

Complaint about childcare provision

EY305606/C289376

Date: 30/07/2016

Summary of complaint

On the 8 July 2016, the provider notified us about a safeguarding incident, relating to the management of children's behaviour. On 14 July 2016, the provider notified us about an injury sustained by a child at the setting. The notifications mean that the provider has met their legal responsibility as set out in the early years foundation stage welfare requirements to notify Ofsted of significant events. On 18 July 2016, we received information that raised concerns about the security of the premises and about a staff member cutting a child's hair. On the 19 July 2016, we received further concerns about the safety and supervision of children.

We needed to investigate these concerns to see whether the provider was meeting the early years foundation stage welfare requirements relating to safeguarding and promoting children's welfare, accidents or injury, managing behaviour, staff:child ratios, and safety and suitability of premises, environment and equipment. 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.

On 21 July 2016, we made an unannounced visit to the nursery. We found that the provider had taken some suitable steps to safeguard children. The provider had contacted external agencies about the concerns. They had followed their staff disciplinary policy to reduce risks to children. However, the provider had not ensured that all staff have a robust knowledge of how to safeguard children. As a result, the setting's safeguarding policy had not been fully followed. We found that the provider had taken appropriate steps to protect the health and safety of children following an injury. However, the provider had not ensured that the nappy-changing procedure is consistently followed or that risks to children were effectively minimised. The provider was undertaking an internal investigation into the allegation that a staff member

had cut a child's hair. We found that the premises were secure and that children were being supervised appropriately by staff. Although it was not part of the original concern, we also found that staff praise children for their efforts, but do not always manage their behaviour consistently to help children learn how to manage their own behaviour.

Following our investigation, we served the provider with a welfare requirements notice. The notice required the provider to ensure children are safeguarded in line with the Local Safeguarding Childrens Board procedures by ensuring staff have a secure knowledge of how to identify, understand and respond appropriately to signs of possible abuse and neglect, to ensure suitable nappy-changing facilities are in place and that staff follow the setting's nappy changing procedures.

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 sent the provider a notice to improve that asked her to:

assess the risks which may arise to all children, take steps to remove and/or minimise those risks and hazards to keep children safe

improve staff's knowledge of how to manage children's behaviour appropriately so that children understand that some behaviour is unacceptable.

On 11 August 2016, we conducted an unannounced visit, to check compliance with the notices served. We found that the setting had improved the nappy-changing facilities and ensure staff follow the nursery's nappy-changing procedure. Staff had attended further training, and through regular discussion about safeguarding, their knowledge of how to protect children from harm had also improved. The internal investigation relating to a child's hair being cut had been undertaken and related information shared with parents. Risks to children had been identified and minimised. However, staff's knowledge of how to manage children's behaviour has not improved. Staff do not tackle the behaviour of young children to enable them to learn why some behaviour is unacceptable. Following the visit, we served the provider a welfare requirements notice. The notice required the provider to improve staff's knowledge of how to manage children's behaviour appropriately so that children understand that some behaviour is unacceptable.

On 2 September 2016, we conducted a further unannounced visit to the setting. We found that robust action to ensure staff know how to manage children's behaviour appropriately has been taken. Staff received intensive support and training, and now use effective strategies to manage children's behaviour to help children learn that some behaviour is unacceptable.

The provider remains 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 on how we deal with complaints about providers, please view the *Early years compliance handbook* which can be found here at www.gov.uk/government/publications/early-years-provider-non-compliance-action-by-ofsted