

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2022DS008SA
Name of School Age Service:	Lily's Before & After-School
Name of Registered Provider:	Eoin Doyle
Address of School Age Service:	Firhouse Carmel F.C, Ballycullen Drive, Firhouse, D24.
Eircode:	D24 PH00

Date of Inspection:	23 October 2024			
Number of school age children present during inspection:	AM	N/A	PM	53
Registration status:	Registered for School aged care			

Address of the Early Years Inspectorate	Brunel Building, Heuston South Quarter, Saint John's Road West, Dublin 8. D08 X01F
Inspection undertaken by:	A. Bradshaw R. Duff
Title:	Early years inspectors

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:

Lily's Before & Afterschool is one of seven school aged services registered to the provider. It is based on the grounds of the Firhouse Carmel Football Club. The school age service has the use of a large care room and a fully functional kitchen during the hours of operation. The room can be divided into two depending on the needs of the children. The service is registered to operate from 7:30am to 9:30am and 1pm to 6:30pm. Outside of the school term the service operates from 7:30am to 6:30pm.

The children have access to green areas at the front of the building and the side of the building for outdoor play.

Staffing:

There are a total of 16 staff members employed in the service including the area manager and external contractors. The registered provider does not work directly with the children. On the day of the inspection, there were 9 staff caring for 53 children.

Additional Information:

The inspector conducted a planned, focused inspection of the service.

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 inspectors wish to acknowledge the co-operation of the children, the area manager, 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)(a)(b)(c): Vetting Disclosures;
- Regulation 9: Staffing levels;
- Regulation 12: Insurance.

On inspection, the registered provider was found non-compliant in:

- Regulation 8: Garda Vetting(1)(d)(2);
- 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 actions and evidence submitted by the registered provider, in their corrective and preventive action plan, 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 Met

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

The inspector reviewed 16 staff files. The following was noted:

- There were validated references available for 16 staff members
- Garda vetting was in place for 16 staff members.

Regulatory Requirement not met
(1)(d) Police vetting was not available for one staff member who had resided outside of the state for more than six months. (2) Documentation available demonstrated that relevant vetting disclosure procedures were not carried out before one person began working directly with the children. Police vetting was not available for one staff member.
Corrective & Preventive Action Response submitted by the Registered Provider
(1)(d) The registered provider stated that Police vetting has been applied for the staff member. In the future, the registered provider will ensure to confirm if the prospective employee has ever lived outside the state of Ireland for six months or longer. If they have, the registered provider has stated that the employee will be required to submit police vetting from that country. Their employment will not commence until the document has been submitted. (2) The registered provider has updated the services staff vetting policy to include the procedures required to be completed before a new staff member commences employment. A copy of the policy was submitted to the inspector.
Summary of Findings
The actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have adequately 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)(4)

During the inspection, the registered provider ensured that appropriate staffing levels were maintained. The 53 children attending the service were supervised directly by 9 staff. Through a discussion with staff members, a review of the staff rosters and records of the children's attendance from 16 September 2024 to 7 October 2024 demonstrated the minimum ratio of 1 adult to 12 children was maintained during this period.

During the inspection, staff were observed to support children with their homework, prepare for extracurricular activities, and spend time chatting with children. Staff were also observed to engage with children to organise and coordinate games when outdoors.

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 March 2024 to 27 March 2025 for a maximum of 60 school-age children at any one time.

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

On the day of inspection, the inspector observed the health, safety and welfare of the children not being supported by the following:

1. The location of the green space the service used for the children's outdoor play created a risk to the children's safety due to its proximity to a busy road and the main entrances to the park.
2. On the inspector's arrival the main entrance to the building was not secure. The main door was unlocked, and the staff member explained that the keypad locking mechanism was broken. It is acknowledged a communication was submitted to the inspectorate on 24 October to say the lock would be fixed by the weekend.
3. On review of the staff files, the service demonstrated non-compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years as one staff member's Garda vetting had not been renewed.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider stated that the children's outdoor play has been moved to another green space to the right of the building and away from the car park. This space is marked out with cones for the children. They stated that they will ensure enough staff will supervise outdoor play to allow for staff to be able to accompany children back to the service if required. The registered provider stated the attendance book will be brought to the outdoor area with the staff members. The registered provider submitted an updated outdoor policy which included the new procedures.
2. The registered provider has stated that the broken keypad was replaced and is now working on both doors. They have stated that moving forward they will ensure maintenance work will be completed promptly.

Early Years Inspectorate Regulatory Report School Age Services

3. Photographs have been submitted to the inspectorate as evidence.
4. The registered provider has updated the services staff vetting policy to include the procedure to renew Garda vetting every three years. A copy of the policy was submitted to the inspector.

Summary of Findings

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