

Complaint about childcare provision

EY443760/C309576

Date: 04/05/2017

Summary of complaint

On 14 March 2017, we received a complaint which raised concerns about the provider's ability to follow appropriate safeguarding procedures when allegations are made about staff; lack of management being present in the setting; ratios not being met, resulting in poor supervision of children. These concerns relate to the early year's foundation stage (EYFS) welfare requirements.

Ofsted conducted an unannounced visit on 20 April 2017 and looked into these concerns to see whether the setting was meeting EYFS welfare requirements, in particular we considered the requirements relating child protection; suitable people; staff: child ratios; accident or injury; managing behaviour; risk assessment; information for parents and carers; complaints; and changes that must be notified to Ofsted.

During the visit we completed observations of practice, scrutinised related documentation, interviewed the provider and manager, and discussed practice with some of the staff team. We found the provider did not follow the correct safeguarding procedures; does not have a designated deputy manager and ensure staff are appropriately deployed to ensure children's safety and individual needs met. We found the provider has failed to notify Ofsted of an allegation made against a staff member and a significant change to his health. On this occasion, Ofsted has decided not to prosecute and has issued an initial warning letter.

Although it did not form part of the original concerns, we found the provider has allowed unvetted staff who are not appropriately qualified or experienced to have sole care of children; not removed potential risks posed to children's safety; no have adequate hygiene practices in the environment and during nappy changing routines and not promote children's dignity and privacy during personal care routines.

Following our investigation we issued a welfare requirements notice which required the provider to: ensure the manager and staff understand the safeguarding procedures to follow; ensure staff whose suitability has not been checked do not have unsupervised contact with children being cared for; ensure there is a named deputy; ensure children are adequately supervised and decide how to deploy staff to ensure their needs are met and ensure staff qualifications in the under two's room is met; ensure necessary steps are taken to prevent the spread of infection including there are suitable hygienic nappy changing facilities; ensure procedures for checking the identity of visitors is maintained; ensure risk assessments identify aspects of the environment that need to be checked and how the risk will be removed or minimised.

We visited on 4 May 2017. We found the provider improved his knowledge of safeguarding. However the provider had not notified LADO of concerns initially raised. As no staff were present, we were unable to assess staffs' understanding of safeguarding. We found the provider has designated a deputy manager and ensured staff hold disclosure and barring checks, however recruitment procedures are not robust. We found the provider has made some improvement in removing potential risk indoors but not adequately in the outdoors play area. We found the provider has improved the procedure for checking the identity of visitors and deployed appropriately qualified staff to work in the under two's room. We found that the provider has improved nappy changing facilities and hygiene of the premises.

Following our visit, we issued a further welfare requirement notice which required the provider to: ensure risk assessments identify aspects of the environment that need to be checked on a regular basis and remove risks; ensure staff understand safeguarding procedures; ensure the designated lead responsible for safeguarding understands their role in notifying agencies with statutory responsibilities without delay; and ensure robust vetting and recruitment procedures are fully completed. We lifted suspension because we found the risk of harm had been reduced.

We carried out a further unannounced monitoring visit on 25 May 2017. We found the provider has improved his understanding of notifying LADO without delay; improved risk assessments and vetting and recruitment procedures. We found the provider has helped staff improve their understanding of the safeguarding reporting procedures. However, we found that staff do not have up to date knowledge of all aspects of safeguarding. Following our visit, we issued a further welfare requirement notice which required the provider to: ensure all staff have up to date knowledge and understanding of safeguarding issues, including domestic violence, female genital mutilation

and the Prevent Duty. 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.

The provider responded satisfactorily. 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