

Complaint about childcare provision

EY490432/C284569

Date: 12/07/2016

Summary of complaint

On 17 May 2016 we received a complaint that a child had received an injury that required hospital treatment after falling off fixed outdoor equipment at the setting. On 19 May 2016 we also received a notification from the provider about the same incident. We needed to investigate this concern to see if the provider was meeting requirements in relation to staff: child ratios, accident or injury, risk assessments and safety and suitability of premises, environment and equipment. In particular these requirements state that staffing arrangements must meet the needs of all children and ensure their safety. Providers must ensure that children are adequately supervised and decide how to deploy staff to ensure children's needs are met.

Providers are required to keep a written record of accidents or injuries and first aid treatment. Providers must inform parents and/or carers of any accident or injury sustained by the child on the same day, or as soon as reasonably practicable, of any first aid treatment given. Providers must ensure that their premises, including overall floor space and outdoor spaces, are fit for purpose and suitable for the age of children cared for and the activities provided on the premises. Providers must ensure that they take all reasonable steps to ensure staff and children in their care are not exposed to risks and must be able to demonstrate how they are managing risks. Risk assessments should identify aspects of the environment that need to be checked on a regular basis, when and by whom those aspects will be checked, and how the risk will be removed or minimised.

We conducted a visit to discuss concerns and found that risk assessments were not robust enough to ensure that the risk of injury to children was minimised when using outdoor fixed climbing equipment. Furthermore, the risk assessment did not demonstrate that sufficient steps had been taken to ensure that this piece of equipment used by children attending the setting

was suitable for the different ages of children that could potentially use it. We also found that staff were not effectively deployed to ensure children's safety at all times when using fixed climbing equipment. Although it was not part of the complaint, we also found that safeguarding procedures were not in line with current guidance.

Following this visit we served a Welfare Requirements Notice on the provider that required them to:

- ensure that outdoor equipment used by the children, is suitable for the age of children cared for and the activities provided on the premises
- ensure that risk assessments sufficiently identify risks to children using outdoor equipment and that robust precautions are in place to minimise risk of injury to children. This is with specific regard to the monkey bars and any other equipment deemed high risk
- ensure that staff are deployed effectively so that the needs of all children are met and are adequately supervised at all times
- ensure that child protection/safeguarding procedures are in line with current guidance.

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 check that the provider was meeting the actions detailed in the welfare requirement notice. We are satisfied that the provider has taken sufficient action to meet the legal requirements.

The provider remains registered with Ofsted.

Publication of complaints

We publish details of complaints made against childminders, home childcarers and childcare providers where we or the provider have taken action in order to meet legal requirements.

We publish details of complaints for five years commencing on the date we complete our investigation.

For further information on how we deal with complaints about providers, please view the *Early years compliance handbook* which can be found here at www.gov.uk/government/publications/early-years-provider-non-compliance-action-by-ofsted