

## **Complaint about childcare provision**

EY236111/C331009

**Date:** 14/11/2017

### **Summary of complaint**

On 6 November 2017 we received a complaint that raised concerns about management arrangements, staff: child ratios and staff qualifications.

We needed to investigate these concerns to see whether the setting was meeting the Early Years Foundation Stage welfare requirements relating to;

'Suitable people'. In particular 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 are suitable.

'Staff qualifications, training, support and skills'. In particular providers must hold at least a full and relevant level qualification and at least half of all other staff must hold at least a full and relevant level 2 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. The provider must ensure there is a named deputy who, in their judgement, is capable and qualified to take charge in the manager's absence.

'Staff: child ratios'. In particular providers must ensure staffing arrangements meet the needs of all children and ensure their safety. Providers must ensure that children are adequately supervised and decide how to deploy staff to ensure children's needs are met.

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.

We carried out an unannounced visit to the premises and found that staffing

arrangements do not consistently meet children's individual needs and ensure their safety. The inspector found that on 8 November 2017 staff: child ratio requirements were not consistently maintained, throughout the day, in the room used by children aged under 2. This means that children's welfare is not fully supported and their learning and development opportunities are hindered. We also found the person in charge of the nursery left the premises at 11am on 8 November 2017, and that after this time a named deputy did not take charge in their absence. This demonstrates poor practice and compromises the effective management of the provision.

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

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

ensure a named deputy is in place to take charge in the manager's absence.

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 20 November 2017 we conducted an unannounced visit to monitor the progress of the provider. We found that steps have been taken to ensure staffing arrangements meet the needs of the children and ensure their safety. Appropriate staff: child ratios were maintained. We also found that a named and qualified deputy has now been appointed. This means a deputy is able to take charge of the nursery in the manager's absence.

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)