

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2023DY018SA
Name of School Age Service:	Little Citizens Hub
Name of Registered Provider(s):	Katie Smyth
Address of School Age Service:	Inchicore Sports and Social Club Library Square Inchicore Co Dublin
Eircode:	D08 PA07

Date(s) of Inspection:	29 January 2024
Number of school age children present during inspection:	PM 17
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 A. Spain
Title:	Early years inspector Registration support manager

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:

Little Citizens Hub operates a school age care service in a social club which is based in a residential area of Dublin. The school age service caters for children aged 4-12 years old. The service is open Monday to Friday and from 1.00 to 6.00pm. During school holidays the service operates from 9.00am to 4.00pm. School age care is provided in a large room that has direct access to a large outdoor area. Sanitary facilities for use by the school age children are located off the main care room.

Staffing:

The registered provider works in the service. The registered provider employs three staff members who work with the school age children.

Additional Information:

This inspection was triggered following information received by the Inspectorate.

An Immediate Action Notice concerning safety was issued on 30 January 2024. A response was received from the registered provider on 30 January 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:

- 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, 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 a school age service;
- Regulation 12: Insurance;
- Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

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

- 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 addressed the non-compliance related to the temperature of the hot water and fire safety procedures.

However, whilst actions to rectify the heating in the room used by the children were sufficient, there is still no heating for the building and Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013 remains non-compliant.

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 three staff members employed in the service who worked with the school age children. A Garda vetting disclosure was available for the registered provider and all three staff members. There were written references available for the registered provider. There were two written and validated references available for the three staff members from a previous employer or source other than a previous employer. A review of documentation demonstrated that police vetting was either not required or was available where required. A review of staff members' start dates demonstrated that vetting

procedures had been completed before they 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)

The registered provider and 3 staff members worked directly with the 17 children who attended the service on the day of the inspection.

(4)

The inspectors observed appropriate supervision of the children during the inspection. As children entered the service, staff were available to help with homework, and they provided and engaged in various activities throughout the children's attendance.

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 infection control and fire safety policies. The policies contained information as per Schedule 6 of the regulations to support staff in their practice.

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 August 2024 for a maximum of 24 children. On the day of the inspection, there were 17 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 Met

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

- The inspectors observed the children playing in the main area. They had the opportunity to play or complete quiet activities or more active activities.

Regulatory Requirement not met

- An Immediate Action Notice was issued on 30 January 2024 to the registered provider concerning safety. The temperature of the water exceeded 50°C which had the potential to cause a scald injury. At 1.58pm the temperature of the water used by the children for handwashing was 56°C. It is acknowledged that at 2.00pm the temperature of the water

had reduced to 34°C. However, when checked again at 2.45pm, the temperature of the water was 54°C.

2. The registered provider did not ensure that procedures observed on the day of inspection supported effective fire safety procedures. This was evidenced by the following;
 - The registered provider and a sample of staff members confirmed that there was a list of the names of children who were collected from school daily by service staff. However, this record did not confirm when a child had entered or left the service. Staff did not have any record to confirm all the children in attendance at the service at any one time.
 - Although staff were aware of fire evacuation procedures, staff informed the inspectors that they had not conducted a fire drill. The registered provider confirmed that there were no records of fire drills conducted in the service and that was not in line with the procedures described in the service's fire safety policy.
 - The registered provider had not ensured that there was annual maintenance of the fire extinguishers although it was stated in the fire safety policy that the annual maintenance would take place. It is acknowledged that the records demonstrated a new fire alarm system had been installed in January 2024. It is also acknowledged that the inspectors observed that the fire exits were accessible should they be required in an emergency.
3. On the day of inspection, the inspectors observed, and the registered provider confirmed that the service was not adequately heated. Other than the main room used by the children, the service was cold on the day of inspection. The inspectors observed that an area of the service was damp and mouldy. This area was accessible to the children from the main room used as observed on inspection. It is acknowledged that the registered provider informed the inspectors there was an issue with the heating of the building. They informed the inspectors that when they first became aware of the heating issue, they completed a risk assessment. As part of this assessment, children were collected from school and went home earlier than planned on that day. A record of correspondence with parents reviewed by the inspectors verified this had taken place. Implementation of the risk assessment ensured that the main room was warm and the temperature was maintained whilst the children were in attendance on the day of inspection. The room

had been heated using portable heaters before and during the children's attendance. The heaters in place during the inspection were not accessible to the children. Children were observed to be dressed warmly. They wore jumpers while inside the premises. Some children informed the inspectors that they felt warm.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider stated that the controls for the hot water have been lowered to the minimum temperature for warm water. As a preventive action the registered provider stated that a temperature probe had been purchased and the temperature of the water will be checked regularly throughout the children's attendance. The registered provider stated that this has been added to the daily health and safety checks and a copy was submitted.
2. The registered provider addressed the non-compliance regarding fire safety by submitting several corrective actions. These included the performance of fire drills and the maintenance of fire extinguishers. The registered provider also stated that a contemporaneous list is kept throughout the afternoon. This is located near the entrance and will be taken outside as part of a fire or fire drill. A copy of the maintenance certificates, fire drills and attendance list was submitted.

The registered provider stated they will implement and monitor the preventive actions such as adhering to reminders to carry out regular fire drills and maintain extinguishers. The Fire Safety Policy will be reviewed and updated (if necessary) annually.

3. The registered provider stated they were continuing to use electric space heaters to keep the room temperature between 18-22°C. As observed on inspection the risk assessment was completed and implemented to ensure this was done safely.

The registered provider has provided correspondence with the owners of the building to provide a solution to the building's heating problem. The registered provider has suggested an alternative option to install wall-mounted electric heaters in the service to be implemented before October 2024.

Summary of Findings

The actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have addressed the non-compliance related to the temperature of the hot water and fire safety procedures.

However, whilst actions to rectify the heating in the room used by the children were sufficient, there is still no heating for the building and Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013 remains non-compliant.