

Compliance action taken for childcare provision

EY271635/C270368

Date: 06/02/2016

Summary of outcome

On 7th December 2015, the provider notified us that children had been placed at risk of harm. The notification means that the provider met their legal responsibility as set out in the Early Years Foundation Stage welfare requirements to notify Ofsted of a significant incident within the required 14 day period.

We carried out an unannounced visit to the setting and looked into this information to see whether the setting was meeting Child protection; Staff qualifications, training, support and skills; in particular Supervision of staff 3.21, Safeguarding training 3.5 safeguarding policy and procedures 3.4 3.6 Ofsted does not investigate to prove or disprove a complaint but we check the information to see if the childcare provider is meeting all legal requirements.

We found that the setting had taken the appropriate action and contacted the Local Safeguarding Officer and the police had also been informed. However, staff were not fully skilled to manage the behaviour of those children with specific behavioural needs and there was a significant impact on the safety of other children in the setting. We also found that the supervision of staff had not taken place for over 12 months and issues relating to poor practice have not been identified or actioned, therefore putting children at risk of harm. We also found that staff were aware of safeguarding policy and procedures in relation to whistleblowing but choose not to take appropriate action.

The newly appointed manager has made some immediate changes to the layout of the nursery which will ensure that all staff are able to keep children in their sight at all times. Policies and procedures for Safeguarding have been recently updated however; they have not yet been fully implemented and are not yet imbedded in practice. The manager who is the designated person has not yet received Safeguarding training.

An action raised at the previous inspection to follow the safeguarding policy and procedures, with specific regard to the action to be taken in the event of an allegation being made against a member of staff were not fully met as the

notification by the provider was not accurate and lacked important detail. Following our investigation, we served a welfare requirements notice on the provider that required them to:

- ensure that the designated person with lead responsibility for safeguarding attends an appropriate child protection training course (3.5 Safeguarding policy)
- ensure you follow the safeguarding policy and procedures, this is with specific regard to the action to be taken in the event of an allegation being made against a member of staff (3.4 Safeguarding policy)
- ensure that staff have up to date knowledge of safeguarding issues to enable them to respond quickly if they see any inappropriate behaviour displayed by other members of staff, or any other person working with children. (3.6 Safeguarding policy)
- ensure that appropriate arrangements are in place for the effective supervision of staff who have key responsibility to work with children.(3.21 Training support and skills)
- ensure staff have sufficient knowledge and skills to support and manage those children whose behaviour may be due to specific additional needs.(3.20 Training support and skills)

It is an offence for a person who, without reasonable excuse, fails to comply with a welfare requirements notice. Failure to comply may result in a prosecution.

We carried out a monitoring visit to the premises to check that the provider was meeting the actions set. We are satisfied that the provider has done so and no further action was required. The provider remains registered with Ofsted.

Publication of compliance action

We aim to ensure that the welfare of children and young people is protected in the services we regulate. The Childcare Act 2006 and accompanying regulations set out our responsibilities to regulate childminders and childcare providers. This includes the enforcement powers we have in relation to those registered providers who do not comply with the requirements for registration.

We publish details of any actions we take, or the childminder or childcare provider takes to bring about compliance with requirements on our website for a period of five years commencing on the date we complete our investigation.

For further information please read [Ofsted's Enforcement Policy](#).