

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

Ref: 312692/4403961

Date: 6 March 2020

### **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](http://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 13 December 2019 we received concerns that this provider was not meeting some of these requirements.

On 16 December 2019 we suspended the childminder's registration because we believed children may be at risk of harm. Suspension allows time for the childminder to take steps to reduce or eliminate the risk of harm to children.

We made an unannounced visit to the childminder on 8 January 2020. We served a Welfare Requirements Notice. This is a legal notice that requires the childminder to take the actions below within the timescales set out. The provider will be able to give parents further information about this. Actions:

- ensure that your policy and procedure for safeguarding children is in line with the guidance and procedures of South Tees Safeguarding Children Partnership. 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, by 24 January 2020
- improve your knowledge and understanding of safeguarding children issues, for example by attending a local authority approved training course, by 21 February 2020
- improve your knowledge and understanding of the 'Prevent' duty, by 21 February 2020
- ensure you fully understand and implement local safeguarding procedures when any allegations of serious harm or abuse are made against anyone living, working or looking after children at the premises, by 24 January 2020
- ensure you fully understand and implement local safeguarding procedures when any allegations are made, by 24 January 2020
- demonstrate and/or explain, how you will ensure that children are always within sight or hearing, particularly when out shopping, by 24 January 2020

- demonstrate and/or explain, how you will ensure that all children you care for are included in ratios. At any one time, childminders may care for a maximum of six children under the age of eight. Of these six children, a maximum of three may be young children, and there should only be one child under the age of one. A child is a young child up until 1st September following his or her fifth birthday. Any care provided for older children must not adversely affect the care of children receiving early years provision, by 24 January 2020.

We visited the childminder on 27 January 2020 to monitor the four actions addressed in the welfare requirement notice which should have been completed by 24 January 2020. The childminder told us that she had revised and reviewed her safeguarding policy and procedures including how she would manage allegations made against her. She explained how she will ensure children are always within her sight or hearing and how she will ensure she does not exceed the number of children she may care for or is responsible for at any one time.

The actions linked to child protection were not deemed to have been met. Following our visit, we served the childminder a further welfare requirements notice. This is a legal notice that requires the childminder to take the actions below within the timescales set out. The provider will be able to give parents further information about this. Actions:

- ensure your policy and procedures for safeguarding children is in line with the guidance and procedures of South Tees Safeguarding Children Partnership, by 6 March 2020
- ensure your policy and procedures for managing any allegations of serious harm or abuse by any person living, working or looking after children at your premises are in line with the requirements of your registration, by 6 March 2020.

We attempted to extend the period of suspension by imposing a second period, on 27 January 2020. The childminder appealed against our intention to do that. The appeal was heard by the Health, Education and Social Care First-tier Tribunal on 27 February 2020. On 4 March 2020, the tribunal made the decision to lift the suspension.

We were taking steps to cancel the childminder's registration. The childminder objected to our intention to take that step. The objection was upheld because the childminder demonstrated, during an interview on 7 May 2020, that she has completed a relevant safeguarding children training course and her knowledge and understanding of child protection has much improved. The childminder now demonstrates a sound understanding of the many wider aspects of safeguarding and is able to respond appropriately to any allegations made against her and make referrals to the correct agency as required. In addition, her knowledge and understanding of behaviour management strategies and appropriate child supervision has improved. The childminder is still registered with Ofsted. She has requested to be removed from the Early Years Register but remain on the

compulsory and voluntary parts of the childcare register as she will now only be caring for older children.

### **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).