

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2021DS001SA
Name of School Age Service:	The Mulberry Bush Creche
Name of Registered Provider(s):	Emer Quane
Address of School Age Service:	Finsbury Park, Churchtown Upper, Dublin 14, Co. Dublin
Eircode:	D14 N2K2

Date of Inspection:	08/05/2026			
Number of school age children present during inspection:	AM	N/A	PM	30

Address of the Early Years Inspectorate	The Brunel Building, Heuston South Quarter, St. John's Road West, Dublin 8.
Inspection undertaken by:	R.Duff
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).

Description of Service:	The Mulberry Bush Creche is a school age service located in Dublin 14. It operates from Finsbury Park primary school. The service is registered to accommodate 140 school age children aged 4 to 12 years. The service operates from one main room but has access to an additional four rooms within the complex. The main outdoor area is located to the back of the premises with additional secure outdoor space available immediately
--------------------------------	---

	surrounding the building.
--	---------------------------

Staffing:	The service employs 15 adults, including the registered provider. On the day of inspection, there were 7 adults present in the service working directly with the children.
------------------	--

Additional Information:	This inspection was scheduled as a planned, focused inspection.
--------------------------------	---

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 members who were present on the day of inspection.

Statutory Notices		
Notice	Date Served	Detail
Improvement Notice IN 0083	08/05/2026	Translated International Police vetting was not available for one adult who was working with the children on the day of inspection.
Status	The registered provider took immediate corrective action which addressed the risk identified. Preventative actions were submitted by the registered provider which were accepted and addressed the statutory notice.	

Summary of Findings:

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

- Regulation 9(1)(2): Staffing levels.
- Regulation 11(a): Premises.
- Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

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

- Regulation 8 (1)(2): Vetting disclosures.
- 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 corrective and preventive action plan for Regulation 8 and Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013, have adequately addressed the non-compliance identified on inspection.

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 not met

- (1) The inspection included a review of the required documentation for 15 adults employed in the service. Garda vetting disclosures were assessed for each of the 15 adults employed. The following documentation was available;
- (a)(b) Although it is acknowledged that 13 written and validated references were available, 15 written and validated references were not available for 9 adults employed to work directly with the children.
- (c) Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for 15 adults employed to work in the service. Garda vetting disclosures from all adults were assessed to determine compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. Garda vetting which was dated within the last three years was available for 14 adults, however, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice. Please refer to the information outlined under regulation 58G of this report.
- (d) See Statutory Notice section in relation to Immediate Action Notice IN 00 83 served.
- (2) Documentation reviewed evidence that the procedures specified above under 8

(1)(a)(b)(d) had not been carried out prior to 9 adults commencing employment in the service.

- 15 written and validated references were not available for 9 adults employed to work directly with the children.
- See Statutory Notice section in relation to Immediate Action Notice IN 00 83 served.

Corrective & Preventive Action Response submitted by the Registered Provider

The registered provider has stated

(1)

(a)(b) All references have been received and are in staff files. Prior to appointing potential childcare staff, the service will ensure that two written and validated references in place. The service has implemented a personnel file checklist for any person deemed suitable for working in the Afterschool.

(c) On recruitment, no new staff will commence employment until their Garda vetting has been put in place. This also applies to unpaid workers and contractors. The Recruitment Policy will be adhered to at all times. Garda vetting expiry dates will be checked at regular intervals and applied for well in advance of the expiration date.

(d) Translated International vetting certificate was submitted to the inspectorate

(2) Prior to appointing potential childcare staff, the service will ensure that two written and validated references in place. The service has implemented a personnel file checklist for any person deemed suitable for working in the Afterschool. On recruitment, no new staff will commence employment until their Garda vetting has been put in place. This also applies to unpaid workers and contractors. The recruitment Policy will be adhered to at all times.

Summary of Findings

The actions taken by the registered provider have addressed the non-compliance. The regulation has been met. This regulation will be assessed on the next inspection.

Regulation 9: Staffing levels

(2) Without prejudice to paragraph (1), a registered provider of a school age service other than a childminding service shall ensure that there is always a minimum ratio of 1 adult to 12 children while the service is operating.

Regulatory Requirement Met

(2) During the inspection, the registered provider ensured that appropriate staffing levels were maintained. The 30 children attending the service were supervised directly by 7 adults. The maximum ratio of 1 adult to 12 children was adhered to at all times.

Regulation 11: Premises

A registered provider of a school age service shall ensure that-
(a) an outdoor space to which the school age children attending the service have access on a daily basis is provided on the premises,

Regulatory Requirement Met

(a) The service has direct access to a fully enclosed sports area outside of the primary schools' operational hours. The sports area has a safety surface covering and was observed to be used by the children for sports and outdoor games. In addition, two smaller secure areas are available to the children throughout the day. On the day of inspection, the children were observed to use these areas for outdoor games while they waited for access to the school sports grounds.

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 service provided evidence that an adult trained in First Aid Response was available at all times to the children attending the school age service. Suitably equipped first aid boxes were available and safely stored in easily accessible and conspicuous positions in the service.

Regulatory Requirement not met

- The service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years for one adult working in the service.

Corrective & Preventive Action Response submitted by the Registered Provider

The registered provider has stated

The service has placed a list on staff files outlining current Garda vetting and the period Garda vetting expires. They have also put in place a flip calendar to note current Garda vetting dates and when Garda vetting expires. It is especially noted that Garda vetting will be applied for well in advance of the expiry dates. The service underestimated the length of time for the full processing of Garda vetting, so will be checking these lists on an ongoing basis.

Summary of Findings

The actions taken by the registered provider have addressed the non-compliance. The regulation has been met. This regulation will be assessed on the next inspection.