

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2022DY011SA
Name of School Age Service:	Hyde & Seek Childcare
Name of Registered Provider(s):	Siobhán Davy
Address of School Age Service:	1A Millbourne Avenue Glasnevin Dublin 9
Eircode:	D09 W284

Date of Inspection:	22 May 2024
Number of school age children present during inspection:	PM 12
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 C. Whelan
Title:	Early years inspector Inspection and registration manager

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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:

Hyde & Seek Childcare is a school age and pre-school service based in a two-storey building in Dublin. The school age service is registered to accommodate children aged 4 to 12 years old. The registered provider informed the inspector that only children who are registered to attend the service are accommodated in the service. The service is registered to open Monday to Friday for a breakfast club between 7.30 and 8.30am and 1.30 to 6.30pm for an afterschool club. During the school holidays the service operates from 7.30am to 6.30pm. The registered provider stated that the breakfast club currently operates from 8.00am and the afterschool operates until 6.30pm. The school age children are accommodated in a room on the first floor of the premises. The children have access to an outdoor space on the premises. The children and staff have access to sanitary facilities and there is an onsite kitchen.

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.

Additional Information:

This inspection was triggered following 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:

- 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, person in charge, and staff who were present on the day of the inspection.

Summary of Findings:

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

- Regulation 8: Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 10: Policies etc. of school age service;
- Regulation 12: Insurance;
- Regulation 13(1)(a)(b)(c)2(a)(b)3(a)(b): 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:

- Regulation 7(1): Notification of change in circumstances.

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-compliance identified on inspection.

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)

The registered provider had not informed Tusla in advance of a change of person in charge for the service. The person in charge on the day of the inspection was not the named person in charge that had been approved by Tusla on 7 June 2023.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)

The registered provider stated that a clerical error was made. A change of circumstances (CIC) form for the school age service was submitted and approved in May 2024.

As a preventive action, the registered provider has advised staff to ensure separate CIC forms are used for the pre-school and school age services.

Summary of Findings

The actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have 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

The inspector reviewed the staff files of the registered provider and the eight staff members employed in the service who worked with the school age children. There were two written references available for the registered provider. There were two written and validated references available for the eight staff members from a previous employer or source other than a previous employer. A Garda vetting disclosure, dated within the last three years, was available for all eight staff members and the registered provider. The service had therefore demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. A review of documentation demonstrated that police vetting was either not required or was available where required. A review of the staff members' start dates demonstrated that vetting procedures had been completed before the staff members had commenced employment 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

(1)(2)(4)

On the day of the inspection, 2 staff members were working directly with the 12 children in attendance.

The inspectors observed appropriate supervision of the children during the 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 inspector reviewed the service's complaints policy and the drop-off and collection policy. Both of those policies contained information as per Schedule 6 of the regulations to support staff in their practice. There was documentation available to show that staff had been informed of these policies.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service was insured from 6 January 2024 to 5 January 2025 for 34 children. On the day of the inspection, there were 12 school age children in attendance.

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)

The complaints policy detailed the procedure for making a complaint and how verbal and written complaints would be dealt with. There was an informal, formal, and escalation process documented in the policy. The policy referenced how a complainant would be kept informed of the complaints procedure and the appeals process.

(2)(a)(b)

On the day of the inspection, the inspector reviewed the record of complaints held in relation to the school age service. The registered provider confirmed two complaints had been received in relation to the school age service. A review of the documentation demonstrated that these complaints had been dealt with in line with the service's complaints policy.

(3)(a)(b)

A written record of the complaints was available in the service for the inspector to review.

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

During the inspection, the inspectors observed the health, safety and welfare of children being supported by the following:

- During the inspection there was a maximum of 12 children in attendance. The inspector reviewed the attendance records for the children from 29 April 2024 to 19 May 2024. The records showed that there was a maximum of 15 school age children in attendance and there were staff working directly with the children. On the day of the inspection, the children were observed spending time in a room located on the first floor of the premises and in the outdoor play area. Whilst in the room located on the first floor, some children were observed playing games and engaging in arts and crafts. Some children were observed sitting in another area of the room conversing with their friends/playing with toys. The children appeared to enjoy the activities and have sufficient space in the room and in the outdoor area which included a slide and climbing frame.
- Three of the children told the inspectors that the staff helped them with their homework and then they would play. The staff members spoken with discussed how they supported children with homework at different times and if required there was a small corridor area where a small group or individual children could do work. However, during the inspection, the children were not observed to complete homework.
- The registered provider and other nominated staff were involved with the daily collection of children from local schools. The registered provider had documentation available to

demonstrate that the drivers were insured to drive the service's vehicles. The registered provider had a collection list for the day of the inspection.

- The children played outside with one of the staff members. During this time the children played with a parachute and small balls. The staff member was observed to react positively with the children and interact with the children to play games, in particular when a child invented a game the staff member encouraged other children to join in. The staff member was also observed to support positive behaviour management by encouraging children to talk with their peers when a minor disagreement arose.