

## **Complaint about childcare provision**

EY491425/C293109

**Date:** 18/10/2016

### **Summary of complaint**

On 23 August 2016 we received a notification from the provider about a concern about how staff were managing children's behaviour. On 30 September 2016 and 5 October 2016 we received additional information that raised concerns about behaviour management, staff ratios, staff deployment and the management of the nursery. 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 significant events. These concerns relate to the Early Years Foundation Stage (EYFS) welfare requirements.

We liaised with the provider who undertook an internal investigation into their own practice. On 7 October 2016 Ofsted then conducted an unannounced investigation visit to look into the concern to see whether the setting was meeting EYFS welfare requirements, in particular we considered the requirement relating to, Staff to child ratios which states; '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'. We also considered the requirement relating to, Behaviour management which states; '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 is in regular contact with a child, or by any person living or working in the premises where care is provided.'

We found that at the time of our investigation visit that the provider had begun their own internal investigation in relation to their notification.

At our investigation visit we found poor systems for the deployment of staff working with children. This resulted in a failure of the key person system. We

also found that some staff were not engaging with children or managing their behaviour effectively. We also found that whilst systems had been in place to record children's attendance, some registers had not been maintained and as a result, staff showed a lack of knowledge as to children's whereabouts.

We served a notice to improve to the provider that required them to:

ensure that children are adequately supervised and decide how to deploy staff to ensure children's needs are met

improve the key person system so children are provided with consistent care and support to offer a settled relationship for the child

keep a daily record of the names of the children being cared for on the premises and their hours of attendance

ensure children's behaviour is managed in an appropriate way, this specifically refers to supporting children to understand expectations for behaviour using a positive and consistent approach

help children to sustain their concentration to progress in their learning.

We were satisfied with the provider's actions following the issue of this notice. 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)