

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2019WX006SA
Name of School Age Service:	Wise Owls Afterschool
Name of Registered Provider:	Amanda Dunne
Address of School Age Service:	Marshalstown, Community Centre, Marshalstown, Enniscorthy, Co. Wexford
Eircode:	Y21 HH33

Date of Inspection:	2 October 2024			
Number of school age children present during inspection:	AM	n/a	PM	35
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).

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Description of Service:

Wise Owls Afterschool is located in Marshalstown, which is a village on the outskirts of Enniscorthy town. The service is registered to cater for up to 50 children aged 4 to 12 years old and it is registered to operate from 8am to 8.50am and 1.40pm to 6pm Monday to Friday. It is open for 38 weeks of the year during school term time.

The service operates from the first floor in a multi-use building. The children have access to one main care room, a homework room and a room with game tables. The sanitary facilities for the children are adjoining the main care room and there is a kitchenette available also.

Staffing:

There are 5 adults employed within the service, including the registered provider who works directly with the children.

There were four adults present during the inspection, including a volunteer.

Additional Information:

The inspector conducted a planned focused inspection of the service.

An Immediate Action notice was issued on 02 October 2024 due to the absence of Garda Vetting for one adult present in the service. The service provided a response on 03 October 2024. Please refer to Regulation 8 (1)(c): Vetting disclosure for further information.

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 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)(d): Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 12: Insurance;

The registered provider was found to be non-compliant in relation to the following:

- Regulation 8(1)(c)(2): Vetting disclosures;

Conclusion and follow up actions:

The registered provider submitted actions and supporting documentation to address the non-compliances in Regulation 8: Vetting disclosure. The requirement has been met and there are no follow up actions required.

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 Síochana 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)(d)

Six files were reviewed and contained 12 references; the employee references were verified. Through a review of documentation, it was determined police vetting was not required.

Regulatory Requirement not met

(1) (c)

Garda vetting was not available for one adult present in the service. An Immediate Action Notice was issued on 02 October 2024 and the registered provider provided a response on 03 October 2024.

It is noted that Garda vetting was available for 5 of the adults and the service adhered to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.

(2)

The service did not carry out all of the required procedures prior to an adult being appointed, assigned or allowed access to or contact with a child attending the school age service. Evidence of Garda vetting was not available for one adult present within the service on the day of inspection.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider provided a response on 03 October 2024 to the Immediate Action Notice. The following was outlined:

The adult was advised that their voluntary engagement will cease immediately and will recommence once a vetting disclosure is completed. The adult was not counted in room ratio on their voluntary engagement in the service and was supervised by staff members at all times. While the vetting process was started for the adult, it was not received by the service.

The vetting disclosure was submitted to the Inspectorate on 17 October 2024.

2. Through their CAPA response, the registered provider stated that all persons undertaking voluntary or paid engagement in the afterschool will be subject to vetting checks as per regulations and will not be allowed access on site until such checks are completed and returned.

Summary of Findings

The requirements of Regulation 8: Vetting disclosure have been met.

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)

The adult to child ratio was maintained throughout the inspection. On the day, there was 4 adults present with 35 children in the service.

The children were appropriately supervised throughout the inspection by the four staff members. Throughout the inspection, the staff members were observed to move freely between the main care room, the homework room and room with the games tables to observe the children through sight and sound. For example, at 3.30pm, four of the children went to the room with games tables. This room was adjoining the main care room. One of the staff members within the main care room observed the four children going into the room. At this time, the staff member moved closer towards the room and was observed to visually supervise the children from a distance which was deemed appropriate.

Regulation 12: Insurance

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

Regulatory Requirement met

The service was insured for 60 children to attend at any one time. The policy was dated from 30 September 2024 to 27 March 2025.