

## Procedure for Making Notifications to Ofsted

### Notification of Early Years Provision Incident

As an Ofsted registered provider Fennies Nurseries are required to notify Ofsted of any significant events or changes occurring at or effecting our provision.

It is important to note that we must ensure safeguarding concerns and allegations of abuse against members of our staff are referred immediately to the Local Authority Designated Officer (LADO) who will help to risk assess the situation and advise of next steps which need to be taken.

Details about the requirements to notify Ofsted can be found in the Early Years Foundation Stage (EYFS) 2017. Notifications to Ofsted **MUST** be made as soon as possible. As a reminder the EYFS requires settings to notify Ofsted of the following:

- 3.8 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 (whether the allegations relate to harm or abuse committed on the premises or elsewhere). Registered providers must also notify Ofsted or their childminder agency of the action taken in respect of the allegations. These notifications must be made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made. A registered provider who, without reasonable excuse, fails to comply with this requirement, commits an offence
- 3.16. A provider must notify Ofsted or the agency with which the childminder is registered of any significant event which is likely to affect the suitability of any person who is in regular contact with children on the premises where childcare is provided. The disqualification of an employee could be an instance of a significant event.
- 3.49. Registered providers must notify Ofsted or the childminder agency with which they are registered of any food poisoning affecting two or more children cared for on the premises. Notification must be made as soon as is reasonably practicable, but in any event within 14 days of the incident. A registered provider, who, without reasonable excuse, fails to comply with this requirement, commits an offence.
- 3.51. Registered providers must notify Ofsted or the childminder agency with which they are registered of any serious accident, illness or injury to, or death of, any child while in their care, and of the action taken. Notification must be made as soon as is reasonably practicable, but in any event within 14 days of the incident

occurring. A registered provider, who, without reasonable excuse, fails to comply with this requirement, commits an offence. Providers must notify local child protection agencies of any serious accident or injury to, or the death of, any child while in their care, and must act on any advice from those agencies.

### **Changes that must be notified to Ofsted or the relevant childminder agency: procedure for nursery management teams**

3.77. All registered early years providers must notify Ofsted or the CMA with which they are registered of any change:

- In the address of the premises (and seek approval to operate from those premises where appropriate); to the premises which may affect the space available to children and the quality of childcare available to them; in the name or address of the provider, or the provider's other contact information; to the person who is managing the early years provision; in the persons aged 16 years or older living or working on any domestic premises from which childminding is provided; or to the persons caring for children on any premises where childminding is provided<sup>57</sup>
- Any proposal to change the hours during which childcare is provided; or to provide overnight care
- Any significant event which is likely to affect the suitability of the early years provider or any person who cares for, or is in regular contact with, children on the premises to look after children
- Where the early years provision is provided by a company, any change in the name or registered number of the company
- Where the early years provision is provided by a charity, any change in the name or registration number of the charity
- Where the childcare is provided by a partnership, body corporate or unincorporated association, any change to the 'nominated individual'
- where the childcare is provided by a partnership, body corporate or unincorporated association whose sole or main purpose is the provision of childcare, any change to the individuals who are partners in, or a director, secretary or other officer or members of its governing body

3.78. Where providers are required to notify Ofsted or their CMA about a change of person except for managers, as specified in paragraph 3.77 above, providers must give Ofsted or their CMA the new person's name, any former names or aliases, date of birth, and home address. If there is a change of manager, providers must notify Ofsted or their CMA that a new manager has been appointed. Where it is reasonably practicable to do so, notification must be made in advance. In other cases, notification must be made as

soon as is reasonably practicable, but always within 14 days. A registered provider who, without reasonable excuse, fails to comply with these requirements commits an offence.

In addition to the requirements above it is Fennies policy that where a child has a long term medical condition which may require the frequent call out of an ambulance and hospital admission, we will make a notification to Ofsted detailing the long term medical condition, and the critical care plan and risk assessment.

### **Making the notification**

Nursery managers must inform the Regional Quality Manager and Head of Operations of their intention to make a notification to Ofsted and **MUST send the draft of their notification for approval before submitting to Ofsted.**

Notifications should be made via Ofsted online:

[https://ofstedonline.ofsted.gov.uk/ofsted/Ofsted\\_Early\\_Years\\_Notification.ofml](https://ofstedonline.ofsted.gov.uk/ofsted/Ofsted_Early_Years_Notification.ofml)

You must save a PDF copy of the notification for your records before submitting the form. To print the notification, please open the PDF using the onscreen instructions and print it.

The form will automatically close after it has been submitted and you will see a page that advises you to browse away. You will also receive email confirmation to the address supplied in the Provider Details section. Please save this email for record keeping purposes. A copy of the notification must be forwarded to the Regional Manager, Head of Operations and Sarah Fenn, without delay.

When making a notification please provide Ofsted with as much information as possible, even if an investigation has not yet concluded. The notification preparation form below provides a useful outline for collating information and evidence. The notification form and further supplementary information and evidence e.g. photographs can always be emailed to Ofsted [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk) quoting the notification reference number where applicable.

*Internal use only*

This policy was adopted on	Signed on behalf of the nursery	Date disseminated to staff	Date for review
<i>July 2019</i>			<i>July 2020</i>

Notification to Ofsted – preparation form

Date:	
Completed by:	
Date sent to Ofsted:	
Is this a notifiable event as described by the safeguarding and welfare requirements?	
If yes, which requirement does it relate to?	
Has an initial notification been made by telephone / email?	
If so what was the reference number?	
Have all other relevant agencies been involved?	
Description of issue:	Date and time:
If there is time delay in the notification, please explain why:	
What action has the setting taken:	
Next steps:	
Are there any attachments to this document?	

### Clarification notes

The following information is taken from the Ofsted Early Years Compliance Handbook, March 2019.

#### Notifications from provider

Childminders and childcare providers must inform us of the following events no later than 14 days after the event occurred.

1. Childminders and childcare providers must inform us of the following events no later than 14 days after the event occurred.

Setting type		Childminders and childcare providers – Early Years Register	Childminders and childcare providers – Childcare Register
Type of information		Notify Ofsted as soon as practical, and in any case within 14 days. The method of notification is not prescribed in regulations; therefore the childcare provider can decide how to notify us.	
1	Allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere) and the action taken in respect of these allegations.	√	√ (no qualification to any person, and not required to notify Ofsted of action taken)
2	Serious accident, illness or injury to, or death of, any child while in their care, and the action taken.	√	√ (not required to notify Ofsted of action taken)
3	Death, serious accident, illness or injury to someone on the premises.		√

Setting type		Childminders and childcare providers – Early Years Register	Childminders and childcare providers – Childcare Register
Type of information		Notify Ofsted as soon as practical, and in any case within 14 days. The method of notification is not prescribed in regulations; therefore the childcare provider can decide how to notify us.	
4	The sudden serious illness of any child for whom later years provision is provided.		√
5	<p>Details of any order, determination, conviction, or other ground for disqualification from registration under regulations made under section 75 of the Childcare Act 2006.</p> <p>The date of the order, determination or conviction, or the date when the ground for disqualification arose</p> <p>The body or court which made the order, determination or conviction, and the sentence (if any) imposed; and</p> <p>A certified copy of the relevant order (in relation to an order or conviction).</p>	√ (Applies to the registered person (Early Years Foundation Stage (Welfare Requirements) Regulations 2012, regulation 9(2)) and any person living in the same household as the registered early years provider or who is employed in that household).	

Setting type		Childminders and childcare providers – Early Years Register	Childminders and childcare providers – Childcare Register
Type of information		Notify Ofsted as soon as practical, and in any case within 14 days. The method of notification is not prescribed in regulations; therefore the childcare provider can decide how to notify us.	
6	<p>Details of any criminal convictions and cautions of the applicant and the nominated individual</p> <ul style="list-style-type: none"> <li>■ the date of the offence</li> <li>■ the nature of the offence</li> <li>■ the place at which the offence was committed and either</li> <li>■ the name of the court, the date of conviction and the penalty imposed</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>■ the date of the caution.</li> </ul>		√
7	Food poisoning affecting two or more children cared for on the premises.	√	√
8	Any significant event likely to affect the suitability of the registered person or any person who cares for, or is in regular contact with, children on the premises to look after children.	√	√

Setting type		Childminders and childcare providers – Early Years Register	Childminders and childcare providers – Childcare Register
Type of information		Notify Ofsted as soon as practical, and in any case within 14 days. The method of notification is not prescribed in regulations; therefore the childcare provider can decide how to notify us.	
9	Any change: in the address of the premises; to the premises that may affect the space available to children and the quality of childcare available to them; in the name or address of the provider, or the provider's other contact information; to the person who is managing the early years provision; in the persons aged 16 years or older living or working on childminding premises.	√	√ (The General Childcare Registration Regulations, schedule 3, paragraph 26(b) refers to suitability rather than just change of details)
10	Change to the registered person, nominated individual or manager.		√
11	Change to the name or registered number of the company or charity providing care.	√	√
12	Change of name or address of the committee, partnership, unincorporated body or agency.		√
13	Days and hours during which later years childcare is to be provided.		√



Setting type		Childminders and childcare providers – Early Years Register	Childminders and childcare providers – Childcare Register
Type of information		Notify Ofsted as soon as practical, and in any case within 14 days. The method of notification is not prescribed in regulations; therefore the childcare provider can decide how to notify us.	
14	Any proposal to change the hours during which childcare is provided; or if the provision will include overnight care.	√	
15	Change of manager.	√	√
16	Change of member of the partnership, committee or corporate or unincorporated body.		√
17	If the childcare is provided by a partnership, body corporate or unincorporated association whose sole purpose is the provision of childcare, any change to the individuals who are partners in it, or any change in a director, secretary or other officer or members of its governing body.	√	√
18	If the childcare is provided by a partnership, body corporate or unincorporated association, any change to the 'nominated individual'.	√	√

57. We define serious injuries as:

- any injury that requires resuscitation or admittance to hospital for more than 24 hours
- broken bones, a fracture or dislocation of any major joint
- any loss of consciousness, severe breathing difficulties or asphyxia
- loss of sight (temporary or permanent), any penetrating injury to the eye, any chemical or hot metal burn to the eye
- any injury leading to hypothermia or heat-induced illness
- any injury or medical treatment arising from absorption of any substance by inhalation, ingestion or through the skin
- any injury or medical treatment resulting from an electric shock or electrical burn
- any injury or medical treatment where there is reason to believe that this resulted from exposure to harmful substance, a biological agent, or its toxins, or infected material.

Some examples of serious injuries that must be notified to us are set out below.

- A child trips and falls in a nursery and loses consciousness due to a bang on the head.
- A child is accidentally hit hard in the chest by a football during outdoor play at an out of school club, and has persistent, severe breathing difficulties.
- A baby breaks a leg during a fall at the nursery.
- A child takes a heavy fall while running around and is taken to hospital; the child is kept in hospital for over 24 hours.

58. Providers are not required to inform us of minor injuries, nor of general appointments to hospital or routine treatment by a doctor, such as the child's general practitioner, that is not linked to, or is a consequence of, a serious accident or injury.

We define minor injuries as:

- sprains, strains and bruising
- cuts and grazes
- wound infections
- minor burns and scalds
- minor head injuries
- insect and animal bites
- minor eye injuries

- minor injuries to the back, shoulder and chest.

59. Some examples of minor injuries that do not need to be notified to us are set out below.

- A child trips over their shoelaces, falls and sprains a wrist in the nursery.
- A baby, attempting to sit up, loses balance and drops face first onto the floor, cutting their lip.
- A bee stings a child while playing in the outdoor space. The child is not allergic to bee stings and does not require hospital treatment.

60. If we are informed of the death of a child in an early years or childcare provision, we always draft a letter for HMCI to send to the parents or carers of the child offering our condolences and a meeting, if appropriate. We aim to do this within 24 hours of becoming aware of the incident. The Chief Operating Officer will decide if the letter should be passed to HMCI to sign.

61. When a registered provider notifies us of an event we may ask them to provide us with more information about what they have done in relation to the event. We may carry out an inspection and/or a regulatory visit if we are not satisfied with the explanation from the provider as to why the event occurred and/or if the action taken in response to the event indicates risks or potential risks to children.