

Complaint about childcare provision

EY452551/C253615

Date: 18/08/2015

Summary of complaint

On 6 July 2015, we received a complaint that raised concerns about behaviour management procedures at the setting and also about deployment of staff.

We made an unannounced visit to the setting on 10 July 2015 to look into these concerns to see whether the provider was meeting the Early Years Foundation Stage requirements for Managing behaviour and Staff: child ratios. In particular, these include requirements which state:

Providers are responsible for managing children's behaviour in an appropriate way, and,

Staffing arrangements must meet the needs of all children and ensure their safety.

We found no evidence that children's behaviour is not managed in an appropriate way. We did find however, that staffing arrangements did not meet the needs of the children to ensure their safety, as children were being cared for by an assistant, whose suitability checks had not yet been completed. The inspector was informed that this also happened on other occasions. This is of concern to Ofsted as the provider had already received a welfare requirements notice and a notice of actions to improve in January this year. These related to ensuring that staffing arrangements meet the needs of the children, and that the registered childminder is present on the premises at all times when childcare was being provided, unless for a maximum of two hours per day. It was not clear exactly when the provider had and had not been on the premises as attendance records are not always completed. Again, the provider was issued with a welfare requirements notice in January 2015 regarding accurately completing attendance records.

We also found that there was no effective procedure for assistants to follow if they had concerns about the provider. Following the visit, we sent the provider a notice to improve that asked them to:

- ensure that you are present at all times when childcare is being provided, unless for a maximum of two hours per day a childminder assistant is present and parents of the child have given their consent for the child to be left with the childminding assistant (compulsory and voluntary parts of the Childcare Register)
- extend the whistleblowing section of your safeguarding policy and procedure to include an explanation of the action to be taken by staff should they have a concern about the provider or a household member

We also served a welfare requirements notice on the provider that required them to:

- implement effective systems to ensure that practitioners, and any other person who is likely to have regular contact with children (including those living or working on the premises), are suitable, in this instance, by not allowing staff whose suitability has not been fully checked to have unsupervised care of the children
- ensure that staffing arrangements meet the needs of all children and ensure their safety, for example, by ensuring that the registered childminder, or assistants who have completed suitability checks, are always present and caring for children
- ensure that the daily record of children's attendance is maintained and accurately shows which key persons are on duty and caring for children at all times.

It is an offence for a person who, without reasonable excuse, fails to comply with a welfare requirements notice. Failure to comply may result in a prosecution.

We also issued the provider with a warning letter for failing to notify Ofsted of changes to people working on the premises.

We made another unannounced visit to the provider on 28 July 2015 to monitor the action taken to make improvements to the provision and to comply with the welfare requirements notice. We are satisfied with most of

the actions taken by the provider. However, we found that the provider's safeguarding policy is not now in line with the guidance and procedures of the relevant Local Safeguarding Children Board (LSCB). We sent the provider a notice to improve that required her to:

-ensure that your policy and procedure to safeguard children is in line with the guidance and procedures of the relevant Local Safeguarding Children Board (LSCB).

We are satisfied with the provider's response and this will also be checked at the next inspection.

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 for five years commencing on the date we complete our investigation.

For further information about the complaints process please view the [*Concerns and complaints about childminders and childcare providers*](#) leaflet (Reference no. 080120)