

## **Compliance action taken for childcare provision**

EY258083/C323110

**Date:** 07/10/2017

### **Summary of outcome**

On 10 August 2017, the provider notified Ofsted of a significant event that occurred in a swimming pool which resulted in a child receiving emergency medical treatment at the scene and then being taken to hospital. The provider met their legal responsibility to notify Ofsted of significant events.

The notification raised concerns relating to the early years foundation stage (EYFS) welfare requirements. In particular the requirements relating to child protection, which states 'Providers must take all necessary steps to keep children safe and well; staff: child ratios, which states that 'Staffing arrangements must 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'; premises, which states 'Providers must take all reasonable steps to prevent unauthorised persons entering the premises, and have an agreed procedure for checking the identity of visitors'; risk assessment, which states that, 'Providers must ensure that they take all reasonable steps to ensure children in their care are not exposed to risks and must be able to demonstrate how they are managing risks'. Also information and records, which states that. 'Providers must maintain records and obtain and share information to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met.'

Ofsted liaised with other agencies and carried out an unannounced investigation. We found that the provider suspended the swimming activities while they investigated the concerns. We found that the risk assessment did not identify the dangers posed by the sharp gradient from the shallow end to the deep end of the swimming pool. Also the risk assessment did not consider the risks posed by resources used in the pool, for example weighted hoops. The deployment of staff did not ensure children's safety as no member of staff saw the child at the point that they passed the rope into the deep end.

It was also found that the information parents/carers shared about their children's swimming ability had not been shared with the relevant staff. Staff were not aware of the new policy which stated that if parents confirm that a child under 8 years cannot swim 25 meters, they automatically have to wear a buoyancy aid. The written record of who was swimming and who took the swimming test was not accurately maintained.

The provider carried out an investigation and took immediate action. After reviewing their risk assessment they moved the rope, which indicates to children the area in which they should not go beyond, to approximately a meter away from the beginning of the gradient into the deep end. This now provides space for children to stand up, in their depth, should the child go beyond the rope. The provider also reviewed staff deployment and now ensures that a member of staff is positioned so that they can see when a child passes the rope and moves towards the deep end.

Although it did not form part of the original concerns, when the inspectors arrived at the setting they were able to enter the premises before their identity was checked. This was because a gate into the school was left open as workmen were on the premises and the door into the school was also open.

Following the investigation we issued to the provider a notice to improve that asked the provider to:

explain how information obtained from parents will be shared with relevant staff and taken account of. This is with particular regard to information from parents and carers regarding children's swimming abilities

explain how all staff will be trained to understand and implement the policies and procedures that are in place to safeguard children. This is with particular regard to the policies and procedures relating to activities in the swimming pool

develop the risk assessment of the activities in the swimming pool to ensure that the risks posed by resources used in the pool are considered

ensure that no one can enter the relevant premises without the knowledge of a person who is caring for children on the relevant premises

Ofsted also carried out an inspection on 22 August 2017. The provider was judged as requires improvement. Following the inspection the provider was required to meet the following actions:

ensure that documents are easily accessible for inspection and meet current requirements, with particular to those relating to suitability of staff

improve the staff's understanding of their roles and their responsibilities to adhere to the clubs own policies and procedures at all times.

On 9 April 2018 we carried out an unannounced visit and found that the provider was meeting the actions. However we found that staff had not followed the medication policy that morning. During the visit staff took action to comply with the policy.

The provider remains registered with Ofsted.

### **Publication of compliance action**

We aim to ensure that the welfare of children and young people is protected in the services we regulate. The Childcare Act 2006 and accompanying regulations set out our responsibilities to regulate childminders and childcare providers. This includes the enforcement powers we have in relation to those registered providers who do not comply with the requirements for registration.

We publish details of any actions we take, or the childminder or childcare provider takes to bring about compliance with requirements on our website for a period of five years commencing on the date we complete our investigation.

For further information please read 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) .