

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2021FL039SA
Name of School Age Service:	Broadmeadows Afterschool
Name of Registered Provider(s):	Hazel Cassidy
Address of School Age Service:	Applewood Community Centre Applewood Swords Co Dublin
Eircode:	K67 P7V2

Date of Inspection:	20 February 2024
Number of school age children present during inspection:	PM 31
Registration status:	Registered
Conditions (if applicable):	Not applicable

Address of the Early Years Inspectorate	Early Years Inspectorate 180-189 Lakeshore Drive Airside Business Park Swords Co. Dublin
Inspection undertaken by:	M. McDonnell
Title:	Early years inspector

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:

Broadmeadows Afterschool is a school age service located in a community centre in a residential area in Dublin. The service caters for children aged 4-12 years old. The service is open Monday to Friday between 7.45am and 9.00am for a breakfast club and from 1.00pm to 6.00pm for afterschool care. The service operates from two main rooms on the first floor of the community centre. There is also access to a large hall area and an outdoor area on the premises. Sanitary facilities and a kitchen are also available on the site.

Staffing:

The registered provider works in the service in a supernumerary capacity. The registered provider employs eight staff members who work directly with the children. On the day of the inspection, a student was working in the service.

Additional Information:

The inspector conducted a planned focused inspection of the service.

An Immediate Action Notice (IAN) was issued to the registered provider on 21 February 2024 concerning the risk of the unsupervised exit of a child from the service or access to the children by unauthorised persons. A response was received from the registered provider on 21 February 2024. This is reported on under the section Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

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 the day of inspection, the registered provider was found to be compliant in:

- Regulation 8(1)(a)(b)(c)(d): Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 12: Insurance.

On the day of inspection, the registered provider was found to be non-compliant in:

- Regulation 8(2): Vetting disclosures;
- Child Care Act 1991, 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, have addressed the non-compliances identified on inspection. These will be reviewed on any follow-up 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 Met
(1)(a)(b)(c)(d) The inspector reviewed the staff files of the eight staff members, the student, the contractor and the registered provider. There were two written and validated references available for all eight staff members, the student and the contractor from a previous employer or a source other than a previous employer. References were available for the registered provider. A Garda vetting disclosure was available for the eight staff members, the student, the contractor and the registered provider. The documentation reviewed by the inspector demonstrated that police vetting was either not required or was available if a staff member, the student, or the contractor had resided outside of the State for more than six months continuously.
Regulatory Requirement not met
(2) An examination of the Garda vetting disclosures and employment start dates for two staff members indicated that the Garda vetting disclosures were not obtained and considered before the staff members worked in the service.
Corrective & Preventive Action Response submitted by the Registered Provider
(2) The registered provider stated that this was for a staff member employed in 2022. The registered provider stated that this has not happened since then and a Garda vetting disclosure will be obtained before a staff member commences employment in the service.
Summary of Findings
The action and evidence submitted by the registered provider, in their corrective and preventive action plan, has addressed the non-compliance identified on inspection.

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)

There were 4 staff members and the registered provider working directly with the 31 children who attended the service on the day of the inspection.

(4)

The inspector observed appropriate supervision of the children. During the inspection, children were given access to a quieter room to play games with two staff members. In the main room, staff were observed completing art activities or playing with the children.

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 August 2023 to 27 March 2024 for a maximum of 50 children. On the day of the inspection, there were 31 school age children in attendance.

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 not met

1. An Immediate Action Notice (IAN) was issued to the registered provider on 21 February 2024. The inspector observed that the entrance and exit route to the 'Homework Room' was not restricted. This posed a risk of the unsupervised exit from this area of the service by a child or access to the children by unauthorised persons.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider responded to the IAN on 21 February 2024. In the corrective and preventive action plan and the response to the IAN, the registered provider evidence that they had informed staff to use the thumb locks already available on the door. This was also evidenced in the communication sent to the parents. The registered provider has stated plans to install an electrical door-closing system in the future if required.

Summary of Findings

The current action and evidence submitted by the registered provider, in their corrective and preventive action plan, has addressed the non-compliance identified on inspection.