

## **Complaint about childcare provision**

Ref: EY415109/5167992

Date: 13 July 2023

### **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 17 May 2022, we received concerns that the provider was not meeting some of these requirements. On 21 July 2022, we carried out a regulatory visit. We found the provider was not meeting some of the 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 22 July 2022:

- take all reasonable steps to ensure the premises are safe and secure and that children are not exposed to risks
- ensure that the premises and equipment are suitable and promote children's good health and hygiene
- ensure that the premises are organised to meet the needs of children with regards to the space requirements

Actions needed by 25 August 2022:

- develop staff knowledge and understanding of how to identify and manage child protection concerns
- develop staff knowledge and understanding of how to manage allegations against staff
- ensure that records are appropriately maintained, with sufficient detail, to support information sharing with other professionals and to help ensure the needs of all children are met
- ensure that staff understand their roles and responsibilities to meet children's needs

On 26 July 2022, we carried out a welfare requirements notice monitoring visit. We found that the provider had met two of the three actions due by 22 July 2022. The provider had

removed all broken resources, reorganised the storage of equipment and ensured the outdoor play area was secure. The provider had taken appropriate steps to ensure the areas of the premises the children were using were clean and hygienic.

We agreed to extend the date of the action relating to the organisation of the space to 25 August 2022. The provider was taking appropriate steps to ensure there is sufficient space for the number of children attending, and had appropriate plans to review and reorganise the remaining space before the numbers of children increased at the start of the new term. We served another welfare requirements notice. This is a legal notice that requires the provider to take the action below within the timescale set out. The provider will be able to give parents further information about this.

Action needed by 25 August 2022:

- ensure that the premises are organised to meet the needs of children with regards to the space requirements

On 31 August 2022, we carried out a welfare requirements notice monitoring visit. We found that the provider had met four of the five actions due by 25 August 2022. The provider had ensured staff understand how to manage an allegation against another member of staff. New procedures had been developed to ensure sufficient information is gathered, recorded and shared with other professionals. Leaders had revisited staff roles and responsibilities and were monitoring the health, safety and hygiene of the premises. The playrooms had been reorganised to ensure this meets the space requirements and children's needs. The provider had not met one of the actions. We served another welfare requirements notice. This is a legal notice that requires the provider to take the action below within the timescale set out. The provider will be able to give parents further information about this.

Action needed by 28 September 2022:

- develop staff knowledge and understanding of how to identify and manage child protection concerns

On 6 October 2022, we carried out a welfare requirements notice monitoring visit. We found that the provider had not met the action due by 28 September 2022. We found the provider was not meeting some of the other requirements. The provider was not ensuring that staff were following expected hygiene practices with regards to the children's toilets. Also that staff were not undertaking appropriate risk assessments when checking the outdoor space. The provider took action at the time of the visit to address these breaches of the requirements. We also found that the provider was not meeting some of the other requirements. We served another welfare requirements notice. This is a legal notice that requires the provider to take the actions below within the timescale set out. The provider

will be able to give parents further information about this.

Actions needed by 20 October 2022:

- ensure staff have an up-to-date knowledge of child protection issues, and that they can identify signs of abuse and respond in an appropriate way
- ensure that concerns about children's safety or welfare are referred without delay
- review all information known about children and demonstrate that appropriate action has been taken to manage any concerns

We will monitor the provider's response to ensure the action is successfully completed.

On 27 October 2022, we carried out an inspection. We found that the provider had not met the actions due by 20 October 2022. We also found the provider was not meeting some of the other requirements. We served another welfare requirements notice. This is a legal notice that requires the provider to take the actions below within the timescale set out. The provider will be able to give parents further information about this.

Actions needed by 18 November 2022:

- train all staff so they understand and effectively implement safeguarding policies and procedures, ensuring they consistently identify any possible concerns and take appropriate and swift action to safeguard children
- take all necessary steps to keep all children safe and well, with particular regard to sleeping arrangements, food hygiene practices and temperature within the premises
- ensure arrangements are in place that provide effective support, coaching, training and continuous improvements for all practitioners, to tackle poor teaching
- ensure staff understand and fulfil their role as a key person effectively so that the care and education provided or tailored to meet the needs of every child, including children who speak English as an additional language
- ensure staff and leaders meet the needs of children with SEND
- ensure information is accurately and effectively shared with parents and carers
- take all necessary steps to ensure anyone working on the premises are suitable to do so

On 23 November 2022, we carried out a welfare requirements notice monitoring visit. We

found that the provider had not met the actions due by 18 November 2022. We also found the provider was not meeting some of the other requirements. We served a further welfare requirements notice. This is a legal notice that requires the provider to take the actions below within the timescale set out. The provider will be able to give parents further information about this.

Actions needed by 7 December 2022:

- train all staff so they understand and effectively implement safeguarding policies and procedures, ensuring they consistently identify any possible concerns and take appropriate and swift action to safeguard all children
- implement an effective mobile phone policy and procedure in order to keep children safe
- take all necessary steps to keep all children safe and well, with particular regard to dietary needs and preferences and toileting support
- ensure supervision arrangements are in place which provide effective support, coaching, training for all practitioners which identifies and improves poor practice and promotes the interests of children
- ensure staff understand, and fulfil their role as a key person effectively, so that the care and education provided are tailored to meet the needs of every child including children who speak English as an additional language
- ensure staff and leaders meet the needs of children who have special educational needs and/or disabilities
- ensure information about children's care, learning and development is accurately and effectively shared with parents and carers
- take all necessary steps to ensure anyone working on the premises is suitable to do so
- ensure records are adequately and accurately maintained and shared with all other relevant professionals

On 24 November 2022, 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. The provider will be able to give parents further information about this.

On 13 December 2022, we carried out a welfare requirements notice monitoring meeting. We found that the provider had not met eight of the nine actions due by 7 December 2022. The provider had met one action and had improved the mobile phone policy and procedures to promote children's safety. We also found the provider was not meeting another of the requirements. The provider had failed to notify Ofsted of a significant event, which is a requirement of their registration.

On 5 January 2023, we extended the suspension on the provider's registration due to our belief that children may continue to be exposed to a risk of harm. 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. The provider will be able to give parents further information about this.

On 17 January 2023, the provider appealed the decision to suspend registration.

On 23 January 2023, we carried out a welfare requirements notice monitoring visit. We found the provider had met four of the eight actions due by 7 December 2022. The provider had improved staff's understanding of sharing information with parents and their role as a key person. They had taken appropriate steps to keep children safe and well with regards to sleep routines, toileting support and food allergies and had improved the procedures for maintaining and sharing records. We found that the provider had not met the other four actions. We served a further welfare requirements notice. This is a legal notice that requires the provider to take the actions below within the timescale set out. The provider will be able to give parents further information about this.

Actions needed by 20 February 2023:

- train all staff so they understand and effectively implement safeguarding policies and procedures, ensuring they consistently identify any possible concerns and take appropriate and swift action to safeguard all children
- ensure supervision arrangements are in place which provide effective support, coaching, training for all practitioners which identifies and improves poor practice and promotes the interests of children
- ensure staff and leaders meet the needs of children who have special educational needs and/or disabilities
- take all necessary steps to ensure anyone working on the premises is suitable to do so

On 24 January 2023, we lifted the suspension because the provider took appropriate action to deal with the matter that led to the suspension.

On 4 January 2023, we served a notice of intention to cancel the provider's registration. On 17 January 2023, the provider informed us of their intent to object to our notice of intention.

On 7 February 2023, we received concerns that the provider was not meeting some of the requirements. On 8 February 2023, we carried out a regulatory call. We found the provider was not meeting one of the requirements. We have served a further welfare requirements notice. This is a legal notice that requires the provider to take the action below within the timescales set out. The provider will be able to give parents further information about this.

Action needed by 17 February 2023:

- ensure that risk assessments thoroughly consider all risks to children and demonstrate how you are managing these risks

On 27 February 2023, we carried out a welfare requirements notice monitoring visit. We found the provider had only met one of the five actions due by 17 and 20 February 2022. The provider had improved staff's knowledge and understanding of how to identify and manage child protection concerns. We found that the provider had not met the other four actions. We served a further welfare requirements notice. This is a legal notice that requires the provider to take the actions below within the timescale set out. The provider will be able to give parents further information about this.

Action needed by 1 March 2023:

- ensure that risk assessments thoroughly consider all risks to children and demonstrate how you are managing these risks

Actions needed by 27 March 2023:

- ensure supervision arrangements are in place which provide effective support, coaching and training for all practitioners which identifies and improves poor practice and promotes the interests of children
- demonstrate that you have reviewed the development of every child in your care and have put in place appropriate support for any identified delays in learning
- take all necessary steps to ensure anyone working on the premises is suitable to do so.

On 15 May 2023, we carried out a regulatory monitoring visit. We found the provider was not meeting some of the requirements. We have served a further welfare requirements notice. This is a legal notice that requires the provider to take the actions below within the timescale set out. The provider will be able to give parents further information about this.

**Actions needed by 12 June 2023:**

- ensure that leaders and managers continue to improve their knowledge and understanding of their roles and responsibilities, that supervision identifies weaknesses in staff practice and that you provide appropriate support, coaching and training so that practice improves
- help staff to implement clear expectations for children's behaviour consistently, so children understand what is expected of them and remain fully engaged in their learning
- tailor support to ensure that every child's needs are met
- demonstrate that you have reviewed the development of every child in your care and have put in place appropriate support to address any delays
- take all necessary steps to keep children safe and well, with particular regard to medicines, babies' bottles and reviewing and responding to concerns

On 7 June 2023, we received concerns that the provider was not meeting one of the requirements. On 13 June 2023 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. The provider will be able to give parents further information about this.

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

**Action needed by 16 June 2023:**

- ensure that risk assessments are effectively implemented and that all staff are aware of their role and responsibilities in the event of any perceived risks

On 16 June 2023, we lifted the suspension because the provider took appropriate action to deal with the matter that led to the suspension.

On 30 June 2023, we carried out a welfare requirements notice monitoring visit. We found that the provider had met the action due by 12 June 2023 relating to helping children to understand behaviour expectations. Staff have received training to ensure there are positive interactions with children and that they provide consistent support in helping children to understand the expectations. The provider had also met the action due by 16 June 2023.

They have implemented an appropriate risk assessment to manage risks associated with any visitors to the setting. We found that the provider had not met the other four actions due by 12 June 2023. We also found that the provider was not meeting one of the other requirements. We have served a further welfare requirements notice. The provider will be able to give parents further information about this.

Action needed by 3 July 2023:

- undertake a thorough risk assessment to ensure the safety of children, staff and others on the premises in the case of a fire or other emergency

Action needed by 28 July 2023:

- ensure that leaders and managers continue to improve their knowledge and understanding of their roles and responsibilities, that supervision identifies weaknesses in staff practice and appropriate support, coaching and training is provided to ensure practice improves
- ensure that all staff working with children are familiar with their needs and can tailor support to meet their care, learning and development
- demonstrate that you have reviewed the development of every child in your care and have put in place appropriate support to address any delays or concerns
- ensure that you maintain appropriate records where there are any concerns and share information about children with other relevant professionals

On 11 July 2023, we carried out a welfare requirements notice monitoring visit. We found that the provider had met the action due by 3 July 2023 relating to undertaking thorough risk assessments. The provider has removed hazards and amended the processes and procedures in place in the event of a fire or other emergency.

We are taking steps to cancel the provider's registration. On 11 April 2023, the provider appealed to an independent external tribunal, the Health, Education and Social Care First-tier Tribunal. On 15 September 2023, the provider closed this setting.

## **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](#).