

Complaint about childcare provision

EY355671/C318452

Date: 26/08/2017

Summary of complaint

On 23 June 2017, Ofsted received a complaint regarding an allegation against a member of staff. We do not investigate to prove or disprove a complaint. We looked into this concern to see whether the setting was meeting the requirements of the early years foundation stage relating to 'child protection.' In particular, the requirements that state: providers must be alert to any issues of concern in the child's life at home or elsewhere; providers must have and implement a policy, and procedures, to safeguard children. These should be in line with the guidance and procedures of the relevant Local Safeguarding Children Board (LSCB); and registered providers must inform Ofsted or their childminder agency of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises. We visited the premises where we found they had an appropriate and accurate policy and procedures to safeguard children. We established that concerns had been recorded regarding a child, however these concerns had not been referred to the appropriate agencies in a timely manner. The setting did not notify Ofsted of an allegation against a member of staff. The notification should have been made to Ofsted within 14 days, as this is a requirement of their registration. On this occasion Ofsted issued the provider with a warning letter.

The setting did not notify the Local Authority Designated Officer (LADO) for safeguarding, of the allegation against a member of staff, despite their safeguarding policy and procedures, instructing them to do so. Through discussion, we found staff did not understand the role of the LADO, nor did they understand the action to be taken when an allegation is made. Following the visit, we served a welfare requirements notice on the provider that required them to:

train all staff, including management, to understand the safeguarding policy and procedures and enable them to identify and respond appropriately to

signs of possible abuse and neglect. In particular, to enable them to respond in a timely and appropriate way when neglect is suspected

ensure agencies with statutory responsibilities, are notified without delay when there are concerns about children's welfare,
and
train all staff, including management, to understand and follow the safeguarding policy and procedures and 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 prosecution.

On 7 September 2017, we visited the setting to monitor compliance with the welfare requirements notice. The provider had taken prompt action by putting in place new systems to ensure concerns regarding children are dealt with appropriately and in a timely manner. Staff have received training to ensure they are familiar with and understand the procedures to safeguard children and were able to demonstrate this through discussion. 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