

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2019MH012SA
Name of School Age Service:	Kidz R Kidz
Name of Registered Provider(s):	Niamh O'Reilly
Address of School Age Service:	5 & 6 G The Courtyard Village Centre Ratoath Co Meath
Eircode:	A85 KR67

Date(s) of Inspection:	20 November 2024
Number of school age children present during inspection:	PM 19
Registration status:	Registered
Conditions (if applicable):	Not applicable

Address of the Early Years Inspectorate	Early Years Inspectorate 180-189 Lakeshore Drive Airside Business Park Swords Co Dublin
Inspection undertaken by:	M. McDonnell R. Duff
Title:	Early years inspectors

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).

Early Years Inspectorate Regulatory Report

School Age Services

Description of Service:

Kidz R Kidz is located in a ground-floor, converted retail unit in Co Meath. The service provides care to children aged 4 to 12 years old. A breakfast club is provided from 7.00 to 9.30am and an afterschool club from 1.00 to 7.00 pm. There is an outdoor area available in the vicinity of the service. A small kitchen area and sanitary facilities are available onsite.

Staffing:

The registered provider works in the service in a supernumerary capacity. Ten staff members are employed by the registered provider to work directly with the children.

Additional Information:

This inspection was 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, person in charge, and staff 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 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:

- Regulation 8(1)(a)(b)(d)(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 actions and evidence submitted by the registered provider, in their preventive and corrective action plan, have addressed the non-compliance in relation to references and updating Garda Vetting. The registered provider had been unable to obtain and review all the police vetting required therefore regulation 8(1)(d) remains non-compliant.

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)

The staff files of the registered provider and 10 staff members were reviewed. Garda Vetting disclosures were available for the 11 adults and these were dated within the previous three years in adherence to the Early Years Inspectorate for the renewal of Garda Vetting.

Regulatory Requirement not met

(1)(a)(b)

The registered provider did not have 15 of the 22 references required. There was also no written evidence that the references available had been validated to assess the staff members' suitability for the role.

(1)(d)

The registered provider did not have documentation available to demonstrate if police vetting was required for two staff members. In discussions with the registered provider and staff members, it became evident that these staff members required police vetting. A review of one staff member's documentation demonstrated that police vetting was required. This police vetting was not available.

(2) The registered provider had not ensured that vetting procedures had been completed prior to staff being employed and working directly with the children as the required documentation was not in place.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)(a)(b)

The registered provider submitted the required validated references. The registered provider stated that they will ensure that validated references will be obtained at the interview stage for new employees.

(1)(d)

The registered provider submitted the required police vetting for one staff member. Following the CAPA process, whilst the police vetting had been applied for the two staff members, the registered provider was still awaiting this police vetting.

(2)

The registered provider stated they had updated their recruitment procedures to ensure that employment histories were checked to ensure police vetting and validated references would be obtained.

Summary of Findings

The actions and evidence submitted by the registered provider, in their preventive and corrective action plan, have addressed the non-compliance in relation to references. The registered provider had been unable to obtain and review the police vetting required for one staff member therefore regulation 8(1)(d) remains non-compliant.

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 6 staff members working with 19 children.

The children were supervised directly by staff members in two large rooms. On the children's arrival, the staff interacted with the children while they chose a choice of fruit and crackers.

Following the snack children had free play and the staff played games with them and completed various activities with the children, such as arts and crafts, homework and bracelet making.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service was insured to provide care for 60 children. The insurance was valid from 28 March 2024 to 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. Garda vetting disclosures had been obtained for 11 adults. However, one Garda vetting disclosure was not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered submitted the updated Garda Vetting and stated this had been an omission, with a system in place to ensure the renewal of Garda vetting already in place.

Summary of Findings

The actions and evidence submitted by the registered provider, in their preventive and corrective action plan, have addressed the non-compliances identified on inspection.