

## **Compliance action taken for childcare provision**

EY495476/C318937

**Date:** 16/07/2017

### **Summary of outcome**

On 27 June 2017 we became aware of information that raised concerns that the provider had failed to follow safeguarding procedures when they became aware of a concern about a child's welfare.

We needed to investigate this concern to see whether the setting was meeting the Early Years Foundation Stage welfare requirements relating to;

'Child protection'. In particular 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).

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.

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. This may include:

- any reasons to suspect neglect or abuse outside the setting, for example in the child's home

Providers must have regard to the Government's statutory guidance 'Working Together to Safeguard Children 2015'.

'Information and records'. In particular Providers must maintain records and obtain and share information (with parents and carers, other professionals working with the child, the police, social services and Ofsted or the childminder agency with which they are registered, as appropriate) to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met.

Records must be easily accessible and available. Confidential information and records about staff and children must be held securely and only accessible and available to those who have a right or professional need to see them. Providers must be aware of their responsibilities under the Data Protection Act (DPA) 1998 and where relevant the Freedom of Information Act 2000.

Providers must ensure that all staff understand the need to protect the privacy of the children in their care as well the legal requirements that exist to ensure that information relating to the child is handled in a way that ensures confidentiality.

We do not investigate to prove or disprove a complaint but we look into the information we receive to see if the provider is meeting all legal requirements.

We carried out an announced visit to the premises and found that Provider had failed to follow up information which raised concerns about a child's safety. Written records were not accurately maintained or monitored and confidential information had not been stored securely. We also found that designated safeguarding leads were unclear about some aspects of safeguarding legislation with regards to working with other agencies to ensure children remained safe.

Following our investigation, we issued a welfare requirement notice which requires the provider to:

- Make sure managers and staff follow up any leads immediately regarding concerns about a child's safety to ensure the setting is aware of any issues of concern in a child's life at home or elsewhere. Make sure any information provided is taken into consideration when assessing risk and implementing protective measures to keep children safe.
- Ensure that staff designated to be safeguarding leads understand the responsibility of the role, are effectively trained, and know and can implement

local safeguarding board procedures and other associated legislation to keep children safe.

- Ensure staff are familiar with, and have regard to, Working Together to Safeguard Children 2015 and the Prevent duty guidance and know their responsibilities and the role and responsibilities of other agencies to safeguard children.

- Ensure confidential records are maintained accurately, stored securely (under Data Protection Act 1998 requirements) and are easily accessible to share with other agencies including Ofsted.

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.

We undertook a monitoring visit and found the provider had complied with the welfare requirements notice actions.

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](http://www.gov.uk/government/publications/early-years-provider-non-compliance-action-by-ofsted) .