

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2020WX002SA
Name of School Age Service:	Bloomfield Childcare
Name of Registered Provider:	Caroline Kidd
Address of School Age Service:	Ballymurn National School, Ballymurn Enniscorthy, Co Wexford.
Eircode:	Y21 PR60

Date of Inspection:	07 October 2024			
Number of school age children present during inspection:	AM	n/a	PM	10
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:

Bloomfield Childcare is registered to provide school age care for up to 12 children aged 4 to 12 years old at any one time. It operates during term time from 8am to 9.15am and 2pm to 6.15pm Monday to Friday. The service is located within Ballymurn National School and the children have access to one care room. During the inspection, the children were in a temporary room due to ongoing refurbishments within the school.

The children are provided with an outdoor area located on the school grounds.

Staffing:

There are three adults employed within the service, including the registered provider. On the day of inspection, there was one adult present in the service.

Additional Information:

The inspector conducted a planned focused inspection of the service.

An Immediate Action Notice was issued on 08 October 2024 due to the potential immediate risk observed to the safety of children regarding the availability of a second person in the event of an emergency. A response was received from the registered provider on 09 October 2024 outlining actions taken by the service. Please refer to Regulation 9: Staffing levels (3)(4).

A referral was made to the registration office within the Inspectorate on the 10 October 2024 as the service was operating outside its registration status. The service is registered with the inspectorate to accommodate 12 children. Through a review of records, 13 children were present on the 02 October 2024.

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 inspection, the registered provider was found to be compliant in relation to the following:

- Regulation 8(1)(2): Vetting disclosures;
- Regulation 9(1)(2): Staffing levels;
- Regulation 12: Insurance.

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

- Regulation 7(1): Notification of change in circumstances;
- Regulation 9(3)(4): Staffing levels;

Conclusion and follow up actions:

The registered provider submitted actions and supporting documentation to demonstrate measures put into place to correct the non-compliances identified. Actions were also submitted which detailed the measures put into place to reduce the likelihood of recurrence of these non-compliances.

The requirement has been met for Regulation 9(3)(4): Staffing levels. Regulation 7(1): Notification of change in circumstances is ongoing and will be assessed on the next inspection.

Regulation 7: Notification of change in circumstances

(1) A registered provider of a school age service shall, subject to paragraph (2), notify the Agency in writing of any proposed change in the details in relation to the school age service contained in the register pursuant to section 58C (2) of the Act or Regulation 6(2) or 6(3) at least 60 days before it is proposed that the change would take effect.

(2) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) of a change in the details in relation to the school age service contained in the register pursuant to section 58C (2) of the Act or Regulation 6(2) or 6(3), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.

Regulatory Requirement not met

(1)

The following was noted during the inspection with regard to the registration status of the school age service:

- a. The registered provider did not inform the Inspectorate regarding the change in person in charge within the service. The named person in charge on the day of inspection was different to the registered person in charge. The service had therefore operated outside of their approved registration status.
- b. The service is registered to accommodate 12 children at any one time. Through a review of documentation, there was 13 children in attendance of the service on the 02 October 2024 between 8.05am – 9.10am.

Corrective & Preventive Action Response submitted by the Registered Provider

(1) The notification of proposed change in circumstances form has been completed and submitted to the Inspectorate. Policies and procedures will be reviewed in January each year to ensure all information is correct and up to date.

Summary of Findings

While it is noted that the registered provider submitted a proposed change in circumstances form to the inspectorate, the process is ongoing.

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)(2)

Documentation relating to three adults was reviewed. The required Garda vetting disclosures were available for the three adults. The required validated references were available for the three adults. It was demonstrated that the required documentation was in place prior to staff being appointed, assigned or allowed access to or contact with a child attending the school age 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)

The adult to child ratio was maintained throughout the inspection. On the day, there was one adult present with 10 children in the service.

Regulatory Requirement not met

(3)

An Immediate Action Notice was issued to the registered provider due to the potential immediate risk and/or potential immediate harm posed to the safety of the children. The service operates single-handedly, a second person familiar with the service, within close distance, was not available. The following was noted:

It was confirmed with the registered provider and the staff member that the named second person was not available to the service on the day of inspection. It was also confirmed that the emergency person is no longer within a close distance to the service.

This posed a potential immediate risk as a second person was not available to the staff member in the event of an emergency or if support was required to meet the needs of the children.

(4)

The school age children were not appropriately supervised at all times. It is noted that between 3.15pm-4.22pm and 4.35pm – 5.15pm the children were appropriately supervised by the adult present.

On the day of inspection, at 4.20pm, there was one staff member present with 8 school age children aged 5- 12 years old in the outdoor area. At 4.22pm, 7 school age children were unsupervised while the staff member met the needs of the eighth child. The staff member requested the oldest child to supervise the remaining 6 children in the outdoor area while accompanying the eighth child indoors.

The staff member acknowledged the risks on return to the outdoor area and had identified that the child going inside also required supervision. The staff member came up with a safer alternative later on during the inspection.

Corrective & Preventive Action Response submitted by the Registered Provider

(3) (4)

The registered provider responded on the 09 October 2024 and stated that an emergency plan for cover in the event of an emergency or at short notice has been put into place. The contact numbers of the two adults will be added to the service's list immediately. In the event that either of the adults will be absent, the registered provider will cover for both of them. The details of the two adults were provided to the inspectorate.

Through the CAPA response submitted on 03 December 2024, the registered provider outlined there is an emergency staffing policy in place within the service. The registered provider stated all staff received updated training regarding the new emergency staffing policy.

Through the CAPA response on 13 January 2025, the registered provider stated staff were informed to use the junior infant classroom when accessing the outdoor area as this classroom has direct access to the outdoor area and there are two toilet cubicles within close proximity.

The registered provider outlined that when a staff member is with a group of children in the outdoor area and if a child needs to use the toilet, the staff member can stand at the door of this classroom and easily see the children playing outside and also supervise the other child. Therefore, all children being supervised at all times.

Summary of Findings

Based on the actions submitted, the Inspectorate is assured that reasonable measures have been implemented by the registered provider to address the non-compliances identified on inspection. These actions will be assessed on the next inspection.

Regulation 12: Insurance

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

Regulatory Requirement met

The service was insured for 22 children to attend at any one time. The policy was dated from 28 March 2024 until 27 March 2025.