

Complaint about childcare provision

226978/C315459

Date: 17/08/2017

Summary of complaint

On 23 May 2017 we received a complaint regarding an allegation against a member of staff. The complaint also raised concern that the nursery had not informed the relevant child protection agencies about this allegation. In addition concerns were raised that not enough adults were working with the children. Prior to this we had received concerns regarding the use of mini buses, the number of children being cared for and unsuitable chairs being used for babies. On 28 June 2017 a complaint was received in relation to the same concern raised in May against a member of staff. On 4 July 2017 and 25 July 2017 further concerns were raised regarding the use of the nursery's mini buses.

These concerns relate to Early Years Foundation Stage legal requirements: child protection, suitable people, adult:child ratios, safety and suitability of equipment and outings.

Due to the nature of the concerns we initially liaised with other lead agencies namely the police and the Local Authority Designated Officer both by telephone and through face to face meetings.

Following involvement of other agencies we visited the nursery on 26 July 2017. We found that on the day of the visit there were sufficient numbers of staff caring for the children in attendance. The provider confirmed that their use of mini buses is compliant with relevant legal requirements.

We found that there was concern about the way in which a member of staff had handled a child and that this information had not been referred to child protection agencies without delay. We were informed by the nursery that the records they made relating to the concern were not recorded accurately. We also found that the managers were unable to demonstrate a suitable

understanding of what makes someone disqualified from working with children.

Following our visit we sent the provider a welfare requirements notice that asked them to:

ensure that the correct safeguarding procedures are followed when allegations are made against a member of staff

implement effective procedures to accurately and appropriately record concerns and take effective and appropriate action in line with local safeguarding children board procedures to protect any child about whom concerns are identified

ensure that the disqualification requirements are understood by all so that those who are disqualified are identified quickly and that appropriate action is then taken to manage the risk and assess their suitability to work with children.

The provider failed to inform Ofsted an allegation being made against a member of staff. It is a legal requirement that registered providers inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises. On this occasion we issued a warning letter which we will retain on file and take into account when we consider what action to take if the provider fails to meet a requirement of registration in the future.

On 22 August 2017 we received a complaint about children's milk formula and how this is made and concern was raised about staff: child ratios. On 7 September 2017 the provider notified Ofsted that a child had been left in the garden area unsupervised for approximately 30 seconds, the provider took appropriate action in respect of this incident.

On 12 October 2017 an unannounced visit was carried out to the nursery. It was found that managers and staff are aware of the correct action to take should an allegation be made against a member of staff. Managers are aware of the need to accurately record concerns, the manager responsible for safeguarding has also completed relevant safeguarding courses. The manager has ensured that all staff understand the disqualification requirements. On the day of the visit the correct amount of adults were seen caring for children, the manager spoke about how children's milk bottles were heated correctly and furniture in the baby room was appropriate. On the day of the visit we did find a damaged nappy changing mat, the provider has

since replaced this.

On 26 October 2017 a complaint was received regarding the sharing of confidential information by the provider. On 30 October 2017 we contacted the provider by telephone who denied that any information had been shared inappropriately.

The provider remains suitable for registration.

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