

## **Compliance action taken for childcare provision**

116179/C326714

**Date:** 01/11/2017

### **Summary of outcome**

On 22 September 2017 we received a complaint which raised concerns about safeguarding policy and practice, staff suitability and qualifications, staff deployment, key person system, records of accident or injury, behaviour management, risk assessment and changes that must be notified to Ofsted. These concerns relate to the Early Years Foundation Stage (EYFS) welfare requirements.

Ofsted conducted an unannounced visit to the setting on 28 September 2017 to look into these concerns to see whether the setting was meeting EYFS welfare requirements. In particular we considered the requirement relating to safeguarding policy and practice which states: 'The lead practitioner is responsible for liaison with local statutory children's services agencies, and with the LSCB. They must provide support, advice and guidance to any other staff on an ongoing basis, and on any specific safeguarding issue as required'. We also looked into the EYFS welfare requirements relating to staff suitability, qualifications, training, support and skills, first aid, key persons, child supervision and staff deployment, accident or injury, managing behaviour, risk assessment and changes that must be notified to Ofsted.

During the visit we observed practice, scrutinised related documentation, interviewed the manager and regional manager and spoke with staff. We found weaknesses in safeguarding knowledge and procedures, in particular failure to recognise and take appropriate action in relation to allegations or significant events that may affect the suitability of a person caring for children.

We found evidence that a member of staff had failed to follow health and safety procedures with regards to how to safely handle young children. In addition, we found staff had failed to recognise that a child was injured and as a result did not take prompt action to deal with the matter. Since the

incident the manager has provided appropriate training to all staff in relation to safe handling of young children.

We also found that the provider had appropriate arrangements to ensure that people working with children are suitable to do so. That children were supervised appropriately and staff were appropriately deployed to supervise and meet children's needs. Staff followed correct procedures when dealing with challenging behaviour. The provider had appropriate risk assessments in place to maintain safety of the premises. We also found that the manager had appropriate knowledge of what changes that must be notified to Ofsted.

Following our visit we served the provider with a welfare requirements notice that required them to:

- ensure the designated safeguarding officer and other senior management staff have an appropriate safeguarding knowledge, including how to recognise an allegation against a member of staff and understand the correct procedures to follow in the event of an allegation being made against a member of staff. This must be in line with the Local safeguarding Children Board (LSCB),

- ensure all staff are aware of and follow nursery's policies and procedures with particular regard to safe handling of younger children and appropriate assessments of potential injuries.

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.

On 23 October 2017, Ofsted conducted an unannounced visit to the setting to assess compliance with the welfare requirement notices.

We found the provider had taken action to address the notice issued. The designated lead for safeguarding and staff had a clear knowledge and understanding on what actions to take in various safeguarding situations. All staff had received comprehensive training in various aspects of health and safety practice.

During this visit we considered additional concerns received in relation to staff breaching the nursery's social media policy. We found that staff had a secure knowledge and understanding on all social media and mobile phone policies. The manager was aware of the action to take and how to deal with such issues.

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](http://www.gov.uk/government/publications/early-years-provider-non-compliance-action-by-ofsted) .