

## **Compliance action taken for childcare provision**

253690/C330953

**Date:** 13/01/2018

### **Summary of outcome**

On 3 November 2017, the provider made a notification to Ofsted, which raised concerns in respect an incident where children were able to leave the outdoor area of the premises unnoticed by staff. The notification means that the provider met their legal responsibility, as set out in the Early Years Foundation Stage welfare requirements, to notify Ofsted of any significant event. On 21 November 2017, we received additional information that raised concerns about injuries to children while being cared for at the setting and failure to meet with health and safety requirements.

We looked into these concerns to see whether the provider was meeting the early years foundation stage requirements relating to Child protection; Staff: child ratios; Safety and suitability of premises, environment and equipment; Premises; Risk assessment; and Information for parents and carers. These include requirements that state that: 'Providers must only release children into the care of individuals who have been notified to the provider by the parent, and must ensure that children do not leave the premises unsupervised' and 'Providers must comply with requirements of health and safety legislation'.

We carried out an unannounced visit to the premises and found that the provider had taken action to reduce the risk of children leaving the outdoor area of the premises unsupervised. Taller gates had been fitted to replace two smaller gates, with new locks fitted to keep them secure. Additional fencing had been erected to increase the height of some perimeter boundary areas. The rear outdoor entrance to the nursery is no longer used, with the gate secured with a padlock. Parents now enter and exit the nursery using the main gate only. However, risk assessments had not been updated to include the control measures used to reduce the risk of children leaving the premises unsupervised. There is a policy which is to be implemented in the event of a child going missing from the nursery. However, not all procedures

are included or correctly detailed, such as needing to complete a head count of the remaining children against the attendance register, and notifying the relevant child protection agency for every incident of a missing child. Accidents and injuries at the setting are recorded and action is taken to reduce the risk from any identified hazards. However, risk assessments are not always updated to reflect this. The manager had difficulty in making some documents available at the time of visit, although eventually managed to locate all relevant records, and provided evidence of what had been recorded.

Following our visit, we issued a notice to improve that asked the provider to:

update risk assessments to identify aspects of the environment that need to be checked on a regular basis and how the risk will be removed or minimised, with particular regard to the security of the outdoor play areas to reduce the risk of children leaving the premises unsupervised (Risk assessment)

review and update the missing child policy, to ensure that it includes fully effective procedures to be followed in the event of a child going missing at, or away from the setting (Information for parents and carers)

The provider has confirmed in writing that the actions are met. The provider remains registered with Ofsted.

### **Publication of compliance action**

We aim to ensure that the welfare of children and young people is protected in the services we regulate. The Childcare Act 2006 and accompanying regulations set out our responsibilities to regulate childminders and childcare providers. This includes the enforcement powers we have in relation to those registered providers who do not comply with the requirements for registration.

We publish details of any actions we take, or the childminder or childcare provider takes to bring about compliance with requirements on our website for a period of five years commencing on the date we complete our investigation.

For further information please read 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) .