

Compliance action taken for childcare provision

EY337165/C319488

Date: 28/07/2017

Summary of outcome

On 4 July 2017, the provider notified us of an incident relating to how adults manage children's behaviour. This notification meant that the provider met their legal responsibility to inform Ofsted of such matters. We also received a complaint relating to the same matter the following day.

We looked into this concern to see whether the provider was meeting the early years foundation stage requirements. In particular, the requirements relating to child protection and behaviour management.

We initially liaised with outside agencies and spoke to the provider on the telephone to allow time for investigations to be carried out.

On 24 July 2017, we conducted an arranged visit to the setting. The setting was closed at the time of the visit. We held discussions with the owners and looked at documentation. The owners did not demonstrate a clear understanding of the requirements of the early years foundation stage. We found that the behaviour management policy had not always been followed as staff had not consistently used positive behaviour management strategies. In addition, managers had not made sure that staff kept a record of occasions when they had to physically intervene to manage a child's behaviour. We also found that the safeguarding policy was not up to date to reflect current guidance and there was a lack of understanding about safeguarding procedures. We also found that there had been occasions when the provider had failed to notify Ofsted of significant information which was likely to affect the suitability of the early years provider and occasions when concerns were raised about a member of staff. On this occasion, we issued the provider with an initial warning letter for failing to notify Ofsted of significant information and occasions when the concerns were raised about a member of staff .

Following the visit, we sent the provider a welfare requirements notice requiring them to:

ensure that managers and staff are fully aware of the arrangements in place for managing children's behaviour and keep a record of any occasion where physical intervention is used and ensure that parents and/or carers are informed on the same day, or as soon as reasonably practicable;

ensure that the policy, and procedures, to safeguard children are implemented at all times and are in line with the guidance and procedures of the relevant Local Safeguarding Children Board (LSCB);

ensure that the practitioner designated to take lead responsibility for safeguarding children has sufficient understanding to fulfil the role and provide support, advice and guidance to any other staff on an ongoing basis;

train all staff to understand the safeguarding policy and procedures, and ensure that all staff have up-to-date knowledge of safeguarding issues;

ensure that the supervision arrangements for all practitioners and managers promote the interests of children and that all legal requirements are known, understood and adhered to.

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 conducted a further visit to assess the provider's compliance with the welfare requirements notice. We found that the provider had taken action to update policies and procedures. Staff have undergone training and we are satisfied that suitable arrangements are now in place.

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 .