

## **Complaint about childcare provision**

EY392734/C283393

**Date:** 27/05/2016

### **Summary of complaint**

In May 2016 Ofsted received notification from the provider that an allegation against a member of staff had been made. The information that Ofsted received indicated that the provider was aware of the allegation for some time but did not act upon it until a the allegation was repeated at a later date.

We needed to investigate this concern to see whether the setting was meeting the Early Years Foundation Stage welfare requirements relating to;

'Safeguarding practice'; Providers must be alert to any issues for concern in the child's life at home or elsewhere. A practitioner must be designated to take lead responsibility for safeguarding children in every setting. The lead practitioner is responsible for liaison with local statutory children's services agencies, and with the Local Safeguarding Children's Board. They must provide support and guidance to any other staff on an ongoing basis, on any specific safeguarding issue as required.

'Safeguarding practice'; Providers must train all staff to understand their safeguarding policy and procedures and ensure that all staff have up to date knowledge of safeguarding issues.

'Safeguarding policy'; Providers must have and implement a policy, and procedures, to safeguard children. The safeguarding policy must include an explanation of the action to be taken in the event of any allegation against a member of staff

'Managing Behaviour'; Providers are responsible for managing children's behaviour in an appropriate way. Providers must not give corporal punishment to a child. Providers must take all reasonable steps to ensure that

corporal punishment is not given by any person who cares for, or who is in regular contact with a child, or by any person living or working on the premises where care is provided.

'Suitable people'; Providers must ensure that people looking after children are suitable to fulfil the requirements of their role. Providers must have effective systems in place to ensure that practitioners, and any other person who is likely to have regular contact with children are suitable.

'Staff qualifications, training, support and skills'; Providers must ensure that all staff received induction training to help them to understand their roles and responsibilities.

We do not investigate to prove or disprove a complaint but we look into the information we receive to see if the provider is meeting all legal requirements.

We carried out an unannounced visit to the premises on 17 May 2016.

We found that the provider had identified and trained two members of staff to take lead responsibility for safeguarding in the setting. However, we found that there were occasions when neither of those staff were present in the setting. There was no one else designated for the role.

We also found that all staff had received safeguarding training and that the setting had a comprehensive safeguarding policy, which included the procedure to follow if an allegation is made against a member of staff. However, despite this, when the provider became aware of an allegation against a member of staff, procedures were not closely followed, which meant that there was a significant delay in referring on concerns to the agency with statutory responsibility for safeguarding.

Following our investigation, we issued a notice to improve which asks the provider to:

Ensure that there is always another named practitioner, who is designated to take lead responsibility for safeguarding children, and provide support, advice and guidance to staff, if the lead practitioner is not present in the setting.

Ensure all staff are alert to any issues for concern in a child's life at home or elsewhere. Ensure that the setting's safeguarding policies and procedures, which include the action to be taken in the event of an allegation being made against a member of staff, are followed at all times and that agencies with

statutory responsibilities are notified without delay.

The provider provided a satisfactory response to the Notice of Action to Improve.

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](http://www.gov.uk/government/publications/early-years-provider-non-compliance-action-by-ofsted)