

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

EY478118/C318969

**Date:** 20/10/2017

### **Summary of outcome**

On 29 June 2017, we received a complaint that raised concerns about safeguarding practice and the suitability of those who may come into contact with the children. These concerns related to the early years foundation Stage (EYFS) welfare requirements.

Ofsted liaised with other professionals and on the 10 October 2017 carried out an unannounced investigation to assess whether the provider was meeting EYFS welfare requirements. We considered requirements relating to: general suitability matters that states: 'Providers must ensure that people looking after children are suitable to fulfil the requirements of their roles. Providers must have effective systems in place to ensure that practitioners, and any other person who is likely to have regular contact with children (including those living or working on the premises), are suitable'. In addition, we considered the requirements relating to, child protection, suitable people, staff qualifications, training, support and skills, managing behaviour, safety and suitability of premises, environment and equipment, risk assessment, and information and records.

We found that although there are individual meetings held with staff to provide induction, supervision and support, this is not effective enough in monitoring staff, including the manager's skills and identifying areas for improvement. We found that the recruitment procedure is not robust and that not all managers have appropriate qualifications to undertake their role. In addition, newly appointed staff demonstrated that they were unaware of the safeguarding policies and procedures. These staff were left without support to complete their roles and responsibilities. We found that this does not adequately foster a culture of team work and consistency in practice. It was also identified that not all staff have suitable skills to manage children's behaviour appropriately. They are not always using positive methods to manage children's behaviour. This means that children are not sure about

what is acceptable.

Although not related to the initial complaint we found that children are exposed to risks. We found that although risk assessments are in place to check the safety of the environment these did not take account of some potential hazards. This included the risks arising from shared use of the outdoor play area. We found that staff deployment, particularly in the outdoor play area was not always effective to make sure that children are kept safe and within sight and hearing at all times.

Following our investigation, we issued the provider with a Welfare Requirements Notice requiring them to:

ensure that the practitioner designated to take lead responsibility for safeguarding children and liaising with local statutory children's services agencies and with the LSCB provides support, advice and guidance to any other staff on an ongoing basis and on any specific safeguarding issue as required

ensure children's behaviour is managed in an appropriate way; this specifically refers to supporting children to understand expectations for behaviour using positive and consistent methods

make sure that staff are deployed effectively at all times so that children are adequately supervised to ensure their safety and learning

ensure risk assessments demonstrate how risks to children are minimised. This is with specific regard to the shared use of the outdoor play area with members of the public

ensure the manager holds at least a full and relevant level 3 qualification, the manager should have at least two years' experience of working in an early years setting, or have at least two years' other suitable experience

ensure that staff receive support and appropriate training so they can plan, organise and provide challenging experiences to enable all children to make good progress in their learning and development.

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 carried out a compliance visit to the nursery on 27 October 2017 to check

the provider was complying with the actions set in the welfare requirements notice. We found the provider had taken necessary action and was found to be meeting the safeguarding and welfare and learning and development requirements of the early years foundation stage.

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) .