

## **Complaint about childcare provision**

EY482891/C268970

**Date:** 11/01/2016

### **Summary of complaint**

On 27 November 2015, we received a complaint that raised concerns about suitability of the nominated person and staffing within the provision; staff were leaving and there was no named deputy. We needed to investigate this concern to see whether the setting was meeting the Early Years Foundation Stage welfare requirements relating to Suitable people and Staff qualifications, training support and skills. In particular, these include a requirement that states there must be a named deputy who is capable and qualified to take charge in the manager's absence.

We do not investigate to prove or disprove a complaint but we look into the information we receive to see if the childcare provider is meeting all legal requirements.

We carried out a joint unannounced visit with the local Birmingham City safeguarding officer to the premises on the 8 December 2015 and found that staffing ratios and qualification requirements were met. However a large number of staff had resigned and left, with more to go which include the manager. Agency staff were being used and the care being provided for children was satisfactory. However, during the visit the fire alarm was triggered by smoke coming from a fire outside; someone was burning rubbish. This demonstrated that the evacuation procedures were not effective or efficient as the agency staff present were not fully aware of the procedure to follow in the event of a fire.

The visit also found that the nominated person had a limited understanding of the requirements in the Statutory Framework for the Early Years Foundation Stage and Ofsted have not been notified of all the company directors. As a result of this, full suitability checks have not been carried out on all those involved in the company.

As a result of our visit we issued the provider with a welfare requirements notice requesting them to:

Take reasonable steps to ensure the safety of children, staff and others on the premises in the case of fire by ensuring all staff present are aware of the correct fire evacuation procedure

It is an offence not to comply with a welfare requirements notice.

In addition we issued the provider with a notice of action to improve, which requires them to:

Establish secure knowledge of The safeguarding and welfare requirements required, in order to keep children safe and well;

Ensure there is a named deputy who in your judgement, is capable and qualified to take charge in the manager's absence; and

Ensure suitable systems are in place so that any person who is likely to have regular contact with children are suitable; this includes submitting appropriate forms to Ofsted to allow suitability checks to be progressed on all directors of the company.

We will monitor this provider to ensure that they meet the requirements set out in the welfare requirements notice and the additional actions.

A monitoring visit was carried out on 16 December 2015, the setting is currently closed and no children are in attendance.

We have received notification that the provider has resigned their registration and are no longer in operation. The provider is no longer registered with Ofsted.

### **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)