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Vivy Day Nursery
Unit 1
709 Old Kent Road
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Our Reference EY394924

Dear Vivian-Olayinka Kranz

Monitoring for provision judged as inadequate

An Ofsted inspector, Cheryl Walker, monitored your provision on 15/04/2014 following your inspection where the provision was judged to be inadequate.

Outcome of monitoring

As a result of our inspection on 15/10/2013, we sent you a welfare requirements notice. The actions you were set are included at the end of this letter.

The welfare requirements notice required you 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 dosages, to meet the children's individual needs for the medicines; and to ensure that you can demonstrate that people working with children are suitable and in particular appropriate vetting procedures have been undertaken and recorded.

You were also sent a notice to improve which asked you to: 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; 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; 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 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 and voluntary parts 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 and voluntary parts of the Childcare Register); and to ensure that children's behaviour is managed in a suitable manner (compulsory and voluntary parts of the Childcare Register).

The visit carried out on 24 February 2014 found that the welfare requirement notice in respect of managing children's behaviour had been met. You had reviewed the behaviour policy and named two members of staff as lead on behaviour issues. There were no inappropriate behaviour management techniques seen during the visit. Some staff had attended additional training and further training was planned, enabling staff to have a clearer understanding of children's development and their behaviour.

The welfare requirement notice relating to the procedures for administering and recording children's medication was found to have not been met. You produced a revised medication form which had been incorrectly completed by staff, resulting in inaccurate recordings having been made about times and dosage of medication given to a child. The seriousness of this issue was discussed with you. A further welfare requirement notice was issued relating to this matter.

Staff files were viewed during the visit. They showed that not all of your staff had undergone new Disclosure and Barring Service checks since their employment with you and that you have relied on existing checks taken from previous employers. This does not ensure the on-going suitability of staff or safeguard the children in your care. You advised that you had applied for new checks but were not able to produce any evidence of this. A further welfare requirement notice was issued relating to this matter.

You had been asked to review the systems for risk assessment by ensuring that fire exits were kept clear. This was seen to have taken place and all exits were seen to be clear. Concerns were raised during the visit with regard to children's access to rodent poison. This was seen to be within children's access leading to the outdoor play area. When the issue was discussed with staff, they were unaware of whether any risk assessment was in place. You had not fully risk assessed the potential hazard to children therefore their safety was compromised. A welfare requirement notice has been issued which requires you to address this issue immediately.

Records of children's attendance were not found to be accurate at the visit. Whilst

your action plan indicated that registration systems had been revisited, more children were in attendance at the setting than were recorded in the register at the time of the visit. Consequently, staff were not aware of how many children were on the premises and this impacts on children's safety in the event of an emergency evacuation.

You had implemented appraisals for staff to ensure that you are aware of their on-going training needs. You were reviewing practice and self-evaluation systems in order to help you to make improvements with regard to the organisation of the setting. Changes to planning and assessment systems were in the process of implementation, but were not yet fully embedded in practice. Further actions were therefore raised to ensure these issues continue to be addressed.

The visit carried out on 15 April 2014 found that the registration system was again seen to be inaccurately recorded, which means that it is not clear at any given time how many children and staff are in the setting. This was discussed with you and you felt that staff may have been distracted due to the inspector's visit. A further action has been set in this respect that must be addressed immediately.

The welfare requirement notice with regard to demonstrating that effective procedures are in place to ensure staff suitability has been met. You have now carried out new Disclosure and Barring Service (DBS) checks on all staff at the setting and ensured that you have evidence of staff qualifications to confirm their suitability. You are also keeping records of their training needs via supervision and appraisal systems to enable a continual review of developmental needs. You stated that you feel the monitoring process has been positive in driving improvements within your setting.

You have carried out a further risk assessment in regard to the environment and recorded your actions. You have confirmed with staff their understanding of their responsibilities in relation to risk assessment. The risk assessment is also available to parents, offering transparency of information. The welfare requirement notice has therefore been met.

The systems for recording the administration have again been revised and staff informed of the changes. You advised that only those staff that have first aid training will administer medication and record medication given to children, which will secure the process and ensure responsibility is taken seriously. The welfare requirement notice has been met.

You advised that some of the staff team have attended training with regard to observation, planning and assessment and you have received support from the Early Years Team. Sampled children's records and discussion with your team show that staff are beginning look at what children can do in order to focus activities according to children's individual needs, but children's next steps are not yet being clearly and consistently identified. The process of observation, planning and assessment is not yet fully embedded and a further action has been set.

The Early Years Foundation Stage highlights that children learn and develop well in enabling environments. Their curiosity and enthusiasm for learning is shaped by their access to exciting and challenging play areas and resources. During the visit, children were seen to participate in the range of activities provided in the outdoor area, though resources were less inviting indoors and poorly presented in some areas, for example, the water tray contained minimal water for play and drawers containing resources were seen to be empty or to contain incomplete items. This was discussed with you. You felt that the resources indoors had been well presented prior to the inspector's arrival. You advised that further resources had been ordered. A further action has been raised with regard to the presentation of resources to encourage participation and challenge within areas of learning in the setting.

Since the last visit, we received a concern regarding safeguarding practice at the setting. This matter was discussed with you and discussion took place with staff about safeguarding practice. There was no evidence that safeguarding procedures had not been followed and staff were able to demonstrate a satisfactory understanding of what to do if there are concerns about a child or another staff member.

Having considered all the evidence, the inspector is of the opinion that the setting has not taken prompt and effective action to address the points for improvement.

Next steps

We will take enforcement action to ensure compliance with children's welfare and/or learning and development requirements.

If you have any further queries please contact us on the number at the top of this letter.

Yours sincerely

Nick Hudson
National Director, Early Education

Actions

Action	Due date	Closed date
implement a policy and accurate procedures for administering medicine. It must include systems for obtaining information about a child's needs for medicines and for keeping this information up-to-date	28/03/2014	15/04/2014
demonstrate that you have effective systems in place to ensure that practitioners and any other person who is likely to have regular contact with children, are suitable	28/03/2014	15/04/2014
continue to ensure the systems used to foster continuous improvement are robust; make sure that self-evaluation identifies and addresses key weaknesses	04/04/2014	15/04/2014
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	04/04/2014	15/04/2014
implement a clear and well understood policy and procedures for assessing risks to children's safety, and review risk assessments regularly. Determine where it is helpful to make some written risk assessments in relation to specific issues, to inform staff practice, and to demonstrate how you are managing risks	28/03/2014	15/04/2014
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	04/04/2014	15/04/2014
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	04/04/2014	15/04/2014

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)	28/03/2014	15/04/2014
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 (voluntary part of the Childcare Register)	28/03/2014	15/04/2014
ensure that all necessary measures are taken to minimise any identified risks (compulsory part of the Childcare Register)	28/03/2014	15/04/2014
ensure that all necessary measures are taken to minimise any identified risks (voluntary part of the Childcare Register)	28/03/2014	15/04/2014
develop systems for the education programme by improving resources that are available ensuring they cover all areas of learning and meet the needs of each child and provide sufficient challenge to help children make good progress	14/05/2014	
continue to 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	14/05/2014	
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.	09/05/2014	