

Compliance action taken for childcare provision

Ref: EY357152/4657291

Date: 18 December 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', 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 8 December 2020 we received concerns the provider was not meeting some of these requirements. On 15 December 2020, we carried out an unannounced regulatory visit. We found the provider was not meeting some of the requirements.

The decisions made by the setting manager about the deployment of the three members of staff working on the day of the visit, led to one, whose suitability has not been checked through a DBS disclosure, being left unsupervised with the youngest children in the baby room. This puts children at risk of potential harm and places this member of staff in a vulnerable position. Meanwhile, two highly qualified and suitable members of staff worked together in the main room caring for the older children. The baby room is not fit for purpose. It is not adequately lit or heated, which does not promote the children's health and well-being. The alternative method being used to heat the room is a small, portable electric heater. However, the manager and staff have not considered the serious risks this poses. The heater is placed on the floor and is easily accessible to children. The front of the heater, a metal grid, is extremely hot to touch even when the fan has stopped. This has the potential to cause a serious burn to a child's skin should they touch it or roll/fall onto it. The heating system for the main room has recently been repaired and the temperature of this space is consistent and appropriate. There are further risks that the manager and staff have not minimised or removed. This includes trailing wires in the baby room and a string of fairy lights hanging from a display, which if pulled by a child, may lead to entanglement and potentially, strangulation. Medication is not always stored out of reach of children, which poses a significant risk to their safety and well-being.

As a result, we have issued a Welfare Requirements Notice. This is a legal notice that requires the provider to take the actions below within the timescales set out. The provider

will be able to give parents further information about this.

Action needed:

ensure that people whose suitability has not been checked, including through a DBS disclosure, do not have unsupervised contact with children being cared for 11/01/2021

ensure that the deployment of staff is effective, meets children's needs and ensures their safety 11/01/2021

ensure that the baby room is fit for purpose and complies with requirements of health and safety legislation, specifically regarding the room temperature and lighting 11/01/2021

ensure that risk assessments are effective and all reasonable steps are taken to ensure that children are not exposed to risks and potential harm. 11/01/2021

We found that the provider had refurbished the baby room and this is now a well lit, heated and welcoming environment. This room will now be used by all aged children and the deployment of staff reorganised to meet children's needs. Additional staff members have been temporarily employed to ensure that those caring for children are suitable to do so. Risk assessments have been reviewed and action taken to remove potential risks to children. We are satisfied the provider has met the safeguarding and welfare actions raised. The provider is still 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.

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.