

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

Ref: EY419560/4580075

Date: 15 March 2021

### **Summary of outcome**

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. The 'Statutory framework for the early years foundation stage' requires that all registered early years providers must inform Ofsted of any significant event which is likely to affect the suitability of the early years provider or any person who cares for, or is in regular contact with, children on the premises. It is also a requirement that where it is reasonably practicable to do so, notification must be made in advance. In other cases, notification must be made as soon as is reasonably practicable, but always within 14 days. A registered provider who, without reasonable excuse, fails to comply with these requirements commits an offence.

On 18 September 2020, the childminder notified us of a significant event, but the information related to an event which appeared to have taken place more than 14 days previously. We carried out an unannounced visit on 22 September 2020, where the inspector found that notification should have been made in June. Although it was not part of the original notification we also found that assistants had left and new assistants had been employed without the appropriate notification being made to Ofsted within 14 days and checks completed. However, the childminder confirmed that they were not left alone unsupervised with children and a DBS had been applied for. The childminder agreed that in future any notifications would be made within 14 days. The provider will be able to give parents further information about this.

After the visit we received concerns which suggested the childminder had failed to follow appropriate safeguarding procedures in relation to the notified event. We suspended the childminder's registration because we believed children may be at risk of harm. Suspension allows time for the concerns to be investigated or for the childminder to take steps to reduce or eliminate the risk of harm to children. That suspension remains in place.

Following on from our enquiries the decision was made that the childminder was no longer suitable for registration as the prescribed requirements for registration had ceased to be met. We served a notice of intention to cancel the childminder's registration. The childminder objected to our intention to take the step. Following an objection hearing, we did not uphold the childminder's objection. On 13 January 2021, we issued the childminder with a notice of decision to cancel their registration.

The childminder has appealed to the First-tier Tribunal (Care Standards). The Tribunal has been heard and on 10 November 2021, the Tribunal dismissed the provider's appeal and

confirmed Ofsted's decision to cancel the registration. The provider is no longer 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](http://www.gov.uk/government/publications/early-years-provider-non-compliance-action-by-ofsted).