

Apple Kids Day Nursery

1 Showell Green Lane, Sparkhill, BIRMINGHAM, B11 4NP

Inspection date	10/07/2014
Previous inspection date	22/01/2014

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

- The provider has not made sustained or effective progress in improving the provision to ensure the best possible outcomes for children. Therefore, children's learning, development, well-being and safety are compromised.
- Recruitment procedures are not robust enough to ensure that all persons working with children are suitable to do so. Communication between the provider, management and staff is not always effective.
- Children's safety and good health is not fully guaranteed because risk assessments are not robust enough. The provider has not identified hazards in the outdoor area or with regards to how children's bags are stored.
- Activities provided do not always take into account the individual needs, interests and stage of development of each child to ensure that all children make good progress. The progress check for children between the ages of two and three years has not been completed.
- Children's well-being is not always promoted positively because staff do not use agreed behaviour management strategies that support their emotional development.

It has the following strengths

- Staff are friendly and the setting has a variety of interesting resources that children play with.

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 inspector observed activities in all indoor areas used by children and the outdoor play areas.
- The inspector and manager carried out a joint observation.
- The inspector spoke to the provider, staff and children throughout the inspection.
- The inspector looked at children's assessment records and planning documentation.
- The inspector checked evidence and the suitability and qualifications of staff working with the children.
- The inspector took account of the setting's self-evaluation document and improvement plans.
- The inspector looked at a sample of records and policies relating to children's welfare, health and safety.
- The inspector took account of the views of parents and carers spoken to on the day.

Inspector

Julia Galloway

Full report

Information about the setting

Apple Kids Day Nursery was registered in 2013 and is on the Early Years Register and the compulsory part of the Childcare Register. It is run by Apple Kids Day Nursery Limited. It operates from premises in Sparkbrook, Birmingham. Care is provided over two floors of the premises and there is stair access to the first floor. Children have access to an enclosed area for outdoor play. The provision opens Monday to Friday, from 9am until 12 noon and from 1pm until 4pm. Children are able to attend for a variety of sessions. There are currently 62 children on roll in the early years age range. The nursery provides funded early education for two-, three- and four-year-old children. It supports a number of children who speak English as an additional language. The provision employs seven members of staff, including the manager. All hold appropriate early years qualification to at least level 3. The manager holds a Foundation Degree in Professional Studies in Early Years and the deputy holds a Bachelor of Arts (Hons) in Early Education Studies. The nursery is a member of the Pre-school Learning Alliance and the National Day Nurseries Association.

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 requirements notice requiring the provider to:

ensure that rigorous recruitment procedures are in place to confirm staff's suitability to work with children, taking account of any information received about staff, to ensure children's well-being and safety at all time

ensure that robust risk assessments are carried out that clearly identify hazards within the environment, that all staff are aware of this information and the steps they must take to minimise risk, with specific regards to the outdoor play area

ensure that the premises, specifically outdoor spaces, are fit for purpose, for example, by ensuring that children are not at risk from uneven flooring with exposed sharp edges.

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

- ensure that a robust structure is in place that clearly defines the roles and responsibilities of leaders and managers, to enable effective communication that promotes the efficient running of the setting and that children are kept safe and well
- ensure children's bags and personal belongings are stored in an area which is suitable
- ensure that staff consistently implement behaviour management strategies that give children clear guidance, to help them to learn about what is acceptable behaviour and ensure their safety
- ensure routine assessment, such as the progress check for children between the ages of two and three years, is used to identify children's strengths and where progress is less than expected, and provide parents with a short written summary of their children's development in the prime areas of learning
- ensure planning of activities take into account the individual needs, interests and stage of development of each child, to ensure that all children make good progress
- ensure that arrangements are in place for regular supervision and appraisals for all staff
- ensure staff are deployed effectively to supervise children in the outdoor play

area.

Inspection judgements

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

The provider and management team of the setting have not ensured that the requirements of the Early Years Foundation Stage are met. As a result, there are areas of weakness specifically linked to learning and development. Although a range of activities are provided, effective teaching does not consistently take place. Staff do not have in-depth knowledge and understanding of how children learn and they are not always skilled at identifying children's individual next steps for learning. Activities do not always take into account the individual needs, interests and stage of development of each child, to ensure that all children make good progress. Key group time activities focus too much on measuring children's progress on pre-written statements for a number of weeks. This includes, recognising numbers in order, which staff then record and then repeat for several weeks, regardless of children's different learning styles or different levels. Therefore, information that is gathered about children is not used effectively to provide staff with meaningful information to support their teaching. Defined areas are set up for children to play in, which includes the introduction of new themes or topics that children have shown interest in. However, these are not always interesting or challenging enough to engage children in meaningful activities. Adult and child interactions tend to be adults giving children instructions about what they cannot do. Staff do not focus enough on how to teach children new skills because planning does not take into account individual children's needs, interests or stage of development. This limits children's progress in their learning and development.

Generally, children are happy and make some progress towards early learning goals during their time at the setting. Children who speak English as an additional language are beginning to communicate with staff and each other more confidently in English when they play. This provides them with some important skills that will support them in readiness for the move to school. Most staff speak a number of languages and they are able to communicate with children and their families in the language that is spoken at home. Each child has their own individual learning journey folder, which is completed by their key person. This contains examples of children's work, photographs, short written comments by staff and an assessment document. Although these folders contain a high volume of information, the quality of this information is variable and does not always accurately reflect the progress that children have made. Furthermore, the progress check for children between the ages of two and three years has not been undertaken. This means that parents have not been provided with a statutory document that provides them with a written statement about their child's development in the prime areas of learning. Although assessment documents and the next steps in learning for most children have been shared with parents, this information is not always accurate and how judgements have been made about children's progress is not evident. As a result, staff are not always able to identify which children might need additional support, to ensure that these children get the help that they need.

Children in the pre-school room move freely around the room for most of the session and have regular opportunities to play outside. The environment has been divided to create some interesting areas for children to play in, such as the messy room. Resources are easily accessible and children make choices about what they would like to do. Staff plan experiences to support children's understanding of the world around them, such as a trip to a local florist. Although this provides opportunities to extend children's learning, their safety is compromised because not enough consideration has been given to any risks or hazards when taking part in this trip. Children in the toddler rooms move around a cluster of themed rooms with a member of staff. Consequently, they have fewer opportunities to make choices about what they would like to do. On occasions, experiences do not meet children's needs and choices are limited. For example, children get taken into the quiet room. This room has a small selection of books, puzzles, writing materials and soft toys. However, these resources are not of a good quality or well presented. When children arrive in the room the resources are all over the floor and no clean paper is made available to those who indicate that they would like to do some drawing. Children are encouraged to 'draw here' on pre-used paper that is creased. This does not provide an adequate learning environment that supports children's development.

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

Children's safety, health and well-being are not fully guaranteed because there are breaches in the legal requirements. The outdoor area puts children at an increased risk from harm because hazards have not been identified or minimised. For example, staff support children to be physically active by providing crates for them to play with. They encourage them to climb on a number of stacked crates and then jump off. However, they do not always supervise children when playing with these and have not taught children rules for safe play. As a result, children continue to climb on them when it is not safe to do so and carry objects, such as pencils, when they attempt to jump off. In addition to this, children are not supervised when playing on a surface that is uneven, which has a sharp, rough edge. This does not ensure that the areas where children play are safe and suitable for this purpose and their well-being and safety is compromised. Children are not consistently given appropriate guidance to support them to learn about what is acceptable behaviour. This is because staff do not use agreed strategies or the setting's policy. Staff repeatedly tell children 'no' without giving children reasons for why they should not do something. Likewise, they do not give clear and consistent information to children to help them to understand what is happening. When a child is waiting for a turn on a ride-on toy, three different members of staff speak to the child and tell them they need to wait their turn, each gives a different amount of time until they can have their go. When they are given their turn, staff are not able to get the other child off the toy without physically lifting them off, which causes the child to get upset. This does not positively support children's emotional well-being.

Most children appear settled and they build relationships with their peers, who they enjoy playing with. The key-person system has been developed and parents are aware which member of staff has been identified to work closely with their child. Information about

children's likes and any specific needs are discussed during settling-in visits. The setting ensures that they have all required information about children's medical or health needs and medication is stored appropriately. Staff have attended the required training, which means that they can safely administer first aid and parents are asked to sign to say that they have been informed when accidents have occurred. Children are encouraged to eat healthy foods because the setting provides a selection of fruits at snack time. Children are also able to have drinks, when required, throughout the day. Children show an awareness of some of the daily routines and they are reminded to wash their hands when coming in from outside or before snack time which promotes children's health. However, good hygiene practices are not maintained with regards to storing children bags and personal items. This is because many are stored in a pile on the floor in the staff toilet, next to bins that contain hazardous waste, which puts them at risk from cross-contamination.

Staff routinely share information with parents about what children have been doing and parents spoken to on the day of inspection speak positively about the setting. Children who are due to move onto schools or other settings have been taken on visits, to begin to prepare them for this transition. Younger children in the upstairs room, who are due to move to the pre-school room, are taken to spend time in their new room to begin to prepare them for this move. Therefore, children are given the opportunity to build their confidence and have a better understanding of what is going to happen.

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

The provider has not made sustained or effective progress in improving the provision to ensure the best possible outcomes for children following their last inspection, where they were judged to be inadequate. Therefore, children's learning, development, well-being and safety are compromised. This is because the provider and management team have failed to meet the legal requirements of both the Early Years Foundation Stage and Childcare Register. Furthermore, they have not met in full the requirements that were set at the last inspection. These include ensuring that the premises is suitable, managing risks in the environment, the recruitment of staff and good hygiene practices. Although some developments in areas of the setting are evident, self-evaluation has not ensured that the setting has been able to address significant areas for improvement. Consequently, children are not effectively safeguarded. However, those staff with safeguarding responsibilities can clearly explain how they manage concerns raised about a child or member of staff. Staff's knowledge, with regards to child protection, is checked during supervision meetings and during staff meetings. The information about the frequency of supervisions is variable and staff practice is not routinely observed. All staff working with children have undergone Disclosure and Barring Service checks and references have been obtained to confirm their suitability to work with children. However, the provider has not always acted appropriately with regards to information disclosed in references to guarantee that all staff are suitable. There are breakdowns in communication between the provider and management team, which has resulted in conflicting information being given on the day of inspection. In addition to this, the provider is not always aware of daily practice or events. For example, on the day of inspection the provider reported that he was not aware that students and

volunteers were being offered placements. Therefore, he instructed the manager to send the students and volunteers present home.

Children's safety, health and well-being are not fully guaranteed because risk assessments are not rigorous enough to identify all potential hazards. Although documents provided show that consideration has been given to some areas within the setting, the provider and staff fail to take appropriate action with regards to significant dangers in the outdoor area. This is because in the outdoor area where children play there is a height difference between a concrete and grassed area, which, in places, creates a significant step which has rough sharp edges. Although risk assessments have been written that generally cover this area, these are not detailed enough because they do not identify hazards specifically and identify what the risk to children is. Staff do not comply with information that is recorded on risk assessments, such as to supervise the area. This shows that the risk assessment process is not understood by staff. Consequently, activities, areas of the setting and events are either not risk assessed or when risk assessments are completed they are not done robustly enough. This puts children at an increased risk from harm. Policies and procedures have been updated and this information has been shared with parents since the last inspection. Parents are asked to make comments in a 'Parent partnership' book to ensure that they are able to share their views. The setting has completed a self-evaluation process but they have not included priorities for continued improvement. Action plans have been devised in partnership with local authority advisors that identify weaknesses within the setting, but these measures have not ensured that all requirements have been met.

Recent changes to the way that resources are freely available for children to access have had a positive impact on the setting. However, the planning and assessment system does not ensure that children's individual needs are taken into account and poor monitoring of assessment documentation means that the progress of some children is unclear. Evaluation of planned educational activities and experiences is poor and little consideration is given to the impact these have on learning. All staff hold appropriate early years qualifications, but this has not resulted in good quality teaching or the safe management of the environment. Most staff are friendly and approachable and they show a commitment to play a key role in supporting children's learning and development. However, their practice is not evaluated and, on occasions, the quality of teaching is poor, which means that children are not receiving the best possible early education. Nevertheless, children appear to enjoy the activities that they are provided with. Staff record and share 'wow' moments with parents, which helps to keep them involved in their children's learning. The setting has begun to develop relationships with other providers and agencies, such as health visitors. As a result, information has been exchanged as appropriate to support children and their families.

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:

- ensure that risk assessments identify aspects of the environment which need to be checked on a regular basis and how risk will be removed or minimised (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)
- ensure that children's behaviour is managed in a suitable manner (compulsory part of the Childcare Register)
- ensure risk assessments for outings assess the risk and hazards that may arise and identify the steps to be taken to minimise those risks (compulsory 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	EY468993
Local authority	Birmingham
Inspection number	973471
Type of provision	Full-time provision
Registration category	Childcare - Non-Domestic
Age range of children	0 - 8
Total number of places	48
Number of children on roll	62
Name of provider	Apple Kids Day Nurseries Ltd
Date of previous inspection	22/01/2014
Telephone number	01212470345

Any complaints about the inspection or the report should be made following the procedures set out in the guidance '*Complaints procedure: raising concerns and making complaints about Ofsted*', which is available from Ofsted's website: www.ofsted.gov.uk. If you would like Ofsted to send you a copy of the guidance, please telephone 0300 123 4234, or email enquiries@ofsted.gov.uk.

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.

If you would like a copy of this document in a different format, such as large print or Braille, please telephone 0300 123 4234, or email enquiries@ofsted.gov.uk.

You may copy all or parts of this document for non-commercial educational purposes, as long as you give details of the source and date of publication and do not alter the information in any way.

To receive regular email alerts about new publications, including survey reports and school inspection reports, please visit our website and go to 'Subscribe'.

Piccadilly Gate
Store St
Manchester
M1 2WD

T: 0300 123 4234
Textphone: 0161 618 8524
E: enquiries@ofsted.gov.uk
W: www.ofsted.gov.uk

© Crown copyright 2012

