

## **Complaint about childcare provision**

EY467308/C299990

**Date:** 11/01/2017

### **Summary of complaint**

On 15 November 2016, we received a complaint that raised concerns about how staff manage children's behaviour. In particular concerns that staff remove children's shoes as a punishment; rough handle children and leave them to cry in an area without supervision. At an unannounced visit we looked into this concern to see whether the setting was meeting overarching regulatory requirements around safeguarding and promoting children's welfare; in particular the requirement relating to behaviour management and safeguarding practice.

In addition to the above on the 29 April 2016 we received a complaint about the safe supervision of children; staff qualifications and concerns about the number of accidents occurring in the setting and the safety of the premises. Although we asked the provider to look into these concerns at the time and were satisfied with the response, we did also consider these concerns during our visit to the setting on 19 December 2016. We needed to look at requirements around child supervision; staff deployment; premises; risk assessment and accident and injury.

We found there to be positive strategies to manage children's behaviour in the setting. Children were observed to be polite and respectful to one another and received appropriate praise from staff. There were suitable systems in place to work in partnership with parents and outside agencies when it is necessary to put additional measures in place to support children with challenging behaviour. During the visit it did become apparent that a situation had occurred where a child was left to cry in the bathroom and they had no shoes on. The setting did a full investigation into the concern and liaised with the local authority designated officer (LADO). The outcome of their investigations was that there was no evidence to show that children were rough handled or that children's shoes are removed as a punishment.

However, they did conclude that when children are upset and crying they should not be left to cry alone and staff should stay with children rather than regularly checking if they are ok. The setting initiated appropriate disciplinary proceedings to deal with this aspect of failing to provide a duty of care.

We found during the visit that staff ratios were met and qualified staff were deployed to supervise children safely. We reviewed accident records and found these to be managed appropriately. However, we did find a number of safety hazards which demonstrated that risk assessment procedures in the setting are not robust enough to keep children safe. Although not part of the original concern we also found that the youngest children in the nursery are not given regular opportunities to be outside. This does not support their general health and well-being.

Following our visit, we sent the provider a notice to improve that asked them to:

ensure all reasonable steps are taken to ensure children are not exposed to risks, this specifically refers to stagnant water left in the garden; loose staples which are accessible to babies and a rug which is curling causing a tripping hazard

ensure that all children including babies have opportunities to engage in outdoor activities on a daily basis.

The provider has taken appropriate action to deal with the notices 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)