

The Co-Operative Childcare

Blackbird Leys Nursery, Cuddesdon Way, Blackbird Leys, Oxford, OX4 6JP

Inspection date	11/07/2013
Previous inspection date	23/03/2010

The quality and standards of the early years provision	This inspection:	4
	Previous inspection:	2
How well the early years provision meets the needs of the range of children who attend		4
The contribution of the early years provision to the well-being of children		4
The effectiveness of the leadership and management of the early years provision		4

The quality and standards of the early years provision

This provision is inadequate

- Children are not safeguarded. Staff do not have regard for their statutory responsibilities and have failed to follow a significant number of their policies and procedures intended to safeguard children from harm, including the risks and hazards identified in the environment.
- Strategies to manage children's behaviour are poor as staff do not recognise inappropriate and potentially dangerous behaviour. Consequently, staff fail to support children's personal, social and emotional development. Ineffective partnerships between key persons, parents and other agencies are inadequate. As a result, children's individual needs are not met.
- The leaders of the nursery do not maintain required documentation for the safe and efficient management of the nursery. Consequently, children's welfare is compromised. Ineffective and unsafe deployment of staff and resources result in a lack of planning to support children's care and learning needs.
- Self-evaluation procedures are weak. Too little improvement has been made to tackle key weaknesses or to meet actions set at previous visits to promote the safety of the children. The management team has failed to recognise or rapidly address staff underperformance, which impacts on children's safety, well-being and their capacity to learn.

It has the following strengths

- Children receive a healthy balanced lunchtime meal.

- Staff help children to develop a secure understanding of the importance of hand washing.

Information about this inspection

Inspections of registered early years provision are:

- scheduled at least once in every inspection cycle – the current cycle ends on 31 July 2016
- scheduled more frequently where Ofsted identifies a need to do so, for example where provision was previously judged inadequate
- brought forward in the inspection cycle where Ofsted has received information that suggests the provision may not be meeting the legal requirements of the Early Years Foundation Stage or where assessment of the provision identifies a need for early inspection
- prioritised where we have received information that the provision is not meeting the requirements of the Early Years Foundation Stage and which suggests children may not be safe
- scheduled at the completion of an investigation into failure to comply with the requirements of the Early Years Foundation Stage.

The provision is also registered on the compulsory part of the Childcare Register. This report includes a judgment about compliance with the requirements of that register.

Inspection activities

- The inspectors observed activities within the nursery and interacted with the children.
- The inspectors spoke to staff and temporary managers at appropriate times throughout the inspection, during and after activities.
- The inspectors sampled children's records, documentation and policies and procedures.
- The inspectors spoke to available parents.
- The inspectors met with the management team.

Inspector

Tracy Bartholomew and Melissa Cox

Full Report

Information about the setting

The Co-operative Childcare Blackbird Leys Nursery is one of 50 provisions run by The Midcounties Co-operative. It opened in 2009 having relocated to new premises, which consist of four group rooms, a multi-use communal area and related facilities, including sleep rooms and a staff room. All children over two years share access to a fully enclosed outdoor area with grass, hard standing and impact absorbent surfaces for outdoor play. A separate enclosed garden with grass and hard standing surfaces is available for the younger children.

The nursery is situated in the Blackbird Leys area of Oxford and children come from the local community. The nursery is registered on the Early Years Register and the compulsory part of the Childcare Register. There are currently 108 children on roll in the early years age group, some in part-time places. The nursery is in receipt of funding for the provision of free early education to children aged two, three and four. The nursery is open each day from 7.30am until 6.30pm for 52 weeks of the year, excluding bank holidays. The nursery operates a holiday club during school holidays and maintains close links with the local Children's Centre. The nursery supports children with special educational needs and/or disabilities and children who speak English as an additional language. The nursery also supports a number of groups of children from workless households. The nursery employs 24 staff, 18 of whom hold appropriate childcare qualifications to at least level 2 and 3. A qualified teacher from the children's centre supports staff on a part-time basis.

What the setting needs to do to improve further

The provision is inadequate and Ofsted intends to take the following enforcement action:

Due to the number of serious concerns we have suspended the providers registration. We are taking this step as we have reasonable cause to believe children are, or may be, exposed to a risk of harm. The purpose of this suspension is to allow time for the circumstances to be investigated and for steps to be taken to reduce or eliminate the risk of harm. We have served a number of Welfare Requirements Notices which is an offence if the provider does not meet. We will be monitoring the provider's compliance with these notices.

To meet the requirements of the Early Years Foundation Stage the provider must:

- ensure all staff have regard to the Government's statutory guidance 'Working Together to Safeguard Children' in order that any concerns about children's safety or welfare are notified to agencies with statutory responsibilities without delay
- ensure there is a clear and well-understood policy and procedure for assessing any risks to children's safety, which identifies aspects of the environment that need to be checked on a regular basis and , includes when and by whom those aspects will be checked, and how the risk will be removed or minimised
- implement an effective behaviour management policy and procedure to ensure children's personal, social and emotional development. Include how children will be enabled to manage their feelings and behaviour, and have clear and consistent boundaries and behaviour management strategies
- assign each child a key person to ensure that every child's care is tailored to meet their individual needs, to help the child become familiar with the nurserysetting, offer a settled relationship for the child and build a relationship with their parents
- deploy staff to meet the needs of all children and to ensure that children are adequately supervised
- ensure the ratio and qualification requirements of the Statutory Framework for the Early Years Foundation Stage are met and apply to the total number of staff available to work directly with children
- ensure that the premises, including outdoor spaces, are fit for purpose, clean and that staff comply with requirements of health and safety legislation (including hygiene requirements)

- maintain a daily record of the names of the children being cared for on the premises, their hours of attendance and the names of each child's key person
- record the following information for each child in attendance: full name; which parent(s) and/or carer(s) the child normally lives with; and emergency contact details for parents and/or carers
- implement a policy and procedure to safeguard children that covers the use of mobile phones and cameras in the nursery
- obtain and share information regularly with parents, carers, professionals and other settings to promote an effective two-way flow of information that informs planning and supports effective teaching
- make the following information available to parents and/or carers: how the EYFS is being delivered in the setting; the range and type of activities and experiences provided for children, the daily routines of the setting, and how parents and carers can share learning at home; staffing in the setting and the name of their child's key person and their role
- implement a policy and procedures to promote equality of opportunity for children, which includes how the individual needs of all children, including those children with special educational needs and/or disabilities, will be included, valued and supported
- improve staff's knowledge of the learning and development requirements in order to consider the individual needs, interests, and stage of development of each child and use this information to identify their next steps and plan a challenging and enjoyable experience for each child in all of the areas of learning and development
- reflect on practice in order to evaluate and assess strengths and weaknesses and to drive improvement in children's learning and development.

Inspection judgements

How well the early years provision meets the needs of the range of children who attend

Children's learning and development is severely hampered as the staff lack the ability, understanding and motivation to promote positive outcomes for children. Some staff are ineffective at meeting the needs of the children. For example, in discussion some explain that they do not know the children's names or their individual routines. This fundamental lack of basic knowledge is detrimental to the children's overall development.

Children have opportunities throughout their day to engage in a range of activities. Despite these being linked to the areas of learning, they fail to provide a suitable level of challenge to support children's progress. This is because most staff lack the ability to communicate and play with the children appropriately and purposefully. Many staff stand around unresponsive to children's needs. This lack of interaction hampers children's development as they wander, sit or stand around with very little purpose. This does not prepare them for their next stage of learning or support them with their transition to school.

Tracking of children's progress is inconsistent throughout the nursery and overall, this is poor. The planning and assessment system has recently been revised as part of the nursery's evaluation process. However, staff are not confident with the new process and have yet to use the information gained from children's observations to effectively plan suitable challenges for individual children. Children with additional needs, and especially those groups of children with communication delay, are not well supported by staff. Many of the children who have identified starting points below those of their peers are not consistently making enough progress to ensure that the gap is closing.

The nursery generally has a suitable range of resources, and most of these are readily available to allow children to make some independent choices and decisions about their play. However, poor staff deployment, together with their lack of interaction, means resources are not used well to challenge and interest children. At times, ratios in individual rooms are not met. During these times, the number of staff available to support children is further reduced because staff on occasion leave the room to request additional support.

The contribution of the early years provision to the well-being of children

Children's well-being and personal, social and emotional development is not sufficiently fostered. This is because staff and key persons caring for children are not competent in their understanding of the children's needs. Consequently, staff fail to meet the needs of the children. This has a detrimental effect on the children's self-confidence and their feelings of security.

Following recent circumstances, the nursery employs a number of agency staff to work with the children. Although some of these staff hold suitable qualifications, they are unaware of the individual children's care plans and their personal needs. As a result, children's well-being is not adequately promoted. The key person approach is extremely ineffective as staff do not know the children, documentation is not updated, reflected upon or current, to enable covering staff to meet the needs or care plans of the children. This has a negative impact on how staff respond to the children. For example, staff do not respond sensitively to the children to give them the reassurance they need to feel safe and confident in the nursery. In addition, these weaknesses mean children are unable to form special relationships with staff.

Children's good health is put at risk as the staff fail to ensure that rigorous cleaning procedures and routines are maintained, which means that the health of young children

and crawling babies cannot be assured. The carpet area is not kept sufficiently clean following meals and snack times. In addition, staff do not follow appropriate hygiene procedures when helping young children settle to sleep. For example, when a child loses his dummy on to the floor, a member of staff picks it up and put it back in to the child's mouth. These poor hygiene practices have an adverse effect on children's health and well-being. Nonetheless, children gain some understanding of hygiene routines that promote their health, as staff encourage them to wash their hands before mealtimes. Some staff explain to children why this is necessary which supports children's developing understanding. Children in the pre-school and toddler rooms communicate suitably with each other at mealtimes; however, the staff lack engagement with the children, which impacts negatively on children's developing social skills. Children benefit from a range of freshly prepared meals.

Staff are not effectively deployed to promote children's well-being. A concern was raised about the levels of support provided to the children in respect of their behaviour and how it is managed. Evidence found at inspection confirmed that the staff fail to engage with the children adequately to help them understand the impact of their behaviour on themselves and others. Staff are inconsistent in using positive behaviour strategies and consequently do not help children learn about sharing or turn taking in a way that is appropriate to their levels of understanding. For example, younger children do not receive suitable praise for positive behaviour and fail to learn the implications of actions, such as throwing sand, because staff do not explain why this behaviour is not acceptable. In addition, older children do not learn to have an appropriate regard for each other's safety. For example, they were observed to hit and throw toys at each other, and to put their hands around each other's necks. This directly compromises children's well-being and safety. Staff actions also have a negative impact on the children's self-confidence. For example, staff tell children in the toddler room to stop being silly when they are crying and the children are offered very little comfort while upset. Although staff record children's minor accidents and share the information with the parents, the high number of accidents occurring in a short period of time is directly related to the poor deployment of staff. This has a negative impact on children's safety, particularly in the outdoor environment.

Children use some suitable toys and resources that provide support for their physical development. However, because the deployment of staff is poor, children's progress is not supported during these activities. For example, staff are not positioned effectively to observe and interact with children to ensure they learn to take suitable risks and manage their own safety or to extend children's play. This jeopardises children's safety and welfare, as well as their learning and development. In addition, staff do not support children to learn about sharing the outdoor resources. For example, staff do not promote turn taking with the bikes and do not suitably support children to explore the climbing equipment. Younger children go outdoors daily, with staff taking out some additional toys, such as a ball to play with the children. However, staff choose to bounce the ball in front of the children, rather than invite the children to have a turn. This fails to engage children or to aid their developing moving and handling skills. In addition, younger children have fewer opportunities to explore challenging climbing equipment, which is crucial in developing their muscle strength and coordination.

The effectiveness of the leadership and management of the early years provision

This inspection was brought forward as a result of a number of recent concerns raised with Ofsted. These included the safety and supervision of children and how staff manage their behaviour; staff retention; levels of information provided to parents including how the nursery responds to complaints; partnership with other agencies and how the nursery responds to their requests for information; and the effectiveness of the key person system. A further concern related to similar issues was raised with Ofsted and considered at this inspection. However, this was also extended to include concerns about ratios. On the day of the inspection, further complaints about the quality of care and learning were received from parents and were also discussed at the inspection.

In addition to these concerns, previous concerns that had been raised by an outside agency led to Ofsted visiting the nursery and setting a number of actions due to breaches in legal requirements. The nursery had notified Ofsted that they had taken appropriate steps to address these actions. At this inspection, the nursery were found to be in breach of a number of legal requirements. These include poor deployment of staff and ineffective implementation of the key person system to meet children's specific needs; failing to manage children's behaviour to prevent injury to other children; not maintaining an accurate daily record of children's attendance; having poor regard to child protection procedures; and failing to implement a number of key policies in a robust way that promotes children's well-being and safety. Furthermore, the actions that were set at the previous visit have not been met. Due to the number of serious concerns, Ofsted has suspended the providers' registration. Ofsted is taking this step as there is reasonable cause to believe children are, or may be, exposed to a risk of harm. The purpose of this suspension is to allow time for the circumstances to be investigated and for steps to be taken to reduce or eliminate the risk of harm. Ofsted has served a number of Welfare Requirements Notices which are an offence if the provider does not meet these. Ofsted will monitor the providers' compliance with these notices. In addition, the nursery fails to meet the requirements of the Childcare Register.

Safeguarding responsibilities have not been met as nursery staff fail to implement policies and procedures that have been put in place to safeguard children. On the day of the inspection, on occasions ratios were not consistently met. It was also noted that parents and carers were able to access nursery rooms used by the children while operating their mobile phones. This is in direct breach of the nursery's mobile phone and camera policy. It was made possible due to a failure to fix a broken door lock on the inner nursery door; thereby giving parents and visitors free access to main rooms, unchallenged by staff. Further procedures to safeguard children in the nursery, such as maintaining an accurate daily record of children's attendance, gathering information about who the child normally lives with, and providing each child with a key person to nurture and promote their needs, are not in place. These are breaches in legal requirements and do not promote the ongoing safety and emotional well-being of the children.

Senior staff have a poor understanding of their role in terms of meeting their child protection responsibilities. Some staff have accessed recent training to improve their

understanding of child protection issues and the reporting procedures to follow if they have a concern. However, the high staff turnover in the nursery in recent weeks means that staff are unable to build a secure relationship with families in order to engage and support those families who are most at risk. Recent changes in management also mean that those staff members who work with vulnerable children have not been provided with sufficient information on key aspects of a child's background, in order to respond promptly to changes in children's behaviour that may indicate a concern. A further poor regard to maintaining records and sharing important information promptly with local agencies that support families in the nursery, means that the needs of the children are not met.

Staff do not follow the statutory reporting procedures to safeguard children and have failed to take into consideration vital information that has been shared with them by external agencies. The evidence collated at the inspection indicates that on a number of occasions the nursery has failed to respond promptly to requests for information, which does not support effective working partnerships. As a result, staff have not acted promptly or appropriately to address a number of serious concerns when these have arisen that have subsequently placed children at risk. Risk assessment procedures are not adequate to promote the safety and well-being of the children in the nursery. Staff carry out risk assessments on a daily basis with the intention of reducing hazards to children, but these are not rigorous enough to address some safety issues in the nursery. For example, staff complete a check of the garden area, but fail to remove broken or damaged resources or make safe the areas of the garden that are unsuitable for use, such as the sandpit, which has been left uncovered for some time.

Self-evaluation procedures are poor. Current procedures are not effective in monitoring and evaluating the effectiveness of the educational provision as it goes through a period of change. This means key areas for immediate improvement have not been identified to promote children's well-being or safety. Any action that has been taken to address weaknesses has been as a reaction to information highlighted by external sources. For example, the local authority support visits, children centre manager and visits from Ofsted, rather than the nursery's own rigorous self-assessment of identified priorities. A key weakness within the nursery is the quality of staff interactions and their understanding of their roles and responsibilities. This was highlighted by Ofsted at a previous visit. The management team was asked to tackle underperformance by providing staff with training and coaching opportunities to improve their effectiveness. During this inspection, it was observed that staff still do not have the knowledge and skills in order to deliver a safe environment or challenging learning experiences for children.

Parents and others are able to feedback on the quality in the nursery via the nursery's online complaints procedure, or are able to discuss their concerns with members of staff. However, on some of those occasions staff fail to inform parents of the outcome of the complaint and do not keep a full record of the action that has been taken as a result. This lack of detail also means that reoccurring issues have not been challenged by the regional management team because they do not receive a comprehensive update of current issues in the nursery. This demonstrates that the nursery does not have sufficient capacity to drive forward improvement.

A number of other actions set previously by Ofsted also remain unmet and Ofsted intends

to take further action in this case. Parents are given some information on what their child is doing in the day, but a number of parents comment that they are unaware of the activities that are on offer or the routine of the day.

Partnerships with other agencies that are involved with the children, such as speech and language therapists or family support workers, are not yet effective enough to provide consistency in meeting targets on children's care plans. This is because action points that have been identified have not been suitably implemented or robustly monitored to help narrow the gap for some children. This results in children not making sufficient progress given their starting points, especially in the prime areas of learning, such as their personal, social and emotional development. There are some links established with other settings that are involved in supporting the children who attend the nursery, but these are not yet effective enough to provide consistency between settings.

The Childcare Register

The requirements for the compulsory part of the Childcare Register are

**Not Met
(with
actions)**

To meet the requirements of the Childcare Register the provider must:

- keep and implement a written statement of procedures to be followed for the protection of children, intended to safeguard the children being cared for from abuse or neglect (compulsory part of the Childcare Register)
- ensure that the premises and equipment used for the purposes of the childcare are safe and suitable for that childcare (compulsory part of the Childcare Register)
- undertake a risk assessment of the premises and equipment: to ensure that all necessary measures are taken to minimise any identified risks (compulsory part of the Childcare Register)
- ensure that all necessary measures are taken to minimise any identified risks (compulsory part of the Childcare Register)
- ensure that the childcare is accessible and inclusive by taking all reasonable steps to ensure that the needs of each child, relating to their childcare, are met (compulsory part of the Childcare Register)
- ensure that children's behaviour is managed in a suitable manner (compulsory part of the Childcare Register)
- keep a written record, for a period of three years, from the date of these complaints including the outcome of the investigation and the action the provider took in response (compulsory part of the Childcare Register)
- make available to Ofsted, on request, a summary of complaints made in relation to the requirements during the past 12 months and the action that was taken as a consequence (compulsory part of the Childcare Register)

- keep records of the following and retain them for a period of two years: a daily record of the names of the children looked after on the premises and their hours of attendance (compulsory part of the Childcare Register)
- make the following information available to parents: information about the activities the children will undertake (compulsory part of the Childcare Register).

What inspection judgements mean

Registered early years provision

Grade	Judgement	Description
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Grade 1	Outstanding	Outstanding provision is highly effective in meeting the needs of all children exceptionally well. This ensures that children are very well prepared for the next stage of their learning.
Grade 2	Good	Good provision is effective in delivering provision that meets the needs of all children well. This ensures children are ready for the next stage of their learning.
Grade 3	Satisfactory	Satisfactory provision is performing less well than expectations in one or more of the key areas. It requires improvement in order to be good.
Grade 4	Inadequate	Provision that is inadequate requires significant improvement and/or enforcement action. The provision is failing to give children an acceptable standard of early years education and/or is not meeting the safeguarding and welfare requirements of the Early Years Foundation Stage. It will be inspected again within 12 months of the date of this inspection.
Met		The provision has no children on roll. The inspection judgement is that the provider continues to meet the requirements for registration.
Not met		The provision has no children on roll. The inspection judgement is that the provider does not meet the requirements for registration.

Inspection

This inspection was carried out by Ofsted under sections 49 and 50 of the Childcare Act 2006 on the quality and standards of provision that is registered on the Early Years Register. The registered person must ensure that this provision complies with the statutory framework for children's learning, development and care, known as the Early Years Foundation Stage.

Setting details

Unique reference number	EY401464
Local authority	Oxfordshire
Inspection number	926147
Type of provision	Full-time provision
Registration category	Childcare - Non-Domestic
Age range of children	0 - 8
Total number of places	72
Number of children on roll	108
Name of provider	The Midcounties Co-operative Limited
Date of previous inspection	23/03/2010
Telephone number	01865 401205

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Type of provision

For the purposes of this inspection the following definitions apply:

Full-time provision is that which operates for more than three hours. These are usually known as nurseries, nursery schools and pre-schools and must deliver the Early Years Foundation Stage. They are registered on the Early Years Register and pay the higher fee for registration.

Sessional provision operates for more than two hours but does not exceed three hours in any one day. These are usually known as pre-schools, kindergartens or nursery schools

and must deliver the Early Years Foundation Stage. They are registered on the Early Years Register and pay the lower fee for registration.

Childminders care for one or more children where individual children attend for a period of more than two hours in any one day. They operate from domestic premises, which are usually the childminder's own home. They are registered on the Early Years Register and must deliver the Early Years Foundation Stage.

Out of school provision may be sessional or full-time provision and is delivered before or after school and/or in the summer holidays. They are registered on the Early Years Register and must deliver the Early Years Foundation Stage. Where children receive their Early Years Foundation Stage in school these providers do not have to deliver the learning and development requirements in full but should complement the experiences children receive in school.

The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. It regulates and inspects childcare and children's social care, and inspects the Children and Family Court Advisory Support Service (Cafcass), schools, colleges, initial teacher training, work-based learning and skills training, adult and community learning, and education and training in prisons and other secure establishments. It assesses council children's services, and inspects services for looked after children, safeguarding and child protection.

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