

# Are you compliant... or just hopping mad?



Sarah Steel kicks off our first column focusing on current issues by sharing with readers the consequences of reporting to Ofsted that a staff member had given a child medicine at the wrong time

It is now a year since the sector started to experience problems caused by complaint-driven inspections from Ofsted. Numerous column inches have been written on the subject, not to mention unprecedented action co-ordinated by social media networks. For anyone who has missed it, a good summary of the year's co-operative action by the sector is available at [www.ofstedbigconversation.co.uk](http://www.ofstedbigconversation.co.uk)

I started the year by following the discussions, but really became engaged when we received an inspection at our Gloucester nursery, which was brought forward because of a compliance issue on 12 September 2011, when a staff member gave a child medication at the wrong time. We reported it to Ofsted at the time, received a compliance visit, actioned all concerns and carried on. In March 2013, a full inspection took place, with particular emphasis on checking how we had embedded changes from the compliance issue, and the inspector graded us good in all areas.

## Not satisfactory at all

Sadly, a week later, a phone call from the same inspector followed, and she told us that Tribal had quality-assured her report, and said that, because of the compliance issue, we could not get a 'good', and the report would be downgraded to satisfactory. I completed the online phase 1 complaint process, and it took several weeks to get a response, which upheld the 'satisfactory' grading.

I then completed the phase 2 complaint online, explaining again exactly what had happened. I was told I would have a decision by 1 September (despite the fact the report had been published by early April), but, at this stage, I was told

that Ofsted had given themselves an extension as they were busy.

## Reinstated - eventually

To be honest, by December, I had given up hope of any outcome. So, I was really surprised to get a very wordy letter from Ofsted, which I had to read twice to digest: our appeal has been upheld, as the investigation showed that the actions from our compliance issue had been well-embedded and the judgements the inspector made on the day did support a 'good' grade.

Clearly, it is a good result for us, but we have had seven months of being publicly listed as a satisfactory (now 'requires improvement') setting, which has not helped occupancy. The whole process has been lengthy and unwieldy, and requires considerable persistence.

I felt that the response from Ofsted was more about how the process had been carried out than quality, and have resolved to view future dealings with Ofsted as I do employment law issues, making sure

that I have followed the letter of the law, rather than the spirit, which is surely not the optimum approach for our children.

A knock at the door should be welcomed as a chance to celebrate what we do well and review how we can continue to improve, rather than seen as a visit from the big, bad wolf, where we avoid discussing or displaying anything that we think is less than perfect for fear of downgrading.

## Stronger together

So, do I have any advice for anyone in a similar position? Not really, apart from the benefits of perseverance. I can't really pretend to understand how the various judgements were made, but I do know that, as a sector, we need a much more collaborative relationship with Ofsted.

Regional meetings with Ofsted are underway as part of the Ofsted Big Conversation. So, make sure you are part of it, and we may finally be heard. ■

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