

Complaint about childcare provision

EY342930/C322542

Date: 13/09/2017

Summary of complaint

On 4 August 2017, we received information that raised concerns about the use of mobile phones in the setting and that someone was able to enter the premises unauthorised. We do not investigate to prove or disprove a complaint. We looked into these concerns to see whether the provider was meeting the requirements of the early years foundation stage relating to child protection and safety and suitability of premises, environment and equipment. In particular, requirements that state: the safeguarding policy and procedures must include an explanation of the action to be taken when there are safeguarding concerns about a child and in the event of an allegation being made against a member of staff, and cover the use of mobile phones and cameras in the setting. In addition, requirements that state: providers must take all reasonable steps to prevent unauthorised persons entering the premises, and have an agreed procedure for checking the identity of visitors.

On 9 August and 18 August 2017, we carried out unannounced visits and found that the setting was closed. We carried out another unannounced visit on 6 September 2017. On arrival, the inspector was able to walk into the setting unauthorised because the door was unlocked. The provider stated this was because a member of staff had just let a parent in and that staff had failed to lock the door. This compromised children's safety. Staff rectified the issue immediately by locking the door, and continued to do so throughout the rest of the visit. The inspector discussed with the provider concerns that staff had been seen using their mobile phones in the setting when she was not present. The provider was disappointed that staff were not implementing the safeguarding policy in her absence. Staff discussed that they know that the door should be locked at all times and that they cannot use their mobile phones. However, during the school holidays, someone was able to access the premises unauthorised and witness staff using their mobile phones. This

highlights that the arrangements for managing the setting in the manager's absence are not effective because policies and procedures are not being adhered to.

Although not part of the original concerns, we found that the provider was not maintaining an accurate record of the disclosure and barring checks for all staff.

Following our visit, we sent the provider a notice to improve that asked them to:

ensure children cannot leave the premises unsupervised and ensure all steps are taken to prevent unauthorised persons entering the premises

ensure staff fully understand and consistently implement the safeguarding policy in regard to the use of mobile phones

ensure appropriate arrangements are in place when the manager is absent to make sure that staff in charge are fully aware of their role and responsibilities

ensure the record of the identity checks and vetting processes, includes the criminal records check reference number, the date a check was obtained and details of who obtained it for all staff.

A satisfactory written response detailing the action taken was provided. On 18 December 2017, we carried out an unannounced visit to review the action taken. We found that the premises are now locked at all times and that staff understand the policy for using mobile phones. We found that staff understand their responsibilities when the manager is absent. In addition, a record of the disclosure and barring checks is now in place for all staff. 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