

Complaint about childcare provision

EY330097/C258384

Date: 13/11/2015

Summary of complaint

On 25 August 2015, we received concerns that a child had suffered a serious injury at the provision following an accident in the outdoor area, that the significance of the injury was not identified and that the written record of the accident and information provided to parents was inaccurate.

We referred the concerns to the local authority safeguarding team and contacted the provider to gather further information. The provider responded to confirm they had taken action to address the key areas of concern which led to the occurrence of the accident and had put in place appropriate measures to prevent reoccurrence. The provider also confirmed she was considering the continued suitability of the staff members who were present at the time.

On 9 September 2015 we carried out an announced visit to the provision to look into the concern to see whether the provision was meeting the Early Years Foundation Stage welfare requirements in relation to child protection, suitable people, first aid, staff:child ratios, and risk assessments.

At the visit we found that a child had suffered a serious injury in the outdoor area which was not witnessed by staff. We found that there had been inadequate supervision, staff deployment and communication on the day in question. On the day of the visit we found that the systems used to deploy staff were not effective or consistently implemented across the provision. We also found that accident forms had not been completed accurately nor were they being used to identify trends in order to minimise risks. We also found that safeguards had not been put in place to protect children when concerns had been raised regarding members of staff. Not all areas of the setting had been adequately risk assessed.

On 14 September 2015, we received a further concern that a child had suffered an injury at the provision. The provision also notified Ofsted of this further incident. This notification means that the provision met their legal responsibility as set out in the Early Years Foundation Stage welfare requirements to notify Ofsted of any serious accidents.

We made contact with the provision and the Local Authority Designated Officer to gather information. The provision provided documentation to Ofsted which included their investigation into the second incident. We found that the investigation was not robust and concern was raised about staff suitability and practitioners being aware of their roles and responsibilities.

Following our visit and telephone calls, we served a welfare requirements notice on the provider that required them to:

ensure that appropriate safeguards are put in place when allegations are made against members of staff

ensure that people looking after children are suitable to fulfil the requirements of their role

ensure that investigations are robust when there are concerns regarding staff members suitability

ensure staff have a clear understanding of their roles and responsibilities, this is with particular regard to ensuring that only trained staff administer first aid

demonstrate how staff are effectively deployed to ensure that children's needs are met

ensure that children are within sight and hearing of staff and always within sight or hearing at all times

ensure that accident records are accurate and sufficiently detailed

take all reasonable steps to ensure staff and children in your care are not exposed to risks and demonstrate how you are managing risks. This is with specific reference to review of accident records

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 prosecution.

We also sent to the provider a notice to improve that asks them to:

identify aspects of the environment that need to be checked on a regular basis with regard to risk assessments and how that risk will be removed or minimised

A monitoring visit was carried out on 5 October 2015, and it was confirmed that the provider has taken appropriate action to meet the welfare requirements notice.

The provider remains suitable for registration.

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)