

Complaint about childcare provision

EY500696/C323030

Date: 22/08/2017

Summary of complaint

On 10 August 2017, we received a notification from the provider regarding an allegation against an adult caring for children. We liaised with the Local Authority Designated Officer who confirmed the information. However, concerns were raised as there has been a delay in reporting the concerns. We made a visit to the setting and looked into this information to see whether the setting was meeting Child protection; Suitable people; Staff qualifications, training, support and skills; Complaints and Information and records. At the visit we found that there had been a delay of 2 days, in the reporting concerns to the appropriate agencies. In the absence of the provider staff had not followed safeguarding procedures. Weak recruitment and selection procedures mean that safeguarding is ineffective and leaves children at potential risk. The provider was unable to demonstrate that they have effective systems in place to determine the suitability of adults working with children. Children's confidentiality is not assured as staff are not adhering to all policies and procedures with particular regard to social media. The provider is not aware of their responsibilities under vetting and barring procedures. We also found that the provider has failed to notify Ofsted of a change to space at the setting, which is a breach of regulations. Following our visit we served a welfare requirements notice on the provider that required them to:

- report to local agencies with statutory responsibilities any concerns about children's safety and welfare without delay
- put in place effective systems to ensure that practitioners, and any other person who is likely to have regular contact with children are suitable
- ensure that you record information about staff qualifications and the identity checks and vetting processes that have been completed
- ensure that you meet your responsibilities under the Safeguarding Vulnerable Groups Act 2006, which includes a duty to make a referral to the Disclosure and Barring Service where a member of staff is dismissed (or would have

been, had the person not left the setting first) because they have harmed a child or put a child at risk of harm

ensure that all staff receive induction training to help them understand their roles and responsibilities. Induction training must include information about emergency evacuation procedures, safeguarding, child protection, and health and safety issues

the manager must hold at least a full and relevant level 3 qualification and at least half of all other staff must hold at least a full and relevant level 2 qualification as defined by the Department for Education on the Early Years Qualifications List

ensure there is a named deputy who, in your judgement, is capable and qualified to take charge in the manager's absence

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.

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 also issued an initial warning letter for their failure to notify Ofsted of a change to space at the premises. We may take this into account when we consider what action to take if they fail to meet a requirement or condition of registration in the future.

We visited the provider to monitor their compliance with the notice. We found that the provider has taken action to address the issues. An action plan has been put into place and they have sought the advice of the local authority advisor. New documentation is now in place to support recruitment, selection and the induction of staff. The provider has undertaken on-line training to develop their own knowledge in this area. A meeting has been held with all staff along with individual discussion about staff roles and responsibilities. A supervision document is being implemented to support staffs development. The provider has put in place arrangements for a qualified and experienced member of staff to deputise in her absence.

We are satisfied with the action taken by the provider.

The provider remains registered with Ofsted. 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