

Complaint about childcare provision

145909/ C156256

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Summary of complaint

On 3 October 2011 we received a complaint that raised concerns about behaviour management, inappropriate handling of children and the suitability of staff. We needed to investigate this concern to see whether the setting was meeting the welfare requirements of the Early years Foundation Stage in regard to Safeguarding and promoting children's welfare. In particular, these include a requirement that states the provider must take necessary steps to safeguard and promote the welfare of children. This also states children's behaviour must be managed effectively and in a manner appropriate for their stage of development and particular individual needs.

We also needed to investigate this concern to see whether the setting was meeting the welfare requirements of the Early years Foundation Stage in regard to Suitable people. In particular, these include a requirement that states the provider must ensure adults looking after children must have appropriate qualifications, training skills and knowledge.

Ofsted does not investigate to prove or disprove a complaint but we check the information to see if the childcare provider is meeting all legal requirements. We carried out an unannounced visit to the setting and found that children are not fully safeguarded in the nursery as the provider has not informed Ofsted of a previous allegation made against staff members and has not effectively implemented the safeguarding policy and procedure. Children observed in the nursery on the day of the visit were found to be well cared for, confident and relaxed in the care of attentive staff. Adult child ratios were higher than required and children's particular and behavioural needs were being met. Staff appear to have a clear understanding of their roles and responsibilities.

Following our investigation, the provider admitted that they had not informed Ofsted of a safeguarding concern. This is an offence under The Early Years Foundation Stage (Welfare Requirements) Regulations 2007. We sent a

warning letter to the provider regarding the offence informing them that should there be any recurrence, we may consider prosecution on a future occasion.

We also sent a notice to improve that asked them to:

ensure all members of staff understand the safeguarding policy and the procedures and implement them effectively with particular regard to the procedure to be followed in the event of an allegation against a member of staff (The Early Years Foundation Stage General Welfare Requirements - Safeguarding and promoting children's welfare).

We are satisfied with the action taken by the provider and no further action was required. 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 about the complaints process please view the [Concerns and complaints about childminders and childcare providers](#) leaflet (Reference no. 080120)