

## **Compliance action taken for childcare provision**

EY459674/C290692

**Date:** 10/08/2016

### **Summary of outcome**

On 21 July 2016, the provider notified us of an accident at the setting. The notification means that the provider met their legal responsibility as set out in the Early Years Foundation Stage welfare requirements to inform Ofsted of any serious accident or injury to any child while in their care, and of the action taken. The provider had notified us of three other accidents previously.

We looked into all of the accidents to see whether the provider was meeting the Statutory Framework for the Early Years Foundation Stage requirements. In particular, the requirements relating to accidents and injury, risk assessment, behaviour management, staff deployment and premises.

We carried out an unannounced visit to the nursery. We observed practice in all rooms and garden areas. We sampled documentation and held discussions with staff and managers. We had no concerns relating to behaviour management or staff deployment. However, we found that risk assessments were not robust and accident records had not been completed comprehensively. We observed a piece of broken furniture and that some areas used by children were cluttered. Although not part of the original notification, we found that the child protection and complaints procedures were not robust.

Following the visit, we sent the provider a welfare requirements notice relating to risk assessments, the cleanliness of the environment, the safeguarding procedures, records of accidents and the complaints procedures.

Failing to comply with a welfare requirements notice, without reasonable excuse is an offence and may result in prosecution.

Following this visit, the provider notified us of an allegation against a member of staff. It is a requirement for such information to be shared with Ofsted. We liaised with outside agencies and visited the setting to investigate the new

information and monitor compliance with the welfare requirements notice. The provider had taken prompt and effective action to comply with the welfare requirements notice and the environment was cleaner and safer. Staff had undergone training and attended meetings and policies had been updated. We were satisfied with the action taken. In relation to the allegation, we found that the safeguarding procedures had not been followed, but the provider had taken prompt action to improve the policies and procedures since, so that they are clear and understood. However, we found that recruitment arrangements were not fully effective and managers lacked understanding of the requirements in relation to disqualification. We send a further welfare requirement notice relating to this non-compliance.

We carried out another visit to monitor compliance with the second welfare requirements notice. we found that the provider had taken appropriate action and that the arrangements in place met requirements.

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 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) .