

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2024DR003SA
Name of School Age Service:	New Shapes Afterschool
Name of Registered Provider(s):	Georgina Barry
Address of School Age Service:	Unit 7&8 Aces Enterprise Centre, Clondalkin, Dublin 22.
Eircode:	D22TH28

Date of Inspection:	13 February 2025		
Number of school age children present during inspection:	PM	19	
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:	R Duff
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:

New Shapes afterschool is located in Dublin 22. It is registered to cater for up to 50 children aged 4 to 12 years old. It is registered to operate from 12pm to 6pm during term time and 9am-2:30 outside term time.

The service operates from a two-storey building which is located in Aces Enterprise Centre. The children have access to two care rooms on the second floor. There is a kitchen area and sanitary facilities available within the building. The children have access to an outdoor area facing the after-school premises.

Staffing:

There are a total of five staff members employed in the service, including the registered provider. The registered provider does not work directly with the children but is available for support when necessary. On the day of the inspection, there were 3 staff caring for 19 children.

Additional Information:

The inspection was completed on foot of information received by the inspectorate.

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 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, staff and children 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:

- Regulation 9(1)(2): Staffing levels;
- Regulation 10: Policies etc. of school age service;
- Regulation 13(1)(a)(b)(c): Complaints;
- Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

On the day of inspection, the registered provider was found to be non-compliant in:

- Regulation 8(1)(a)(b) (2): Vetting disclosures;

Conclusion and follow up actions: The actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have adequately addressed the non-compliance identified on 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)

(c) A Garda vetting disclosure, dated within the last three years, was available for the five adults working in the service. The service had therefore demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) The records reviewed demonstrated that police vetting was not required for the five adults working in the service.

Regulatory Requirement not met

(1)(a)(b)

- There were no validated references available for two staff members.

(2)

Documents reviewed demonstrated that relevant vetting disclosure procedures had not been carried out prior to persons being allowed access to children in the service for example:

- There were no validated references available for two staff members.

Corrective & Preventive Action Response submitted by the Registered Provider

Corrective and Preventive Action:

The registered provider obtained and verified the two outstanding references for one staff member and will ensure all references are obtained and verified prior to a staff member working in the service in the future.

The registered provider was afforded a further opportunity to submit corrective actions in response to the non-compliance identified. The provider confirmed that the adult in question is no longer employed in the service and so they are unable to obtain references.

Supporting documentation submitted

Supporting documentation was submitted by the registered provider and reviewed by the early years inspector.

Summary of Findings

The corrective and preventive actions as stated by the registered provider will address the non-compliance, these actions will be assessed 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.*
- (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)(4)

During the inspection, the registered provider ensured that appropriate staffing levels were maintained. The 19 children attending the service were supervised directly by 3 staff. Through discussion with staff members, review of the staff rosters and records of the children's attendance from 06 January to 21 January demonstrated the minimum ratio of 1 adult to 12 children was maintained during this period.

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

The inspector reviewed the service's policies and the statement of purpose and function. A safety statement and risk management policy is also available to all parents and staff and was forwarded on to the inspectorate for review.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service is insured for 50 children to attend at any one time. The policy was dated from 20 March 2024 to 27 March 2025.

Regulation 13: Complaints

- (1) A registered provider of a school age service other than a childminding service shall ensure that the complaints policy of the service specifies—
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
 - (b) the manner in which such a complaint shall be dealt with, and
 - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.
- (2) A registered provider of a school age service other than a childminding service shall ensure that—
- (a) a record in writing is kept of a complaint made to the provider in respect of the school age service, and
 - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.
- (3) A record in writing referred to in paragraph (2)(a) shall—
- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and
 - (b) be open to inspection on the premises by an authorised person.
- (4) A registered provider of a childminding service shall ensure that the parents or guardians of children attending the service are aware of the service's complaints policy.

Regulatory Requirement Met

(1)

The complaints policy detailed the procedures for a parent or a staff member making a complaint. Details included how informal and formal complaints would be dealt with including timelines and the appeals process.

On the day of the inspection, the registered provider informed the inspector that there were no complaints received, and minor issues were dealt with informally.

Electronic communication was available to demonstrate communications between the service and the parents regarding an incident which had recently occurred.

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 inspectors observed the health, safety and welfare of children being supported by the following:

- On arrival at the service the younger children were observed to be engaged in a variety of age-appropriate activities in their room. The activities the children took part in were varied throughout the day and reflected the children's stage of development. For example, children in the younger room were colouring with markers, pencils and crayons, while others played with building blocks, figures and cars on the floor. At 2:30 the younger children left their room and went to the dining area for dinner. Dinner consisted of a hot meal followed by fruit with alternatives offered to children as required. As the older children arrived, they had the opportunity to choose an activity or complete homework. Older children moved to the dining room at 3pm. At a later part of the day children in the older room engaged in an art activity with a member of staff while other children played with figures and blocks on the floor. Children also completed homework independently and with the support of the staff. Children were observed to freely choose activities and equipment from open shelving units in both rooms. Interactions between staff and children was observed to be friendly, supportive and consistent.