

Compliance action taken for childcare provision

509102/C316880

Date: 19/07/2017

Summary of outcome

On 07 June 2017 the provider notified us of an allegation against a member of staff. It was alleged that the member of staff had smacked a child. The notification means that the provider met their legal responsibility as set out in the Early Years Foundation Stage welfare requirements. Which states the provider must notify Ofsted or their childminder agency of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere). Registered providers must also notify Ofsted or their childminder agency of the action taken in respect of the allegations. These notifications must be made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made. A registered provider who, without reasonable excuse, fails to comply with this requirement, commits an offence.

On 15 June 2017 Ofsted met with the local authority designated officer for safeguarding and with the provider to look review the safeguarding procedures followed by the provider.

On 07 July 2017 Ofsted conducted an unannounced visit and looked into the concern to see whether the setting was meeting early years foundation stage welfare requirements, in particular we considered the requirement relating to child protection which states: Providers must be alert to any issues of 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). The safeguarding policy and procedures must include an explanation of the action to be taken when there are safeguarding concerns about a child and in the event of an allegation being made against a member of staff, and cover the use of mobile phones and cameras in the setting.

We also looked into the early years foundation stage welfare requirements relating: suitable people; staff qualifications, training, support and skills; managing behaviour; information and records; complaints; and Changes that must be notified to Ofsted or the relevant childminder agency.

During the visit we observed practice, scrutinised related documentation, interviewed the provider and manager, and discussed practice with some of the staff team. We found that the provider had not followed the appropriate safeguarding procedures when managing the allegation. This is because an internal investigation had been completed by the provider prior to them making the notification to Ofsted and the local authority designated officer for safeguarding.

We discussed this breach of requirements with the provider. As a result the provider took steps to ensure compliance in future. They ensured all staff revisited the safeguarding procedures and completed safeguarding training to improve knowledge and understanding. In addition the provider has taken steps to make sure that there is a manager and practitioner with lead responsibility for safeguarding available at the nursery at all times. Further safeguarding training has been secured for staff who have lead responsibility for safeguarding matters. In addition we found that staff remained suitable.

We are satisfied that the provider has taken the necessary steps to ensure compliance with the welfare requirements and therefore no further action was taken.

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 .