

Complaint about childcare provision

Ref: 400067/4748228

Date: 21 April 2021

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 19 March 2021, the provider notified us that an allegation of a safeguarding nature had been made against a staff member. The provider failed to meet their legal responsibility as set out in the Statutory framework for the early years foundation stage to notify Ofsted of any serious allegations of serious harm or abuse by any person living, working, or looking after children at the premises within 14 days of the allegation being made.

We suspended the provider's registration on 22 March 2021 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 had 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.

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On 7 April 2021, we carried out a regulatory visit. We found the provider had not been meeting some of the requirements but had already taken action to put this right. The provider had appointed a new Designated Safeguarding Officer who has devised an action plan and is working to improve the nominated individual's and staff's safeguarding knowledge. This enabled us to lift the suspension on 9 April 2021 because the provider took appropriate action to deal with the matter that led to the suspension and we are satisfied that there is now no risk of harm to children.

During the visit we also found the provider was not meeting other 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. The provider will be able to give parents further information about this.

Actions needed by 10 May 2021:

- ensure that records, required for the safe and effective management of the provision are easily accessible and available, especially documents that verify staff's suitability and those required to safeguard children
- ensure that confidential information and records about staff and children are held securely and only accessible and available to those who have a right or professional need to see them. Ensure that breaches to General Data Protection Regulation or Data Protection Act are correctly handled in line with Information Commissioner's Office guidance
- establish appropriate arrangements for the supervision of staff so that their knowledge and practice can be monitored and improved and so that sensitive issues can be discussed and concerns acted on
- implement and follow effective procedures to make sure that staff's ongoing suitability is robustly monitored and recorded so that any concerns about their suitability are dealt with in a timely manner.

On 11 May 2021, we carried out an inspection. The overall effectiveness of the provision was judged to be inadequate. The inspection report sets out the actions the provider was required to take to meet the requirements.

On 3 November 2021, we carried out a regulatory telephone call and found the provider was not meeting some of these requirements. We served 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.

Actions needed by 6 December 2021:

- provide Ofsted with the required information so that relevant suitability checks can be undertaken on anyone living or working on the premises on which childcare takes place
- improve staffs' knowledge of the procedures to follow if physical intervention is taken for the purposes of averting danger, or personal injury to any person or to manage a child's behaviour if absolutely necessary.

The provider's setting was not operating after this date. On 9 September 2022, the provider notified us of their wish to resign their registration. Consequently, we were unable to monitor whether the provider successfully met the actions. They are no longer a registered childcare provider.

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](#).