and the required documentation was available. There were eight validated references and five Garda vetting disclosures on file. A review of the documentation available showed that police vetting was not required for any adult employed in the service.

(2)

The above procedures were carried out prior to the commencement of employment of the five staff.

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 an adequate number of adults working with the school age children for the duration of the inspection. On the day of inspection, there were two adults and five school age children present.

The children were appropriately supervised by two adults throughout the inspection.

Regulation 12: Insurance

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

Regulatory Requirement Met

Insurance was in place for 48 school age children.

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 the health and welfare of children being supported by the following:

- Warm and positive interactions were observed taking place between the staff and children during the inspection. Staff were familiar with the children's preferences and interests. A number of the children provided an insight to the inspector and the staff present of their 'favourite food' in the service. The conversation was extended by the staff member highlighting how the service actively considered the children's preferences in determining the meals and snacks provided.
- The main care room contained an area with soft play equipment and the children were observed to use the area intermittently throughout the inspection. Within the room, the children were also provided with a range of play resources including puzzles, board games, action figures, books, and open-ended materials including paint. The children went to the bowling area located on the ground floor on the day of inspection, and through discussion, staff outlined the children had access to amenities within the building which also included mini golf.