

Complaint about childcare provision

Ref: EY478271/4568956

Date: 4 November 2020

Summary of outcome

Her Majesty's Chief Inspector of Education, Children's Services and Skills is leading Ofsted's work into how regulated early years and childcare providers in England have delivered child-centred practice and care, within the context of the restrictions placed on society during the COVID-19 (coronavirus) pandemic.

All early years providers must meet the legal requirements in the [Statutory framework for the early years foundation stage](#). If we find that a provider is not meeting the requirements, we can take action to ensure they put matters right.

On 3 September 2020, the provider notified Ofsted about a significant event. The notification means that the provider met their legal responsibility, as set out in the Statutory framework for the early years foundation stage, to notify Ofsted. On 9 September 2020, we suspended the provider's registration because we believed children may be at risk of harm. Suspension allows time for the provider to take steps to reduce or eliminate the risk of harm to children. The provider has a right to appeal against a suspension. The provider may not provide childcare for which registration is required while the suspension is in place and may commit an offence if they do so.

On 23 September 2020 we carried out a regulatory visit. We found the provider was not meeting some of the requirements. We have served a welfare requirements notice. This is a legal notice that requires the provider to take the actions below within the timescales set out.

Actions needed by 2 October 2020:

- ensure that leaders and managers have oversight of risk assessment procedures and are able to demonstrate how they are managing risks effectively
- ensure that all staff understand their responsibility to keep children safe and not expose them to risks
- assess how leaders and managers make sure that staff adequately supervise children at all times
- ensure that staffing arrangements meet the needs of all children and ensure their safety
- put effective systems in place to ensure that you and practitioners are suitable to carry

out your roles and responsibilities following the event of the 3 September 2020.

On the 5 October 2020, we conducted a further unannounced visit to monitor compliance with the actions raised in the welfare requirements notice. We found that the provider had not met the actions set. We have served another welfare requirements notice. This is a legal notice that requires the provider to take the actions below within the timescales set out.

Actions needed by 14 October 2020:

- ensure that all staff understand their roles and responsibilities to keep children safe, with particular regard to health and safety
- ensure that planned staffing arrangements and deployment of staff meet the needs of all children; and that children are adequately supervised at all times to make sure they are safe
- take all reasonable steps to ensure children are not exposed to risks and demonstrate how risks are managed effectively
- have regard to the government's statutory guidance 'Working Together to Safeguard Children', particularly in relation to sharing relevant information with other professional agencies
- put effective systems in place to ensure that leaders, managers and practitioners are suitable to carry out their roles and responsibilities.

On 15 October 2020 we conducted a further unannounced visit to monitor compliance with the actions raised in the welfare requirements notice. We found that the provider had now devised a risk assessment procedure. The space available to children in the outdoor area had been reduced and many risks had been removed. The provider had shared the required information with other professional agencies. The provider had put in place a plan of how to deploy staff more effectively to adequately supervise children. The provider continues to monitor staff's ability to carry out their roles and responsibilities on a daily basis.

We have now lifted the suspension.

We will continue to monitor the welfare requirements notice to ensure the provider's plans for ensuring children's safety are effectively implemented.

Additionally, during the visit of 15 October 2020, we found a new area of concern. This means that the provider was not meeting other requirements as set out in the Statutory framework for the early years foundation stage. In relation to the new area of concern, we

have served a further welfare requirements notice. This is a legal notice that requires the provider to take the actions below within the timescales set out.

Actions needed by 6 November 2020:

gain secure knowledge of your responsibilities under the Data Protection Act 1998 ensure information and records are accessible to those who have a right or professional need to see them to safeguard and protect children's privacy.

On 13 November 2020, we conducted a further unannounced visit to monitor compliance with the actions raised in the welfare requirements notice. We found the provider had implemented her plan to ensure staff were being deployed effectively. Children were being closely supervised. Staff were following the newly devised risk assessment procedures to identify and reduce risks to children. The provider had improved her knowledge of Data Protection Act 1998 and ensured records are accessible to those who have a professional need to see them.

The provider will be able to give parents further information about this. We will continue to monitor the provider. 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 on our website for a period of five years.

For further information about the complaints process please view the [Concerns and complaints about childminders and childcare providers leaflet](#).