Complaint about childcare provision

154373/C303455

Date: 19/01/2017

Summary of complaint

On 3 January 2017, we received a concern that relates to complaints; in particular how complaints are recorded and the procedures in place for dealing with concerns from parents; safeguarding practice and policy; in particular staff’s understanding of safeguarding procedures. We liaised with other agencies to share the information. We do not seek to prove or disprove a concern but to confirm if a provider continues to meet the requirements of the early years foundation stage.

On 9 January 2017, we completed an unannounced visit to the nursery. During the visit we found that staff have a weak understanding of safeguarding procedures, particularly when an allegation is made against a member of staff. As a result, they fail to refer information to the relevant agency for it to be investigated. There are ineffective systems in place for senior managers to check that safeguarding procedures are implemented effectively. Therefore, senior managers are unaware of safeguarding concerns raised by the staff.

Although not part of the original concern we also found the system for recording accidents is not robust. Staff fail to assess the information from an accident to identify hazards. Therefore, the hazard is not removed or minimised.

Consequently, the provider is in breach of the requirements of the statutory framework for the early years foundation stage. As a result, we issued a welfare requirement notice that asked the provider to;

maintain a detailed record of accidents that have occurred, ensure information recorded is accurate to reflect what happened as a result of the accident or injury including any first aid administered
develop robust systems to ensure senior leaders continually check that the procedures for keeping children safe are fully met

take all reasonable steps to ensure children are not exposed to risks and demonstrate how risks are managed; specifically with regard to assessing the risks following accidents that have occurred

train all staff, students and volunteers including leaders and managers of the nursery to have a robust understanding of the safeguarding policy and procedures

ensure there are effective safeguarding procedures in place for the use and storage of mobile phones to keep children safe

maintain a list of complaints and their outcomes and ensure they are available for inspection

ensure all staff are able to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way. This includes the action to be taken in the event of an allegation being made against a member of staff.

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 will conduct a further unannounced visit to check the provider has complied with the legal requirements.

On 17 January 2017, we completed an unannounced visit to check compliance with the welfare requirement notice. We found the provider had made sufficient improvements in order to meet the legal requirements. The management structure of the nursery has been improved. Safeguarding procedures have been reviewed and all staff have completed refresher training, with further workshops planned. Mobile phones are locked away when staff are on duty and a 'nursery phone' has been purchased for staff to use when on outings with children. Accident and incident procedures have been strengthened. Senior managers have taken on responsibility for monitoring those procedures including the assessment of risk, to ensure children are protected and kept safe. The complaints procedure has been reviewed. This ensures there are clear systems for reporting information to senior managers. Posters have been displayed to ensure that all staff and parents using the nursery are clear on the procedures to follow if they have any concerns about children’s safety or well-being.
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](http://www.gov.uk/government/publications/early-years-provider-non-compliance-action-by-ofsted)