

Complaint about childcare provision

EY490889/C319653

Date: 17/08/2017

Summary of complaint

On 6 July 2017, the provider notified us that a child had sustained an unexplained injury at the nursery. The notification means that the provider met their legal responsibility as set out in the early year's foundation stage welfare requirements to notify Ofsted of any serious accident, illness or injury to, any child while in their care, and of the action taken. Ofsted liaised with the local authority designated safeguarding officer (LADO) who confirmed that they had requested the provider to conduct an internal investigation into the incident and then to report back to both Ofsted and the LADO.

On 21 July 2017, we received a complaint that raised concerns about children receiving unexplained injuries at the nursery, in addition concerns that staff turn-over has been high and there are not always sufficient staff working directly with the children.

On 26 July 2017, we received the provider's internal investigation in relation to the original notification. This information was reviewed and demonstrated that the provider had taken action to conduct a thorough investigation into the incident. This resulted in two staff being disciplined for not following the settings accident and incident reporting procedures. They had failed to recognise that a child had suffered an injury and therefore, did not receive timely medical support. Although the child has fully recovered and has returned to nursery, the setting have recognised the serious failings and have taken appropriate action to ensure that accident and incident reporting procedures are more robust.

On 9 August 2017, we carried out an unannounced visit to the setting to see whether the provider was meeting overarching regulatory requirements to safeguard and promote children's welfare, in particular requirements that link to safeguarding practices; suitable people, ratios and child supervision, staff

deployment and the management of accidents or injury.

We found that sufficient staff were in place to meet ratios of adults to children. Children were observed to be settled and happy in their environment. We found that appropriate action had been taken to review accident and incident reporting procedures and that further staff training was being implemented to support staff in these matters. We found that staff turn-over has not been significant although there has been some staff changes which have impacted more on some rooms in the setting.

However, we did find that staff qualification requirements were not consistently met. This is because we observed one room to have no qualified level 3 member of staff during certain parts of the day. In addition we found that staff working in this room were providing cover rather than being the children's familiar staff team. Upon reviewing the original investigation we found the same failing in the same room. This concern was shared with the manager of the setting who provided reassurances that more vigilance would be given to staff deployment so that appropriate qualification requirements are met. New staff have been assigned to this room which will support the continuity of care for children.

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

ensure that staff are deployed effectively so that there is at least one member of staff working directly with children who holds a full and relevant level 3 qualification.

The provider has provided an appropriate response and demonstrates that they are now meeting all requirements.

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