

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2022CN006SA
Name of School Age Service:	Kings and Queens Childcare Service
Name of Registered Provider(s):	Esther Solagbade
Address of School Age Service:	2nd Cavan Scouts, Railway Road, Co. Cavan
Eircode:	H12TC93

Date of Inspection:	21 March 2024		
Number of school age children present during inspection:	AM		PM 8
Registration status:	Registered		
Conditions (if applicable):	N/A		

Address of the Early Years Inspectorate	The Brunel Building, Heuston South Quarter, Saint Johns Road West, Dublin 8, D08X01F
Inspection undertaken by:	C. Whelan A. Bradshaw
Title:	Inspection and registration manager 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:

Kings and Queens Childcare Service is a school age service owned and operated by the registered provider. It is located in a scouting premises in Drumavanagh town, Co. Cavan. The service has the use of a dedicated room and toilet facilities in the scouting premises.

The service is registered to accommodate 20 children from the ages of 4 up to 15 years old. The service is registered to open from 8.00am to 6.00pm and operates 48 weeks of the calendar year. The children have access to an outdoor yard located at the side of the scouting premises.

Staffing:

The registered provider advised the inspectors that they employ one staff member. Another adult who was in the presence of children during the inspection stated they also worked in the service. The registered provider, however, stated that the adult only attends the service in an observational capacity and does not work there. The registered provider works directly with the children.

Additional Information:

The inspection was conducted on receipt of a feedback and concern received by the Inspectorate on 19 March 2024.

On the day after the inspection, 22 March 2024, one Immediate Action Notice (IAN) was issued in relation to immediate and significant safety concerns, the absence of police vetting documentation, and the absence of two Garda vetting disclosures.

The registered provider was requested to submit a response to the Immediate Action Notice within 24 hours of it being issued to them. The registered provider did not submit a response in that timeframe. The registered provider submitted a response on 25 March 2024, and it was deemed to be inadequate. An adequate response was subsequently received. Further information regarding the Immediate Action Notice can be found in this report under sections Regulation 8, Regulation 9, and Childcare Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

The service's Safeguarding Statement did not contain all the required information. On 26 March 2024, a referral was submitted to the Child Safeguarding Statement Compliance Unit (CSSCU) of Tusla. The CSSCU issued the Safeguarding Statement to the Children First Information and Advice service for review and feedback.

On 26 March 2024, a referral was also made to the Feedback and Concerns department of Tusla in respect of two pre-school children that had attended the school age service. The service was not authorised to operate a pre-school service.

Following this inspection, the service was referred to the National Registration Enforcement Panel (on 27 March 2024).

Following the CAPA and Regulatory Compliance Meeting processes a referral was made to the National Registration Enforcement Panel and a Regulatory Enforcement Meeting was held with the service on the 5 June 2024 and 18 July 2024.

One non-compliance has not been adequately addressed and remains outstanding. All other non-compliances have been adequately addressed.

Please refer to the 'Conclusion and Follow-up Actions' section of this report for further information.

The non-compliances identified on this inspection will be reviewed on the next inspection of the service.

The registered provider informed the Agency that this school age service is currently not in operation as the registered provider voluntarily decided to temporarily pause the operation of the service since 7 May 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 inspectors wish to acknowledge the co-operation of the children, registered provider, and adults who were present on the day of inspection.

Summary of Findings:

On the day of inspection, there was a pre-school child being cared for by a staff member in the school age service premises. The registered provider confirmed the child had attended the school age service, and the service was not authorised to operate a pre-school service. An Immediate Action Notice was issued on the day following the inspection in relation to the pre-school child being cared for in the school age service. The registered provider was requested to submit a response to the Immediate Action Notice within 24 hours of it being issued. A response was not submitted in that timeframe. A response was subsequently submitted on 25 March 2024 and deemed inadequate as there was no assurance given to the Inspectorate that the pre-school child would no longer attend the service. The registered provider was requested to submit an adequate response by 8 April 2024. On 5 April 2024, the registered provider submitted an adequate response. They confirmed that pre-school children will not attend the service. Documentation submitted by the registered provider following inspection demonstrated that another pre-school child had attended the service on 6 March 2024. This matter was referred to the Feedback and Concerns department of Tusla on 26 March 2024.

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

- Regulation 9(2): Staffing levels.

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

- Regulation 8: Vetting disclosures;
- Regulation 9(1)(4): Staffing levels;
- Regulation 10: Policies etc. of school age service;
- Regulation 12: Insurance;

- Regulation 13(1)(a)(b)(c): Complaints;
- Childcare Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

Conclusion and follow-up actions:

The inspectors have reviewed the actions and evidence submitted by the registered provider.

One non-compliance has not been adequately addressed:

- Non-compliance number 3 listed under the section on the Childcare Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013. This remains non-compliant as the Child Protection Policy is currently under review. This will be reviewed on the next inspection of the service.

All other non-compliances have been adequately addressed. These will also be reviewed on the next inspection of the service.

The registered provider informed the Agency that this school age service is currently not in operation as the registered provider voluntarily decided to temporarily pause the operation of the service since 7 May 2024.

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)

On the day of inspection, there were three adults who were appointed, assigned, or allowed access to the children attending the school age service:

(a)(b) There were no written validated references available in respect of two of the three adults. The inspectors requested the registered provider to submit these documents to the Inspectorate by 12.00pm on the day following the inspection, 22 March 2024. The documents were not submitted in that timeframe. Subsequently, the inspectors requested the registered provider to submit these documents to the Inspectorate by 12.00pm on 25 March 2024. The documents were not submitted.

(c) There was no Garda vetting available in respect of two of the three adults. During a discussion with the registered provider at 6.00pm on the day of the inspection, concerns regarding the immediate risks were discussed. The registered provider informed the inspectors of the following:

-The registered provider would only operate a drop off and collection service the following day, 22 March 2024, and by themselves with no other adults present.

-The registered provider planned to close the service for the following two weeks for the school Easter break.

On the day following the inspection, an Immediate Action Notice was issued in respect of there being no Garda vetting available in respect of two of the three adults. It is acknowledged that Garda vetting was available for one of the three adults and that it was in adherence with the re-vetting timelines outlined in the Early Years Inspectorate Regulatory Notice (EYI-RN12.3).

(d) There was no police vetting available in respect of the three adults. On the day following the inspection, an Immediate Action Notice was issued in respect of this.

(2)

There was no documentation available to demonstrate that the procedures specified in paragraph 1 had been fully carried out by the registered provider prior to the two adults being appointed, assigned or allowed access to or contact with a child attending the school age service.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)(a)(b)

On 5 April 2024, the registered provider submitted two of the four outstanding references. There was no evidence submitted to the Inspectorate to show that the two references had been validated by the registered provider. This was discussed with the registered provider at a Regulatory Compliance Meeting held on 26 April 2024. The registered provider subsequently submitted evidence to the Inspectorate, on 13 May 2024, to show that the two references were validated on 24 April 2024.

In respect of the two outstanding references, the registered provider initially advised that the adult whom the references were required for would not attend the service unless appropriately vetted. The registered provider subsequently advised the inspectors that the adult would no longer attend the service.

(1)(c)

The registered provider was requested to submit a response to the Immediate Action Notice within 24 hours of it being issued. A response was not submitted in that timeframe. A response was subsequently submitted on 25 March 2024 and deemed inadequate. The registered provider was given a further opportunity to submit an adequate response to the Inspectorate by 8 April 2024 to address the risk identified. The registered provider submitted an adequate response on 5 April 2024. They submitted evidence of one Garda vetting disclosure with a date of 2 April 2024. In respect of the one outstanding Garda vetting disclosure, the registered provider advised that the adult, and indeed any adult, will not attend the service unless appropriately vetted. The registered provider subsequently advised the inspectors that the adult whom Garda vetting was outstanding for would no longer attend the service.

In the CAPA forms received on 2 and 11 April 2024, the registered provider noted the following corrective and preventive actions:

- They will ensure all necessary vetting disclosure documentation is complete, accurate, and up to date for each staff member.
- They will ensure all employees and volunteers undergo Garda vetting and that the vetting disclosures will be received before the person commences work in the service.
- They will insert Garda vetting information into staff files and ensure the staff files are available in the service.

(1)(d)

The registered provider was requested to submit a response to the Immediate Action Notice within 24 hours of it being issued. A response was not submitted in that timeframe. A response was subsequently submitted on 25 March 2024 and deemed inadequate. On that date, the registered provider only provided evidence of a police vetting document for one adult. The registered provider was given a further opportunity to submit an adequate response to the Inspectorate by the 8 April 2024 to address the risk identified. On 5 April 2024, the registered provider submitted evidence of one of the two police vetting documents

required in respect of a second adult; one police vetting document was still outstanding at that time. This was discussed with the registered provider at a Regulatory Compliance Meeting held on 26 April 2024. On 1 May 2024 (following the Regulatory Compliance Meeting), the registered provider advised the inspectors that there was a delay in obtaining the outstanding police vetting and they had decided to temporarily pause the operation of the service. On 13 May 2024, the registered provider advised the inspector that they were in the process of obtaining the outstanding police vetting, that the staff member was not working in the service due to the delay in obtaining the police vetting, and that the service had not been in operation since 3 May 2024.

In respect of the one outstanding police vetting disclosure for the third adult, the registered provider initially advised that the adult, and indeed any adult, would not attend the service unless appropriately vetted. The registered provider subsequently advised the inspectors that the third adult whom police vetting was outstanding for would no longer attend the service.

On 11 April 2024, the registered provider noted the following in the CAPA form submitted:

- They will ensure all necessary vetting disclosure documentation is complete, accurate, and up to date for each staff member.

(2)

In correspondence on 5 April 2024 relating to an Immediate Action Notice, the registered provider noted the following:

- No adult will attend at the premises in any capacity unless appropriately vetted and acknowledged.

Summary of Findings

The corrective and preventive actions and evidence submitted by the registered provider addressed the non-compliances identified on inspection in relation to regulation 8. This regulation will be reviewed on the next inspection of 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

(2)

The registered provider ensured the minimum ratio of 1 adult to 12 children was maintained during the inspection. For example:

- At approximately 1.50pm, the inspector observed one staff member caring for three children in the school age service premises.
- At approximately 3.55pm, the inspector observed one staff member caring for eight children in the school age service premises.

Regulatory Requirement not met

(1)

The registered provider did not ensure there was an adequate number of competent and suitable adults on the premises on the day of inspection. It was found that the registered provider and staff did not have some basic knowledge in relation to the children in their care. This posed a potential safety, care, and welfare risk to the children in the event of an emergency. For example:

- During the inspection, the registered provider did not demonstrate that they knew some basic and necessary details regarding the children in the care such as children's names. On one occasion, when collecting four children from a local area between approximately 3.28pm and 3.51pm, the registered provider did not know three of the four children's

names. At 4.20pm, of the seven children that were in the school age service, the registered provider was unable to name all the children in the school age premises at that time. The registered provider informed the inspectors that the children's names were hard to pronounce.

- Between approximately 2.12pm to 3.40pm, one staff member was present in the school age service premises with children. Through discussion with the inspector, the staff member indicated that the registered provider had not furnished them with the service policies and procedures. In addition, the staff member did not have access to essential details regarding the children in their care. For example, when asked by the inspector what the procedure would be if a child in their care was seriously injured, the staff member said they would ring the registered provider and the registered provider would tell them what to do. However, during the time that the staff member was alone caring for children in the school age service premises, the registered provider was occupied transporting children between locations including schools, children's homes, and the school age service.

In relation to the outlined concerns under Regulation 9(1), an Immediate Action Notice was issued to the registered provider on the day following the inspection.

(4)

- On the day of the inspection, there was no available staff roster, comprehensive staff attendance records, or comprehensive lists of the names of children that availed of the school age service to demonstrate that the children who had attended the service had been appropriately supervised at all times. The inspectors requested the registered provider to submit these documents to the Inspectorate by 12.00pm on the day following the inspection. The documents were not submitted in that timeframe. Subsequently, the inspectors requested the registered provider to submit these documents to the Inspectorate by 12.00pm on 25 March 2024. On 25 March 2024, the registered provider submitted to the Inspectorate copies of children's attendance records for the period of 4 March to 22 March 2024 and a list of the names of children who availed of the service. The registered

provider did not submit a copy of a staff roster to the Inspectorate.

- Inspectors were not assured of the overall supervision of the children who attended the school age service. For example, on the day of inspection, the registered provider used a vehicle to transport two children who attended the school age service, from school to the school age service. At the same time, the registered provider also transported five other children who did not attend the school age service, from school to their homes in a private transport capacity arrangement. The registered provider was therefore supervising children of the school age service while at the same time supervising children who were not part of the school age service.

Corrective & Preventive Action Response submitted by the Registered Provider

(9)(1)

The registered provider was requested to submit a response to the Immediate Action Notice within 24 hours of it being issued. A response was not submitted in that timeframe. A response was subsequently submitted on 25 March 2024 and deemed to be adequate. The registered provider informed the inspectors that all information and recording thereof has been disseminated to all employees and has been brought to the relevant persons attention. In the CAPA forms submitted on 2 and 11 April 2024, the registered provider noted the following corrective and preventive measures:

- The registered provider will ensure all staff are competent enough and capable of working with children.
- The registered provider will ensure enough competent and suitable staff will always be in the service.
- The registered provider will discuss the health and safety policies with the staff and always make parent/emergency contact details available in the premises. The registered provider submitted evidence of a list of contact details.
- The registered provider will ensure all employees and volunteers are provided with appropriate information and training including policies, procedures, and statements of the service.

9(4)

In the CAPA forms submitted on 2 and 11 April 2024, the registered provider did not provide adequate information. The registered provider stated they would supervise children in the premises and during activities and ensure the adult: child ratio is maintained. The following information was outstanding:

- Evidence of a staff roster: This outstanding information was discussed with the registered provider at a Regulatory Compliance Meeting held on 26 April 2024. Following the Regulatory Compliance Meeting (on 13 May 2024), the registered provider submitted a copy of staff rosters for the weeks of 8, 15, 22, and 29 April 2024. On 17 May 2024, the registered provider supplied the inspectors with a sample a staff roster template.
- Assurance that a staff roster would be maintained at all times and the detailed actions in relation to this: This outstanding information was discussed with the registered provider at a Regulatory Compliance Meeting held on 26 April 2024. The registered provider did not supply this information following the Regulatory Compliance Meeting. The service was referred to the National Registration Enforcement Panel and the registered provider was asked to provide this outstanding information. On the 17 May 2024, the registered provider supplied the following information:
 - They will ensure that staff attendance is recorded daily on a weekly sheet and that the date and time (in and out) are recorded. They stated they would ensure to store the information securely in a folder.
 - They will keep thorough records of staff rosters. They will maintain these records in a secure and easily accessible manner, adhering to relevant privacy regulations.
 - They will regularly check (on a daily basis) to verify the accuracy of records.
- Assurance that children's attendance records would be maintained at all times and detailed actions in relation to this: The outstanding information was discussed with the registered provider at a Regulatory Compliance Meeting held on 26 April 2024. The registered provider did not supply this information following the Regulatory Compliance Meeting. The service was referred to the National Registration

Enforcement Panel and the registered provider was asked to provide this outstanding information. On the 17 May 2024, the registered provider supplied the following information:

- They will ensure there are attendance records for each session and the following information will be included: the full name of each child, the time of their arrival and departure each day, and the dates of attendance.
- They will ensure children's attendance records are filled out by a staff member on daily basis and that they are dated and secured in a folder.
- They will have thorough records of children's attendance. They will maintain these records in a secure and easily accessible manner, adhering to relevant privacy regulations.
- They will periodically review attendance records and procedures to identify any areas for improvement.
- They will send a text message to staff as a reminder to record attendance promptly.
- They will complete regular checks on a daily basis to verify the accuracy of records.

On 17 May 2024, the registered provider supplied the inspectors with a sample template for recording children's attendance.

- Details of actions the registered provider had taken to ensure the overall supervision of the children and how they will ensure this going forward: This required information was in relation to the arrangement where the registered provider supervised children of the school age service while at the same time supervising children who were not part of the school age service. The outstanding information was discussed with the registered provider at a Regulatory Compliance Meeting held on 26 April 2024. At that meeting, the registered provider advised that they would submit the outstanding information to the Inspectorate by 29 April 2024. The information was not submitted by 29 April 2024. On 30 April 2024, the registered provider advised that they would be temporarily ceasing the school age service. On 1 May 2024, the registered provider advised that they were temporarily pausing the operation of the school age service. On 10 May 2024, the registered

provider advised that they temporarily paused the school age service since the 7 May 2024. The service was referred to the National Registration Enforcement Panel and the registered provider was asked to submit a specific plan they have put in place to ensure the overall supervision of the children. The registered provider submitted the following information:

- They will ensure an adequate number of staff members are available at all times to supervise children's activities.
- They will always maintain an adult-to-child ratio of 1:11.
- They will ensure that staff members are properly trained, have the knowledge of child training and are qualified to supervise children in the school age service.
- They will maintain accurate records for all children in the school age service. They will document arrival and departure times as well as absences.
- They will monitor the children throughout the programme, paying attention to their safety, well-being and behaviours.
- They will establish clear procedure for responding to emergencies including evacuation plans.
- They will maintain open communication with parents and transparent communication with parents or guardians, supervision procedures, and any concerns or incidents that arise.
- They will evaluate supervision procedures regularly to identify areas for improvement and address any challenges.

The National Registration Enforcement Panel also asked the registered provider to submit a specific plan to demonstrate the service's procedures for ensuring appropriate supervision of the children. On 17 May 2024, the registered provider submitted a plan that accounted for adequate staffing levels, the implementation of policies and procedures including emergency procedures, and supervision compliance checks.

Summary of Findings

The corrective and preventive actions and evidence submitted by the registered provider addressed the non-compliances identified on inspection in relation to regulation 9(1)(4). This regulation will be reviewed on the next inspection of the service.

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 not met

On the day of inspection, the registered provider was unable to furnish the inspectors with a copy of specific service policies and statements that are required under regulation 10. The registered provider was requested to submit the relevant documents to the Inspectorate by 12.00pm on the day following the inspection. The registered provider did not submit the documents in that timeframe. Subsequently, the inspectors requested the registered provider to submit these documents to the Inspectorate by 12.00pm on 25 March 2024. Only some of the documents were submitted at that stage.

Regarding the documents that were submitted:

- Policy on Managing Behaviour: The policy did not specify the approaches to be used by all staff in terms of managing challenging behaviour by a school age child attending the service.
- Drop off and collection policy: The policy did not include details regarding whether, and under what circumstances, children are permitted to leave the service unaccompanied. It is a regulatory requirement that this information be included in the policy. The full procedures carried out by the service to ensure the safety of the children departing from the service, such as the service transporting children home, were not specified in the policy. The policy was not wholly specific to the school age service as there was reference to a childminder and a childminding service.

- Complaints policy: Refer to section 'Regulation 13' of this inspection report.

The following documents were not submitted:

- Statement of purpose and function.

Corrective & Preventive Action Response submitted by the Registered Provider

In the CAPA form submitted on 2 April 2024, the registered provider noted they would amend the service policies and statements to ensure they were in line with the regulatory requirements. They referenced 11 April 2024 as the timeframe for submitting the documents to the Inspectorate.

By 11 April 2024, the registered provider submitted further copies of policies and statements including the statement of purpose and function that had been outstanding. Regarding the documents that were submitted:

- Policy on Managing Behaviour:** The updated policy which was submitted was deemed adequate as it specified the approaches to be used by all staff in terms of managing challenging behaviour by a school age child attending the service.
- Drop off and collection policy:** The updated policy which was submitted specified that children are not permitted to leave the service unaccompanied at any stage. There were no references made to a childminder or a childminding service. However, the policy was deemed to be inadequate at that stage as the full procedures carried out by the service to ensure the safety of the children departing from the service, such as the service transporting children home, were not specified in the policy. On 13 May 2024, the registered provider submitted a revised drop off and collection policy which met the regulatory requirements.
- Statement of purpose and function:** The document submitted was deemed to be adequate as it included the information specified under Schedule 6 of the regulations.

In the CAPA form submitted on 11 April 2024, the registered provider noted the following as a preventive action:

- They will ensure policies cover all areas such as health and safety, fire, behaviour management, complaints, drop off, administration of medication, and safeguarding.

Summary of Findings

The corrective and preventive actions and evidence submitted by the registered provider addressed the non-compliance identified on inspection in relation to regulation 10. This regulation will be reviewed on the next inspection of the service.

Regulation 12: Insurance

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

Regulatory Requirement not met

On the day of inspection, the registered provider was unable to furnish the inspectors with any insurance documentation to verify that that school age service was adequately insured for the day of the inspection.

The registered provider was requested to submit the relevant insurance documentation to the Inspectorate by 12.00pm on the day following the inspection. The registered provider did not submit the documentation in that timeframe. Subsequently, the inspectors requested the registered provider to submit the documentation to the Inspectorate by 12.00pm on 25 March 2024.

On the insurance documentation submitted on the 25 March 2024, the business description was noted as 'After School only'. During the inspection, however, the registered provider had informed the inspectors that they operated the school age service at other times such as for morning hours. In addition, there was no confirmation whether there was insurance in place for the drop off and collection (transportation) of children by the school age service.

Corrective & Preventive Action Response submitted by the Registered Provider

As part of the CAPA response, the registered provider re-submitted insurance documentation in which it was noted that the insurance in place was for 'After School only'. In the CAPA form submitted on 11 April 2024, the registered provider noted they will ensure the insurance policy covers all activities and services provided for. They also noted that they will regularly review and update the service's insurance policy to ensure it covers all necessary risks and activities.

Regarding insurance cover for the drop off and collection (transportation) of children to the service, no evidence was submitted to show that this cover was in place.

A Regulatory Compliance Meeting took place on 26 April 2024 and the registered provider was asked to provide evidence that adequate insurance cover was in place. The registered provider advised the inspectors that the service had not operated during morning hours and noted that the insurance cover for 'After School only' was adequate. The registered provider gave assurance they would submit evidence that insurance cover was in place for the drop off and collection (transportation) of children. The registered provider did not submit this evidence following the Regulatory Compliance Meeting. During the escalation process, the registered submitted this evidence in the form of a letter from an insurance company dated 17 May 2024.

Summary of Findings

The corrective and preventive actions and evidence submitted by the registered provider addressed the non-compliance identified on inspection in relation to regulation 12. This regulation will be reviewed on the next inspection of the service.

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.*

Regulatory Requirement not met

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

On the day of the inspection, the registered provider was unable to furnish the inspectors with a copy of the service's complaints policy. The registered provider was requested to submit the complaints policy to the Inspectorate by 12.00pm on the day following the inspection. The policy was not submitted in that timeframe. Subsequently, the inspectors requested the registered provider to submit the policy to the Inspectorate by 12.00pm on 25 March 2024.

The following was found on a review of the complaints policy which the registered provider submitted to the Inspectorate on 25 March 2024:

- The policy was not relevant to the school age service as it contained references to a childminder. For example, it was stated in the policy that a complaint can be made to 'the childminder' and the 'childminder' will communicate on how the complaints will be resolved or handled.

Corrective & Preventive Action Response submitted by the Registered Provider

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

On 11 April 2024, as part of the CAPA response, the registered provider submitted an updated copy of the complaints policy. The updated policy was relevant to the school age service and therefore addressed the non-compliance identified during the inspection process. In the CAPA form submitted on 2 April 2024, the registered provider stated that as a preventive measure, they will ensure the policy contains the necessary information. They also stated they would provide

regular training and support to staff members on child protection and welfare, and on the implementation of appropriate care practices.

Summary of Findings

The corrective and preventive actions and evidence submitted by the registered provider addressed the non-compliance identified on inspection in relation to regulation 13(1)(a)(b)(c). This regulation will be reviewed on the next inspection of 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 not met

1. During the inspection, the inspector observed the registered provider taking a child into their care (onto the service transport vehicle) and they planned to transport the child to the school age service premises without first informing the child's parent/guardian of this. In addition, the registered provider demonstrated to the inspector that they were unaware of the child's name and confirmed that they did not have the child's parents/guardian's contact number(s) available to them when the child was in their care. On the day following the inspection, an Immediate Action Notice was issued to the registered provider regarding this concern.
2. There was no record of the names of the children or adults who attended the service on the day of the inspection. Attendance records regarding children who had attended the service during some weeks before the inspection had not been fully completed. For example, children's full names were not recorded on the sheets of paper, and the records for the weeks beginning 4 March and 11 March 2024 were not fully completed. The absence of such records creates a risk to the safe evacuation of children and staff from the premises such as in the event of an emergency. During a discussion with the registered provider at 6.00pm on the day of the inspection, concerns regarding immediate risks were discussed. The registered provider stated they would submit to the inspectors a list of all the children who had attended/attend

the school age service along with the children's dates of birth. An Immediate Action Notice was issued to the registered provider on the day following the inspection regarding the concern.

3. On the day of inspection, the registered provider was unable to furnish the inspectors with a copy of a service Child Protection Policy/Child Safeguarding Policy. The registered provider was requested to submit the relevant policy to the Inspectorate by 12.00pm on the day following the inspection. The registered provider did not submit the relevant policy in that timeframe. Subsequently, the inspectors requested the registered provider to submit the relevant policy to the Inspectorate by 12.00pm on 25 March 2024. The relevant policy was not submitted. As this policy was not available to staff in the service, it created a risk of ambiguity in relation to staff caring for children and their roles and responsibilities in relation to child protection and safeguarding children.
4. Drop off and collection policy: The procedures regarding any attempted unauthorised collection of a child, or any attempted collection of a child by an unfit person from the service, only described actions the registered provider would take to manage those situations. However, on the day of inspection, the registered provider was not present in the school age service at all times. To ensure the safety of children attending the service, the policy should outline the roles and responsibilities of staff in such a situation, in the absence of the registered provider.
5. Policy on managing behaviour: The policy regarding managing behaviour mostly described actions the registered provider would take. However, on the day of inspection, the registered provider was not present in the school age service at all times. In the policy, it was also noted that 'staff can intervene physically in an incident where there is a risk of harm to that child or to another child or damage to property'. However, there was insufficient information in the policy to guide staff in their practice in such a situation. To ensure the safety of children attending the service, the managing behaviour policy should clearly outline the roles and responsibilities of all staff in terms of managing behaviour.
6. Between approximately 2.12pm to 3.40pm during the inspection, one staff member was present in the school age service premises with children. The staff member did not have access to the contact numbers of the parents/guardians of the children they were observed caring for during that time. There were no documents or information available in the school age service premises which had the contact details available, for example, in case of an emergency. The

registered provider informed the inspector that the staff member could retrieve a contact number from them should they need it. However, during the time that the staff member was alone caring for children in the school age service premises, the registered provider was occupied transporting children between locations including schools, children's homes, and the school age service. In addition, the registered provider informed the inspectors that they did not have some of the children's parents/guardians' contact numbers available to them. During a discussion with the registered provider at 6.00pm on the day of the inspection, concerns regarding immediate risks were discussed. The registered provider informed the inspectors that they would secure the contact numbers of the parents/guardians of the children who attended/attend the school age service and make that information available to all adults who care for the children and the inspectors. On the day following the inspection, an Immediate Action Notice was issued in relation to the significant risk of staff not having access to relevant information relating to the care of the children.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider was requested to submit a response to the Immediate Action Notice within 24 hours of it being issued. A response was not submitted in that timeframe. A response was subsequently submitted on 25 March 2024 and deemed adequate. The response provided assurance that without doubt, the parents of every infant user are acutely aware of their daily movements. In the CAPA forms submitted on 2 and 11 April 2024, the registered provider noted that the registered provider will take all proactive and reasonable measures to safeguard the health, safety, and welfare of the children.
2. The registered provider was requested to submit a response to the Immediate Action Notice within 24 hours of it being issued. A response was not submitted in that timeframe. A response was subsequently submitted on 25 March 2024 and deemed adequate. The registered provider informed the inspectors that all information and recording thereof has been disseminated to all employees and has been brought to the relevant persons attention. Evidence submitted during the CAPA process included a sample of completed attendance records. Please refer to regulation 9(4) for further information submitted by the registered provider to address this non-compliance.
3. During the CAPA process, the registered provider did not submit a copy of the service's Child Protection Policy/Child Safeguarding Policy. The registered provider did not specify corrective and

preventive actions regarding this non-compliance. In the CAPA forms submitted on 2 and 11 April 2024, the registered provider noted that the registered provider will take all proactive and reasonable measures to safeguard the health, safety, and welfare of the children. On 17 May 2024 the registered provider submitted a copy of a Child Protection Policy. This policy was issued to the Children's First Advice and Information Service for review.

4. The copy of the drop off and collection policy submitted on 11 April 2024 did not address the non-compliance identified on the inspection. In the CAPA forms submitted on 2 and 11 April 2024, the registered provider noted that the registered provider will take all proactive and reasonable measures to safeguard the health, safety, and welfare of the children. On 13 May 2024, the registered provider submitted a revised drop off and collection policy which addressed the non-compliance.

5. The copy of the managing behaviour policy submitted on 11 April 2024 did not address the non-compliance identified on the inspection. The registered provider did not specify corrective and preventive actions regarding this non-compliance. In the CAPA forms submitted on 2 and 11 April 2024, the registered provider noted that the registered provider will take all proactive and reasonable measures to safeguard the health, safety, and welfare of the children. On 13 May 2024, the registered provider submitted a revised policy which addressed the non-compliance.

6. The registered provider was requested to submit a response to the Immediate Action Notice within 24 hours of it being issued. A response was not submitted in that timeframe. A response was subsequently submitted on 25 March 2024 and deemed to be adequate. The registered provider informed the inspectors that all information and recording thereof has been disseminated to all employees and has been brought to the relevant persons attention. They also noted they will ensure they always make parent/emergency contact details available in the premises. The registered provider submitted evidence including a list of the names of children and parents and a list of contact numbers.

Summary of Findings

The corrective and preventive actions and evidence submitted by the registered provider addressed non-compliance number 1, 2, 4, 5, and 6 identified on inspection in relation to the

Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013. These will be reviewed on the next inspection of the service.

Non-compliance number 3, in relation to the Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013, has not been adequately addressed as the Child Protection Policy is currently under review. This non-compliance will also be reviewed on the next inspection of this service.