

## **Complaint about childcare provision**

EY279320/C326767

**Date:** 15/11/2017

### **Summary of complaint**

On 25 September 2017 we received a notification from an outside agency about an allegation against a member of staff that raised concerns the provider was not meeting the Statutory framework for the early years foundation stage (EYFS).

We needed to look at this concern to see whether the setting was meeting the early years foundation stage welfare requirements relating to; 'Child protection'.

We do not investigate to prove or disprove a complaint but we look into the information we receive to see if the provider is meeting all legal requirements.

On 26 September 2016, we carried out an unannounced visit to the premises and found that the provider had not appropriately vetted all staff who work at the nursery. This means that the provider was not meeting the requirement for 'Suitable people'. In particular 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. We found that a young child was able to enter a room and remain unsupervised for a short time. This means that the provider was not meeting the requirement for 'Staff:child ratios'. In particular providers must; arrange staff to meet the needs of children and ensure their safety. The manager took action during the visit to rectify the risk to children. We also found that staff could not identify appropriate strategies to manage children's behaviour and that these strategies did not follow the nursery policy. This means that the provider was not meeting the requirement for 'Managing behaviour'. In particular providers; are responsible for managing children's behaviour in an appropriate way.

Following our visit, we issued a welfare requirement notice which requires the provider to:

Implement effective systems to ensure that practitioners looking after children are suitable.

Make sure staffing arrangements meet the needs of all children and ensure their safety.

Ensure that all staff are aware of the policy for managing children's behaviour and that they understand their responsibilities when managing children's behaviour.

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 11 October 2017, we conducted an unannounced visit and found that the provider had implemented a reviewed risk assessment for the play rooms. We also found that staff had completed training in managing children's behaviour. The systems for checking staff suitability had not been fully completed at this point, however, this will be followed up at the next inspection.

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