

Complaint about childcare provision

EY482337/C316200

Date: 16/07/2017

Summary of complaint

On 31 May 2017, we received a complaint that raised concerns about high levels of staff turnover in the setting; including concerns that there are not enough qualified staff working at the setting. Also concerns were raised about unprofessional conduct including shouting taking place in front of the children.

On 2 June 2017, we received two further complaints sharing very similar concerns.

On 7 July 2017, we conducted an unannounced visit to the setting. We needed to assess whether the setting were meeting overarching regulatory requirements to safeguard and promote children's welfare. In particular requirements around suitable people; safeguarding practice; qualifications of staff; training, support and skills; key persons; ratios; child supervision; staff deployment and risk assessment.

We found that there were enough qualified staff present to supervise children, although staff were not always deployed effectively to meet their individual needs. This is because managers had failed to ensure that staff working with babies had the appropriate experience and qualifications to do so. Also, upon a review of attendance registers and discussions with the provider of the setting, it was clear that there was a time when the nursery was operating without enough qualified staff. The provider has acknowledged this failure and demonstrates that this will not happen again.

There has been a high level of staff turnover which has affected the continuity of care for children. The provider has recently recruited new staff including a new manager. During this process it has come to light that previous recruitment procedures have not been robust and there have been

gaps in the vetting procedures. Some staff files contained no professional or personal references. We found that procedures are in place to support the supervision of staff and they do have opportunities to attend professional development opportunities. We found that staff were kind and supportive to the children and we observed no concerns in relation to unprofessional conduct. We also held discussions with some staff and parents who shared no concerns.

Although not part of the original concern, we found the provider's risk assessment procedures were ineffective. We found that the environment was hot and there was no means of cooling down the temperature. We observed children playing outside in the hot sun with no hats on and very little shade, also they had no drinking water outside. The provider took action during the visit to ensure that all children wore hats and had access to drinking water. However, we also observed the garden to have some deep holes that could potentially be a tripping hazard.

Following our visit, we sent the provider a notice to improve that asked them to –

ensure robust vetting procedures are in place to deem the suitability of staff, in particular checking the relevancy of staff qualifications and initiating references to help deem staffs suitability

ensure that at least one member of staff working with babies holds a full and relevant level 3 qualification, and must be experienced in working with children under two

ensure that you follow requirements of health and safety legislation, this specifically refers to maintaining safe temperatures in the nursery

ensure all reasonable steps are taken to ensure children are not exposed to risks, this specifically refers to large holes in the garden that pose as a tripping hazard.

The provider has demonstrated that appropriate action has been taken to address notices to improve. The provider also notified Ofsted that they are closing for the whole of the summer to focus on the recruitment of new staff including a new manager. Next steps will be a full inspection.

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