

Complaint report about Little Scholars Day Nursery CS2007157846

Case 2021112563

The complaints agreed for this investigation were:

1. On occasion the manager did not promote the aims of the service in relation to treating children and families with fairness, equality, and respect, when offering placements to prospective parents.

[REDACTED]

In order to investigate the complaint we visited the service on 17 August 2021, 30 August 2021, 31 August 2021

The service had no prior warning of our visit.

Method of investigation

We spoke with:

The complainant [REDACTED]
the service manager
the service depute manager
the provider
one room senior
a parent who previously used the service.

We looked at:

Five fictitious enquiries submitted to the service
sixteen genuine email enquiries received between September 2020 and August 2021
the statement from one parent who previously used the service
the "Children's Diary" including information about changes to children's placements
invoice charges related to changes in placements
placement projections August 2021 to September 2022
children's attendance registers May 2021 to August 2021

the Aims and objectives of the service
equality and diversity policy
current waiting list
admissions policy and admission application template
emails from 14 current parents confirming that they made verbal requests for placement changes, some at very short notice.

In addition we observed:

This investigation did not require any direct observations.

Our findings

Complaint 1. On occasion the manager did not promote the aims of the service in relation to treating children and families with fairness, equality, and respect, when offering placements to prospective parents.

Evidence to uphold the complaint

The complainant raised concerns that children were refused places at the nursery because of their ethnic group.

The complainant received a communication that indicated no place was available for his child on 11 May 2021. Yet a fictitious enquiry, submitted to the nursery on the same day in the name Kelly, was offered a place on 12 May 2021.

The service allege that on 12 May 2021 a verbal change of placement request was made which created availability. However, the complainant was not offered this available place and instead it was offered to the fictitious enquiry, Kelly.

The complainant organised the submission of four further fictitious enquiries to the nursery. Two enquiries in the names Shepherd and Blake. Two in the names Ahmad and Akhtar. Both fictitious enquiries, in the names of Ahmad and Akhtar were declined because no place was available on 20 May 2021 and 12 July 2021. While two fictitious enquiries submitted on 20 May 2021 and 12 July 2021 (Shepherd and Blake) were offered places on 15 June 2021 and 22 July 2021 respectively.

The admissions procedure was unsatisfactory and inconsistent. Records

confirm that places were offered to newer applicants without considering earlier enquiries or applications. This was an unfair approach. Although the service claimed to have a waiting list, no formal system was evident.

Similarly, between September 2020 and August 2021 there were 21 new enquiries, 12 were asked to complete a registration form while nine were not.

[REDACTED]

There was no accurate system to project or forecast placement availability to support the way enquiries were managed. Inaccurate information impacted on the quality of communication with prospective new families about available places.

There was no formal system to respond to or record when changes to existing placements were made. Information was predominantly exchanged verbally or by telephone. There were nine enquiries that were not responded to promptly. Emails confirm instances when enquiries remained unanswered for extended periods of time.

Emails also identified that there was, sometimes a poor response to enquiries.

[REDACTED]

Evidence not to uphold the complaint

[REDACTED]

A parent who previously used the service said their place was discontinued unfairly when the family temporarily stopped using the service. We found the placement was not held open because of the length of time away and a demand for places. This was a reasonable approach.

A fictitious enquiry was submitted in the name of Blake on 12 July 2021, the same date the service declined an application request from another fictitious applicant named Akhtar. There was a delay in replying to the Blake enquiry, but a place was offered on 22 July 2021.

The service allege that on 22 July 2021 changes requested by other families

created availability.

Fourteen emails from current families confirm frequent, and often short notice, change requests were received in May 2021 and June 2021.

The fictitious enquiry from an applicant named Akhtar was declined because the nursery cannot accommodate short-term applications due to demand for permanent places. This was a reasonable approach.

However, this was not explained to the fictitious applicant when the request was declined.

The children's diary contained information about requests to change days. On occasions these requests could not be accommodated.

Four invoices confirm changes to attendance patterns which created availability.

On occasion some children took longer than others to successfully transition, the service could not predict, with certainty, if a placement was available until each child was fully settled.

[REDACTED]

Administrative inconsistencies disadvantaged prospective children and parents. Systems were poor.

[REDACTED]

The provider strongly denied that applications or decisions were influenced by ethnic group. Management posts were not filled during a period of maternity leave, and this impacted on the way enquiries and placement requests were managed.

Conclusion

Some families were treated unfairly when enquiries were made to the service.

[REDACTED]. The

chaotic system for handling enquiries prevented the service from promoting their stated aims and objectives. Children and their families have a right to access services that are well led and managed effectively.

This complaint is upheld.

Please see requirement(s) 1.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This complaint is not upheld.

Requirements

Requirement 1

The provider must demonstrate, by 12 December 2021, that the service is being well led and managed. In order to achieve this the provider must ensure that:

- (a) Consistent and robust systems are introduced to manage admission requests so that these are processed in a transparent and equitable manner and in line with the aims and objectives of the service.
- (b) The management team is fully resourced.
- (c) Communication with prospective families is improved to demonstrate that applicants are treated in a courteous and respectful manner. People must receive the right information.

To be completed by: 12 December 2021

This is to ensure care and support is consistent with Health and Social Care Standard 4.23: I use a service and organisation that are well led and managed.

This is in order to comply with:

Regulation 4(1)(a) of The Social Care and Social Work Improvement Scotland
(Requirements for Care Services) Regulations 2011 (SSI 2011/210)