

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2024CW001SA
Name of School Age Service:	Nature's Way
Name of Registered Provider:	Michelle Cummins
Address of School Age Service:	Borris Town Hall Main Street Borris Co. Carlow
Eircode:	

Date of Inspection:	11 December 2024			
Number of school age children present during inspection:	AM	Not applicable	PM	6
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

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:

Natures Way is a standalone school age service caring for children in the age range 4 to 12 years. The service is operational between the hours of 2.00 and 5.30pm from a community hall in Borris town centre, Carlow. There are storage presses in the hall for toys and play equipment in use in the service as the hall is also used by a mother and toddler group one morning weekly. A kitchen off the hall is available to store and prepare foods for snacks as provided by the service. Snacks available to the children on the day of inspection included yoghurts, fruit and crackers. Sanitary accommodation is available off the hall for both children and staff. An enclosed green beside the community centre is available to the service for outdoor play.

Staffing:

The service is staffed by three adults. Both the registered provider and an additional staff member are 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:

- 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.

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 reoccurring. 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, 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 relation to the following:

- Regulation 8(1)(a)(b)(c)(d):Vetting Disclosures;
- Regulation 9(1)(2)(4): Staffing Levels;
- Regulation 12: Insurance.

On inspection, the registered provider was found non-compliant in relation to the following:

- Regulation 8(2):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 that the registered provider submitted. The non-compliances found on inspection have been adequately addressed.

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)

Two references were available for each of the three staff members and a relief staff member for the services. Five references were sourced from past employers and three of the available references were provided by a reputable source other than a past employer. A Garda vetting was held on file in respect of the staff working in the service and the registered provider. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. The staff Curricula Vitae

demonstrated that Police vetting was not required as none of the staff had lived outside of the State as adults.

Regulatory Requirement not met

(2)

All of the necessary vetting procedures were not conducted prior to appointment of staff to work in the service in relation to the provision of a second validated reference for two staff members.

Corrective & Preventive Action Response submitted by the Registered Provider

(2)

The registered provider submitted a second validated reference for two staff members on the 12 December 2024 as secured from reputable sources and validated on the 12 December 2024. On the CAPA response as submitted on 13 January 2025 and as a preventive measure, the registered provider advised that the service will ensure that all future staff employed to work in the service will be required to submit two references. The references will be validated before the staff commence work in the service.

Summary of Findings

The service has addressed the non-compliance identified during the inspection.

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)

The three staff cared for 6 children on the arrival of the inspector at 3.30pm. At 4.45pm, three children remained in the service with the three staff members present. The inspector reviewed the attendance records for children and the staff roster for the week beginning 21 October 2024. The maximum number of children in attendance was 18 children on three days during the week. Three staff members were rostered as in attendance each day of the same week.

(4)

The children present were observed to be relaxed in the warm environment provided by the service. Staff sat with the children in conversation as the children coloured pictures in preparation for Christmas. The children's artwork was on display on the walls in the room.

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 maximum of 36 children in daily attendance in a school age service. Insurance cover was valid from the 8 April 2024 to the 27 March 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. None of the staff working in the service had up to date first aid training for children. It was acknowledged that first aid training had expired in relation to two of the staff members. It was also acknowledged that the registered provider submitted written confirmation subsequent to the inspection which indicated that three staff members were booked to attend First Aid Responder training on the 21 to 23 January 2025.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider advised in the CAPA response to the inspection report as submitted on the 13 January 2025 three staff are booked to attend First Aid Responder training on the 21 to 23 January 2025. Confirmation of bookings was also submitted. As a preventive measure, it was advised in the CAPA response that the registered provider will ensure that all staff maintain in date first aid training.

Summary of Findings

The measures taken by the registered provider will address the non-compliance identified on inspection.