

Complaint about childcare provision

EY425653/C329163

Date: 13/12/2017

Summary of complaint

On 17 October 2017, we received a complaint that raised concerns that the provider was not meeting the early years foundation stage (EYFS). We needed to look into this concern to see whether the setting was meeting the early years foundation stage welfare requirements relating to;

'Child protection', 'Suitable people', 'Staff qualifications, training, support and skills', 'Key person', 'Food and drink', 'Accident or injury', 'Safety' and 'Premises'

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 20 October 2017 we carried out an unannounced visit to the premises and found that the provider had not followed safeguarding procedures in relation to children's welfare that required further investigation by external agencies. Staff were not aware of the action to take if they were concerned about another staff member. The provider was not aware of the procedures to follow when an allegation is made against a member of staff, including when to notify Ofsted of such allegations. She was also not aware of her responsibility under the Safeguarding Vulnerable Groups Act 2006 to make referrals to the Disclosure and Barring Service. Poor lines of communication between the provider and the manager mean that vital information needed to safeguard children is lost or difficult to find. During the visit staff in the pre-school room did not supervise children appropriately. A child placed small objects in their mouth and staff did not act swiftly to prevent this from happening, placing the child at risk of choking. Risk assessments in relation to preventing unauthorised persons entering the premises are ineffective and do not keep children safe. Staff are not provided with regular and effective

supervision to aid them in identifying concerns about children and to address issues with their practice as they arise.

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

3.4

Child protection

ensure that safeguarding protocols take account the Local Safeguarding Children Board procedures and that all staff, including the management, understand them, including the action to take if an allegation is made against a member of staff

3.6

Child protection

train all staff, including the management, to understand the safeguarding policy and procedures, and ensure that all staff have up to date knowledge of safeguarding issues. Training made available by the provider must enable staff to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way

3.7

Child protection

ensure that concerns about children's safety or welfare are reported to statutory agencies without delay

3.8 Child protection

improve knowledge of what constitutes an allegation against a member of staff and when to notify Ofsted of such an allegation

3.13

Suitable people

ensure that responsibilities under the Safeguarding Vulnerable Groups Act 2006, which includes a duty to make a referral to the Disclosure and Barring Service where a member of staff is dismissed (or would have been, had the person not left the setting first) because they have harmed a child or put a child at risk of harm, are understood

3.22

Staff qualifications, training, support and skills

put appropriate arrangements in place for the supervision of staff which enables them to discuss any issues around children's welfare and development, provides coaching and support, addresses issues as they arise, and allows managers to monitor staff's knowledge of safeguarding and child protection effectively

3.28

Staff:child ratios

ensure that children are adequately supervised and decide how to deploy staff to ensure children's needs are met and they are kept safe from harm

3.62

Premises

take all reasonable steps to prevent unauthorised persons entering the premises

3.64

Risk assessments

take all reasonable steps to ensure that children are not exposed to risks and demonstrate how these risks are being managed, with particular regard to small toys that pose a choking hazard and the prevention of unauthorised persons entering the premises

3.77

Changes that must be notified to Ofsted

improve knowledge of when to notify Ofsted of any significant event which is likely to affect the suitability of the early years provider or any person who cares for, or is in regular contact with, children on the premises to look after children

On 13 December 2017 we carried out an unannounced inspection of the setting. During this inspection we also monitored the welfare requirements notice. A copy of the inspection report, which details the outcome, can be found under the setting's unique reference number on the Ofsted website.

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