

# Early years inspection handbook

Handbook for inspecting registered early years provision required to deliver the Early Years Foundation Stage

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This guidance is for inspectors conducting inspections under sections 49 and 50 of the Childcare Act 2006. It sets out what inspectors must do and what early years providers can expect, and provides guidance for inspectors on making their judgements. It is for use from 1 April 2015.

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## Introduction

1. This handbook describes the main activities undertaken by inspectors conducting inspections under sections 49 and 50 of the Childcare Act 2006 and covers the period from the time the inspection is arranged to the publication of the report. It also sets out the judgements that inspectors will make and on which they will report.
2. The handbook has two parts.
  - Part 1: How early years provision will be inspected  
This contains instructions and guidance for inspectors on the preparation for and conduct of early years inspections.
  - Part 2: The evaluation schedule  
This contains guidance for inspectors on judging the quality of education and care provided by the early years provision they inspect, and sets out the main types of evidence they collect and analyse.

## Part 1: How early years provision will be inspected

### The time available for inspection

3. The amount of time spent on inspection and the number of inspectors that are deployed will depend on the size and complexity of provision. When inspecting a **childminder**, the inspector will normally be on the premises for about three hours. For **group provision**, which operates restricted hours, it is likely the inspector will be present for around four hours. Where provision is open for longer than this, the inspection usually takes at least six hours, and sometimes longer if the provision is very large.
4. Where a person is registered on both the Early Years and the Childcare Registers, inspectors should inspect the early years provision and, at the same time, ask the provider, or the person-in-charge, to confirm that the later years provision complies with the Childcare Register requirements. Inspectors should ask the provider or manager to confirm compliance even if there are no relevant children on roll or present at the time of the inspection.

### Notification of inspection

5. **Group providers** normally receive no notice of the inspection. **Childminders** or group providers that do not operate regularly, such as summer play schemes, will usually receive a call no more than five days before the inspection to check which days they are operating and whether there are children on roll and present. The inspector must not specify the date of the inspection, but should indicate the time by when the inspection will start. This will allow the childminder to leave the house if the inspector has not arrived by that time. Even if there are no children on roll or present, the inspection must go ahead, and will not be rescheduled/deferred.
6. Where inspections are prioritised because of concerns, Ofsted will normally carry out inspections, without notice, within five days. If the provider is not present on the first unannounced attempt, the inspector should telephone the provider to agree an inspection window within the five days. The inspector should not give details that the inspection is the result of a concern. This must only be discussed at the inspection.

### Priority inspections

7. We carry out a priority inspection when we receive information that suggests a provider may not be meeting requirements, and where our risk assessment identifies that the threshold for a priority inspection has been met. Further information on the thresholds we apply is in the 'Early childhood compliance handbook'<sup>1</sup>. A priority inspection is a full inspection of all the matters set out in

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<sup>1</sup> [Early childhood compliance handbook](#)

parts 1 and 2 of this document. Inspectors must use the grade descriptors in the evaluation schedule as a guide to reach their inspection judgements, using both what they see on the day of the inspection and what they know about the provider. We deal with any non-compliance in line with the evaluation schedule and the guidance outlined in this handbook.

8. Generally, there are two main types of concern. The first relates to a matter of fact that the provider does not dispute. In these cases, the provider may have notified Ofsted of an incident in accordance with regulations or, where they have not, accept that the incident occurred. Although the inspector is carrying out an inspection and not investigating the matter, they should pursue lines of enquiry around whether the incident was preventable, any lessons learned and subsequent action taken to reduce risks. The evidence gathered in relation to these lines of enquiry will form part of the overall judgements that inspectors make against the evaluation schedule.
9. The second relates to a situation where a parent or other person makes an allegation about an incident and the provider denies it happened or denies it happened in the way the parent/other person has described. Where there is a clear difference of opinion, the inspector should focus on observations on the day of the inspection and whether these lead to any concerns about compliance. For example, if the concerns relate to excessive crying in the baby room, the inspector should make sure that they visit the baby room during an introductory tour and note in their inspection plan that they will spend particular time observing in this room. They may also want to check that the staff for that room present during the inspection are the regular staff and talk to parents and carers of children in that room.
10. Where an incident is confirmed as having occurred, the inspector must consider:
  - the provider's attitude to the incident
  - the provider's compliance with requirements, such as notifying the incident to Ofsted
  - whether this was a one-off incident or whether there are other examples of recent incidents or non-compliance associated with the setting
  - the provider's willingness to learn lessons from any incident and any improvements they have made between the time of the incident and the inspection, and provide clear evidence to supported these improvements made. A stated intention from the provider to make changes is not sufficient to make a judgement of good or better for leadership and management
  - compliance during the inspection and the quality of risk assessments, staff induction and professional development.

11. There are no pre-determined or 'limiting' judgements for priority inspections and the provision may be good or better where the evidence supports this judgement even if the inspection is as a result of possible non-compliance. Notification of an incident to Ofsted and using it to consider further improvement is generally a sign of a responsible provider. Inspectors must take full account of the history of the provision as well as any weaknesses identified, in reaching the overall judgement.
12. Where a serious incident occurs and other agencies are involved, Ofsted will consider whether to carry out a full inspection of the provision on conclusion of investigations. This is particularly important where, in the course of the investigations, the inspector has reached the view that the provider's previous inspection judgement is no longer appropriate.

### **Before the inspection**

13. When planning for inspection, the inspector must check:
  - which register/s the provider is on. Where the inspector makes contact with the provider before the visit, s/he must confirm the registration details. If there is any uncertainty about the registration, the inspector should contact the Applications, Regulatory and Contact Team (ARC) and delay carrying out the inspection until the matter is resolved
  - the accuracy of the information about individuals connected with the registration. If the inspector makes contact with the provider before the inspection, s/he may check the accuracy of these details during the telephone call
  - all the information provided on the Provider Information Portal (PIP) or through the pre-inspection pack, including any current investigations or previous concerns
  - whether any information has been received since the date of registration or the last inspection
  - the previous report(s) and any other published information, such as outcome summaries and monitoring letters
  - the provider's self-evaluation where available
  - whether the provider has a webpage, which may give useful details about the provision and may give access to self-evaluation information or improvement plans.
14. The inspector should record lines of inspection enquiry, any concerns that have been raised and the main inspection activities they expect to cover in their toolkit. Lines of enquiry should include any relevant issues from their review of the pre-inspection information or those that they have specifically been asked to follow up. This includes any issues identified in the risk assessment action plan where the inspection is prompted by a concern. The inspector may wish to modify this note in the light of preliminary discussions with the provider.

15. The inspector must update the information about the setting and agree it with the provider.
16. The inspector should discuss any concerns about safeguarding with their line manager.

## Safeguarding

17. It is **essential** that inspectors are familiar with the content of the Statutory Framework for the Early Years Foundation Stage (EYFS)<sup>2</sup> and Working together to safeguard children, 2013.<sup>3</sup>
18. If, during the course of an inspection, a safeguarding issue comes to light, inspectors must follow procedures set out in the document 'Safeguarding children and young people and young vulnerable adults policy'<sup>4</sup>. In the event of concerns or queries the following telephone number is available to inspectors: Ofsted helpline (0300 123 4234).

## During the inspection

### Arrival

19. On arrival at the provision, inspectors must introduce themselves and show their identification. The inspector should ask the manager to contact the provider or the nominated person, if they are not present on arrival, to make them aware of the inspection and provide an opportunity to be present during the inspection and/or feedback.
20. The inspector must allow the provider and/or nominated person to contact Ofsted or the inspection service provider to confirm the identity of the inspector if they wish to do so. In group settings, the inspectors must ensure that the provider has been informed of their arrival.
21. The inspector should meet briefly with the provider or their representative and/or the manager to:
  - confirm any changes to the information about the setting
  - request information about staff absence, children on roll and other practical issues
  - ask the provider to display the notice of inspection so that parents are aware an inspection is taking place

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<sup>2</sup> Statutory Framework for the Early Years Foundation Stage (EYFS)

<sup>3</sup> Working together to safeguard children, Department for Education 2013;  
[www.gov.uk/government/publications/working-together-to-safeguard-children](http://www.gov.uk/government/publications/working-together-to-safeguard-children).

<sup>4</sup> Safeguarding children and young people and young vulnerable adults policy'



- make arrangements to talk to parents – this may be almost immediately if parents are present
- make arrangements for a longer meeting at a convenient time with the provider and/or nominated person/manager
- refer the provider to any concerns that have led to the inspection being prioritised, but should be mindful of the need to maintain confidentiality and to protect sensitive information, for example personal information about the person who has raised the concern.
- check staff qualifications and record them in their toolkit
- agree a timetable for inspection activities, including joint observations
- ask for the provider's self-evaluation if the provider has not submitted a self-evaluation form to Ofsted, or where they have done so, confirm with the provider the date the form was completed
- ask the provider/manager about the different groups of children attending the setting to plan which children to track
- make arrangements for feedback to the provider and/or nominated person or the manager at the end of the inspection
- tour the premises, noting any matters that need to be followed up during the inspection
- confirm arrangements, in group provisions, for any additional meetings, for example with the special educational needs coordinator (SENCO) or person responsible for child protection.

### **Meeting with the provider and/or nominated person/manager**

22. The inspector must meet with the provider or the manager if the provider is not present. The inspector must consider the best time to hold the meeting with the provider. Normally, it should be early in the inspection so that the matters discussed can be followed up during the inspection.
23. Where the provision operates from one room or in the provider's home, it is expected that the meeting will take place when the children are engaged in activities and at appropriate times during the general observations. The inspector should be mindful that the provider will still have to supervise children and continue to meet their needs during the inspection.
24. Where the provider is not working directly with children and the meeting takes place in a room or office, it is expected to take no longer than one hour and in most cases will be much shorter to ensure that the main evidence is from direct observation.
25. Where the manager or nominated person has changed since the last inspection, the inspector must ensure that the provider meets the requirements of the EYFS. The inspector should find out whether the roles and responsibilities of

the provider and manager are clear. The inspector should also make sure the provider understands that legal accountability cannot be delegated to the manager.

26. Inspectors should follow up any compliance issues, relating to requirements of the Childcare Register that arise from the interview, with the manager or during the course of the early years inspection. This is likely to be straightforward when the children in the early years and the later years age groups are cared for together by the same people, for example in childminding or childcare on domestic premises settings. In these circumstances, evidence of Childcare Register requirements regarding suitability, premises, ratios, qualifications and safeguarding procedures is likely to emerge during collection of evidence for the leadership and management of the EYFS provision.
27. In some settings, children of different ages may be cared for separately and by different people; for example, a nursery may provide out-of-school care in a different part of the building with different staff. In these circumstances, inspectors should spend a short period of time in the later years provision to make sure requirements are met and put into practice.

### **Gathering and recording evidence<sup>5</sup>**

28. The inspector must spend as much time as possible observing a wide range of activities and care routines, talking to practitioners and children about what they are doing and evaluating children's understanding and engagement in learning. In setting up the inspection, the inspector should involve the provider and explain how and where evidence will be gathered.
29. The inspector must record their evidence during the inspection and before judgements are fed back to the provider. The inspector may choose to record evidence electronically or in handwritten notes. Recorded evidence should be clear, precise, evaluative, and capture facts about the setting.
30. Individuals can be named in inspection evidence if it is necessary for the inspector to identify them. This may be, for example, to pursue and document particular lines of enquiry in evidence related to those individuals and to avoid them being confused with others. The inspector should also highlight and/or identify any information that has been provided 'in confidence', but, in these circumstances, should carefully consider whether it is necessary to identify the person who has given the information.
31. Inspectors should make sure their evidence refers to the concern(s) that caused the inspection to be prioritised, where applicable.

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<sup>5</sup> Evidence is drawn from past history, observation, talking with children and adults - including parents - and scrutiny of documents.

## **Judging progress**

32. Any evaluation of children's progress towards the early learning goals must be judged in relation to their starting points, their individual needs, how long they have been at the provision and how often they attend. The inspector should examine the information that the provision gathers about what children know, can do and enjoy when they start to attend. Evidence of starting points can also be gained by talking with staff and parents about the level of children's social, communication and physical skills on entry, and, importantly, by observing children new to the provision.
33. The inspector must use the evidence to evaluate how well the provider and practitioners know about, and understand, the progress children are making towards the early learning goals. The inspector must judge whether adults have appropriately high expectations for children.

## **Observations of activities and care routines**

34. Observations enable inspectors to evaluate the quality of teaching and care practices. They can judge the contribution practitioners make to children's learning and progress, and safety and well-being, especially, the quality of adults' interactions with children of different ages.
35. The inspector should observe whether adult interactions are merely concerned with supervising and caring for children, or whether adults motivate children, encourage them to be independent and support them to manage their personal needs relative to their ages. In particular, the inspector should evaluate whether adults' questions challenge children to think and find out more by encouraging them to speculate and test ideas through trial and error. They should also assess whether adults model language well, develop children's ability to express their ideas and extend their use of new words. The inspector should identify what children can do by themselves and what they can do when supported by a practitioner.
36. Equally important are times when practitioners leave children alone to explore, make their own discoveries, solve problems and learn skills through self-initiated play. The inspector should evaluate the skill of practitioners by observing how and when adults intervene in children's play.
37. The inspector should not routinely expect to see detailed written plans for the activities they observe, although they must look at plans when they are offered by practitioners. The inspector should focus on the overall quality of the approach and whether the planning, interventions and evaluation of activities ensure that there is a consistent approach to teaching and learning. This will enable them to identify the most important areas for improvement in relation to children's learning and progress.

38. The inspector should talk with children and adults as appropriate. Much can be achieved through incidental conversations prompted by what is observed, although the inspector should take care not to interrupt the flow of activities.
39. Inspectors must not advocate a particular method of planning, teaching or assessment. They will not look for a preferred methodology but must record aspects of teaching and learning that they consider are effective, and identify ways in which teaching and learning can be improved.

### **Case tracking**

40. In **group provision** the inspector must track a representative sample of children. As a minimum, the inspector must track two children. This number will increase where a provision has a wide age range of children, where children are in different rooms and/or where there are distinct groups of children. The inspector should identify children who have attended the provision for a reasonable period of time as this should mean that the provider has established the children's starting points and evaluated the progress they are making.
41. The inspector should decide which children to track, taking account of the particular groups attending the setting. They may include in the sample:
  - a baby
  - a funded two-year-old child
  - a boy and girl who are soon to transfer to school
  - children the provision identified as having differing abilities
  - a looked after child, if applicable
  - a child with disabilities and/or special educational needs
  - a child from a minority ethnic group
  - a child who speaks English as an additional language
  - a boy and/or girl from any groups who may be disadvantaged, for example the children of Travellers or asylum seekers.
42. If the setting takes children eligible for the early years pupil premium, one of them must be included in the sample.
43. Evidence from case tracking must include:
  - observation notes, assessment and planning for each child including the progress check for any children aged two
  - discussions with each child's key person and information about progress over time

- any records kept by the provision that show how they have tracked the progress children make, including any concerns about the children's development in the prime and/or specific areas of learning.
44. As **childminders** only have a small number of children, inspectors will not be able to track a sample of children in the same way. Nevertheless, they can follow the same principles for collecting evidence and evaluating the childminder's practice and its impact on children's learning and development and well-being.

### Types of observation

45. The inspector should not be constrained by a single model of observation. The inspector may engage in any of the following.
- Observations of a specific activity or age group of 20 to 30 minutes. These give the inspector the opportunity to see a number of practitioners and to gauge whether the seven areas of learning and development are shaping the educational programmes, as well as any difference in practice for children of different ages and/or abilities. In all observations, the emphasis should be on how effectively children's learning is being supported by teaching. Where children are three and/or four years of age the inspector should consider observing children's developing literacy skills and their readiness for school.
  - Tracking of a small group of children to assess their experiences at the setting. If possible, the inspector should identify a group that contains one or more children from the specific groups identified in the meeting with the provider in order to judge their experience, progress and learning and whether any gaps for these children are closing.
  - Longer observations of over 30 minutes – for example, in the baby room. The inspector may wish to conduct longer observations in order to assess care routines and activities and how well these are supporting children's secure attachments. The inspector may wish to carry out longer observations in order to capture the best practice, or to diagnose weaker areas of practice and provide detailed evidence to underpin recommendations for improvement.
  - Short observations of a number of activities. This approach is helpful where all the children are situated in one room and move around activities depending on their interests.

### Joint observations

46. In **group provision**, the inspector should always invite the provider, nominated person and/or manager to participate in one or more joint observations of activities, care routines and/or scrutiny of the progress children make. The inspector should be mindful of not 'overloading' the provider or senior staff member. The provider is at liberty to choose whether or not to

accept such opportunities. If the provider declines the opportunity this should be recorded in the evidence base along with the reason given.

47. Joint observations enable the inspector to:
  - gain an insight into the effectiveness of the provision's professional development programme for practitioners
  - assess the accuracy and quality of the provider's monitoring and evaluation of staff's practice
  - check how well the provider/manager recognises the effectiveness of staff's interactions with children and assesses how this supports and promotes the learning and development of all children.
  
48. The inspector and the provider should agree which activities/age groups/care routines to select for the joint observation. After the observation, they should discuss their views about the quality of practice in supporting children's care, learning and development. The inspector should not convey a view about the activity and/or care routine initially but should ask the provider for their view about its strengths, what would have made it better and how good it was overall.
  
49. Where the quality of practice is weak, it is important that the inspector talks to the provider about what has been observed. The inspector should also ask about the action the provider is taking, if any, to bring about improvement. After joint observations, the inspector and the provider should agree how to manage feedback to the practitioner and when this should take place. The inspector may ask the provider to give feedback to the practitioner(s) in order to evaluate the manager's assessment about the quality of practice observed. The inspector should include in their evidence any comments about the quality of the provider's evaluation and feedback.
  
50. Where **childminders** work alone, the inspector and childminder should jointly observe individual children and discuss their learning, progress and behaviour together as part of the activities that the children are engaged in. This is an effective method in assessing the childminder's understanding of the different levels of development and abilities of the children he/she is caring for. The inspector should engage in observation of a specific activity planned by the childminder, and discuss with the childminder the aims of the activity and the learning intentions. The inspector should follow this up with a further discussion about what the child has learnt and what the next steps in their learning should be. Where childminders have assistants, a joint observation of one assistant may be possible.

### The views of parents

51. Wherever possible, the inspector must seek the views of parents during the inspection, including any parents who ask to speak to them. This will contribute

to judgements about how well the provision works in partnership with parents in support of children's learning and development and the promotion of their well-being.

52. If the majority of children arrive at, or are collected from, the provision at a particular time the inspector should set aside time to speak to parents at that point. The inspector must ensure opportunities for speaking to parents are not missed.
53. If the timing of the inspection means it is not possible to gain the views of parents directly, the inspector must check how the provider obtains and uses the views of parents to improve their service. If there is no evidence in this respect, the inspector must consider whether the partnership with parents is good enough.

### Documentation

54. Childcare providers are expected to have written policies and procedures as set out in the 'Statutory framework for the Early Years Foundation Stage. **Childminders** are not required to have these in writing but must make sure that any assistants are aware of the required policies and procedures and can define them for parents and others when requested. All providers, including childminders, are expected to keep certain written records in English.
55. If providers ask at inspection whether they can keep documents off the premises, the inspector may agree to this as long as the documents can be made easily available by the end of any visit or inspection.
56. The inspector should record such agreements in their toolkit and arrange for this to be included in the comments for the next visit.

### Legislation other than EYFS

57. In addition to meeting the EYFS requirements<sup>6</sup> providers must also comply with other relevant legislation. This includes safeguarding legislation and legislation relating to employment, anti-discrimination, health and safety and data collection. Where the inspector identifies concerns that may also relate to other legislation s/he must notify the appropriate team in Ofsted, who will decide what action should be taken and whether there should be liaison with the appropriate agencies.

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<sup>6</sup> See the *Statutory framework for the Early Years Foundation Stage*, <https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>.

## Policies and procedures

58. The inspector **must** check **all** Disclosure and Barring Service<sup>7</sup> records and paediatric First Aid certificates. They must record in their evidence base that they have done so. The inspector must also record all staff qualifications, although there is no need to check all of these.
59. The inspector should also check a small sample of other policies, procedures and documentation, including:
- a selection of recruitment records (where applicable)
  - qualifications (to ensure ratio and qualification requirements are met and whether these in turn are having an impact on the quality of provision)
  - whether all staff have been trained to understand the setting's safeguarding policy and procedures and that the training enables staff to identify possible signs of abuse and neglect at the earliest possible opportunity and to respond in a timely and appropriate way
  - the arrangements for the deployment of practitioners
  - a sample of induction, training and professional development records
  - a sample of planning and assessment documents
  - the complaints record
  - the provision's self-evaluation where not already submitted to Ofsted.
60. The inspector may need to check additional documentation where: potential non-compliance is identified; the inspection has been prioritised because of a concern; or where new lines of enquiry have arisen during the inspection. In particular, if the lines of enquiry provided to the inspector as part of an inspection ask the inspector to review specific documents, the inspector must ensure they check these documents and record that they have done so in their evidence.

## Making judgements

61. The evaluation schedule, set out in part two of this handbook, sets out the judgements that the inspector must make and the aspects they should consider when doing so. The inspector must use professional judgement to weigh up the available evidence in each area and consider it against the descriptors to reach judgements that fairly and reliably reflect the quality of the early years provision.

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<sup>7</sup> Inspectors should be aware that legislative changes have resulted in DBS checks not covering all previous offences and cautions. They should familiarise themselves with the information at [www.gov.uk/government/news/dbs-filter-certain-old-and-minor-cautions-and-convictions-reprimands-and-warnings-from-criminal-record-certificates](http://www.gov.uk/government/news/dbs-filter-certain-old-and-minor-cautions-and-convictions-reprimands-and-warnings-from-criminal-record-certificates).



62. The inspector must ensure that they take account of the history of the provision in making their judgements. Inspection is not just about what the inspector sees on the day; it is also about the inspector's knowledge about this setting, including any concerns that have arisen and whether they still impact on the setting's compliance with requirements, and the effectiveness of improvement plans over time.
63. This is particularly relevant to inspections that have been prioritised. Inspectors must be rigorous and thorough in evaluating the impact of past events on how well the setting has and continues to meet the needs of all children. Where there is a concern that is a matter of fact, such as where a child has previously gone missing, inspectors must consider the impact on the judgements. Inspectors should weigh up what that issue shows about the provider's overall quality, particularly their leadership and management.
64. The inspector is not expected to check that each of the statutory requirements of the EYFS is being met. However, if in the course of collecting evidence the inspector finds that a particular requirement is not being met they should take this into account when reaching judgements.

### **Not meeting requirements**

65. Evidence that one or more of the statutory requirements are not being met should be reflected in the leadership and management judgement as well as in any other judgements where it has an impact on children's learning and development and/or safety and well-being.
66. Failure to meet statutory requirements would normally result in a judgement of inadequate but the inspector should reach their judgement in relation to the impact on children of the failure to meet requirements. If the inspector considers that a legal requirement is not being met, but the impact on children's safety and well-being and/or learning and development is not significant, then the inspector may judge the leadership and management of the provision as requires improvement. This is most likely to be the case where a provider does not have the required written documentation, but practice is effective and the provider understands the requirements.
67. If there is evidence that any areas of learning are not sufficiently covered or the quality of teaching is not sufficiently enhancing and promoting children's learning, inspectors should refer closely to the grade descriptors in the evaluation schedule and consider whether practice is inadequate or requires improvement.
68. Where a setting does not meet legal requirements at the time of the inspection, the inspector must take into account any previous non-compliance. A series of minor breaches which taken individually do not have a significant impact on children and/or a history of previous non-compliance in the same, or different, areas is likely to indicate either the provider's lack of knowledge of the

requirements or unwillingness to comply with them. In such cases, the inspector is likely to judge leadership and management to be inadequate because the provider has too little understanding of the statutory requirements.

69. A **minor administrative error**, such as where the certificate of registration has fallen from a wall and is not currently being properly displayed, which the setting can put right before the inspection is over, should not have a negative impact on the judgements. However, where the provider is not meeting a number of administrative requirements the inspector will need to consider whether, taken together, they suggest a wider weakness within the setting. If so then this is likely to have a negative impact on the judgement for leadership and management. The inspector **must** take more serious breaches into account when determining the judgements.
70. Inspectors should only pursue any issues about compliance with the Childcare Register requirements if evidence emerges during the course of the early years inspection that one or more of the Childcare Register requirements are not being met. This would normally be because the provider is also failing to meet the requirements of the EYFS.

### **Keeping the provider informed about the progress of the inspection**

71. The inspector should hold brief discussions with the provider to discuss emerging inspection findings. Any meetings with the provider should be recorded in the inspector's evidence.
72. Before the inspection is complete, the inspector should check again with the provider whether there is further evidence to take into account.
73. The inspector should seek to diagnose where improvements are needed and make recommendations about how the provision might improve. Where evidence suggests that the provision might be inadequate, the inspector should discuss this early on with the provider, taking care to avoid giving an impression that final judgements have been reached before the end of the inspection.
74. At the end of the inspection, depending on the size or layout of the provision, the inspector should invite the provider to meet briefly in order to:
  - discuss with the provider any inadequate or outstanding practice that has been seen
  - ensure that the provider understands how the evidence substantiates the judgements
  - allow the provider to raise any concerns, including those related to the conduct of the inspection or the conduct of the inspector
  - alert the provider to serious concerns that may lead to the provision being judged inadequate.

## **Discussion with the provider about actions or recommendations for improvement**

75. The inspector should ensure that the provider understands any actions or recommendations for improvement and that s/he has the opportunity to comment on the draft wording.
76. Actions and recommendations for improvement should be precise, specific and detailed, making it clear to the provider what they need to do to improve and tailored to the specific circumstances of the setting. Actions must be worded simply and clearly to help the provider understand what is required, so that they are completely clear on how to address them. Actions must include reference to the requirements in the EYFS but should not simply replicate the wording.
77. Recommendations must focus on areas of performance that are hindering the provision's improvement. If appropriate, recommendations may also focus on ways in which provision might maintain and further develop areas of good and outstanding performance.

## **At the end of the on-site inspection**

78. Inspection activity, including observations, should continue throughout the inspection visit. The inspector must set aside some time towards the end of the inspection to consider the evidence available and make the final judgements. The inspector must record final judgement grades and identify key points for feedback. The inspector should also ensure that time is set aside for the final feedback.
79. The inspector should consult their inspection service helpdesk or the regional regulatory team, as appropriate, before giving feedback if they have concerns about any of the judgements and must always do so before giving a judgement of inadequate.
80. The inspector should allow sufficient time to prepare for the feedback. They should make sure their evidence is clear and supports the judgements, and should provide examples that explain the strengths and weaknesses of the provision. Feedback notes must be consistent with the evidence and the content of the report and should cover the strengths and areas for improvement about:
  - how well the early years provision meets the needs of the range of children who attend
  - the contribution of the early years provision to the well-being of children
  - the effectiveness of leadership and management
  - actions and/or recommendations for improvement
  - any other main points.

## Formal feedback

81. Before leaving the provision, the inspector must give feedback on final judgements and findings to either the childminder or the provider of group provision. Where the provider/nominated person is not able to be present the inspector should feedback to the manager as the provider's representative. The inspector must not defer feedback to another day.
82. The inspector should ensure feedback is given using professional and objective language and should not include any remarks that may be personally damaging to the reputation of a member of staff.
83. Inspectors should decline any request to allow a recording to be made of the final feedback session.
84. The three principles listed below provide a process that is fair, objective and that supports the regulatory and inspection regime and allows the inspection, including the final feedback session to continue.

The person responsible for the setting and/or their representative can:

- attend the final feedback as stated
  - make their own notes or ask a person who has attended with them to make notes
  - use our complaints process for any grievances they wish to raise.
85. Before leaving the provision, the inspector must ensure that the provider is clear about the grades awarded for each judgement set out in the evaluation schedule. The inspector should:
    - refer to specific evidence where any grades are different from the provision's self-evaluation
    - state clearly if any areas are judged as inadequate and the reasons for this
    - explain the areas for improvement and be prepared to discuss these with the provider so that they understand what should or must be improved and the reasons why
    - state that the grades may be subject to change because of quality assurance checks and should, therefore, be treated as confidential until the provider receives a copy of the inspection report; however, providers should share the inspection findings with the local authority so that the local authority can provide them with appropriate support
    - where relevant, set out the next steps for provision judged as requires improvement or inadequate
    - provide information about the complaints procedure.

## Provision not meeting requirements

### *Requires improvement*

86. Provision judged as requires improvement is likely to have actions because it does not meet in full one or more of the legal requirements of the EYFS. The inspector must consider whether the reason the provision is not yet good, but is not inadequate, is because:

- it does not meet in full one or more of the learning and development requirements but this does not have a significant impact on children's overall progress in their learning and development (normally, this will be a failure to provide in full the educational programmes that help all children make progress towards the early learning goals)

and/or

- it does not meet in full one or more of the safeguarding and welfare requirements, but this does not have a significant impact on children's safety or well-being.

87. In each of these cases, the inspector should raise one or more actions for the provider to meet requirements.
88. The inspector must record clearly the nature of any failure and its impact on the care, learning and development of the children who attend. The inspector should assess carefully whether any failure to meet a requirement arises from a lack of knowledge or understanding by the provider (in which case a judgement of inadequate is appropriate).
89. Nurseries and pre-schools judged as requires improvement will normally be re-inspected within 12 months. They will have two years to get to good. A nursery or pre-school that has been judged as requires improvement at two consecutive inspections and is still not good at its third inspection is likely to be judged inadequate. This does not apply to childminders, childcare on domestic premises, before and after school care, holiday schemes or crèches.
90. If inspectors have significant concerns about the later years provision, they should either raise actions relating to the requirements that they judge are not met; or where necessary, discuss the appropriate course of action with ARC or the regional regulatory team, as appropriate.

### **Provision judged as inadequate**

91. If the inspector judges that the provision does not have an acceptable standard of care and learning, its overall effectiveness will be judged inadequate. The inspector must decide whether the provider has the capacity to put things right through non-statutory actions, or whether the failures are serious enough to warrant other enforcement action.

92. The inspector should raise actions where:

- the provider is not meeting one or more of the learning and development requirements and/or safeguarding and welfare requirements and this is having a significant impact on children’s learning and development and/or well-being and safety
- leaders and managers demonstrate an understanding of the requirements and show that they have the ability to make the necessary improvements without the need for statutory enforcement action **and** this is the first occasion on which the specific requirement(s) has not been met.

A notice to improve will be issued where actions are raised.

93. The inspector should arrange for a **welfare requirements notice** where there has been a breach of one or more safeguarding and welfare requirements, which has a significant impact on children and one or more of the following apply:

- leaders and managers do not demonstrate their understanding of how to meet the safeguarding and welfare requirements of the EYFS; and/or
- there have been previous occasions of non-compliance in relation to the same requirement or different ones; and/or
- actions relating to existing breaches of safeguarding and welfare requirements have not been completed satisfactorily; and/or
- the breach is so serious that the inspector judges the higher tariff of a welfare requirements notice is appropriate.

94. On making the judgement of **inadequate**, the inspector **must** consult with ARC or the regional regulatory team, as appropriate, where:

- there is evidence of any immediate risk to children or breach of any conditions placed on the registration
- previous concerns about the registered provision have not been dealt with in a satisfactory way by the provider, including the failure to take satisfactory action to meet actions and/or welfare requirements set at a previous visit
- application of Ofsted’s enforcement principles<sup>8</sup> shows that a welfare requirements notice is required
- there is a failure to notify Ofsted of a significant event and/or meet a condition of registration

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<sup>8</sup> There is more information on the enforcement principles and how to apply them in the decision-making section chapter of the [Early childhood compliance handbook](#) Ofsted, 2015;

- the inspector considers Ofsted may need to take other legal action, such as a cancellation or prosecution
  - the provider shows insufficient understanding of the responsibility to meet the safeguarding and welfare and/or learning and development requirements of the EYFS
  - the last inspection resulted in a judgement of inadequate overall effectiveness.
95. The purpose of the consultation with ARC or the regional regulatory team is to allow a professional exchange about whether enforcement action should be taken and what type, and the kind of monitoring that will be required. The 'Early childhood compliance handbook'<sup>9</sup> has more information about the enforcement options available, and the arrangements for following up enforcement activity. The discussion between the inspector and ARC or the regional regulatory team will determine what will be written in the inspection report about the enforcement action.
96. All provision judged inadequate will be re-inspected within six months. During the re-inspection process Ofsted may take further enforcement action if there is no improvement.
97. All provision judged inadequate with enforcement will receive a monitoring visit within 24 hours of the earliest date given on the notice for the completion of the actions where a welfare notice has been issued. The provision will be re-inspected within six months of the inspection at which it was judged inadequate.

### **Failure to notify Ofsted and/or meet conditions of registration**

98. It is an offence to fail to notify Ofsted of a significant event, or fail to comply with a condition of registration. Where the inspector finds such non-compliance s/he must refer to the 'Early childhood compliance handbook' and liaise with the ARC or the regional regulatory team, as appropriate. The inspector must also refer to any failure to notify an event in the leadership and management section of the inspection report.

## **Particular considerations**

### **Educational and philosophical approaches**

99. Ofsted does not have a preferred style of teaching. Providers do not have to work to a prescribed method of teaching. The choice of teaching methods is a decision for providers. The inspector will judge the quality of the provision in relation to the impact it has on children's learning, development and well-being.

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<sup>9</sup> [Early childhood compliance handbook](#)

100. Some provision will be exempt from some aspects of the learning and development requirements of the EYFS, and inspectors should find out if this is the case at the inspection after reviewing the associated paperwork.
101. Where provision subscribes to a particular approach – for example, Steiner,<sup>10</sup> Montessori<sup>11</sup> or High/Scope, or it adheres to a particular faith – inspectors must be familiar with this method and respect any cultural customs. Where relevant, inspectors should state the type of educational or philosophical approach used by the provider in the report section, 'Information about the setting'.

### **Provision that primarily educates children in their home language**

102. Childminders and group provision that primarily educates children in their home language must demonstrate to inspectors that childminders, providers and any assistants or staff have a sufficient grasp of English to ensure the well-being of the children in their care. For example, providers must demonstrate they can summon emergency help in English where necessary, keep certain records required by the EYFS in English and share them with inspectors. They must also be able to read and understand instructions such as safety instructions, information about the administration of medication and information about food allergies.
103. As part of the learning and development requirements, providers must also ensure that children have sufficient opportunities to learn and reach a good standard in English language during the EYFS. Practitioners must assess children's communication and language skills, and early literacy skills in English. Where children are not developing a good standard in spoken English or in their emergent writing and literacy skills in English, inspectors should consider the impact on children's progress and whether this leads to a judgement that the overall quality of the provision is inadequate.

### **Before/after school care and holiday provision**

104. Although providers who offer this type of care do not have to meet the learning and development requirements of the EYFS, inspectors will still need to make a judgement about how well the setting meets the needs of the range of children who attend. While providers are not required to deliver the educational programmes and monitor children's progress, children still need to develop skills that will enable them to learn effectively and be ready for school.

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<sup>10</sup> *Guide to the Early Years Foundation Stage in Steiner Waldorf Early Childhood settings* is available from the Foundation Years website: [www.foundationyears.org.uk/2011/10/guide-to-the-early-years-foundation-stage-in-steiner-waldorf-early-childhood-settings](http://www.foundationyears.org.uk/2011/10/guide-to-the-early-years-foundation-stage-in-steiner-waldorf-early-childhood-settings).

<sup>11</sup> *Guide to the Early Years Foundation Stage in Montessori Settings* is available from the Foundation Years website: [www.foundationyears.org.uk/2011/10/guide-to-the-early-years-foundation-stage-in-montessori-settings/](http://www.foundationyears.org.uk/2011/10/guide-to-the-early-years-foundation-stage-in-montessori-settings/).



105. While staff may not be required to have any specific qualifications, inspectors will need to observe the quality of interactions between practitioners and children and ascertain practitioners' understanding of how children learn.

## **No children on roll or present**

106. Some childcare providers and childminders may have no children on roll either because they are not operating fully at the time the inspection is due or because children are not present on the day of the inspection, even though they have children on roll.
107. In both circumstances, the inspection will go ahead and not be deferred. However, if it becomes clear during the initial telephone call that the provider only cares for children on certain days or part-days of the week, the inspection should be scheduled on one of the days when children will be present.
108. Where there are no children on roll, the inspector must make it clear at the start of the inspection (or during the telephone call to announce the inspection) that they will not make a judgement about the children's achievement and the quality of teaching and learning for children who would be in the setting. Therefore, the inspection will not be a full inspection but will be a check that the provider continues to be suitable to remain registered. The four key judgements will not be graded. The inspector will only make a judgement of 'Overall quality and standards of the early years provision' with only three possible outcomes:
- met
  - not met – actions
  - not met – enforcement action.
109. Where a judgement is 'met', the inspector will not make recommendations.
110. In instances where the provider does not meet one or more of the learning and development requirements or safeguarding and welfare requirements, the inspector must consider a judgement of 'not met' and either issue a 'notice to improve' or consider enforcement action. In these cases, it is important that inspectors follow the guidance for making inadequate judgements.
111. The majority of inspections under this approach will be of childminders; a small number will be childcare providers. The main purpose of inspection is to fulfil our legal requirements to inspect registered providers within a particular period and report in writing on certain matters. The inspection will report on whether the provider continues to demonstrate suitability to remain registered on the Early Years Register (and the Childcare Register if applicable).
112. For these inspections, the inspector must assess whether the provider:
- has premises suitable to educate and care for children

- is able to demonstrate sufficient understanding of the EYFS
- is able to meet the care, learning and development needs of each child they may care for.

Providers must also confirm that they meet the requirements of the Childcare Register, if applicable.

113. The provider must demonstrate how they will:

- meet the learning and development requirements and safeguarding and welfare requirements
- develop and deliver the educational programmes
- identify children's starting points and ensure that children make progress in their learning through effective planning, observation and assessment
- safeguard children
- work in partnership with parents and carers and others
- offer an inclusive service
- evaluate their service and strive for continuous improvement.

114. The provider should tell the inspector how they have addressed any actions and/or recommendations from the last inspection and how this will improve the provision for children's care and learning.

115. If during the course of the inspection, the provider decides to resign from the Early Years Register and only remain registered on the Childcare Register, the inspector must collect sufficient evidence of compliance with the Childcare Register requirements by referring to the relevant factsheet 'Requirements for the Childcare Register: childminders and home childcarers' or 'Requirements for the Childcare Register: childcare on domestic and non-domestic premises'.<sup>12</sup>

## After the inspection

### The inspection report

116. The inspector must write the report immediately after the inspection. The text, balance and tone of the report should reflect the quality of the provision and the leadership and management.

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<sup>12</sup> *Requirements for the Childcare Register: childminders and home childcarers*, Ofsted, 2013; [www.ofsted.gov.uk/resources/080161](http://www.ofsted.gov.uk/resources/080161) and *Requirements for the Childcare Register: childcare providers on non-domestic or domestic premises*, Ofsted, 2013; [www.ofsted.gov.uk/resources/080143](http://www.ofsted.gov.uk/resources/080143).

117. The inspector must ensure that all judgements are supported by robust evidence and that the way in which the inspection is conducted is beyond reproach. Inspection reports will be quality assured before being sent to the provider.

118. Guidance on the content and structure of the report can be found in 'Reporting requirements'<sup>13</sup> published on our website.

### **Other matters to be completed following an inspection**

119. As well as completing and submitting the inspection report and evidence, the inspector must notify Ofsted of the following:

- the number of places the registered provider offers and the ages of children attending (this must be done by updating the grid for numbers and ages of children)
- the number and levels of qualifications held by staff at the setting
- any previous actions that are complete and need closing
- any new actions or recommendations
- any changes to the people connected with the registration (the inspector must include any failure to notify Ofsted of changes)
- any errors in the registration details, including those that relate to the registered person and the registers on which the provider is placed.

### **The evidence base for the inspection**

120. The electronic toolkit is the main record of evidence for the inspection and may be scrutinised for retrieval, for quality assurance monitoring, as a source of evidence in the event of a complaint and where a Freedom of Information request is received.

121. The evidence base for the inspection must be retained for the period of time specified in Ofsted's Handling and retention of inspection evidence guidance.<sup>14</sup> This is normally six months from the date of publication of the inspection report.

### **Quality assurance and complaints**

122. The inspector must ensure that all judgements are supported by the evidence gathered and recorded. Some inspections are quality assured by HMI or ISP

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<sup>13</sup> <https://www.gov.uk/government/publications/report-template-for-early-years-inspections-with-guidance>

<sup>14</sup> *Handling and retention of inspection evidence (100122)*, Ofsted, 2010; [www.ofsted.gov.uk/resources/100122](http://www.ofsted.gov.uk/resources/100122).

managers. The purpose of such external visits will be explained to the provider at the start of the inspection.

### **Handling concerns and complaints during the inspection**

123. To ensure that inspection is productive and beneficial, it is important that the inspector and the provider establish and maintain appropriate working relationships based on courtesy and professional behaviour. Inspectors are expected to uphold the code of conduct.<sup>15</sup>
124. If a provider raises a concern about the inspection while it is taking place, the inspector should consider it and assess its validity. If the concern is found to be justified, the inspector should do what is possible to redress the problem, seeking advice from the inspection service provider, or regional regulatory team, where necessary. Any concerns raised and actions taken to redress any problems should be recorded in the inspector's evidence.
125. If the provider is dissatisfied with the inspector's response, or wishes to take the complaint further, the inspector should ensure that the provider is informed of the procedures for making complaints.

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<sup>15</sup> *Framework for the regulation of provision on the Early Years Register.* (120288), Ofsted, 2014; [www.ofsted.gov.uk/resources/120288](http://www.ofsted.gov.uk/resources/120288).

## Part 2: The evaluation schedule – how early years provision will be judged

126. We inspect early years providers in order to judge the quality and standards of the care, learning and development of children – these standards are in the Statutory Framework for the EYFS<sup>16</sup>. For ease, this evaluation schedule uses the terminology of the statutory framework.

127. This evaluation schedule is for use during inspections of registered early years provision carried out from 4 November 2013.

It sets out:

- the judgements that inspectors will make and report on
- the aspects of the registered early years provision that inspectors will evaluate
- outline guidance about the evidence that inspectors may gather (this is not exhaustive; it is intended to guide inspectors on the range and type of evidence they might collect)
- grade descriptors to guide inspectors in making their judgements in the inspection of registered early years provision.

128. It should not be used to inspect early years provision in maintained and independent schools that is not registered, or provision registered on the Childcare Register.

129. The evaluation schedule must be used for all inspections of early years provision registered under the Childcare Act 2006 in conjunction with the guidance set out in Part 1 of this document – ‘How early years provision will be inspected’.

### Inspection judgements

130. Inspectors will judge the overall quality and standards of the early years provision, taking into account three key judgements:

- how well the early years provision meets the needs of the range of children who attend
- the contribution of the early years provision to children’s well-being
- the leadership and management of the early years provision.<sup>17</sup>

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<sup>16</sup> *Statutory framework for the Early Years Foundation Stage 2014*, DfE, 2014;

<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>

<sup>17</sup> Throughout this document, ‘leadership and management’ includes childminders as leaders of their own provision. Where appropriate, any reference to staff also relates to childminding assistants.

131. Inspectors must apply professional knowledge and experience when using the criteria. They must take account of the context of the provision inspected, in particular children's ages, stages of development, the amount of time children spend at the setting each week, and the length of time they have been attending the setting.
132. In all inspections, inspectors must keep the 'bigger picture' in mind as well as the evidence gathered during the inspection. They must consider the previous history, present state and future plans of a setting when coming to their overall judgement.
133. Inspectors should weigh up the evidence in a particular area and consider it against the descriptors for outstanding, good, or inadequate before making a professional judgement as to which set of descriptors best fits the evidence available. They must be clear both why the evidence meets those descriptors and the reasons why it does not meet the sets above or below. When evidence indicates that **any** of the bullet points in the descriptors for inadequate apply, that aspect of the early years provision **must** be judged inadequate.
134. Inspectors consider the evidence from the whole evaluation schedule when making the overall judgement on the quality and standards of the early years provision.

## Meeting individual children's needs

135. Inspections focus on how well individual children benefit from their early years' experience. It is important to test the provider's response to individual needs by observing how well they help **all** children to make effective progress, especially those whose needs or circumstances require particularly perceptive intervention and/or additional support.

## Descriptors and guidance

### How well the early years provision meets the needs of the range of children who attend

136. Inspectors must evaluate and report on:
- the impact of what practitioners do on children's learning and development; whether children make the best possible progress taking into account their starting points and capabilities, the length of time they have been at the setting, and how often they attend; and how well they are prepared for school or the next steps in their learning.

## Criteria

137. When evaluating how well the provision meets the needs of the children who attend, inspectors must consider:

- the extent to which educational programmes for the prime and specific areas of learning<sup>18</sup> help all children to reach the level of development typical for their age<sup>19</sup> and, if not, the reasons why they do not
- the extent to which all children are supported to acquire the skills and capacity to develop and learn effectively, and to be ready for the next stages in their learning, especially school (where applicable)
- how well practitioners demonstrate high expectations, enthuse, engage and motivate children
- how well teaching strategies, together with support and intervention, match individual children's needs and ensure that they make good progress<sup>20</sup>
- how well practitioners: work with parents to help children to settle; engage parents in their children's development and learning in the setting and at home; help parents share what they know about their children; and keep parents informed about their children's achievements and progress.<sup>21</sup>

## Evidence

138. The main evidence comes from inspectors' direct observations of the way in which children demonstrate the key characteristics of effective learning:<sup>22</sup>

- playing and exploring
- active learning

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<sup>18</sup> The prime areas of learning are: personal, social and emotional development; communication and language; and physical development. The specific areas of learning are: literacy; mathematics; understanding the world; and expressive arts and design.

<sup>19</sup> Inspectors may find it helpful to refer to *Early years outcomes*, DfE, 2013: a non-statutory guide for practitioners and inspectors, to help inform understanding of child development through the early years; [www.gov.uk/government/publications/early-years-outcomes](http://www.gov.uk/government/publications/early-years-outcomes).

<sup>20</sup> Teaching should not be taken to imply a 'top down' or formal way of working. It is a broad term which covers the many different ways in which adults help young children learn. It includes their interactions with children during planned and child-initiated play and activities: communicating and modelling language, showing, explaining, demonstrating, exploring ideas, encouraging, questioning, recalling, providing a narrative for what they are doing, facilitating and setting challenges. It takes account of the equipment they provide and the attention to the physical environment as well as the structure and routines of the day that establish expectations. Integral to teaching is how practitioners assess what children know, understand and can do as well as take account of their interests and dispositions to learning (characteristics of effective learning), and use this information to plan children's next steps in learning and monitor their progress.

<sup>21</sup> Throughout this document 'parents' should be taken to refer to parents and/or carers.

<sup>22</sup> *Statutory framework for the Early Years Foundation Stage 2014*, DfE, 2014.

- creating and thinking critically

and their evaluation of how practitioners' teaching facilitates children's learning.

139. Direct observation should be supplemented by a range of other evidence to enable inspectors to evaluate the impact that practitioners have on the progress children make in their learning. Such additional evidence should include:

- evidence of assessment that includes the progress of different groups of children:
  - assessment on entry, including parental contributions
  - two-year-old progress checks (where applicable)
  - on-going (formative) assessments, including any parental contributions
  - the EYFS Profile (where applicable) or any other summative assessment when children leave
- evidence of planning for children's next stages of learning based on staff assessment and a secure knowledge of the key characteristics of learning and children's development. Inspectors should consider the impact of staff knowledge, qualifications, training and expertise on their practice and children's learning and development.
- evidence from observations, including:
  - the inspector's own observations of children's responses to the range of activities they take part in
  - joint observations with managers or early years professionals
  - any evidence of practitioners' observations
  - ways in which communication and language are developed and literacy taught
  - the quality and timeliness of adults' interventions how well any learning that children demonstrate is built upon by the adults working with them
- the inspector's tracking of selected children that shows:
  - the development levels at which the children are working, including whether they are exceeding, reaching, or are likely to reach typical levels of development for their age
  - whether children are developing skills in the prime areas that help them to be ready for school
  - an evaluation of the accuracy and rigour of the provision's assessments and the extent to which children's next steps in learning are well planned



- discussions with practitioners, key persons, and managers to establish:
  - whether children are performing at typical levels of development and whether children who are disadvantaged or underperforming are catching up quickly
  - how well the provider and practitioners know and understand the EYFS learning and development requirements
  - their plans for reviewing children’s progress at age two
  - whether practitioners can reliably identify children whose learning and development is not at a typical level for their age, and what actions they have taken to ensure those children make sufficient progress
  - any changes made to activities, resources, routines and/or the environment as a result of observations, and subsequent evaluations of the impact of those changes
  - the involvement of the SENCO and/or other partners where there are concerns about a child’s development and learning
  
- discussions with parents about:
  - how and when parents are asked for information about their child’s development
  - how often practitioners share a good quality summary of their observations of children with the children’s parents.

140. Inspectors must use their professional judgement to interpret and apply the grade descriptors where: there is only a very small number of children with a childminder; only babies and very young children are present; there are funded two-year-olds or other groups who may be disadvantaged; or the children receive their main EYFS experience elsewhere.

141. Where there is a mixed age range present, inspectors must note any differences in progress for children of different ages, and make a ‘best fit’ judgement.

142. Inspectors must consider which set of descriptors best fit all the evidence available and the reasons why. For provision to be outstanding, it must meet all of the criteria in the grade descriptors for good, plus all or nearly all of the additional descriptors for outstanding.

<b>Outstanding (1)</b>	<p>The provision is better than good because:</p> <ul style="list-style-type: none"> <li>■ It consistently achieves very high standards across all aspects of its work with exceptional educational programmes for children of all ages. The quality of teaching is consistently of a very high quality, inspirational and worthy of dissemination to other providers.</li> <li>■ Practitioners have very high expectations of themselves and the children. Using their expert knowledge of the areas of learning and a</li> </ul>
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	<p>clear understanding of how children learn, they provide rich, varied and imaginative experiences for the children.</p> <ul style="list-style-type: none"> <li>■ Assessment at all ages is precise, sharply focused and includes all those involved in the child’s learning. It is monitored and used to secure timely interventions and support, based on a comprehensive knowledge of the child and their family.</li> <li>■ Children are well motivated, very eager to join in and consistently demonstrate the characteristics of effective learning. The extremely sharp focus on helping them to acquire communication and language skills, and on supporting their physical, personal, social and emotional development helps all children make rapid improvement in their learning from their starting points with any gaps closing rapidly. They are exceptionally well prepared for school or the next steps in their learning.</li> <li>■ Highly successful strategies engage all parents in their children’s learning in the setting and at home.</li> </ul>
<p><b>Good (2)</b></p>	<p>The provision is good because:</p> <ul style="list-style-type: none"> <li>■ The educational programmes have depth and breadth across the seven areas of learning. They provide interesting and challenging experiences that meet the needs of all children.</li> <li>■ Practice is commonly based on a secure knowledge and understanding of how to promote the learning and development of young children and what they can achieve. The quality of teaching is consistently good and some may be outstanding.</li> <li>■ All practitioners have high expectations of all children based on accurate assessment of children’s prior skills, knowledge and understanding on entry to the setting. Practitioners complete regular and precise assessments of children and use these effectively to plan suitably challenging activities. They regularly listen perceptively to, carefully observe, and skilfully question children during activities in order to re-shape tasks and explanations to improve learning.</li> <li>■ Practitioners can demonstrate that all children, including those with special educational needs and/or disabilities and those learning English as an additional language, are progressing well towards the early learning goals over time, given their starting points. Children are interested and keen learners who display the characteristics of effective learning.</li> <li>■ Children are supported in the acquisition of communication and language skills and in their physical, personal, social and emotional development so that children of all ages and abilities make good progress in their learning.</li> <li>■ All children are generally working comfortably within the typical range of development expected for their age, taking account of any whose starting points are higher or any special educational needs and/or disabilities. Where children’s starting points are below those of other children of their age, assessment shows they are improving consistently over a sustained period and the gap is closing. Children’s progress in the prime areas of learning ensures that almost without</li> </ul>

	<p>exception they have the key skills needed for the next steps in their learning, including school where appropriate.</p> <ul style="list-style-type: none"> <li>■ The key person system supports engagement with all parents, including those who may be more reluctant to contribute. Parents contribute to initial assessments of children’s starting points on entry and they are kept well informed about their children’s progress. Parents are encouraged to support and share information about their children’s learning and development at home. The key person system ensures all practitioners use effective, targeted strategies and interventions to support learning that match most children’s individual needs.</li> </ul>
<p><b>Requires improvement (3)</b></p>	<p>The provision is not yet demonstrating the characteristics of a good judgement. However, any breaches of the statutory requirements for learning and development do not have a significant impact on children’s learning and development.<sup>23</sup></p> <ul style="list-style-type: none"> <li>■ Educational programmes cover the seven areas of learning and support children’s development in the prime areas, but some aspects of learning are less well planned for. Children generally enjoy their time at the setting and are occupied, although on occasion, activities are mundane and lack a good level of challenge.</li> <li>■ Practitioners understand how to promote the learning and development of young children, but the quality of teaching is variable which means that not all children make good progress.</li> <li>■ Practitioners routinely make assessments of children but do not consistently use the information to monitor children’s learning and development and plan activities that challenge them.</li> <li>■ Nearly all children are working within the typical range of development expected for their age, taking account of any special educational needs and/or disabilities, and those learning English as an additional language. Where children’s starting points are below those of others of similar age, the setting can demonstrate these children are starting to catch up and the gap is closing, albeit slowly. In the main, children have the basic skills they need for school or their next stage of learning.</li> <li>■ Parents are welcomed into the setting and encouraged to provide information about their children’s starting points on entry. Practitioners share information about children’s progress but strategies to engage parents to share information and promote learning at home are not always successful.</li> </ul>
<p><b>Inadequate (4)</b></p>	<p>Provision is inadequate if one or more of the following apply and there are breaches of the statutory requirements for learning and development which have a significant impact on children’s learning and development.</p> <ul style="list-style-type: none"> <li>■ Educational programmes do not adequately cover the seven areas of learning and/or do not provide interesting activities in enough depth or breadth and/or do not provide adequate challenge for children</li> </ul>

<sup>23</sup> *Statutory framework for the Early Years Foundation Stage 2014*, DfE, 2014; [www.gov.uk/government/publications/early-years-foundation-stage-framework--2](http://www.gov.uk/government/publications/early-years-foundation-stage-framework--2).

	<p>resulting in some children lacking enthusiasm for learning.</p> <ul style="list-style-type: none"> <li>■ Some practitioners have a poor understanding of the prime and/or specific areas of learning and/or knowledge of how to promote children’s learning and development. This results in weak teaching that is not matched to all children’s needs.</li> <li>■ Planning is not effective in matching activities to children’s needs. Observations and assessment are not consistent in quality and/or are not frequent or accurate enough to build on children’s progress.</li> <li>■ Not enough children are working within the typical range of development expected for their age, given their starting points and/or the learning and progress of individual or specific groups of children does not match levels of progress made by most children. These gaps show little sign of closing or may be widening.</li> <li>■ Children are not well prepared for school or their next stage of learning.</li> <li>■ Strategies for engaging with parents about their child’s learning and development are weak and focused too much on care practices. As a result, parents do not know what their child is learning.</li> </ul>
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## The contribution of the early years provision to children’s well-being

143. Inspectors must evaluate and report on:

- the effectiveness of care practices in helping children feel emotionally secure and ensuring that children are physically and emotionally healthy.

### Criteria

144. When evaluating children’s well-being, inspectors must consider the extent to which:

- practice ensures all children, especially very young children and those in need of additional support, are forming appropriate bonds and secure emotional attachments with carers
- care practices ensure children are happy and enjoy what they are doing, learn to behave well and play cooperatively, develop independence, explore their surroundings and use their imagination, and talk and play with adults and each other
- practitioners support children to develop an understanding of the importance of physical exercise and a healthy diet, and to manage their own hygiene and personal needs
- children are emotionally prepared for their transition within the setting, into other early years settings, and into maintained nursery provision and/or Reception.

## Evidence

145. The main evidence comes from inspectors' direct observations of care practices, children's behaviour and their interactions with practitioners and each other. Direct observation should be supplemented by a range of other evidence to enable inspectors to evaluate the impact that practitioners have on children's well-being. Such additional evidence should include:

- evidence of planning for the prime areas of learning and especially for children's personal, social and emotional development
- evidence of assessment of children's well-being
- discussions with practitioners, children and parents and with managers about the key person system
- inspectors' tracking of children's care arrangements including intimate care, the levels of privacy afforded to the child, supervision arrangements for the child and for the adult undertaking personal hygiene tasks.

146. To reach an overall judgement about the contribution of the early years provision to the well-being of children, inspectors must use their professional judgement to consider the impact of the care experiences on children's all-round development.

147. Inspectors must consider which set of descriptors best fits all the evidence available and the reasons why. For provision to be outstanding, it must meet all of the criteria in the grade descriptors for good, plus all or nearly all of the additional descriptors for outstanding.

<p><b>Outstanding (1)</b></p>	<p>Care practices are better than good because:</p> <ul style="list-style-type: none"> <li>■ All practitioners are highly skilled and sensitive in helping children of all ages form secure emotional attachments, and provide a strong base for helping them in developing their independence and ability to explore.</li> <li>■ Children increasingly show high levels of self-control during activities and confidence in social situations, and are developing an excellent understanding of how to manage risks and challenges relative to their age.</li> <li>■ Children's safety and safeguarding is central to everything all practitioners do. They effectively support children's growing understanding of how to keep themselves safe and healthy.</li> <li>■ There is a highly stimulating environment with child-accessible resources that promote learning and challenge children both in and outdoors.</li> <li>■ The strong skills of all key persons ensure all children are emotionally well prepared for the next stages in their learning. Practitioners skilfully support children's transitions both within the setting and to other settings and school.</li> </ul>
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<p><b>Good (2)</b></p>	<p>Care practices are good because:</p> <ul style="list-style-type: none"> <li>■ A well-established key person system helps children form secure attachments and promotes their well-being and independence.</li> <li>■ Practitioners are good role models. They are deployed well, apply agreed strategies consistently and provide clear guidance for children about what is acceptable behaviour. Relationships are strong at all levels and children are learning to respect and tolerate each other's differences. Children are gaining an understanding of risk through activities that encourage them to explore their environment.</li> <li>■ Practitioners are fully aware of, and sensitive to, potential and actual harm to children. They are able to demonstrate that they have thought through how they would deal with safeguarding issues and take appropriate action to protect and support the children in their care. Children's behaviour shows that they feel safe in the setting. They are able to share concerns with their key person or other adults at the setting. Practitioners give clear messages to children to ensure they are developing a good understanding of why it is important to have a healthy diet and gain an understanding of the need for physical exercise. Practitioners help children to learn to be independent and encourage them to manage their own personal needs. Children are competent at managing their personal needs relative to their ages.</li> <li>■ There is a stimulating, well-resourced and welcoming environment, both in and outdoors, which supports children's all-round development and emotional well-being, and provides a range of experiences that develop children's independence and cooperation.</li> <li>■ Children are emotionally well prepared for the next stage in their learning because practitioners provide good support to prepare them for their transitions, both within the setting and to other settings and school.</li> </ul>
<p><b>Requires improvement (3)</b></p>	<p>Care practices are not yet demonstrating the characteristics of a good judgement. However, any breaches of the statutory requirements for safeguarding and welfare and/or learning and development do not have a significant impact on children's safety and well-being.</p> <ul style="list-style-type: none"> <li>■ Each child has a key person, which helps most to form secure attachments with those working with them. However, on occasion, children's care is not fully tailored to their needs.</li> <li>■ Practitioners generally support children to play and learn together and develop control over their actions. As a result, most children behave appropriately for their age. However, there are occasional lapses when some practitioners do not remind children of, or make their expectations of behaviour clear.</li> <li>■ Practitioners can demonstrate they understand how to safeguard children. Working practices and procedures help to protect and support children. Children are generally developing a sense of personal safety within the setting, although sometimes need a reminder. They are developing skills to manage their own personal needs relative to their ages and an understanding of the importance</li> </ul>

	<p>of healthy lifestyles, but not as well as they might because the support is variable.</p> <ul style="list-style-type: none"> <li>■ The environment is safe, welcoming and adequately resourced. However, practitioners do not always make the best use of resources and space, both in and outdoors, to provide good quality learning experiences for all children and keep them motivated and engaged.</li> <li>■ Most children are emotionally prepared for the next stage in their learning because practitioners support their transition within the setting, to other settings or school.</li> </ul>
<p><b>Inadequate (4)</b></p>	<p>Care practices are inadequate if one or more of the following apply and there are breaches of the statutory requirements for safeguarding and welfare and/or learning and development which have a significant impact on children’s safety and well-being.</p> <ul style="list-style-type: none"> <li>■ The key person system is not well embedded. Care practices do not support all children’s emotional well-being and welfare, with some children failing to form secure attachments with their carers.</li> <li>■ Children’s behaviour is not consistently managed well. As a result, more than occasionally some children are not engaged in activities which lead to a disorderly environment that hinders their learning and/or puts them and others at risk.</li> <li>■ Not all practitioners have sufficient knowledge and/or they are not vigilant enough to ensure that children are kept safe and safeguarded and that their health and welfare are promoted, and/or to help children develop enough understanding of how to keep themselves safe and healthy relative to their ages.</li> <li>■ The environment and/or resources are not welcoming and/or safe. They may be of poor quality and/or they are not used well enough to provide challenge for children or engage their interest.</li> <li>■ Children are poorly prepared for their transitions within the setting and/or to other settings and school because practitioners do not provide enough support for their emotional well-being.</li> </ul>

## The effectiveness of leadership and management of the early years provision

148. Inspectors must evaluate and report on:

- the effectiveness of the leadership and management in understanding and implementing the requirements of the EYFS.

### Criteria

149. When evaluating the quality of leadership and management, inspectors must consider the extent to which providers:

- fulfil their responsibilities in meeting the learning and development requirements of the EYFS, including overseeing the educational programmes

- fulfil their responsibilities in meeting the safeguarding and welfare requirements of the EYFS at all times, implementing them consistently to ensure that all staff share a sense of responsibility to create an environment that is welcoming, safe and stimulating
- have rigorous and effective systems for self-evaluation that inform the setting's priorities and are used to set challenging targets for improvement
- have effective systems for supervision, performance management and the continuous professional development of staff which have a positive impact on teaching and children's learning and development
- have effective partnerships with parents and external agencies that help to secure appropriate interventions for children to receive the support they need.

## Evidence

150. The main evidence comes from interviews with the manager and/or registered provider or their nominee, supplemented by discussion with staff and parents and, if needed, sampling of policies and procedures. Inspectors should obtain evidence of:

- how well practitioners and any trainees or students are monitored, coached, mentored and supported, and how underperformance is tackled
- whether leaders' and managers' roles are clearly established and whether they each understand and meet the requirements of the EYFS
- qualification levels and the effectiveness of a programme of professional development arising from identified staff needs and improving relevant qualifications
- the deployment of staff taking account of qualifications, skills and experience
- the extent and range of completed training, including child protection and safeguarding training, which fully meets statutory requirements, and the impact of that training in improving children's well-being
- the effectiveness of the staff's monitoring and revision of the educational programmes to ensure that they have sufficient depth, breadth and challenge, and reflect the needs, aptitudes and interests of children
- how well leaders and managers monitor the delivery of the early years curriculum, planning and assessment, and the extent to which children's needs are identified and met through high quality teaching and timely interventions
- the effectiveness of the monitoring of children's progress and interventions where needed to ensure that gaps are narrowing for groups of children or individual children identified as being in need of support



- the effectiveness of arrangements for safeguarding, including recruitment practices and how well safe practices and a culture of safety are promoted and understood
- how well required policies and procedures are implemented
- the effectiveness of self-evaluation, including contributions from parents, carers and other stakeholders, in informing priorities and setting challenging targets for improvement
- whether well-focused improvement plans have been implemented through engagement with staff, children, parents and carers and the progress made towards any actions and recommendations from the previous inspection
- the effectiveness of arrangements for sharing information and working in partnership with other providers, schools and professionals in order to identify all children’s needs and help them to make good progress.

151. Inspectors must use their professional judgement to interpret and apply the grade descriptors for childminders.

152. Inspectors must consider which set of descriptors best fits all the evidence available and the reasons why. For provision to be outstanding, it must meet all of the criteria in the grade descriptors for good, plus all or nearly all of the additional descriptors for outstanding.

<p><b>Outstanding (1)</b></p>	<p>Leadership and management are better than good because:</p> <ul style="list-style-type: none"> <li>■ Leadership is inspirational. The pursuit of excellence in all of the setting’s activities is demonstrated by an uncompromising, highly successful and well-documented drive to strongly improve achievement, or maintain the highest levels of achievement, for all children over a sustained period of time.</li> <li>■ The provider has an excellent understanding of their responsibility to ensure that the provision meets the safeguarding and welfare, and learning and development requirements of the EYFS, and has effective systems to monitor their implementation. The provider makes the most of learning relating to safeguarding and child protection to improve practice.</li> <li>■ An astute and targeted programme of professional development ensures practitioners are constantly improving their already first-rate understanding and practice. High-quality professional supervision is provided, based on consistent and sharply focused evaluations of the impact of staff’s practice.</li> <li>■ Children’s needs are quickly identified and exceptionally well met through highly effective partnerships between the setting, parents, external agencies and other providers.</li> </ul>
<p><b>Good (2)</b></p>	<p>Leadership and management are good because:</p> <ul style="list-style-type: none"> <li>■ Educational programmes ensure a broad range of experiences help children make progress to the early learning goals. This is a result of a good, secure understanding of the areas of learning and how</li> </ul>

	<p>children learn, and accurate monitoring.</p> <ul style="list-style-type: none"> <li>■ Monitoring ensures that planning and assessment are consistent, precise, and display an accurate understanding of all children’s skills, abilities and progress. As a result, individual children or groups of children with identified needs are targeted, their progress rigorously monitored so that appropriate interventions are sought and gaps are closing.</li> <li>■ The safeguarding and welfare, and learning and development requirements of the EYFS are understood by leaders and managers and are fully met. Recruitment, supervision and training have a very strong focus on safeguarding and child protection, and policies and procedures are implemented consistently. Safeguarding and child protection practices are reviewed regularly, clearly evaluated and inform the provider’s plans for improvement. Planned actions to overcome weaknesses have been concerted and effective. The drive for improvement is demonstrated by a clear and successful improvement plan that supports children’s achievements over time. Strengths and weaknesses are effectively identified through thorough and accurate self-evaluation which takes into account the views of staff, children and their parents and careful monitoring, analysis and self-challenge.</li> <li>■ An effective and well-established programme of professional development is helping practitioners to improve their knowledge, understanding and practice. There are effective systems for performance management, practitioners are monitored and under-performance is tackled swiftly. Management and accountability arrangements are understood and consistently applied.</li> <li>■ Partnerships with parents, external agencies and other providers are well established and make a strong contribution to meeting children’s needs. Appropriate interventions are secured so that children receive the support they need.</li> </ul>
<p><b>Requires improvement (3)</b></p>	<p>Leadership and management are not yet demonstrating the characteristics of a good judgement. However, any breaches of statutory requirements do not have a significant impact on children’s safety and well-being and/or learning and development.</p> <ul style="list-style-type: none"> <li>■ Systems to monitor the delivery of the educational programmes for all children are not thorough enough to ensure all aspects of each area of learning are fully covered.</li> <li>■ Monitoring of assessments of children’s learning and development provide a broad overview of each child’s skills, abilities and progress. However, it is not consistently thorough enough to identify individuals or groups of children who need interventions, especially those who are underachieving, so any gaps are only closing slowly.</li> <li>■ Arrangements for performance management are in place and all staff have access to regular training. This helps to enhance practice, although it is not always sufficiently focused on improving the quality of teaching. Management and accountability arrangements are clear.</li> </ul>

	<ul style="list-style-type: none"> <li>■ The safeguarding and welfare, and learning and development requirements of the EYFS are understood by leaders and managers. Any breaches of these requirements do not have a significant impact on the safety and well-being of children or their learning and development, and leaders and managers know what they have to do to put them right. Recruitment and vetting are thorough and comply with statutory requirements. Training and supervision of staff have a clear focus on safeguarding and child protection, and policies and procedures are implemented by all those involved in the setting.</li> <li>■ Managers aspire to improve. Actions to overcome weaknesses and improve provision are generally successful but are not sufficiently focused on improving children’s achievement. Self-evaluation provides an overview of the provision’s strengths and weaknesses, although it may not take full account of the views of staff, children and their parents and/or focus sufficiently on teaching and learning. Partnerships with parents are encouraged by the setting and make a sound contribution to supporting children’s well-being, although sharing of information about their learning may be variable. Partnerships with external agencies and other providers are in place to identify and meet children’s needs so that most children who need it receive appropriate interventions and support.</li> </ul>
<p><b>Inadequate (4)</b></p>	<p>Leadership and managements are inadequate if one or more of the following apply and there are any breaches of statutory requirements, which have a significant impact on children’s safety and well-being and/or learning and development.</p> <ul style="list-style-type: none"> <li>■ There is too little understanding of the learning and development requirements, resulting in breaches which have a significant impact on children’s progress, particularly for individual or groups of children who are underachieving. Monitoring of educational programmes and children’s progress is poor.</li> <li>■ There is ineffective monitoring of practitioners resulting in inconsistent practice and poor identification of training needs and/or practitioners do not have access to an adequate programme of professional development.</li> <li>■ There is too little understanding of the safeguarding and welfare requirements, resulting in one or more breaches that have a significant impact on the safety and well-being of children. Training and supervision are not sufficiently focused on safeguarding and child protection.</li> <li>■ Self-evaluation is weak and has too little impact. Any actions taken to tackle areas of identified weakness have been insufficient or ineffective. Providers are not sufficiently ambitious about improving provision and practice, including motivating staff.</li> <li>■ Management and accountability arrangements are not clear or are not understood by providers and/or their managers. Practitioners are not encouraged to improve their knowledge or practice.</li> <li>■ Links with parents, other settings or professionals involved in supporting children’s care and education are not strong enough to ensure that individual needs are identified and met.</li> </ul>

## The overall quality and standards of the early years provision

153. Inspectors must evaluate and report on:

- how well the early years provision meets the needs of the range of children who attend
- the contribution of the early years provision to children’s well-being
- the leadership and management of the early years provision.

### Criteria

154. Inspectors should take account of all the judgements made across the evaluation schedule. In particular, inspectors must consider:

- the progress all children make in their learning and development relative to their starting points and their readiness for the next stage of their education
- the extent to which the learning and care provided by the setting meets the needs of the range of children who attend, including the needs of any children who have special educational needs and/or disabilities
- children’s personal and emotional development, including whether they feel safe and are secure and happy
- whether the requirements for children’s safeguarding and welfare have been fully met and there is a shared understanding and responsibility of how to protect children
- the effectiveness of leadership and management in evaluating practice and securing continuous improvement that improves children’s life chances.

<p><b>Outstanding (1)</b></p>	<ul style="list-style-type: none"> <li>■ The setting’s practice consistently reflects the highest aspirations for all children’s safety, well-being and learning. It enables them to make excellent progress in relation to their starting points and prepares them extremely well for school or the next stage in their learning.</li> <li>■ All major aspects of the provision are at least good, and outstanding in most respects, with all legal requirements met.</li> </ul>
<p><b>Good (2)</b></p>	<ul style="list-style-type: none"> <li>■ The setting’s practice keeps children safe and enables all children to do well, make good progress relative to their starting points and prepares them well for school or the next stage of their learning. Children benefit from practice that is at least good and sometimes outstanding.</li> <li>■ Most major aspects of the setting are at least good and all legal requirements are met. The judgement on ‘How well the early years provision meets the needs of the range of children who attend’ is at least good.</li> </ul>
<p><b>Requires improvement (3)</b></p>	<ul style="list-style-type: none"> <li>■ The setting’s practice is not good enough because one or more key aspects of its work require improvement to be good. Children do not make good progress in their learning and development. Leadership and management demonstrate sufficient ability to identify and make required</li> </ul>

	<p>improvements.</p> <ul style="list-style-type: none"> <li>■ No major aspects of the setting are inadequate. There may be breach(es) of the safeguarding and welfare and/or the learning and development requirements, but this does not have a significant impact on the safety and well-being and/or the learning and development of children.</li> </ul>
<p><b>Inadequate (4)</b></p>	<ul style="list-style-type: none"> <li>■ Overall effectiveness is likely to be inadequate if any of the key judgements are inadequate; and/or</li> <li>■ There are breaches of statutory requirements which have a significant impact on the safety and well-being, and/or the learning and development of children; and/or</li> <li>■ It is a nursery or pre-school which has been judged as 'requires improvement' at two consecutive inspections and is still not 'good' at its third inspection.</li> </ul>