

Compliance action taken for childcare provision

EY490745/C292061

Date: 03/10/2016

Summary of outcome

On 8 August 2016 we received a notification from an outside agency indicating that staff at the setting failed to follow local area safeguarding procedures and delayed referring safeguarding concerns. We needed to investigate to see if the setting was meeting the Early Years Foundation Stage welfare requirements relating to; 'Child protection,' in particular that ' providers must be alert to any issues for concern in the child's life at home or elsewhere. Providers must have and implement a policy, and procedures, to safeguard children. These should be in line with the guidance and procedures of the relevant Local Safeguarding Children Board (LSCB) that '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 LSCB. They must provide support, advice and guidance to any other staff on an ongoing basis, and on any specific safeguarding issue as required. The lead practitioner must attend a child protection training course that enables them to identify, understand and respond appropriately to signs of possible abuse and neglect,' that; '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. Training made available by the provider must enable staff to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way,' and that; 'providers must have regard to the Government's statutory guidance 'Working Together to Safeguard Children 2013'. If providers have concerns about children's safety or welfare, they must notify agencies with statutory responsibilities without delay. This means the local children's social care services and, in emergencies, the police.' We do not investigate to prove or disprove a complaint but look into the information to see if the provider is meeting all legal requirements. We spoke to the designated officer for the local authority (LADO) and contacted the provider. The provider gave contradictory information to the original referral. We visited the setting when

it reopened in September. We found the manager failed to refer a child protection concern for five days. Staff had poor understanding of child protection matters. There was no evidence of suitability checks or policies and procedures relating to safeguarding, behaviour management, nor evidence of secure risk assessment. The inspector witnessed children behaving in unsafe ways with limited intervention from staff. Staff did not understand their roles and responsibilities. The provider was failing to meet further requirements of the statutory framework for the early years foundation stage, relating to 'Suitable people'. In particular providers must ensure that people looking after children are suitable to fulfil the requirements of their roles. Providers must have effective systems in place to ensure that practitioners, and any other person who is likely to have regular contact with children (including those living or working on the premises), are suitable; and that; 'providers...must record information about staff qualifications and the identity checks and vetting processes that have been completed (including the criminal records disclosure reference number, the date a disclosure was obtained and details of who obtained it); 'Staff qualifications, training, support and skills', In particular providers must ensure that all staff receive induction training to help them understand their roles and responsibilities.. Providers must support staff to undertake appropriate training and professional development opportunities to ensure they offer quality learning and development experiences for children that continually improve; and that; providers must put appropriate arrangements in place for the supervision of staff who have contact with children and families. Effective supervision provides support, coaching and training for the practitioner and promotes the interests of children.; Risk assessment, that; '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 risk' and Information and records, that 'Records must be easily accessible and available.' We found that children were at potential risk of harm and suspended the registration of the setting. We issued welfare requirement notices compelling the provider to take action to meet the requirements of the EYFS. 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. The provider chose to resign their registration prior to Ofsted being able to monitor the welfare requirement notices. The setting is no longer 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 .