

## Early Years Inspectorate Regulatory Report School Age Services

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|----------------------------------------|------------------------------------------------------------|
| <b>TUSLA Identifier:</b>               | TU2020CC005SA                                              |
| <b>Name of School Age Service:</b>     | Dina's Den Breakfast & Afterschool Club                    |
| <b>Name of Registered Provider(s):</b> | Dusanka Valentic                                           |
| <b>Address of School Age Service:</b>  | Unit 19N Bottelly Court<br>Market Square<br>Mallow<br>Cork |
| <b>Eircode:</b>                        |                                                            |

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|-----------------------------------------------------------------|------------------|-----|-----------|----|
| <b>Date(s) of Inspection:</b>                                   | 21 November 2023 |     |           |    |
| <b>Number of school age children present during inspection:</b> | <b>AM</b>        | N/A | <b>PM</b> | 18 |
| <b>Registration status:</b>                                     | Registered       |     |           |    |
| <b>Conditions (if applicable):</b>                              | Not applicable   |     |           |    |

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|------------------------------------------------|--------------------------------------------------------------------------------------------|
| <b>Address of the Early Years Inspectorate</b> | Early Years Inspectorate<br>Primary Care Centre<br>Church Avenue<br>Tullamore<br>Co Offaly |
| <b>Inspection undertaken by:</b>               | A Spain<br>C Whelan                                                                        |
| <b>Title:</b>                                  | Registration support manager<br>Inspection and registration manager                        |

# Early Years Inspectorate Regulatory Report

## School Age Services

### 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:

Dina's Den Breakfast & Afterschool Club is a privately run school age service located in a shopping complex in Mallow town. The service caters for a maximum of 30 children aged between 4 to 12 years. The service is open between the hours of 7.00 and 9.00am and 1.30 and 6.00pm. The service is located on the ground floor of a two-storey building with car parking available at basement level. Rooms in the service include a school age room, a hall area, a kitchen, and sanitary accommodation for children and staff. There is a public park for outdoor use close to the service.

### Staffing:

The service is staffed by four adults which includes the registered provider. An additional staff member is available to assist in the service and to prepare meals.

### Additional Information:

The inspection was conducted as a follow-up to an inspection conducted on 12 June 2023.

### 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, playgroup, 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 inspectors wish to acknowledge the cooperation of the children, registered provider and staff who were present on the day of inspection.

## Summary of Findings:

The registered provider was found to be compliant in:

- Regulation 8: Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 10: Policies of a school age service;
- Regulation 11(b): Premises;
- Regulation 12: Insurance;
- Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

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

- Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

### 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)

The inspector reviewed the files of two staff members. Two written and validated references from past employers were held on file in respect of both staff members. A garda vetting disclosure was held on file in respect of both staff members. Police clearance was not required as it was confirmed that neither of the two staff members had lived outside of the State for over six consecutive months.

(2)

A review of the staff files confirmed that the necessary vetting procedures were conducted prior to the appointment of the two staff members.

## 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)

Three staff members were working directly with a maximum of 18 children on the day of the inspection. An additional staff member was available to prepare meals in the kitchen area and to assist with the school age children as required.

(4)

Children were appropriately supervised. Individual assistance with homework and play activities was observed throughout the inspection. Staff were also observed to provide comfort to an upset child as necessary on the day of the inspection.

### 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 inspectors reviewed the infection control policy, the drop off and collection policy, and the welfare policy. These policies were found to be tailored to meet the needs of the number of children cared for in the service and were practical in their application. There was a record available in the service to confirm that all staff members had received updated policies and procedures developed for the service. A staff member confirmed to the inspector that all policies were read on their receipt.

### Regulation 11: Premises

*A registered provider of a school age service shall ensure that-*  
*(b) where no such space is provided, the school age children attending the service have access on a daily basis to an outdoor space.*

### Regulatory Requirement Met

(b)

The service had daily access to a park close to the service. The daily activity log held in the service had entries for daily outdoor play between the hours of 3.30 and 4.50pm. The service availed of taking children to the park on the day of inspection.

### Regulation 12: Insurance

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

### Regulatory Requirement Met

The service was insured from 28 March 2023 to 27 March 2024 for a maximum of 30 children at any one time. On the day of inspection, there were 18 children present in the service.

### 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 as follows. The measures outlined below which were observed on the day of the inspection addressed non-compliances observed on a previous inspection conducted on the 12 June 2023. This is with the exception of one non-compliance regarding the staff roster records- refer to the 'Regulatory Requirement Not Met' section below for further information.

- A sufficient stock of play and work equipment was observed on open shelving for easy access by children on the day of inspection. The comments and complaints book had entries from children to illustrate their likes and dislikes in relation to play activities. Entries for the 20 September 2023 from four different children were observed. One entry read "everything was improving". The most recent entry dated 26 September 2023 indicated that a new selection of toys was available for older children. On the day of inspection, the registered provider furnished the inspectors with samples of model cars constructed by children and on display on shelving in the room. The inspector asked the registered provider about the rules regarding the children's use of toys. The registered provider explained that in the case of construction toys or puzzles, staff encouraged and

assisted children to fully assemble a construction toy or fully complete a puzzle before being offered an alternative construction toy or puzzle. The registered provider cited some reasons for this. The reasons included building children's endurance for the tasks, attempting to avoid toys being mixed up or individual toy parts being lost, and ensuring they were stored appropriately and available for re-use. Toys taken to the outdoor play area included rackets, footballs, skipping ropes and art paper. Staff played ball games with the children in the park on the day of inspection.

- The inspectors observed positive interactions between the staff and children. Staff were observed assisting and getting involved in children's activities which included painting, making jigsaws, colouring pictures, playing with cards, playing with board games, and constructing toys. Staff were observed to rotate to different groups of children and talk with them. A choice of activities was offered, and children were praised by staff for completing tasks. One-to-one assistance was provided with homework as necessary. Staff showed empathy to an upset child who waited for their parent to arrive at the service. A relaxed atmosphere was also prevalent in the service on the day of inspection.
- A fire drill procedure was on display in the service and a fire assembly point was posted on a nearby wall outside of the service to facilitate monthly fire drills. Monthly fire drills were recorded for the 9 October 2023 and the 7 November 2023. A staff member confirmed that they were aware of the evacuation procedure and that fire drills were conducted in the service. Fire extinguishers were recorded as serviced in September 2023. There was a risk assessment in place regarding fire safety.
- Records of risk assessments were reviewed on inspection. The risk assessments included one relating to food allergies and it was dated as completed on 28 August 2023. There was also a risk assessment dated 29 August 2023 regarding travelling, and staff walking with children to and from school. A "permission slip" was held on file for the 11 recorded children who walked to the service from schools which was both signed and dated by parents and guardians as necessary. Implementation of a risk assessment regarding staff bringing children to and from a local park was observed in practice on the day of inspection. All staff members and children in the care of the service at 4.00pm went to the park at that time. Children informed inspectors that they went outdoors "most days" when in the care of the service. As outlined in the risk assessment for taking children to

the park, a plastic barrier was used to guard the open entrance while children were outdoors. The roll call for the service was used to record children in and out of the service to go to the park.

- Each staff member designated to collect children from schools had a list that confirmed the names of children to be collected. The purpose of the list was to ensure that all children were collected from individual schools and accounted for in the service. The daily attendance record was used to record children in and out of the service.
- The premises was observed to be well maintained on the day of inspection and cleaning schedules were on display for the kitchen and toilet areas. Hot water was provided at the sink in the kitchen and at wash hand basins in the sanitary accommodation. Sanitary bins were provided adjacent to the toilets. Appropriate locks were provided on doors leading to the toilets and the cleaning store room.
- The staff were observed to remind the children to wash their hands after toilet use, before meal time, and on return from the park in accordance with the infection control policy for the service.
- A weekly food menu was on display in the service and the menu for the week of the 25 September 2023 was viewed by the inspector. Hot food served on the day of inspection included potato wedges and chicken nuggets which were as outlined on the menu for that day. Yoghurts were also available to children at the mealtime. Children sat at tables for their meal and were afforded the time to finish their food before gradually returning to play activities. A stock of bread, tortilla wraps, rice cakes, cheese, yoghurts, meat slices and fruit was also available to the children.
- The registered provider confirmed that the policies and procedures for the service were revised in September 2023. Inspectors also reviewed the comments book and records such as the food menus, and the daily activity and outdoor logs in use in the service.
- Car insurance was in place for staff to transport children who attended the service.

### Regulatory Requirements not met

1. While it was acknowledged that the sign-in and out book for staff was in place, the staff roster had not been fully maintained to confirm that an adequate number of staff were available on the day of inspection, and the previous day, to care for and provide

adequate supervision for the number of children in daily attendance. A non-compliance in relation to the staff roster was found on the previous two inspections (27 May 2022 and 12 June 2023). The corrective and preventive actions submitted following those inspections had failed to prevent the recurrence of this non-compliance.

## Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider advised in the CAPA response that monthly staff rosters were in operation. It was also advised that daily sign in and out staff logs were also maintained. The sign in and out staff log for the 24 and 25 January and weeks beginning 6 and 12 February 2024 were submitted. The sign in and out logs submitted indicated times staff both started and finished work in the service daily and were signed by a staff member. The staff rosters for the months of January and February 2024 were also submitted as evidence. It was also noted in the CAPA response that the staff roster was planned on a monthly basis as a preventive measure.

## Summary of Findings

The inspector reviewed the actions and evidence submitted. The non-compliance found on the day of inspection, under the Health, Safety and Welfare of Children, Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013, has been adequately addressed. This will be reviewed on the next inspection.