

# Little Owls Nursery Day Care of Children

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**Type of inspection:**

Unannounced

**Completed on:**

18 July 2019

**Service provided by:**

Little Owls Nursery (Scotland) Ltd

**Service provider number:**

SP2014012401

**Service no:**

CS2014333732

## About the service

The Care Inspectorate regulates care services in Scotland. Information about all care services is available on our website at [www.careinspectorate.com](http://www.careinspectorate.com)

Little Owls Nursery registered with the Care Inspectorate on 11 November 2015. The provider is Little Owls (Scotland) Ltd a private limited company.

The service is registered to provide a care service to a maximum of 50 children at any one time aged from 12 weeks up to and including 10 years, of whom no more than 10 children are under the age of 2 and no more than 10 children attend primary school.

The nursery operates from purpose-built premises situated close to the town centre in Armadale, West Lothian. There are three playrooms on the ground floor and a room on the first floor used by the school aged children.

The service has an appropriate set of aims and objectives which include 'to provide a safe, warm, happy, challenging, loving environment'.

This was an unannounced inspection which took place over two days and 17 and 18 July 2019. The inspection was carried out by two inspectors. There were three children present during the inspection.

We check services are meeting the principles of Getting it Right for Every Child (also known as GIRFEC). This is Scotland's national approach to improving outcomes and wellbeing for children by offering the right help at the right time from the right people. It supports them and their parents to work with the services that can help them. There are eight wellbeing indicators at the heart of GIRFEC. They are: safe, healthy, achieving, nurtured, active, respected, responsible and included. They are often referred to as the SHANARRI wellbeing indicators.

## What people told us

During the course of the inspection visit we spoke with all children and observed their play and interaction with staff. Children were comfortable in the environment and sought staff's attention as needed. This led us to conclude that children were happy and felt safe and secure.

## Self assessment

The service was not required to submit a self-assessment.

## From this inspection we graded this service as:

Quality of care and support	2 - Weak
Quality of environment	2 - Weak
Quality of staffing	1 - Unsatisfactory
Quality of management and leadership	1 - Unsatisfactory

## Quality of care and support

## Findings from the inspection

The staff knew the children well and provided some nurturing and responsive care which took account of children's individual needs. Positive interactions took place during routine tasks including lunchtime, nappy changing and settling a child to sleep. This demonstrated that children were experiencing warmth and kindness in how they were supported and cared for, including physical comfort when appropriate.

Appropriate 'settling in' procedures were in place which were based on the individual needs of children. This demonstrated respect for children and supported transitions by providing the time for them to develop a sense of safety and security in the service.

Plans did not reflect information held regarding children's care and support needs. They focused solely on development milestones which were not appropriate to the developmental stage of the children. An example of this was targets set for a two and a half year old which included understanding prepositions, letter recognition and writing their own name.

This demonstrated a lack of knowledge and competence regarding child development and how children learn, which resulted in poor quality experiences for children which, in turn, has the potential to impact negatively on their development and learning.

Many play and learning experiences were adult led. Others lacked appropriate sensitive interaction from staff, who should provide support of learning for those who needed it or extension of learning for those who needed challenge. Quality interactions promote social and emotional development as well as thinking skills. The lack of quality interactions mean that children's learning is not being effectively supported and they may not reach their full potential.

There were no concrete learning experiences which encouraged children to reflect on their learning and develop awareness of concepts which would enable them to progress to self-directed experiential play. Children learn in different ways and, therefore, need to be exposed to different experiences and opportunities to explore in order to achieve their full potential. As children were not routinely exposed to a variety of learning, they may not reach their full potential.

Children were given appropriate praise and encouragement for being helpful to each other which supported positive behaviour. We discussed how any challenging behaviours were managed with staff. They told us that they sometimes use 'time out', which could also be referred to as seclusion. The service's behaviour policy also referred to 'time out' as a suitable method of behaviour management. In addition, the policy referred to situations where restraint was suitable. Neither of these methods are considered good practice.

This was concerning as no service user should be subject to restraint, unless it is the only practicable means of securing the welfare and safety of that or any other service user and there are exceptional circumstances. We would also expect staff to be suitably trained to administer any form of restraint. We would not deem a service of this nature to fall into that category.

## Requirements

**Number of requirements:** 0

## Recommendations

Number of recommendations: 0

Grade: 2 - weak

## Quality of environment

### Findings from the inspection

The service had a secure door entry system and secure, enclosed gardens. This promoted the safety of children.

Opportunities were provided for children to access resources in the local community such as visits to the library and local parks. This provided experiences which helped children to feel included as part of the community.

The building was purpose-built and benefited from lots of natural light. Two playrooms had direct access to the outdoor play area. However, children were being cared for in the playroom that had no direct access to outdoors. Although they were taken to the garden to play as a group, this limited their time outdoors and their ability to make choices about where they played. This demonstrated a lack of skills and knowledge about the importance and benefit of access to outdoor spaces. 'Outdoor play is positively associated with improved self-esteem, physical health, development of language skills and disposition of learning.' (My Outdoor World, available at:

[http://www.careinspectorate.com/images/documents/3091/My\\_world\\_outdoors\\_-\\_early\\_years\\_good\\_practice\\_2016.pdf](http://www.careinspectorate.com/images/documents/3091/My_world_outdoors_-_early_years_good_practice_2016.pdf)).

As a result, children were not being provided with an environment that maximised their developmental opportunities and maximised potential achievement.

Playrooms had some nice home-like furniture including full sized sofas and armchairs. This provided opportunities for quiet and cosy times which was nurturing for children. Playrooms had the potential to be rich learning environments for children; however, the layout of furniture and resources, and the resources themselves, did not promote this. There was a lack of defined, inviting play spaces to encourage exploration.

The majority of resources were brightly coloured, plastic toys with a fixed purpose. Staff told us that they were now trying to introduce more natural resources; however, this was not yet evident. Loose parts are materials that, when given to children, can become anything they wish. Loose parts can be used freely to create, explore and develop curiosity and imagination. These materials have no direction and no instruction providing opportunities for children to make their own decision about what they may be or how they can be used. We discussed the benefits of loose parts play with staff. While they had no knowledge of this approach, they demonstrated an understanding of the difference between a fixed purpose toy and an open-ended resource, or loose part, when this was explained to them.

The resources available did not motivate the children to develop their skills in understanding, thinking, investigation and problem solving through exploration and imaginative play. Inspiring Scotland and the Scottish Government's Loose Parts Play toolkit highlights the benefits of this type of play; 'Children learn best when they are able to play freely. They need to be able to use real resources in their play, as well as toys. Playing with a variety of loose parts assists with these approaches.' The resources available to the children limited opportunities for development and learning.

Improvements to the general cleanliness of the physical environment and resources as well as increased awareness of good practice in relation to hand hygiene were necessary. This is to ensure children experience an environment that is clean, tidy and well maintain, and where potential cross contamination is minimised.

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We were concerned there was no evidence of risk assessments being carried out with regard to the physical environment or specific play opportunities; and staff lacked knowledge and understanding of the need to risk assess in order to measure any impact on children, including risk benefit within play experiences. This meant there was potential for children to be exposed to hazards which may cause harm or children may lack opportunities for risky play.

## Requirements

### Number of requirements: 1

1. Staff should be trained and supported to understand risk and risk benefits and develop a robust system of risk assessment identifying, hazards, risks and control measures.

This is in order to comply with the Social Care and Social Work Scotland Improvement Scotland (Requirements of Care Services) Regulation 2011 (SSI 2011/210), regulation 4- Welfare of users, in particular, regulations 4(1)(a) which state:

A provider must make proper provision for the health, welfare and safety of service users; and to ensure practice is in line with the Health and Social Care Standards which state: 'My environment is secure and safe.' (HSCS 5.16)

## Recommendations

### Number of recommendations: 1

1. It is recommended that the resources provided are reviewed to ensure they promote learning and development and a balance of opportunities for children. This should include reducing the amount of brightly colours, fixed use plastic toys and the increase of natural and open-ended resources.

This would ensure practice is in line with the Health and Social Care Standards which state: As a child, my social, and physical skills, confidence, self-esteem and creativity are developed through a balance of organised and freely chosen extended play, including using open ended and natural materials (HSCS 1.31).

**Grade:** 2 - weak

## Quality of staffing

## Findings from the inspection

Staff were welcoming and provided a positive atmosphere in the playroom. They were nurturing and responsive to the children. This meant children felt secure and settled in their care.

Staff had been introduced to some relevant best practice guidance; however, the provider acknowledged this was at a very basic awareness level which was not yet influencing practice.

The play opportunities provided by staff and their interactions with children did not reflect accepted best practice. Interaction helped children access resources and provided praise and encouragement. They were not focused on learning and development and did not demonstrate any skill to support learning or extended learning for children who needed more challenge. As a result, children did not experience a balance of organised and freely chosen extended play opportunities which effectively developed their skills, confidence, self-esteem and creativity. This impacted on their potential learning and development.

There was no consistent approach to staff support and supervision or to meeting staff professional development needs. This resulted in a staff that were not aware of current best practice and were not routinely reflecting on the quality of their practice.

Information available regarding the recruitment of staff was limited to a copy of their membership of the Protection of Vulnerable Groups scheme, also known as PVG. All PVG checks had been carried out within the last three years; the current recommended timeframe considered as good practice.

However, staff files did not contain employment references or evidence of qualifications. As a result, there was no evidence of the professional competence of workers. We were told that three of the six early years practitioners were qualified but could not verify this.

All social service workers, including those working in nurseries, are required to register with the Scottish Social Services Council or SSSC. This is the regulatory body for social services workers, that monitors the fitness to practice. This includes checking qualifications and post registration training and learning, to ensure ongoing competence, as well as investigating any allegations of professional misconduct. Only one member of staff was registered with the SSSC. As a result we could not have confidence that staff were trained, competent and skilled, were able to reflect on their practice or were following their professional codes.

## Requirements

**Number of requirements:** 0

## Recommendations

**Number of recommendations:** 0

**Grade:** 1 - unsatisfactory

## Quality of management and leadership

## Findings from the inspection

We were concerned about the lack of effective management and leadership in the service as detailed throughout this report.

Prior to this inspection visit, we received information which led us to consider the fitness of an identified member of staff and the company which provides the service. The information related to an order placed on the member of staff by their professional regulatory body. The service did not notify us of this order or the investigation which preceded it, as it should have done.

There was no evidence of any self-evaluation of care and support or monitoring of the wider aspects of providing a care service. This included evaluations of the environment, experiences and interactions as well as auditing of incidents and accidents, administration of medication or risk assessments. The lack of quality assurance systems indicated that the manager and directors who provide the service did not understand the importance of these processes or did not value the practice of self-evaluation and professional reflection.

Many policies and procedures used to guide practice were not reflective of current best practice guidance and relevant legislation. Examples of this included the confidentiality policy which referenced 'Scot's Law' instead the Data Protection Act 2018, and the European Union's General Data Protection Regulation, or GDPR; the behaviour policy which promoted the use of 'time out' and physical restraint when necessary.

The directors who were not responsible for the day to day management of the service demonstrated an awareness of the need for significant change to practice methods, management and leadership, and the underpinning values and vision of the service.

However, the regulatory history of the service has not demonstrated the provider to have actioned requirements and recommendations from previous inspections and complaint investigations. In addition, a number of expected processes including completion and submission of annual return, and notification of relevant events have not been followed. This gives us cause for concern and an improvement notice has now been issued, 23 July 2019, as part of the Care Inspectorate's enforcement procedures. Further information on our enforcement procedures can be found on our website [www.careinspectorate.com](http://www.careinspectorate.com).

## Requirements

### Number of requirements: 2

1.  
A robust system of quality assurance and monitoring should be developed that supports the evaluation of all areas of practice and wider elements of a care service.

This should include:

- the environment
- experiences for children
- staff interactions and interventions
- management of medication
- risk assessments
- incident and accident

This is in order to comply with the Social Care and Social Work Improvement Scotland (Requirements of Care Services) Regulation 2011 (SSI 2011/210), regulation 4 - Welfare of users, in particular, regulation 4(1)(a) which states: A provider must make proper provision for the health, welfare and safety of service users; and the Health and Social Care Standards which state 'I benefit from a culture of continuous improvement, with the organisation having robust and transparent quality assurance processes.' (HSCS 4.19).

2. All policies and procedures used to guide practice and provision should be reviewed to ensure they are based on best practice guidance and relevant legislation.

This is to ensure practice is in line with the Health and Social Care Standards which state: 'I experience high quality care and support based on relevant evidence, guidance and best practice.' (HSCS 4.11)

## Recommendations

**Number of recommendations:** 0

**Grade:** 1 - unsatisfactory

## What the service has done to meet any requirements we made at or since the last inspection

## Previous requirements

### Requirement 1

The provider must, after consultation with each service user and where it appears to the provider to be appropriate, any representative of the service user, within 28 days of the date on which the service user first receives the service, prepare a written plan ("the personal plan") which sets out how the service user's health, welfare and safety needs are to be met.

The provider must -

(a) make the personal plan available to the service user or any representative consulted under paragraph (1)

(b) review the personal plan when requested to do so and when there is a significant change in a service user's health, welfare or safety needs. The personal plan should be reviewed at least once in every six month period whilst the service user is in receipt of the service.

The provider must as part of the process build a competent picture of events for individual children recording all relevant issues affecting their health, welfare and safety, sharing these records with parents as appropriate.

This is to comply with SSI 2011/210 Regulations 5(1)(2)(a)(b) - Personal Plans.

Timescale: 31 March 2019



**This requirement was made on 30 January 2019.**

## Action taken on previous requirement

Insufficient progress has been made toward this requirement. This is now subject to requirements detailed in the improvement notice of 22 July 2019.

**Not met**

## Requirement 2

The provider must ensure at all times that suitable qualified and competent persons are working in the care service in such numbers that are appropriate for the health, welfare and safety of children. In addition to this the provider should make arrangements to ensure:

- staff knowledge and understanding of early childhood development and attachment theory is increased.
- 'Building the Ambition' best practice document is read, understood and put into practice by staff to enhance children's experiences and quality of care and support.
- a robust training plan should be developed and completed for all staff based on their individual areas for development of knowledge, skills and experience.
- staff increase their awareness of suitable deployment throughout the day in order to ensure children's needs are consistently met.
- there are enough staff to make sure children are cared for consistently by known adults with whom they have a relationship with every day.

This is to comply with SSSI 2011/210 Regulation 15(a) – Staffing and Regulation 4 (1) Welfare of Service Users

16 April 2018

**This requirement was made on 30 January 2019.**

## Action taken on previous requirement

This requirement was initially made on 03 April 2018. The report from the subsequent inspection on 30 January noted the following:

'The creation of a development manager should help to address the issues identified. However this requirement has been made again at this inspection – February 2019, as sufficient progress has not yet been achieved.'

As of this inspection, 18 July 2019, no further progress has been made and a development manager was not recruited. This is now subject to requirements detailed in the improvement notice of 22 July 2019.

**Not met**

## What the service has done to meet any recommendations we made at or since the last inspection

### Previous recommendations

#### Recommendation 1

Activities and resources should be provided to meet the needs of each child. This is to ensure care and support is consistent with the Health and Social Care Standards which state that, "As a child, my social and physical skills, confidence, self-esteem and creativity are developed through a balance of organised and freely chosen extended play, including using open-ended and natural materials". (Health and Social Care Standards 1.31).

**This recommendation was made on 30 January 2019.**

#### Action taken on previous recommendation

Insufficient progress has been made towards this recommendation which is reflected in the body of this report.

This is now subject to requirements detailed in the improvement notice dated 22 July 2019.

#### Recommendation 2

Children should have access to daily outdoor play. This is to ensure care and support is consistent with the Health and Social Care Standards which state that, "The children should be able to choose to have an active life and participate in a range of recreational, social, creative, physical and learning activities every day, both indoors and outdoors". (Health and Social Care Standards 1.25).

**This recommendation was made on 30 January 2019.**

#### Action taken on previous recommendation

Children have access to the nursery garden and spend time here as planned by staff. Staff also make use of the local community including the library and parks.

This recommendation has been met.

#### Recommendation 3

The provider should ensure that the balance between child led and adult initiated play supports children to achieve their potential. This is to ensure care and support is consistent with the Health and Social Care Standards which state that, "as a child, my social and physical skills, confidence, self-esteem and creativity are developed through a balance of organised and freely chosen extended play, including using open-ended and natural materials." (Health and Social Care Standards 1.31).

**This recommendation was made on 30 January 2019.**

#### Action taken on previous recommendation

Insufficient progress has been made towards this recommendation which is reflected in the body of this report.

This is now subject to requirements detailed in the improvement notice dated 22 July 2019.

## Recommendation 4

Staff should undertake to develop knowledge, skills and understanding in early education and childcare and should consider best practice guidance such as:

- Building the Ambition <http://www.gov.scot/Resource/0045/00458455.pdf>
- My World Outdoors [www.hub.careinspectorate.com](http://www.hub.careinspectorate.com)
- My Creative Journey [www.hub.careinspectorate.com](http://www.hub.careinspectorate.com)
- Pre Birth to Three [http://www.educationscotland.gov.uk/Images/PreBirthToThreeBooklet\\_tcm4-633448.pdf](http://www.educationscotland.gov.uk/Images/PreBirthToThreeBooklet_tcm4-633448.pdf)
- How Good is Our Early Learning and Childcare <https://education.gov.scot/improvement/Pages/frwk1hgioearlyyears.asp>

This is to ensure care and support is consistent with the Health and Social Care Standards which state that, "I experience high quality care and support based on relevant evidence, guidance and best practice." (Health and Social Care Standards 4.11).

**This recommendation was made on 30 January 2019.**

### Action taken on previous recommendation

Insufficient progress has been made towards this recommendation which is reflected in the body of this report.

This is now subject to requirements detailed in the improvement notice dated 22 July 2019.

## Recommendation 5

We recommend the provider ensures a robust staff practice monitoring system is introduced and embedded into practice. This could include observation of staff practice and interactions with children, peer assessment and reflection using best practice documents such as "Building the Ambition" and "How Good is Our Early Learning and Childcare."

This is to ensure care and support is consistent with the Health and Social Care Standards which state that, "I benefit from a culture of continuous improvement, with the organisation having robust and transparent quality assurance processes. HSCS 4.19).

**This recommendation was made on 30 January 2019.**

### Action taken on previous recommendation

Insufficient progress has been made towards this recommendation which is reflected in the body of this report.

This is now subject to requirements detailed in the improvement notice dated 22 July 2019.

## Complaints

There have been no complaints upheld since the last inspection. Details of any older upheld complaints are published at [www.careinspectorate.com](http://www.careinspectorate.com).

## Enforcement

Please see Care Inspectorate website ([www.careinspectorate.com](http://www.careinspectorate.com)) for details of enforcement action taken against the service.

## Inspection and grading history

Date	Type	Gradings	
30 Jan 2019	Unannounced	Care and support	3 - Adequate
		Environment	3 - Adequate
		Staffing	3 - Adequate
		Management and leadership	3 - Adequate
26 Feb 2018	Unannounced	Care and support	3 - Adequate
		Environment	Not assessed
		Staffing	3 - Adequate
		Management and leadership	3 - Adequate
4 Dec 2017	Re-grade	Care and support	Not assessed
		Environment	Not assessed
		Staffing	Not assessed
		Management and leadership	3 - Adequate
16 Feb 2017	Unannounced	Care and support	4 - Good
		Environment	4 - Good
		Staffing	4 - Good
		Management and leadership	4 - Good

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