

Compliance action taken for childcare provision

EY543338/C308061

Date: 13/07/2017

Summary of outcome

On 24 February 2017 and on 23 June 2017 Ofsted received separate notifications from the provider relating to allegations of poor and inappropriate child care practice by two members of staff. Also on 31 May 2017 the provider notified Ofsted that they were dealing with a complaint about children not being supervised at all times when playing in the nursery garden.

The notifications mean the provider has complied with the early years foundation stage welfare requirement which states: registered providers must inform 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 receipt of the first notification Ofsted liaised with the local authority designated safeguarding officer and with the provider. We were satisfied that the provider acted appropriately as soon as the concerns were brought to their attention and has continued to co-operate with the investigation into the allegations.

On 27 June 2017 Ofsted conducted an unannounced visit and looked into the concerns 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 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.

We also looked into the early years foundation stage welfare requirements relating: suitable people; staff qualifications, training, support and skills; staff: child ratios; managing behaviour; safety and suitability of premises, environment and equipment; information for parents and carers; and complaints.

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 followed the appropriate complaints procedures and had worked in partnership with parents and professional agencies. We also found that in respect of the first allegation against a member of staff the provider had acted appropriately as soon as the matter was brought to their attention. However some staff members had not complied in a timely manner with the required safeguarding procedures and did not raise safeguarding concerns without delay. Consequently, the provider ensured that all staff received up to date safeguarding training. The training was not fully effective because staff did not follow safeguarding procedures in a timely manner regarding the second allegation made against a member of staff.

Following our investigation we issued the provider with a welfare requirements notice which required the provider to:

make sure all staff understand and fully comply with safeguarding policy and procedures which are in line with the Local Safeguarding Children's Board (LSCB) guidance, and ensure they respond in a timely and appropriate way to all safeguarding matters.

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 decided to resign the registration of this nursery but took steps to improve safeguarding procedures prior to closure.

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 .