

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2021CC091SA
Name of School Age Service:	Tiny Tots
Name of Registered Provider(s):	Hazel O'Mahony
Address of School Age Service:	Killeigh Gardens, Killeagh, Co. Cork
Eircode:	P36 EV56

Date of Inspection:	27 August 2024			
Number of school age children present during inspection:	AM	16	PM	11
Registration status:	Registered			
Conditions (if applicable):	Not applicable			

Address of the Early Years Inspectorate	Tusla Primary Care Centre Church Avenue Tullamore Co Offaly R35WK24
Inspection undertaken by:	A Spain
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).

Early Years Inspectorate Regulatory Report

School Age Services

Description of Service:

Tiny Tots is a combined School Age and Pre-school Service located in a detached single storey building. The service is in a residential area of the rural village situated between Middleton and Youghal in east Cork. The service is operational between 1.30 and 5.30pm for 50 weeks of the year. Children in the age range 4 to 12 years are cared for in the service. Rooms in the service include an entrance hallway, office, school age room, kitchen, laundry room and storeroom for toys. Sanitary accommodation is available for both children and staff working in the service. The additional rooms in the service are in use to provide a pre-school service. A secure outdoor play area is available at the back of the service.

Staffing:

The school age service is staffed by three adults which includes the registered provider. The registered provider works directly in the service.

Additional Information:

The inspection was conducted in response to 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 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 relation to:

- Regulation 8: Vetting disclosures;
- Regulation 9(4): Staffing levels;
- Regulation 10: Policies etc of a school age service;
- Regulation 12: Insurance;
- Regulation 13: 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 relation to:

- Regulation 7(1): Notification of change in circumstances;
- Regulation 9(1)(2): Staffing levels;

Conclusion and follow-up actions:

The inspector reviewed the actions and evidence that the registered provider submitted. The non-compliances found on inspection have been adequately addressed.

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.

Regulatory Requirement not met

(1)

On the inspector's arrival at 11.40am there were 16 school age children in the service. Children were registered to attend the service between the hours of 2.00 and 5.30pm. The registered provider had not submitted a change in circumstance introduced in August 2024 to facilitate the attendance of children outside of the registered attendance hours during school holidays. Subsequent to the inspection, the registered provider submitted evidence of the application for a change of circumstance to reflect the hours children attend the service during the summer months. Acknowledgement of receipt of the application by Tusla was also submitted.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)

Email confirmation of receipt of an application to change the summer operational hours of the service as furnished by Tusla registration office to the registered provider was submitted by the registered provider. The registered provider advised in the CAPA response, as a preventive measure, that a change in circumstances will be secured before any further changes are made to the service.

Summary of Findings

(1)

The non-compliance identified on inspection has been addressed by the service.

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)

Six validated references were held on file. A validated reference from a past employer and a validated reference from a reputable source was held on file in respect of one staff member. The remaining two staff members had two validated references from reputable sources on staff files. A Garda vetting disclosure was held on file in respect of the three staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. Police clearance was not required as none of the staff had lived outside of the state for over six consecutive months as adults.

(2)

Records confirmed that all of the necessary vetting procedures were conducted prior to appointment of staff to work in 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.*
- (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

(4)

On the day of inspection, children were observed to be appropriately supervised both in the school-age room and in the outdoor area. On the inspector's arrival, children were engaged in tabletop activities in the playroom, including playing with games, art materials, and puzzles. In the afternoon, children played outdoors. Staff were observed to supervise the children by sight and sound and engage in conversation with the children present.

Regulatory Requirement not met

(1)(2)

Attendance records for the week of the 12 August 2024 and the corresponding staff roster for the week confirmed that 16 children were in attendance on the 13 August with 1 staff member. The service did not comply with the required adult child ratio of 1 adult to 12 children to ensure that an adequate number of adults were caring for the children at all times.

It was acknowledged that the attendance records for children for the remainder of the week confirmed that the number of children in attendance varied from 3 children on the 12 August 2024 to a maximum of 12 children on the 14 August 2024 with 1 staff member present. It was also acknowledged that the number of children both present and recorded as present on the day of inspection was 16 children with 2 staff members present. At 1.40pm, 11 children remained in the outdoor play area with 1 staff member.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)(2)

The registered provider advised in the CAPA response to the inspection report that a minimum ratio of one adult to twelve children will be maintained in the service at all times. The registered provider also submitted both the staff roster and the children's attendance records for the week beginning 11 November 2024. Records submitted confirmed that the maximum number of children in daily attendance for the week was 19 children with 2 staff members present.

Summary of Findings

The registered provider submitted actions to correct and prevent the reoccurrence of the non-compliance identified on 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 service policies and procedures were available electronically on the day of inspection in the service. All staff members in the school age service confirmed receipt of the policies by email. The registered provider advised that all policies and procedures were also emailed to parents. The enrolment forms for children confirmed that the furnishing of email addresses as recorded on the forms was a requirement to register children in the service. A copy of an updated policy in relation to after school collection of children was furnished to the inspector. The policy was recorded as updated in April 2024. A hard copy of service policies was held in the service for reference purposes.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service had insurance cover for a total of 65 children in daily attendance in a pre-school and school age service. Insurance cover was valid from the 28 March 2024 to the 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.

Regulatory Requirement Met

(1)(a)(b)(c)(d)

The inspector reviewed the service's complaints policy. The policy included the procedure for making a complaint, the manner for investigating complaints and the procedure for keeping a complainant versed on how complaints were dealt with.

(2)(a)(b)

The service had a record of a complaint. The record demonstrated the measures taken by the service to resolve the complaint both formally and informally in accordance with the service complaint policy.

(3)(a)(b)

The complaint record detailed the nature of the complaint and the measures taken by the service to address the complaint. The complaint was open to inspection on the day of inspection.

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

The following evidence was submitted to the inspector subsequent to the inspection to advise of the measures taken by the service to safeguard the children's safety and welfare while in attendance in the service.

- The registered provider advised on inspection of the service that a meeting with parents was scheduled for the 29 August 2024 concerning all the policies and procedures in the school age service.

The registered provider furnished the inspector with the following subsequent to this meeting:

Minutes of the meeting conducted with staff on the 27 August 2024.

Minutes of the meeting following an information evening conducted with parents and staff on the 29 August 2024.

Evidence of email confirmation of receipt of policies and procedures for the service by both staff and parents of school age children in attendance in the service.