

# Cherry Tree Bi-Lingual Day Nursery / English-Spanish

15 Horselers, HEMEL HEMPSTEAD, Hertfordshire, HP3 9UH

|                          |            |
|--------------------------|------------|
| <b>Inspection date</b>   | 04/08/2014 |
| Previous inspection date | 06/08/2013 |

|  |                         |   |
|--|-------------------------|---|
| <b>The quality and standards of the early years provision</b>                          | <b>This inspection:</b> | 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

- There are several breaches of the safeguarding and welfare requirements of the Early Years Foundation Stage. Staff in charge are not sufficiently experienced and do not hold a relevant qualification.
- Staff do not conduct a thorough induction for new staff. Consequently, staff are not aware of all policies and procedures to protect children, so their safety is at risk.
- Staff demonstrate an insufficient knowledge and understanding of the learning and development requirements. Teaching is inadequate and the organisation of the children's day means that learning opportunities are limited. Consequently, children make inadequate progress given their starting points.
- The key-person system is not embedded because there has been a change of staff. Staff do not consistently manage children's disruptive behaviour. Therefore, children do not learn appropriate ways to behave and not all children's needs are met.
- Staff do not conduct robust risk assessments or implement hygienic procedures when changing children's nappies. Not all staff who handle food have completed appropriate food safety training. As a result, children's good health is not promoted.

### It has the following strengths

- Children are generally settled in the nursery and regularly go outdoors.

## **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 and the outdoor area, and talked with the staff and children at appropriate times during the inspection.
- The inspector looked at children's assessment records, planning documentation, evidence of suitability of staff members and a range of other documentation, including the safeguarding procedures.
- The inspector carried out a joint observation with the acting deputy manager.
- The inspector took account of the views of parents spoken to on the day.

**Inspector**  
Elke Rockey

## **Full report**

### **Information about the setting**

The Cherry Tree Bi-Lingual Day Nursery / English-Spanish was registered in 2010 and is on the Early Years Register and the compulsory and voluntary parts of the Childcare Register. It is situated in converted residential premises in Hemel Hempstead, Hertfordshire, and is managed by a private provider. The nursery serves the local and neighbouring areas and is accessible to all children. It operates from five main rooms and there is an enclosed area available for outdoor play. The nursery opens Monday to Friday, all year round. Sessions are from 7am until 7pm. Children attend for a variety of sessions. There are currently 49 children attending who are in the early years age group. The nursery supports children with special educational needs and/or disabilities. The nursery employs 10 members of childcare staff. Of these, five hold appropriate early years qualifications at level 2 or above.

### **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 all staff involved in preparing and handling food must receive training in food hygiene.

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

- ensure that the person left in charge is suitably qualified and experienced with the appropriate skills to be able to manage the nursery in the manager's absence
- ensure induction is effective and includes the procedures for safeguarding, child protection, and the equality policy
- ensure the key-person system is effective to meet children's individual needs and promote a settled relationship for each child
- ensure children's individual needs and interests are met by using observations effectively to plan an educational programme that challenges children's learning and helps them make good progress
- ensure staff follow hygienic nappy changing routines to prevent the spread of infection
- ensure staff have the knowledge to implement the behaviour management policy and are able to consistently promote good behaviour
- ensure staff implement risk assessments to reduce hazards to children, with particular reference to the doors on the outdoor storage units
- maintain a complaints log that includes the nature of the complaint, the outcome, and ensure these are available for inspection
- ensure there is a regular two-way flow of information between providers when a child attends more than one setting, so that children fully benefit from the exchange of information to support their progress
- ensure all staff have up to date knowledge of safeguarding issues

- ensure all staff have the knowledge to support and meet the individual needs of children with special educational needs or disabilities.

## Inspection judgements

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

Staff demonstrate a poor understanding of the Early Years Foundation Stage learning and development requirements. They do not plan a range of activities and experiences to consistently promote children's development. Staff complete observations of the children playing and record planning for the day. However, staff's poor understanding of how to support children's learning means that next steps are not challenging and activities are executed poorly. For example, while painting and colouring pictures, staff repeatedly ask pre-school children overly simple questions, such as asking them to identify the colour they are using. Older babies access simple stacking puzzles that do not challenge their level of development. Staff are unable to successfully plan for or support children to make good progress in their learning.

Children fail to develop the characteristics of effective learners, which are essential to their future learning and eventual entry to school. During group times, staff do not encourage children to listen to each other or make the activity fun to sustain the children's concentration. Children leave to play with other activities, which means their attention, listening and social skills are not fully promoted. Staff use some methods to promote babies' speech and understanding as they name familiar pictures in books. Sometimes, staff use the appropriate vocabulary with the older children, for example, when talking about the different types of dinosaurs. Babies explore resources freely and push buttons on the electronic toys. This supports the development of their physical skills. Older children enjoy craft activities, such as cutting and sticking. However, staff miss opportunities for older children to learn key literacy skills in a meaningful way. For example, staff do not encourage children to write their names on their artwork and do it for them. When creating artwork, staff do not extend or discuss children's imaginative comments. Consequently, they fail to optimise children's interests.

There are daily opportunities for children to develop their skills on a small climbing frame. Outdoors, children run around playing a game of chase, which staff ask them to stop. Children are not engaged outdoors and there is little else for them to do. As a result, children gain little benefit from outdoor play because staff show no awareness of how to plan opportunities to maximise learning and development in the outdoor environment. Staff inadequately support children to share and take turns, which leads to frustration from the children. Additionally, routine times of the day are disorganised, which means children have to wait for lengthy periods of time and behaviour deteriorates. Staff give support to children with special educational needs and/or disabilities by ensuring they are included in the daily routines, such as mealtimes. However, staff's insufficient knowledge about how to effectively develop learning for these children means they do not make good progress. Furthermore, the key-person system is ineffective and staff do not know children well enough to support their learning needs effectively. Links with schools that children

will be attending in September have not been made. Staff have poor knowledge of how to support children in the move to school and focus on developing skills, such as counting by rote and naming colours, rather than vital social skills.

Partnerships with parents are adequate. Staff gather some information from parents about children when they first begin attending. Together with their own observations, staff identify children's starting points. Staff share the progress check for children between the ages of two and three years with parents. Parents contribute to their children's file by filling out a 'learning star' and are happy with the information that they receive from staff on a daily basis. This means that parents are encouraged to support their children's learning.

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

Children's well-being is compromised because the nursery does not meet the safeguarding and welfare requirements. The key-person system is ineffective. Because of staff changes, it is not clear to staff which key person is responsible for which child. Although children are generally happy and settled during their time at the nursery, most are not well known to staff. This means that children are unable to form secure attachments and they do not develop the emotional stability that prepares them for future moves. Although staff work closely to ensure that children settle, they do not provide sufficient activities and experiences which children can engage in. As a result, children behave inappropriately. For example, several children put a special doll on the floor and jump on it. Additionally, children play with unsafe items and although staff ask them to stop, they are not encouraged to learn why. As a result, children do not learn to behave in appropriate ways or learn to understand aspects of safety.

Staff talk to parents about children's home routines and are aware of events in their life which impact upon children's well-being. Parents are happy with the daily verbal exchanges from staff about what children participate in. Staff monitor sleeping children and record all nappy changes. However, staff do not disinfect the changing mat between children. This poses a risk to their good health and does not prevent the spread of cross-infection. Additionally, not all staff who handle food have completed food safety training. This puts children's health further at risk. Children have daily opportunities to go outdoors and benefit from the fresh air. The equipment and resources available are suitable for the ages of the children using them. However, staff do not thoroughly risk assess hazards in the outdoor area. For example, children pick up storage unit doors that have broken off and move them about. Staff ask them to stop but do not remove the doors, or secure them in any way, to reduce the hazard to children. Consequently, children are not kept safe.

Older children are able to go to the toilet themselves, wash their hands and brush their teeth. Children can independently access the play resources. For example, babies crawl about the room to reach books and older children choose construction bricks from a low shelf. However, the organisation of the daily routine means that children spend a lot of time waiting. For example, older children become restless as they line up and babies stand at a stair gate, under supervision, while waiting to have their nappy changed. These in-

between times perpetuate the poor behaviour that staff do not consistently manage.

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

The inspection was prioritised following concerns about the suitability of the person in charge and nappy changing procedures. During the inspection, it was found that staff-in-charge are not suitably qualified and do not have the appropriate skills to operate the nursery. This means that children's welfare, safety and well-being are at risk. In addition, nappy changing procedures do not fully promote children's good health. There are several breaches of the safeguarding and welfare requirements of the Early Years Foundation Stage and the Childcare Register requirements. Induction procedures are not robust as they do not cover safeguarding procedures thoroughly enough. Some staff do not have sufficient knowledge of policies and procedures, including safeguarding and behaviour management. Staff are unable to explain the action they would take if they had a concern about a fellow member of staff or what avenues there are for reporting concerns outside of the nursery. Furthermore, staff were unable to identify the designated officers to support with safeguarding concerns or delays in children's development. A complaints log was not available during the inspection. The manager is aware of when to notify Ofsted of significant events and carries out investigations where appropriate.

Employment procedures are adequate, with all staff files containing appropriate documents, such as evidence of Disclosure and Barring Service checks. The acting deputy deploys staff, ensuring that ratios are met and children are supervised. Accident and medication records are adequate. Staff meet with the manager regularly to discuss performance issues. However, while the manager is not on site for a substantial length of time, there is currently no-one with the ability to support staff skills and performance. Staff undertake qualifications to develop their skills and maintain required training, such as first aid. However, staff demonstrate a poor knowledge and understanding of the Early Years Foundation Stage. This impacts negatively on their teaching because they do not fully understand the requirements. The staff in charge also have a poor knowledge of good practice, therefore, they are not able to support staff to improve their teaching practice. The monitoring of the educational programme is poor. Although staff plan a range of activities, they do not sufficiently focus on children's individual abilities, in order to challenge their level of development.

Since the last inspection, standards have deteriorated. Staff are unaware of any actions for improvement and the disorganisation of the nursery means that some documents are not easily accessible. For example, some children's learning records were not available. Children's health and safety is put at risk because not all hazards to children are dealt with promptly. Staff do not use risk assessments to consider any potential changes needed in the outdoor area. Nappy changes do not prevent the spread of cross-infection and not all staff who handle food have appropriate training. This issue has been raised with management as a concern in the past. There are no links with other providers to support children's moves to school. Staff do not have an adequate knowledge of how to support children's learning, especially for children with special educational needs and/or

disabilities. They are unaware of how to signpost parents to other professionals should they or their children require extra support.

### 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:

- undertake a risk assessment of the premises and equipment where the need for an assessment arises and ensure that all necessary measures are taken to minimise any identified risks (compulsory part of the Childcare register)
- ensure that children's behaviour is managed in a suitable manner (compulsory part of the Childcare register)
- keep and produce for Ofsted, on request, a list of complaints made during the previous three years, including the outcome of the investigation and the action the provider took in response (compulsory part of the Childcare register)
- undertake a risk assessment of the premises and equipment where the need for an assessment arises and ensure that all necessary measures are taken to minimise any identified risks (voluntary part of the Childcare register)
- ensure that children's behaviour is managed in a suitable manner (voluntary part of the Childcare register)
- keep and produce for Ofsted, on request, a list of complaints made during the previous three years, including the outcome of the investigation and the action the provider took in response (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. We re-inspect nurseries and pre-schools judged as requires improvement within 12 months of the date of 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     |                      | There were no children present at the time of the inspection. The inspection judgement is that the provider continues to meet the requirements for registration.   |
| Not met |                      | There were no children present at the time of the inspection. 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

|                                    |   |
|------------------------------------|---|
| <b>Unique reference number</b>     | EY405834  |
| <b>Local authority</b>             | Hertfordshire   |
| <b>Inspection number</b>           | 983758  |
| <b>Type of provision</b>           |   |
| <b>Registration category</b>       | Childcare - Non-Domestic                                |
| <b>Age range of children</b>       | 0 - 17  |
| <b>Total number of places</b>      | 33  |
| <b>Number of children on roll</b>  | 49  |
| <b>Name of provider</b>            | Pastor Albeiro Ocampo Montoya and Dalia Ros Partnership |
| <b>Date of previous inspection</b> | 06/08/2013  |
| <b>Telephone number</b>            | 01442 247237  |

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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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