

Compliance action taken for childcare provision

Ref: 155768/4249018

Date: 18 September 2019

Summary of outcome

All early years providers must meet the legal requirements in the 'Statutory framework for the early years foundation stage', which you can find at www.gov.uk/government/publications/early-years-foundation-stage-framework--2. If we find that a provider is not meeting the requirements, we can take action to ensure they put matters right.

On 28 May 2019 we received information that indicated that the provider may not be meeting requirements. We carried out an unannounced visit to the setting and found that the provider was failing to meet the needs of children with Special Educational Needs and/or disabilities (SEND); that they were failing to monitor and respond to signs that any child may be at risk of harm; that they were not ensuring that staff managed children's behaviour appropriately and that they had failed to notify Ofsted of all persons who make up the registered body of the setting.

We served a Welfare Requirement Notice. This is a legal notice that requires the provider to take action by a certain date.

Action needed:

ensure that children's behaviour is managed in an appropriate way; this is particular reference to making sure that staff do not use inappropriate physical intervention when managing behaviour and that they follow established procedures for managing behaviour

ensure that you monitor any emerging concerns about children in your care, to identify patterns of potential concern, and refer these concerns to agencies with statutory responsibilities without delay

make sure that you have appropriate arrangements in place to effectively support children who may have special educational needs and/or disabilities

ensure that Ofsted is provided with necessary information to complete suitability checks on all persons who comprise the registered body of the pre-school

All actions were to be met by 2 July 2019.

On 30 June 2019 the provider informed Ofsted of an allegation that a staff member had roughly handled a child. This meant they met their responsibilities to inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children

on the premises. On 2 July 2019 the provider inform Ofsted that they had dismissed this member of staff.

We visited the setting on 8 July 2019 to monitor these notices. We found that the provider had taken some steps to improve staff understanding of managing children's behaviour. However staff were still not managing some difficult behaviour appropriately. Additionally the provider had still not provided Ofsted with required information about persons who make up the registered body of the setting, so their suitability could be checked. The provider had also failed to meet their responsibilities under the Safeguarding Vulnerable Groups Act 2006, as they had not made a referral to the Disclosure and Barring Service in respect of the member of staff who was dismissed.

We served a further Welfare Requirement Notice:

Action required:

ensure that you follow your responsibilities under the Safeguarding Vulnerable Groups Act to make a DBS referral where a staff member was dismissed because they have harmed a child or put a child at risk of harm

to be met by 5 September 2019.

We carried out a further unannounced visit to the setting and found that the provider had taken appropriate action to meet the notices served. 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.