

Magic Moments Children's Day Nursery

23 Hewell Road, Barnt Green, Birmingham, West Midlands, B45 8NG

Inspection date	10/03/2014
Previous inspection date	20/03/2013

The quality and standards of the early years provision	This inspection:	
	Previous inspection:	
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's knowledge and understanding of safeguarding children is poor, resulting in breaches in requirements that have a significant impact on children's safety and well-being.
- Staff do not consistently obtain information at the start of the placement, or accurately observe, assess and plan for children's learning. They do not consistently use open-ended questions to promote children's critical thinking and ideas. This means the quality of teaching and learning is weak.
- Monitoring of the provision and supervision arrangements are ineffective, and as a result, staff practice is inconsistent and they do not always fulfil their roles and responsibilities competently.
- Resources and activities, both indoors and outdoors, are not always well planned so that children can explore all areas of their learning.

It has the following strengths

- Children are provided with good quality and nutritional meals which are freshly prepared. Quantities are plentiful and children enjoy their food.
- Parents spoken to during the inspection comment positively on the warmth, care and support they receive from staff.

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 nursery playrooms and the outdoor play area.
- The inspector had a tour of the nursery and spoke to staff and children.
The inspector looked at documentation including a sample of children's learning and development files, risk assessments, a selection of policies and procedures, accident records, the complaints log and Disclosure and Barring Service checks for staff.
- The inspector held meetings with the nursery owner and the manager to discuss safeguarding, recruitment, selection and vetting procedures; evidence of suitability and qualifications of practitioners working with children, monitoring and supervision of staff and staff deployment.
- The inspector conducted a joint observation with the nursery manager.
- The inspector took account of the views of parents and carers spoken to on the day of the inspection.

Inspector
Sally Smith

Full report

Information about the setting

Magic Moments Children's Day Nursery has been registered since 2003 and is on the Early Years Register and compulsory and voluntary parts of the Childcare Register. It is privately owned and operates from premises in Barnt Green, Birmingham. There are two enclosed areas available for outdoor play. The nursery serves the local area.

The nursery opens Monday to Friday for 51 weeks of the year. Sessions are from 7.30am to 6pm. Children attend for a variety of sessions. There are currently 83 children on roll. The nursery provides funded early education for two-, three- and four-year-olds. It also operates a before and after school provision and a holiday play scheme. The nursery employs 20 members of staff, 17 of whom are qualified to levels 2 and 3. The manager has a foundation degree and also holds Early Years Professional Status. The owner of the nursery also has Early Years Professional Status.

What the setting needs to do to improve further

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

- ensure that staff are familiar with the procedures should they observe inappropriate behaviour displayed by other members of staff, so that children's safety and welfare are promoted
- ensure that information about staff qualifications, identity checks and vetting processes is obtained and recorded to ensure their suitability to work with children
- ensure staff obtain information about children's development at the start of the placement and use this, along with observations and assessments, to accurately track children's progress and build on the next steps in their learning.

To further improve the quality of the early years provision the provider should:

- plan outdoor play experiences for children to extend their learning and development across all areas
- improve the resources in the sensory room, so that the experience offers stimulation, enjoyment and challenge for all children
- improve the quality of staff interactions with children so that they consistently ask open-ended questions to promote children's critical thinking and ideas.

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

The quality of teaching and learning is variable across the staff team. When children start their placement, many staff do not consistently complete the initial profiles provided, to gather an overview of children's learning and development to date. Where staff do share these with parents, too often they are only partially completed and do not contain or record all the necessary information to determine children's starting points. Some of the children do not have development files at all. Observations of many children's learning are nowhere near up to date, with some of the last observations being recorded nearly six months ago. In addition, there have been many changes with regard to the key person system, and for some children this results in a lack of consistency regarding the learning support they receive. For example, some staff are unaware that several of their key children are bilingual or speak English as an additional language. This means that in many cases, staff fail to accurately assess children's progress, identify gaps in children's learning

and plan for their next steps accordingly. At times, staff fail to engage with children effectively, sometimes just sitting and watching rather than making effective use of questioning to extend children's ideas and critical thinking. The manager does not monitor the quality of teaching and learning consistently or effectively. This has an impact on the progress children make in their learning and development

Staff demonstrate through discussion that they have an understanding of the learning and development requirements of the Statutory framework for the Early Years Foundation Stage. Staff plan activities that reflect and cover the seven areas of learning, and at times, where the quality of teaching is better, these inspire children to use their imagination, creativity and critical thinking. For example, children thoroughly enjoy the current 'pirate' theme that has developed out of their interests. They sit with a member of staff and carefully consider how they are going to find some buried treasure. Firstly they discuss what they will find in the chest and decide that there will be rings, money, gold, silver and diamonds. The member of staff praises the children for their good thinking, ensuring that all their ideas are welcomed and valued so they all feel included. They discuss what they will need to dig up their treasure and how they will use their maps to locate it. They start to draw and make marks using lines to indicate the direction in which they will go. They record various landmarks on their maps as they go along, helping to develop their early writing skills. They are asked to recall what they might see, hear or smell on their journey. Children correctly identify cars, buses, houses and shops and numbers. One child says, 'We smell smoke from the cars', but on this occasion is not told the words 'exhaust fumes', and therefore this is a missed opportunity to extend his knowledge and understanding. Nevertheless, it is a well-planned activity that successfully interweaves all areas of learning and is ably led by the member of staff. As a result, children are focused, interested and engaged, and sit participating for a considerable length of time. During discussion, the member of staff informs the inspector that they will use the treasure hunt as a 'listening walk' to develop children's auditory skills. This will be further enhanced by another walk to include 'beaters' so that children can listen to the different sounds made when tapped on various objects. This links to the pre-school's delivery of 'letters and sounds', which they have recently implemented to support children's speech and language and the sounds that letters and words make. It further supports the nursery's focus on recognising positive behaviour through reward charts. All children receive some positive feedback and therefore move quickly up the pirate ship reward chart. The treasure at the end of their hunt includes small gifts for the children, such as pencils, crayons and other treats, in recognition of their good behaviour.

In contrast, where teaching is weak, children become disinterested and bored. For example, several children play in the sensory room, which is small and confined. Despite what its name implies, there are very few resources to challenge children and stimulate their senses, and as a result, many children are bored. The quality of staff interactions are poor and do nothing to inspire any enthusiasm in children. For example, the one piece of equipment being used to transmit different patterns onto the wall is not used to check or reinforce children's understanding of colour and shape. One child attempts to leave but is asked to stay in the room until later. This means the individual needs of children are not being met.

Children have opportunities to develop some physical skills. Babies happily explore their

environment and are provided with sufficient space to roll, shuffle, clamber and crawl. Furniture is placed around the room so that emergent walkers can pull themselves to standing. A variety of wooden structures with steps and slopes enable children to further develop their physical skills as they negotiate these safely. Children develop control, such as stopping and starting appropriately, as they negotiate obstacles when riding their bikes or pushing wheeled toys. Space is limited so outdoor play is time limited to enable all children to have fresh air. Walks in the local community and visits to the local park add variety. However, the outdoor environment is not as well planned for as it could be so that children have consistently positive experiences across all areas of learning. Independence skills are generally well fostered, helping to prepare children for their transfer to school.

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

Children's safety and well-being are severely hindered as child protection procedures are not followed correctly. Although children are looked after in premises which are secure, the setting's practice regarding safeguarding procedures is considerably impaired, and as a result, children's safety is significantly compromised. This is with specific regard to the setting's failure to report two child protection concerns in a timely manner. In addition, staff are not familiar with the whistleblowing policy and reporting any poor conduct of their colleagues. This lack of rigour means that children's safety and well-being are compromised. The nursery does not fully comply with the learning and development requirements of the Early Years Foundation Stage, and this means that children's progress is inadequately promoted. The monitoring of the quality of teaching, observations and assessments is not sufficiently robust to ensure staff practice supports all children's learning effectively.

Children are greeted by warm and friendly staff who are ready with a smile and open arms to help them feel welcome. Due to changes in staff, the key person system has been revised, but children are beginning to develop positive relationships with their key member of staff. Some children go to staff for cuddles and reassurance, particularly the younger children who need more support. This helps children to establish close bonds and ensure a sense of security and belonging. Information about children's care needs is shared with parents, for example, staff know which children require a comforter and when. This helps for smooth transitions between the home and nursery. However, some staff are not aware that they have children in their group who are bilingual or speak English as an additional language, which means that children's individual needs are not accurately identified and accommodated for in day-to-day practice.

Resources in general are plentiful and provide a range of different play opportunities and experiences for children. Children can access most of these independently and move them around as they choose. However, the resources in the sensory room are very limited; the bubble tube was not working at all during the inspection, which limited children's experiences even further. They have some opportunities to jump around on soft play resources, but due to lack of space, this provides little challenge. Children have access to outdoor areas, although space in both of these is also quite restricted. Staff do not plan for these areas as effectively as they could to ensure children get the maximum learning potential. This has been recognised by staff and resources have been purchased to

provide additional stimulus, but have yet to be introduced to the children.

Children eat good quality food, lovingly prepared by the nursery cook. Meals are considerably varied and provide a range of fresh fruit and vegetables. Quantities are plentiful and children tuck into their food eagerly and with relish. They sit together and socialise with each other, often enabling older and younger siblings to join together, making meals a positive and enjoyable experience. Food is brought in serving dishes to the tables, prior to children sitting down. This means the food cools down before children help themselves. They are still reminded to take care as the food may still be hot. As a result, children use the serving spoons provided and carefully place the food on their plates. This helps to promote their understanding of safe practices. This is further enhanced as children are shown how to use their knives appropriately, helping to develop skills for the future. The nursery form links with local schools to support a smooth transition as children move on to their next phase in learning. Partnerships with other agencies and professionals work well so that children receive a combined package of support where needed.

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

This inspection was brought forward due to a number of concerns made to Ofsted. These relate to a lack of supervision by staff and accidents and incidents that go unnoticed. Furthermore, the complainant reported a high turnover of staff and two separate child protection concerns that were not managed appropriately. Evidence gathered during the inspection identified that the provider was not meeting several requirements of the Statutory framework for the Early Years Foundation Stage, compromising children's safety, learning and well-being. In addition, the provider was not meeting Childcare Register requirements in relation to children's welfare, safety and the suitability of staff. Children are at risk because managers are not sufficiently vigilant with regard to the recruitment and selection of all staff. While Disclosure and Barring Service checks are in place for the majority of staff, managers are not proactive in ensuring that some are obtained in a timely manner. In some instances, staff have been in post for nearly four months without a check in place. Furthermore, in the interim period, the managers have failed to seek other information to determine staff's suitability, such as employment history. The management team and the designated safeguarding person within the nursery have failed to follow their safeguarding procedures and report two separate child protection concerns to the relevant agencies. Several staff are not familiar with the whistleblowing policy in order to safeguard children. This significantly compromises children's safety. The provider acknowledges that there has recently been a number of staff who have left the nursery but this is for reasons such as promotion, change of job, maternity leave or staff leaving the area, all of which are unavoidable. Key person systems have been revised so that each child has a key member of staff.

Following the inspection, another visit was undertaken to the setting to discuss safeguarding procedures. It was found that the provider had taken prompt and effective action since the inspection to improve their knowledge of safeguarding procedures. They are now fully aware that any concerns about a child must be referred to the appropriate

agencies without delay. Staff have undertaken training, and supervision sessions are planned to ensure safeguarding is discussed with them on an ongoing basis. The nominated person also intends to attend training to refresh his knowledge regarding safeguarding further.

The provider does not have a clear picture of the strengths and weaknesses of the nursery. An evaluation of the provision has not been undertaken for a considerable length of time, although this is now being reviewed. As a result, the actions and recommendations from the previous inspection have only been partially met. The day-to-day monitoring and review of staff practice are not good enough. As a result, there are inconsistencies in the quality and frequency of the observations and assessments undertaken for children's learning and the planning for their next steps. While staff attend regular staff meetings to discuss practice issues and safeguarding and welfare concerns, the manager does not monitor and use supervision sessions effectively to check staff's understanding of these. As a result, children's welfare and progress are compromised. The provider is supportive of staff's continuous professional development, and they are encouraged to attend external training when available. For example, most staff are first aid trained and several staff are improving on their existing early years qualifications and studying at a higher level. However, staff do not always use their knowledge of child development consistently well to fully support children's learning.

In contrast, some aspects of children's welfare are suitably promoted. Risk assessments are undertaken by staff, who carry out daily checks to ensure that any hazards are identified and minimised. This ensures that children play in a safe and secure environment. The manager knows in advance the numbers of children attending each day and plans staff rotas accordingly. Additional staff are employed to assist in the after school provision. As a result, staff are effectively deployed throughout the nursery to ensure correct ratios are maintained. Any accidents are recorded and the information shared with parents. An accident report is logged on the respective child's file for confidentiality. Children are within staff's sight and hearing at all times. Positive partnerships are established with parents, who have a good rapport with staff. Information is regularly conveyed to parents at the end of each day regarding their child's care. Staff also work effectively with outside professionals so that children receive any necessary intervention to support their individual needs. Parents and carers speak positively of the care and support their children receive.

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:

- ensure that there are effective systems in place to ensure that any person caring for, or in regular contact with children is suitable (compulsory part of the Childcare Register).
- ensure that there are effective systems in place to ensure that any person caring for, or in regular contact with children is suitable (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	Requires improvement	The provision is not giving children a good standard of early years education and/or there are minor breaches of the safeguarding and welfare requirements of the Early Years Foundation Stage. It will be monitored and inspected within twelve months of the date of this inspection.
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 monitored and inspected again within six 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	EY340758
Local authority	Worcestershire
Inspection number	952795
Type of provision	
Registration category	Childcare - Non-Domestic
Age range of children	0 - 17
Total number of places	40
Number of children on roll	83
Name of provider	Magic Moments Childcare Ltd
Date of previous inspection	20/03/2013
Telephone number	0121 445 6708

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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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