

Compliance action taken for childcare provision

EY446221/C302004

Date: 15/02/2017

Summary of outcome

On 7 December 2016 an external agency notified us that a child had been able to access varnish at the setting. We spoke to the provider on the same day about the incident that had occurred at their setting. We looked into this concern to see whether the setting was meeting the requirements of the early years foundation stage relating to 'Risk assessment'. In particular, the requirements that state: Providers must ensure that they take all reasonable steps to ensure staff and children in their care are not exposed to risks. We do not investigate to prove or disprove a complaint but we look into the information we receive to see if the childcare provider is meeting all legal requirements.

We carried out an unannounced visit to the premises. The provider told us that the child had not ingested the varnish and that emergency medical treatment was obtained for the child in a timely manner. The provider told us that varnish would not be brought into the setting in the future, however, a risk assessment to learn lessons from the incident had not been carried out. In addition the child had been able to reach the pot of varnish from the bench in the playroom and take it over to the other side of the room without being noticed by a member of staff. We also found that although ratios were mainly met on the day of the incident, a member of staff had left the setting briefly.

Although it was not part of the original complaint we found that a record of attendance to show when staff had been working at the setting was not readily available and times that children had attended were not always accurate, or maintained.

Following our inspection, we sent the provider a welfare requirements notice that asked them to, ensure that the ratio and qualification requirement apply to the total number of staff available to work directly with the children, to

ensure that an adequate number of staff are working directly with the children at all times to meet the needs of the children; ensure that reasonable steps are taken to ensure that staff and children are not exposed to risks and providers are able to demonstrate how they are managing risks, particularly after an incident at the setting has occurred; ensure that records are easily accessible, in this instance to ensure that records of times that staff have been looking after children are available for inspection; ensure that an accurate daily record of the names of the children being cared for on the premises, their hours of attendance and the names of each child's key person and ensure that staffing arrangements meet the needs of all children and ensure their safety.

We completed an unannounced visit to the setting and found that they had taken appropriate action to meet the welfare requirements notices, however, although a risk assessment had been put into place, this was generic and did not sufficiently cover the individual elements that contributed to the incident.

Following our inspection, we sent the provider a notice to improve that asked them to, ensure risk assessments specifically demonstrate how risks are consistently managed, particularly after an incident at the setting has occurred. The provider created an updated risk assessment which covered the incident.

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 .