

Complaint about childcare provision

EY454695/C302640

Date: 09/05/2017

Summary of complaint

On 15 December 2016 we received a complaint which raised concerns about a breakdown of relationships between management and staff, including the lack of management support, staff performance, behaviour management and understanding of notifying Ofsted regarding significant events. We investigated the concerns to see whether the provider was meeting the safeguarding and welfare requirements. In particular these include requirements that state:

Staffing arrangements must meet the needs of all children and ensure their safety

Providers are responsible for managing children's behaviour in an appropriate way

Providers must have arrangements in place to support children with SEN or disabilities. Maintained nursery schools must identify a member of staff to act as Special Educational Needs Co-ordinator and other providers (in group provision) are expected to identify a SENCO.

Providers must investigate complaints and keep a written record of the complaint and their outcome. The record of complaints must be made available to Ofsted on request

Providers must notify Ofsted of significant events.

We carried out an unannounced investigation visit on 20 February 2017 and found that the leadership and management of the nursery is not sufficiently robust to ensure that suitable measures are in place to support children with behavioural needs and special educational needs. Management are not

working together to ensure that children with identified needs are receiving the appropriate support. For example, when staff identify children need additional support management do not seek this swiftly. Consequently, staff are not meeting children's individual needs. They are not managing children's behaviour in a safe and appropriate way taking into account children's age and stage of development. Staff are using physical intervention and not keeping the appropriate records or informing parents/carers of this action. Management are not maintaining a complaints log and the weakness in the relationships between senior management are affecting the day-to-day running of the setting.

We served a welfare requirements notice on the provider that requires them to:

ensure staff manage children's behaviour in an effectively taking into account their age and stage of development and record when physical intervention is used and make sure that parents are informed on the same day, or as soon reasonably practicable

ensure that staff respond appropriately to support children with additional needs and seek professional help quickly to enable them to meet children's individual needs

ensure all senior management and practitioners having appropriate qualifications, training, skills and knowledge and a clear understanding of their roles and responsibilities

maintain a written record of any complaints, and their outcome and make this available to Ofsted.

We completed several visits on 2 March, 20 April, 27 April, 2 May and found that the provider had addressed the actions. Staff had training on how to manage children's behaviour appropriately, management sought professional help and management have changed. The new management have an adequate understanding of their role and responsibility. We completed an unannounced inspection on 20 June and judged the setting as requires improvement.

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