

Vivy Day Nursery

Unit 1, 709 Old Kent Road, LONDON, SE15 1JZ

Inspection date

15/10/2013

Previous inspection date

26/04/2011

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

- Staff do not implement the behaviour management policy effectively or manage children's behaviour consistently. As a result, children are unable to learn right from wrong. Furthermore, staff threaten children with punishment if they do not behave, and do not respond to their requests for comfort. which does not allow children to feel safe.
- Children are physically restrained by staff as they are not able to manage children's behaviour effectively. This is a significant risk to the children and compromises their safety and well-being. Furthermore, the staff named as responsible for behaviour management does not demonstrate the necessary skills to support and advise other staff in dealing with children's behaviour issues appropriately.
- The provider fails to implement effective procedures to safeguard children's welfare, which includes notifying Ofsted and administering children's medicines. This results in a number of legal requirements not being met and puts children at risk. Furthermore, risk assessments are ineffective as fire exits are blocked and the owner fails to notice this, compromising children's safety and welfare.
- Systems to safeguard the children are not robust or rigorous to ensure all staff are suitable to work with children. Consequently, children's safety and well-being are further compromised.
- Staff do not use assessment systems effectively to identify and monitor any progress children are making and do not complete required progress checks for children aged between two and three years. As a result, staff are unable to identify and promote children's learning and development sufficiently to meet their individual needs.
- Children are not sufficiently challenged during play to support learning across all

learning outcomes. Furthermore, interactions between staff and children do not support the children's learning and development adequately, which hinders their progress and limits the outcomes for children.

- Registers are not maintained to show the children's hours of attendance. As a result there is no accurate record of which children are in the setting at any one time. Furthermore, self-evaluation systems are not robust to clearly identify and address weaknesses in safeguarding and children's learning and development.

It has the following strengths

- Children's special dietary requirements are generally met.

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 voluntary and compulsory parts of the Childcare Register. This report includes a judgment about compliance with the requirements of that register.

Inspection activities

- The inspector observed activities in the main play rooms.
- The inspector spoke with the owner and staff at appropriate times throughout the observations.
- The inspector looked at a sample of children's learning journeys, planning documents and a selection of policies and procedures and children's records.
- The inspector looked at the documentation regarding staff suitability, risk assessments and attendance registers.

Inspector

Rebecca Hurst

Full Report

Information about the setting

Vivy Day Nursery registered in September 2009 and operates from a converted ground level building in the Old Kent Road area of the London Borough of Southwark. Children have access to three group rooms, bathroom facilities and an enclosed outside play area. There is also a kitchen, office, staff room and adult bathroom facilities.

The nursery is registered on the Early Years Register and on the compulsory and voluntary parts of the Childcare Register. The nursery is open each weekday from 7.30am to 6.30pm for 51 weeks of the year. There are currently 25 children on roll in the early years age range. Children attend a variety of sessions.

The nursery employs nine members of staff including the provider. Five staff working with children hold relevant childcare qualifications. Four staff are either working towards qualifications or are unqualified.

What the setting needs to do to improve further

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

We will issue a Welfare Requirement Notices requiring the provider to:

ensure that you implement a robust behaviour management policy and procedures and do not use or threaten any punishment which could adversely affect a child's well-being. A named practitioner should be responsible for behaviour management and they must have the necessary skills to advise other staff on behaviour issues

keep written records each time a medicine is administered to a child and inform the child's parents on the same day

ensure systems are in place to obtain and record information from parents such as details of doses, to meet the children's individual needs for the medicines

ensure that you can demonstrate that people working with children are suitable and in particular appropriate vetting procedures have been undertaken and recorded.

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

- implement clear and well understood policies and procedures for assessing all risks to children.
- ensure that fire doors are free from any form of obstruction and easily opened from the inside
- ensure physical intervention is only used for averting immediate danger of personal injury to any person and that incidents are recorded and parents or carer are informed on the same day or as soon as reasonably practical.
- ensure the systems used to foster continuous improvement are robust; make sure that self-evaluation identifies and addresses key weaknesses
- supervise all staff who have contact with children and provide support coaching and training to promote the interests of children
- plan and implement purposeful play to promote children's learning and development through a mix of adult-led and child-initiated activities covering each of the areas of learning

- develop observation and assessment systems in order to identify children's levels of achievement, interest and learning styles; use the findings to shape future learning experiences that are tailored to meet children's individual needs and in order to complete the progress check for children aged two years
- maintain a daily record of the children being cared for and their hours of attendance and the names of the children's key persons with the hours they are caring for the children

Inspection judgements

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

Staff are not effective at promoting children's learning and development as the provider and staff have a weak understanding of the learning and development requirements of the Statutory Framework for the Early Years Foundation Stage. Systems for observation, assessment and planning are implemented with varying success. Children are generally happy in the older rooms and are building bonds with their key person staff member. However, key persons fail to accurately identify where children are in their learning and observations on what children can and cannot yet do are not completed regularly. As a result, key staff are unable to plan the identified next steps for children's future learning effectively.

Observations are infrequent and the assessments lack rigour; staff cannot ascertain a clear picture of children's progress from these records. As a result, parents lack information that may help them to support their children's learning at home. In addition, staff have little information available to tell parents how well their children are progressing in each area of learning. Staff fail to complete the required progress checks for children aged two and share them with the parents. Therefore, it is unclear from staff assessments of children and from the activities that are on offer what progress, if any, the children are making towards the early learning goals.

Throughout the majority of activities, staff have minimal interaction with the children. This fails to support children in making the best progress they can in their learning and development. Children's physical development is not promoted as children are not encouraged to play outside in the garden. Although staff put some resources in the rooms for the children, these do not sufficient promote the children's learning and development.

Staff plan and provide a range of experiences for children in all areas of learning. However, these experiences fail to promote children's learning and development. The provider has failed to identify the significant weaknesses across the nursery as she currently does not evaluate the provision. Any progress the children are making in the nursery is incidental due to the lack of support from the staff.

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

Behaviour management in the setting is very weak. Some staff fail to support children to learn the differences between right and wrong. In addition, children's self-esteem is not nurtured properly because of how staff speak to and handle the children. Staff generally demonstrate a very poor understanding of how to build children's positive self-esteem. For example, staff refuse to cuddle children when they are crying and looking for reassurance. Furthermore, some staff physically restrain children into bouncy chairs to stop them running around when staff say the children are meant to be going to sleep. Some staff also pull children up by the arms in order for them to join in dancing when children do not wish to do so. Some staff also are not aware of how to lift children up or handle them appropriately, pulling children off the ground under their arm. These practices endanger the children and put them at significant risk of harm. In addition, staff fail to explain to children why they need to stop certain behaviour and do not show children how to behave appropriately around others. Staff do not value children as unique individuals. Consequently, some staff are not meeting children's needs as they are not good role models to the children or to other staff. This greatly impacts on children's personal and social skills and their learning across all areas of development. These weaknesses in safeguarding children means their well-being cannot be assured.

Children learn what to do in an event of an emergency as they practise fire drills with staff. This helps children to understand how to keep themselves safe. However, risk assessments are not effective as fire exits are blocked and the owner fails to react to keep them clear. This endangers the well-being and safety of the children. When told about the exits being blocked during the inspection, the owner still failed to clear them. This shows a clear disregard to the children's safety.

Although meal and snack times are generally social occasions with children sitting together, there is little talk with the children about what they are eating and about healthy lifestyles. This lack of discussion does not promote children's understanding of healthy foods; however, children do receive freshly made meals to help promote their good health. Staff will talk with the children, but generally children talk to each other. As a result children's language skills are not supported to progress their learning and development. The cook is aware of the children that have special dietary requirements and prepares meals to meet these. However, children's health is not promoted adequately because the setting is not following appropriate procedures relating to administering children's medicines. For example, parents' signatures are not always obtained prior to administration as required, and details of the correct doses children require are not clearly obtained. Furthermore, the times medicines are administered are not consistent or accurate, and there is no record to show parents are informed when medicines are administered. These are breaches of the safeguarding and welfare requirements and as a result, children's health is put at risk.

Staff generally work with the parents to help settle children into the nursery. They gain some information about children's likes and dislikes and use this information to help them

to settle.

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

The inspection was brought forward due a number of concerns including about inappropriate behaviour management of children, fire exits being blocked and general suitability of staff and the setting. At the time of inspection, it was found that systems are not rigorous enough to ensure staff are suitable to work with children. There are policies and procedures in place for checking the suitability of adults, including obtaining new disqualification and barring checks. However, in practice this does not happen. Consequently, children are not safeguarded. The inspection also found behaviour management of children is very weak and practices are a great concern to the welfare of the children. As a result of the inspection findings, the provider is required to take further action as they are not meeting all the legal requirements of the Statutory Framework for the Early Years Foundation Stage. Ofsted will issue Welfare Requirement Notices with particular regard to safeguarding children, which the provider must take in order to improve. In addition, the provider is not meeting all the requirements of the Childcare Register.

Currently attendance registers are not consistently completed as systems are not robust. Staff rely on parents signing their children in and out of the setting. However, the staff do not implement this system effectively, resulting in records being incomplete. This is a further breach of the safeguarding and welfare requirements as children's presence is not always clear. This means staff cannot be sure of when children have attended the setting at any point.

The provider is aware of their responsibilities to meet the safeguarding and welfare requirements with regards to child protection. However they fail to make sure that they take appropriate steps to do this. In addition, they do not do enough to monitor staff practice and fail to notice very poor practice with regards to behaviour management. Staff have a sound understanding of child protection matters and what action to take if they are concerned about a child's welfare. Risk assessments are completed to assess the safety of children's play environments; however, the owner and the staff fail to make sure fire exits are kept clear. This is a further breach of the safeguarding and welfare requirements and as a result, children's safety is compromised.

The provider, who is also the manager, and staff are currently working with the early years team to monitor the learning and development requirements. However, the provider has failed to identify the significant weaknesses across the nursery due to the lack of assessments and understanding of how to promote the children's learning and development. Although staff have had supervisions and targets are set for them to work towards to improve their working practices, these are not robust enough to ensure the staff are able to improve their practices. The provider has failed to identify the

weaknesses in the systems for observation, assessment and planning. The owner fails to assess if the practices in the nursery meet the children's individual needs. In addition, the provider has failed to notify Ofsted of changes to managers and a significant event which is likely to affect the suitability of any person who cares for children. This impacts on children's welfare and well-being. Furthermore, the provider's systems of self-evaluation have also failed to identify and address the significant weaknesses in safeguarding children's welfare in order to comply with the legal requirements. This demonstrates poor self-evaluation systems and a lack of capacity to maintain continuous improvement.

Staff work with the parents and share some information with them about their children and aspects of their development.

The Childcare Register

The requirements for the compulsory part of the Childcare Register are

**Not Met
(with
actions)**

The requirements for the voluntary part of the Childcare Register are

**Not Met
(with
actions)**

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

- maintain effective systems to ensure that any person caring for, or in regular contact with, children is suitable to work with children, which must include obtaining an enhanced Disclosure and Barring Service check (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)
- the registered person must ensure that children's behaviour is managed in a suitable manner (compulsory part of the Childcare Register).
- must have effective systems to ensure that any person caring for, or in regular contact with, children is suitable to work with children which must include obtaining an enhanced Disclosure and Barring Service check (voluntary 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 (voluntary part of the Childcare Register)
- the registered person must ensure that children's behaviour is managed in a suitable manner (voluntary part of the Childcare Register).

What inspection judgements mean

Registered early years provision

Grade	Judgement	Description
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	EY394924
Local authority	Southwark
Inspection number	939579
Type of provision	
Registration category	Childcare - Non-Domestic
Age range of children	0 - 8
Total number of places	46
Number of children on roll	25
Name of provider	Vivian-Olayinka Kranz
Date of previous inspection	26/04/2011
Telephone number	07961319851

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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.

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