

Complaint about childcare provision

119603/C330125

Date: 24/11/2017

Summary of complaint

On 26 October 2017, we received a complaint that raised concerns about how staff keep children safe, promote their learning and meet their individual needs.

At an unannounced inspection, we looked into these concerns to see whether the provider was meeting the safeguarding and welfare requirements, and the learning and development requirements. In particular, the requirements relating to risk assessment, safety, ratios, child supervision, premises, accident and injury, the suitability of staff and their qualifications, key persons, educational programmes, equal opportunities and changes that must be notified to Ofsted.

During the inspection, we found that the provider has failed to meet the two actions made at the last Ofsted visit, relating to risk assessment and safety. These were to remove the broken gate in the garden and to ensure the fire escape is accessible. We found that the key to open the fire escape door at the back of the garden is kept on the second floor of the premises. This means staff and children are not able to swiftly leave the premises through the fire escape if they are at the back of the building and cannot escape through the front. This significantly impacts on staff's and children's safety and well-being. In addition, we found that there were mounds of wet slippery leaves on the fire escape, and that the provider has not replaced the broken safety gate in the younger children's playroom. We also found that staff were not monitoring who enters the premises in the morning when parents arrive, as parents were able to let in other adults. This further compromises children's safety. We found that the provider fails to meet adult-to-child ratio requirements and that the supervision of children is poor in the morning, thus failing to meet children's physical and emotional needs effectively.

We found that the premises are adequately fit for purpose and that staff complete appropriate accident records. However, we found that staff are not fully checked when they are employed and that not all documentation relating to their suitability was available for inspection, such as references and induction records. Nevertheless, staff are suitably qualified and hold Disclosure and Barring Service checks. We also found that educational programmes for the youngest children were poor and not supporting their learning effectively around the prime areas. We found that staff were implementing equal opportunities and the key-person system appropriately. However, we found that not all changes in managers had been notified to Ofsted, which demonstrates that the provider does not understand the requirements for notification to Ofsted of significant events.

Following our inspection we served a welfare requirements notice on the provider that required them to:

comply with requirements of health and safety legislation (including fire safety) and ensure that all exits are easily opened and that the key to the fire escape is accessible;

ensure all reasonable steps are taken to ensure staff and children in your care are not exposed to risks;

ensure that ratios are met at all times, to ensure children's safety and welfare; make sure children are adequately supervised and that staff are deployed effectively to meet the needs of the children;

ensure all staff's suitability is fully checked before working with children and that they are capable of fulfilling their roles and responsibilities;

improve knowledge of notifying Ofsted of any significant changes and events;

make sure staff who work with the youngest children focus on the prime areas to help children gain confidence and skills to support successful learning.

It is offence for a person who, without reasonable excuse, fails to comply with a welfare requirements notice. Failure to comply may result in prosecution.

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