

Inspecting outcomes for children

Guidance for inspectors: childminding, day care and nursery education inspections

Age group: 0–8

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Introduction

This guidance is to help you with inspections from April 2005 which focus on an evaluation of how well the care and, where applicable, the nursery education:

- helps children to:
 - be healthy
 - stay safe
 - enjoy and achieve
 - make a positive contribution, and
- is organised to promote children's well-being.

The guidance explains what evidence should be collected, and how to make and communicate judgements about outcomes for children. It should be read in conjunction with the [*Framework for the regulation of childminding and day care*](#).

Key features of the inspection framework

From April 2005

- Providers receive little or no notice of inspections to make sure that inspectors evaluate and report on the outcomes for children on a typical day.
- Providers are asked to complete a simple **self-evaluation form** (SEF) to be shared with the inspector during the inspection. The SEF can be found at the back of [Are you ready for your inspection?](#)
- Provision is inspected within a three-year cycle – with priority given to inspecting weaker provision more often.
- The care and/or nursery education are inspected against a grading scale which is common to most inspections carried out by Ofsted.
- The question central to inspections is - what is it like for a child here? To answer this, inspectors should keep focused on the big picture.
- Inspectors should evaluate and report in terms of how well the registered childcare and any nursery education promote the outcomes for children. The principles of inspection, secure evidence and good report writing remain the same.

Planning the inspection

Key message

- Get focused on the most important issues – right from the start.

General points

Before the inspection, check:

- the previous report (if applicable) and note any points to follow up
- whether any complaints have been made to Ofsted since 1 April 2004, or from the date of registration, or the last inspection (whichever is later). Prepare this section of the report before the inspection so that you can share it with the provider during the inspection
- the information about the setting/childminding section and update it, ready to share and agree with the provider
- you have a spare copy of the SEF to take with you in case providers have mislaid their own
- you have a [Next Steps](#) leaflet in case provision is inadequate

- you may also find it useful to take a copy of [Are you ready for your inspection?](#) to refer to, if necessary.

Little or no notice of inspection

Day-care providers

Day-care providers will normally receive no notice of the inspection. The main exceptions are:

- providers of short-term crèches or holiday play-schemes. You should telephone a few days in advance to check whether they are operating. There is no need to telephone if you know that a playscheme is operating and when they are open
- maintained schools with any registered day care provided and managed directly by the school. The inspector leading the school inspection usually contacts the school about two days before the inspection to let them know it is taking place
- independent schools subject to an inspection under Section 163 (s163) of the Education Act 2002, carried out by Ofsted HMI which will continue to receive six to eight weeks notice of the school inspection. This will include notice of inspections of any registered day care and/or nursery education under Section 122 of the School Standards and Framework Act 1998 which are taking place at the same time as the s163 inspection.

When you arrive, you will need to find out, quickly, as much as you can from the person-in-charge. You might find the following checklist a helpful guide.

Checklist for discussions with day-care providers

- Introduce yourself, show your identity card, and ask to speak to the person-in-charge that day.
- Explain the purpose of your visit and explain how you propose to carry the inspection.
- Ask the names of the staff who are present that day; their responsibilities and how they are deployed.
- Ask how many children attend; their ages and how they are organised e.g. altogether? in group rooms?
- Ask for details of the children. For example, are there children with special needs or disabilities, who are refugees, who speak English as an additional language or who are in local authority care?
- How many children are funded for nursery education? How many are present?

- Are any of the funded children on early action or early action plus?
- Who works with funded children? (if applicable)
- Ask for information about the timetable(s) of the day.
- If necessary, ask to see specific documents:
 - in relation to any previous recommendations, actions and key issues
 - the complaints record ¹
 - to confirm the registered person has an effective system in place to ensure
 - that staff are suitable to work with children ²
 - a sample of plans of children's activities (including funded children, if applicable)
 - a sample of children's records (including funded children, if applicable)
- Ask if the provider has completed the SEF. If it is incomplete or has been mislaid, ask the provider to fill it in as soon as possible during the inspection.
- Agree the best time to:
 - discuss the SEF and update the details of the setting
 - talk to key managers/staff about the care and nursery education
 - give feedback.
- Explain that you have brought a lap-top computer with you to record your evidence and/or judgements which you will share with them at feedback.
- Is there anything else the provider would like to know?

Childminders

You should telephone childminders a few days before the inspection to check whether there are any days in the coming week when it would not be convenient to visit. Find out the days when the children are due to attend including, in the case of accredited childminders, those children funded for nursery education. This will help you decide when to visit and avoid wasted journeys. The inspection should take place in the week following the phone call, and childminders should be given no more than five working days notice of their inspection.

You might find the following useful to guide your phone call to the childminder.

Telephone checklist for childminders

- Introduce yourself and make sure you are speaking to the childminder.
- Explain reason for phone call and check that it is a convenient time to talk.

¹ From 3 October 2005

² From 3 October 2005

- Explain that the inspection will take place in the next few days and check whether there are any days when the childminder is not at home, and when the children are due to attend.
- Is the childminder minding any children at the moment? If so, can he or she tell you the number and ages of those children?
- If the childminder is caring for any children with special educational needs, disabilities, or with English as an additional language, refugees or children in local authority care, can their details be ready at inspection?
- Check the childminder has received a copy of *Are you ready for your inspection?*
- Explain s/he must complete the SEF at the back of the booklet – you will discuss it with them during your visit.
- If, for any reason, the childminder does not have the SEF, explain that you will bring a copy with you for him or her to complete. (You may also wish to explain that it is available on the Ofsted website.)
- Ask the childminder to tell you about his or her daily routine, including what time the children usually arrive, leave or sleep.
- Have there been any changes since the previous inspection?
- If appropriate, explain that you will bring a laptop computer with you to record your evidence and/or judgements.
- Explain that, at the end of the inspection, you will give feedback on the outcome of the inspection and will share the judgements you have recorded on your laptop, if used.
- Ask for directions, if necessary.

For accredited childminders in approved networks:

- Explain that you will carry out an integrated inspection.
- Ask for details of the funded children and when they attend.
- Ask how activities are planned for them; and the support provided by the network.

No children on roll or present

If, when you phone the childminder, you find that there are children on roll but are not currently being minded, then you must reschedule the inspection for a time when the provider knows he or she will be caring for children. This might happen, for example because the childminder has an illness or has suffered bereavement. This also applies to childminders who only care for their grandchildren, or other children related to them.

For childcare inspections – if there are children minded or on roll, but they are absent when you arrive, gather as much evidence of the childcare as you can and

return to confirm your judgement on a day when you know they will be present. If you are unable to do this, for example because the children are on an extended holiday, reschedule the inspection for six months ahead, or for a time when the children are present whichever is sooner.

Integrated inspections of day-care providers or accredited childminders – as long as there are children present, you should carry out an integrated inspection if it is due. Normally this is the case even if there are no funded children **on roll**. Although you can make some judgements based on documentation and observations of the children who are present, it is unlikely that you will be able to judge the nursery education as better than satisfactory unless there is sufficient and very recent evidence relating to the provision for funded children. This is because you will not be able to judge the interactions between staff/the childminder and children, and their impact on the children's progress.

If funded children are absent when you arrive, for example because of illness, gather as much evidence of the nursery education as you can and return to confirm your judgement on a day when you know they will be present. If you are unable to do so then make your judgements based on documentation and observations of the children who are present. You may be able to judge the nursery education as better than satisfactory if there is sufficient current or recent evidence to do so.

Some possible scenarios:

- You arrive at a playgroup on a Tuesday to carry out an integrated inspection. You find that sessions for the funded children only take place on Mondays, Wednesdays and Fridays. Go ahead with the childcare inspection as normal. Gather as much evidence as you can to enable you to reach a tentative judgement on the quality of the nursery education. Return for a brief visit soon after when the funded children are due to attend to confirm your judgement.
- An integrated inspection of a day nursery is due, but when you arrive the provider tells you none of the 12 children are entitled to nursery education – they are not old enough. There are no recent plans or assessments for children who received nursery education. Carry out the childcare inspection as normal, but judge the nursery education as no better than satisfactory.
- The children and all the staff of a nursery are setting off for an all-day outing to the seaside when you arrive – reschedule the inspection.

The self-evaluation form

The SEF helps providers consider the quality of their childcare and nursery education against the outcomes for children and to reflect on what can be improved. It is a useful starting point for your discussion with providers to tease out their view of how they promote the outcomes; this should help you decide where to focus your

evidence collection. It will also help to establish how well the childminder or setting's leaders know their strengths and areas for improvement. If the SEF has not been completed, ask the provider or the person-in-charge to do so as soon as possible during the inspection. Then discuss it with him or her. If you are not shown a completed SEF, you should continue with the inspection as normal.

Collecting evidence

Key messages

- Concentrate on gathering and recording evidence where it is most needed.
- Aim to record all your evidence during the inspection. Don't spend time rewriting it.
- Make sure your evidence is sufficient, evaluative and convincing. Ask yourself 'is the impact on outcomes for children clear?'

The general principles about gathering and recording evidence remain the same. There are no prescriptive rules about the quantity of evidence that you must gather and record. It is essential, however, that anyone reading it clearly understands how you reach your judgements, particularly where standards are not met, or where there are significant weaknesses in the provision of nursery education.

Your three main sources of evidence are:

- Observations

Give emphasis to gathering first-hand evaluative evidence of the outcomes through observing routines and activities. This is important where you believe that standards are not met, or there are weaknesses in nursery education.

- Discussions

Keep all your discussions with the childminder or key staff sharply focused on how effectively the outcomes for children are promoted.

For example:

- how do you promote the outcomes for children?
- what checks do you have in place to ensure these outcomes are positive?
- please explain how you help children to keep healthy

- can you tell me how you make sure that new (day-care) staff you employ are suitable to work with children? ³
- tell me what you would do if you suspected abuse
- how has your working relationship with [external agencies] ensured the safety and welfare of X (a specific child)?
- how do you find out what children know and can do when they first attend?
- how are new children helped to settle in?
- tell me what steps you take to help children develop their self-esteem, confidence and independence
- how do you ensure that staff receive the required induction training?
- can you tell me/show me how this child has made progress in your setting?
- please explain how these plans and assessments help children to make progress towards the early learning goals.

Although you should take care not to interrupt the flow of activities, much can be achieved through incidental conversations prompted by what you observe. In a day-care setting, it might be appropriate and efficient to talk to staff and children about aspects of children's health, safety, enjoyment and achievement and positive contribution as a consequence of what you have seen during a routine activity.

Find time to talk with the children as they work and play to get an idea of their view of the setting. For example ask them:

- what do you like doing best when you come here?
- show me/tell me about your favourite toy/book
- who do you go to when you are unhappy?

Wherever possible, seek the views of parents/carers to establish how they work in partnership with the childminder or setting to promote positive outcomes for children. You should check to see if the setting has the poster telling parents how to share information with Ofsted.

■ Documentation

There is no need to check all the documentation, unless you have a good reason or it is the setting's first inspection.

In most cases, documents will have been checked during the previous inspection. Instead you should look for evidence that policies are implemented consistently and have a positive impact on the outcomes for children.

³ From 3 October 2005

As a guide, you only need to check:

- changes to documentation required from previous actions, recommendations or key issues
- the complaints record ⁴
- systems for ensuring that employees are suitable to work or be in regular contact with children under the age of 8 ⁵
- a small sample of documents to confirm the accuracy of the SEF
- a sample of plans and assessments to give you an indication of what children are offered and their progress
- accident and incident books
- the attendance register.

At present, there is no requirement for providers to write to regional centres, seeking approval to keep documents off the premises. Approval is given by inspectors at inspection. When giving approval, you should consider any difficulties with secure storage at the setting. If you give approval, note this in the Comments for the next visit box on the Regulatory Support Application (RSA).⁶

Recording evidence

You must be professional when recording evidence. Avoid naming children or staff, and innuendo or any comment which could be construed as subjective. Bear in mind that under the Freedom of Information Act 2000, evidence could be read by anyone.

Unless you have been asked to record evidence in a particular way, you may choose to record evidence electronically or in handwritten notes. You must record your evidence all in one place – either all electronic or all handwritten. Whichever way you choose, you should use the laptop to enter your judgements at the end of the inspection, and share the Inspection Summary screen (record of judgements) in the inspection toolkit⁷ with the provider during feedback.

In the main, evidence should be recorded at the setting and complete at the time you make judgements and before feedback. You may wish to tidy up your notes after the inspection if this helps to clarify your thoughts and write the report. But do not spend time rewriting your evidence or entering handwritten notes electronically unless you have been asked to do so for a particular reason. You should refer to the Early Years File Retention Schedule for current advice on the retention of inspection records.

⁴ From 3 October 2005

⁵ At first inspection on or after 3 October 2005

⁶ The RSA is the software support system used by the Early Years Directorate.

⁷ This is an electronic inspection notebook used by inspectors.

Evaluation schedule for inspections of childcare and nursery education

This schedule sets out what inspectors must evaluate and report on.

1. What sort of setting is it?

Inspectors must report on:

- the characteristics of the provision.

2. How effective is the provision?

Inspectors must evaluate and report on:

- how the quality and standards of the childcare, taking account of the
- 14 National Standards, and of the nursery education where applicable promote the following outcomes for children:
 - being healthy (standards 7, 8)
 - staying safe (standards 4, 5, 6, 13)
 - enjoying and achieving (standard 3)
 - making a positive contribution (standards 9, 10, 11, 12)
- how well the organisation (standards 1, 2, 14) of childminding or day care promotes children's well-being.
- Inspectors must also evaluate and report on:
 - how well the organisation of the childcare and, where applicable, the leadership and management of the nursery education promotes the outcomes for children
 - whether the childminding, day care and/or nursery education meets the needs of the range of children for whom it provides
 - how well the partnership with parents and carers promotes the nursery education (where applicable)
 - whether children's spiritual, moral, social and cultural (SMSC) development is fostered (nursery education only)
 - improvements since the last inspection
 - any complaints about the quality of childcare.

3. What must be done to secure future improvement?

Inspectors must report on either:

- any recommendations to improve the quality and standards of care and, where applicable, of the nursery education or
- any provision where the quality and standards of care and, where applicable, of the nursery education causes concern; and
 - the action required to ensure that the quality and standards of care and, of the nursery education where applicable, are acceptable; or

- whether Ofsted intends to take enforcement action in respect of the childcare.

Using the schedule to evaluate outcomes for children

Key Message

- Keep focused on the big picture – what is it like for a child here?
- Be rigorous – but don't go digging for detail unless there is a good reason to do so.

The following are at the heart of your evaluation of outcomes for children:

The National Standards

The National Standards have been grouped under the outcomes for children and under organisation. You are not required to make judgements against each of the standards. Instead, you should use the headline standards, relevant to the outcome/organisation, to guide your evidence collection. Do not delve into detail unless there is clear evidence of non-compliance.

You should aim to gather some evaluative evidence about each of the relevant standards to substantiate your judgement for each outcome. This does not mean listing vast quantities of evidence under each standard – much of it can be woven together.

Birth to three matters

The [*Birth to three matters framework*](#) is intended to promote effective practice in the care and education of young children up to three years of age. There is a strong, national steer towards its use and from October 2005, the National Standards have been amended to include the framework as a supporting criterion of Standard 3.

The framework is likely to contribute to positive outcomes for children in those settings where it is used. So find out whether the *Birth to three matters* framework is used, and report on its impact under the relevant outcome. You can do this by:

- asking providers if they use the framework. If they do, establish how it is used, for example, to plan and assess, or to explain what they do to parents. If they do not use the framework, ask how they plan to promote the outcomes for children under three
- evaluating how the use of the framework influences the outcomes for children.

Where recommendations and actions arise as a result of weaknesses in the quality of care for the under threes, you should refer to the framework as a means of improving the outcomes for children⁸.

Curriculum guidance for the foundation stage (nursery education)

Children's progress towards the early learning goals remains the focus of your evaluation of the quality of nursery education. You should aim to gather some evaluative evidence about children learning in each of the six areas to substantiate your judgements on teaching and learning. However, you are not required to make a judgement on each of the areas of learning. Instead you should look at children's learning – as a whole – by evaluating their attitudes, behaviour and achievements in relation to the stepping stones and early learning goals.

(See page 58–59 of this guidance for the links between the National Standards, *Birth to three matters*, and the [Curriculum guidance for the foundation stage](#))

⁸ See page 29 of this guidance

Putting it all together: what to look for

Quality of care	Quality of nursery education
HELPING CHILDREN TO BE HEALTHY	
<p>National Standards</p> <p>Standard 7: Health How well does the provision promote the good health of children; take positive steps to prevent the spread of infection and appropriate measures when children are ill?</p> <p>Standard 8: Food and drink Are children provided with regular drinks and food in adequate quantities for their needs? Is food and drink properly prepared and nutritious? Does it comply with dietary and religious requirements?</p> <p>Birth to three matters Does the provision take into account:</p> <p>A healthy child: emotional well-being; growing and developing; healthy choices</p>	<p>How good is the provision for children's physical development?</p>
PROTECTING CHILDREN FROM HARM OR NEGLECT AND HELPING THEM STAY SAFE	
<p>National Standards</p> <p>Standard 4: Physical environment Are the premises safe, secure and suitable for their purpose? Do they provide adequate space in an appropriate location? Are they welcoming to children and offer access to the necessary facilities for a range of activities which promote their development?</p> <p>Standard 5: Equipment Are the furniture, equipment and toys provided appropriate for their purpose and do they help to create an accessible and stimulating environment? Are they of suitable design and condition, well maintained and conform to safety standards?</p> <p>Standard 6: Safety Are positive steps taken to promote safety within the setting and on outings and ensure proper precautions are taken to prevent accidents?</p> <p>Standard 13: Child protection Are local child protection procedures, approved by the area child protection committee, complied with? How does the registered person ensure that all adults working and looking after children in the provision are able to put the procedures into practice?</p> <p>Birth to three matters Does the provision take into account:</p>	

<p>A healthy child: keeping safe.</p>	
<p>HELPING CHILDREN ENJOY AND ACHIEVE</p>	
<p>National Standards</p> <p>Standard 3: Care, learning and play</p> <p>Are children's individual needs met and their welfare promoted?</p> <p>Does the registered person plan and provide activities and play opportunities to develop children's emotional, physical, social and intellectual capabilities?</p> <p><i>Birth to three matters</i></p> <p>Does the provision take into account:</p> <p>A skilful communicator: being together; finding a voice; listening and responding; making meaning</p> <p>A competent learner: making connections; being imaginative; being creative; representing.</p>	<p>The quality of children's learning</p> <p>How good are children's attitudes to learning; their behaviour; and general level of engagement?</p> <p>How good are children's achievements?</p> <p>The quality of teaching</p> <p>How well does teaching meet requirements, and the needs and interests of all children?</p> <p>How suitable and rigorous is assessment?</p> <p>How is it used to help children make progress toward the early learning goals?</p>
<p>HELPING CHILDREN MAKE A POSITIVE CONTRIBUTION TO THE PROVISION AND THE WIDER COMMUNITY</p>	
<p>National Standards</p> <p>Standard 9: Equal opportunities</p> <p>Is equality of opportunity and anti-discriminatory practice for all children actively promoted?</p> <p>Standard 10: Special needs (including special educational needs and disabilities)</p> <p>Is the registered person aware that some children may have special needs and proactive in ensuring that appropriate action can be taken when such a child is identified or admitted to the provision?</p> <p>Are steps taken to promote the welfare and development of the child within the setting, in partnership with the parents and other relevant parties?</p> <p>Standard 11: Behaviour</p> <p>Are adults caring for children in the provision able to manage a wide range of children's behaviour in a way which promotes their welfare and development?</p> <p>Standard 12: Working in partnership with parents and carers</p> <p>Do the registered person and staff work in partnership with parents to meet the needs of the children, both individually and as a group?</p> <p>Is information shared?</p> <p><i>Birth to three matters</i></p> <p>Does the provision take into account:</p> <p>A strong child: me, myself and I; being acknowledged and affirmed; developing self-assurance; a sense of belonging</p>	<p>The quality of partnership with parents and carers</p> <p>How effectively does the partnership with parents and carers involve parents and carers in children's learning?</p> <p>Spiritual, moral, social and cultural development</p> <p>Overall, is the children's spiritual, moral, social and emotional development fostered?</p>

ORGANISATION	
<p>National Standards</p> <p>Standard 1: Suitable person: Are the adults who provide day care, look after children or have unsupervised access to them suitable to do so?</p> <p>Standard 2: Organisation: Does the registered person meet the required adult-child ratios, ensure that training and qualifications requirements are met and organise space and resources to meet the children's needs effectively?</p> <p>Standard 14: Documentation: Are records, policies and procedures, which are required for the efficient and safe management of the provision, and to promote the welfare, care and learning of children, maintained? Are records about individual children shared with the child's parent?</p>	<p>The quality of leadership and management of the nursery education</p> <p>How effectively does the childminder/leader(s) set clear directions which lead to improvements in the organisation of nursery education and the outcomes for children?</p> <p>How effectively is the provision managed and monitored?</p> <p>How well is equality of opportunity promoted and discrimination tackled so that all children make good progress?</p>

Making judgements – the judgment scale and its implications

Grade	Type of provision	Implications of overall judgement
<p>Outstanding (Grade 1)</p>	<p>This applies to provision which is exceptional. It is highly effective at making sure that outcomes for children are excellent. The childcare practice is exemplary. If nursery education is provided, it is of such a high quality that 3- and 4-year-olds' learning and achievement are exceptional in relation to their starting points and capabilities.</p> <p>The practice is so good that it is worth disseminating beyond the setting.</p> <p>The setting's capacity to improve is strong. A feature of outstanding settings is likely to be that staff always strives for further improvement through evaluative and reflective practice.</p>	<p>No recommendations.</p> <p>Next inspection will take place within three years.</p>
<p>Good (Grade 2)</p>	<p>This applies to provision which is strong. It is successful at making sure that outcomes for children are positive. The childcare practice is very effective. If nursery education is provided, 3- and 4-year-olds' learning and achievement are good in relation to their starting points and capabilities.</p> <p>The practice is worth reinforcing and developing.</p> <p>The setting's capacity to improve is strong.</p>	<p>Recommendations for further improvement.</p> <p>Next inspection will take place within three years.</p>
<p>Satisfactory (Grade 3)</p>	<p>This applies to provision which is steady. It makes sure that outcomes for children are acceptable. The childcare practice is generally effective. If nursery education is provided, 3 and 4-year-olds make sound progress in their learning and achievement in relation to their starting points and capabilities.</p> <p>The practice has scope for improvement.</p> <p>The setting's capacity to improve is sound.</p>	<p>Recommendations for further improvement.</p> <p>Next inspection will take place within three years.</p>
<p>Inadequate (Grade 4)</p> <p>Category 1</p>	<p>This applies to provision which is weak. This results in outcomes for children which are unsatisfactory. The childcare practice is not good enough and one or more of the National Standards is not being met. If nursery education is provided it is of an unacceptable standard; 3- and 4-year-olds' learning and achievement are limited in relation to their starting points and capabilities.</p> <p>The practice gives cause for concern. It needs attention but the setting has the capacity to improve without external help and support.</p>	<p>Childcare</p> <p>The Registered Person is issued with a notice of action to improve notifying them of the actions which they must take and by what date.</p> <p>Next inspection will take place within 6 –12 months.</p> <p>Nursery education</p> <p>The Registered Person is issued with a notice of action to improve notifying them of the</p>

Grade	Type of provision	Implications of overall judgement
<p>Inadequate (Grade 4)</p> <p>Category 1</p> <p><i>cont.</i></p>		<p>actions which they must take before the next inspection.</p> <p>Ofsted informs the local authority.⁹</p> <p>Next inspection will take place within 6–12 months.</p>
<p>Inadequate (Grade 4)</p> <p>Category 2</p>	<p>This applies to provision which is highly ineffective resulting in unsatisfactory outcomes for children.</p> <p>The childcare practice is poor and one or more of the National Standards is not being met. If nursery education is provided it is of an unacceptable standard; 3- and 4-year-olds make little or no progress in their learning and achievement in relation to their starting points and capabilities.</p> <p>The practice gives cause for concern. It needs urgent attention and the setting has insufficient capacity to improve. Enforcement action is required in respect of the childcare. External help or support is needed to improve the quality of nursery education.</p>	<p>Childcare</p> <p>Enforcement action to require immediate improvement.</p> <p>The next inspection will take place within 3–6 months or as specified in any enforcement action whichever is the sooner.</p> <p>Nursery education</p> <p>The Registered Person is issued with a notice of action to improve notifying them of the actions which they must take.</p> <p>Ofsted informs the local authority that external help and support is required to bring about the necessary improvement.¹⁰</p> <p>The next inspection will depend on decisions made the</p>

⁹ Ofsted will also inform the DfES on a regular basis of all settings where the provision for nursery education is judged as inadequate

¹⁰ As above.

Grade	Type of provision	Implications of overall judgement
		local education authority about whether funding will continue.

The judgements which must be made

Overall judgements	Outcome	Nursery education
Quality of care (J) Quality of nursery education (J)	Being healthy (J)	
	Staying safe (J)	
	Enjoying and achieving (J)	Quality of teaching and learning (T)
	Positive contribution (J)	Partnership with parents and carers (T) Spiritual, moral, social and cultural development (T) (fostered/not fostered)
	Organisation (J) Meeting the needs of the range of the children for whom it provides (T) (met/not met)	Leadership and Management (T)

J = these judgements are populated into the report.

T = you must enter these judgements as text into the report.

Although you are not required to make a judgement on improvement, you must summarise what has improved since the last inspection in the relevant section of the report.

General guidance on reaching judgements

Key messages

- Keep focused on the big picture.
- Relate your findings to outcomes and the key question what is it like for a child here?

Making overall judgements on the quality of care and nursery education

Your overall judgement(s) should answer the question **what** is it like for a child here? and should be determined by the balance of strengths and areas for improvement you have identified. In integrated inspections, you will need to reach separate judgements on the overall quality and standards of care and of nursery education. This is because the law currently requires us to do so. The reasons for these judgements should be clear from the text of your report, particularly if they are different.

Where you are inspecting a multi-provision, you should make outcome judgements on the overall provision by gathering as much evidence as possible. If there is cause for concern, you may ask your area manager to schedule a separate inspection of a particular part of the provision or arrange to carry out an additional visit).

The capacity to improve is a very significant factor in determining whether inadequate provision should be judged as category 1 or 2. When considering this, take into account any evidence of the track record and present success of the childminders or leaders in making improvements to the provision.

Making the judgements on each outcome and organisation

Your judgements for each outcome and for organisation must reflect the combined quality of the provision as a whole. This means considering strengths and weaknesses across age-ranges and, in integrated inspections, across care and education. In most cases, making a judgement will be straightforward because strengths and weaknesses will permeate throughout the provision.

Resolving 'conflicting' findings

Occasionally, you may need to resolve potentially conflicting findings.

For example: an integrated inspection in a day nursery

(a) Being healthy

Provision is good for keeping the under-threes healthy, but only satisfactory for the older children because of differences in the staff's skills.

(b) Enjoying and achieving

The funded children in a pre-school are taught separately, and the quality of

teaching and learning is inadequate. Elsewhere, the provision for enjoying and achieving is at least satisfactory.

What should be the outcome judgement?

There are no hard and fast rules about this. The most important thing is to keep focused on the big picture - what is the impact of any weakness on the group of children as a whole?

Consider:

- proportionality: what is the scale of the weaknesses in relation to the size and needs of the group of the children it affects?
- the link with your judgement on organisation: how aware are the childminder or leaders of the weaknesses? How proactive and effective are they are in remedying them?

In example (b) above, your judgement for *Enjoying and achieving* would depend on the extent to which the weaknesses in teaching and learning impact on the group of children as a whole. On the balance of your evidence, you may decide that these weaknesses are significant enough to bring down the outcome judgment – for *Enjoying and achieving* – to inadequate, even though the care aspect is satisfactory.

In an integrated inspection, if in doubt about an outcome judgement for *Enjoying and achieving* give weighting to the quality of care. If Standard 3 is not met, then judgement for *Enjoying and achieving* must be inadequate and 'Organisation' will also be inadequate.

Where you do find variations in provision, make sure that you explain any differences in quality in your evidence and in the relevant report sections.

The ARI principle at inspection

Whether the quality of care falls above or below the line of acceptability depends on a provider's knowledge and understanding of the requirements, and attitude and willingness to bring about improvement. In most cases, it will be clear where the childcare is inadequate. Normally, you must always raise an action against the care where conditions or regulations, including any of the National Standards clearly has not been met or breached.

Occasionally, making a judgement may not be straightforward because the failure to meet a regulation or comply with a condition is not clear-cut and/or there are extenuating circumstances. For example, you may consider the quality of care is at least satisfactory, but find the circumstances at the time of the inspection mean that the provider technically fails to comply fully with a regulation or meet a standard.

In these instances you should apply the ARI principle by asking the following questions:

- What is the Attitude of the provider?
- How well has he or she assessed any Risk?
- What is the Impact on the children?

For example:

You arrive at a setting to carry out an inspection to find only two staff working with 20 children aged three and four. The supervisor explains that the third member of staff has just phoned to say she will be off work for at least a week. The supervisor tells you that she has contacted a local agency but it is unable to send supply staff until the next day.

This potentially means that the provider is not meeting *Standard 2: Organisation* in relation to adult: child ratios. You should evaluate the arrangements made by the provider to assess risks and deal with the situation. This would include whether the staffing levels met the needs of the children attending, the risks to children of not meeting the required ratio, any contingency arrangement or proposed action to deal with the emergency. For example, the provider may have made sure that:

- the two staff have organised the children to minimise any risk
e.g. they may have closed off an area to make supervision easier
- the children are well settled
- the supervisor can be contacted if assistance is urgently required.

You should consider the overall quality of the provision in coming to your judgement. If you are satisfied with the arrangements and that this is not a recurring problem, for example by checking the staff's hours on the registration system, you are unlikely to judge the provision to be inadequate, unless you have other reasons to do so. Your decision will be different if the children were distressed or behaving badly because of lack of supervision; or if a provider had no contingency arrangements in place or could offer no reasonable excuse for not meeting ratios.

Applying the ARI principle to our inspection judgements is consistent with the way in which we undertake our Compliance, Investigation and Enforcement (CIE) work. When we undertake enforcement work we seek to take the most proportionate action to bring about compliance. We do not, for example, always move to cancel providers if they are not meeting the National Standards. We try to take lower level action to bring about improvements.

However, ARI should never be used to avoid making hard, but necessary, 'inadequate' judgements where there is a clear breach of condition or regulation including a failure to meet a standard.

As a general rule, where there is a breach of regulations or conditions and you decide NOT to judge the care inadequate then you must:

- record evidence of the breach and convincing reasons for not raising an action
- in the toolkit
- note the breach in the report
- raise a recommendation in respect of the breach
- not judge the quality of the care as better than satisfactory
- arrange for a warning letter to be sent to the provider with the inspection report.

You should seek advice from your team manager and CIE teams, whenever necessary to make your decision about applying the ARI principle.

Meeting the needs of the range of the children for whom it provides

The Education Act 2005 sets out in law the requirement for Ofsted to report on:

'how far the childminding, day care and/or nursery education (where applicable) meets the needs of the range of children whom it is provided.'

You must make this judgement once you have gathered all your evidence. Consider carefully the needs of the children for whom care/nursery education is provided and evaluate whether, on balance, they are met. Your evidence will be gained largely from observing those children present during the inspection, and asking questions about those on roll.

If those present are not fully representative of the range of children for whom the provider is registered, then tease out information through discussion and supporting documents. For example, a childminder may be registered to care for babies under the age of one, as well as three- to five-year-olds. At the time of inspection, there are no babies on roll, only three- to five-year-olds. You should seek evidence through discussion, records and other documentation of the quality of care provided for babies, and take this into account when making your judgement on the needs of the children.

You must include a judgement in the *organisation* section of the report about whether children's needs are met. The judgement is that:

- **overall, children's needs are met** where the care and nursery education is satisfactory or better
- **overall, children' needs are not met** where the care and nursery education is inadequate.

Judging outstanding provision

It is very unlikely that you will judge the provision in many settings to be outstanding. These are exceptional settings. You must judge all aspects of either the care or the nursery education as outstanding, for either to be outstanding overall.

Deciding what must be done to secure future improvement

- Conditions of registration can be imposed, varied or removed in the usual way. You should consider any requests made by the provider during the inspection. Where providers request or agree to any change in conditions, explain to them the following options:
 - you intend to impose or vary a condition. Where the provider resists the change, explain he or she has the right of objection and appeal and that you will issue a notice of intention (NOI) and with it a leaflet on how to object and appeal
 - you intend to impose and vary a condition. Where the provider agrees with the change – or he or she asks for the change and you agree – explain that you will issue a NOI with a post-dated certificate, but the change cannot take effect until 14 days later because that is what the law says. You must explain this carefully and mark on the inspection summary screen in the toolkit that the provider waives rights to objection and appeal
 - where you intend to refuse a request to remove or vary condition ask the provider to write in so that the proper process is followed.
- Satisfactory or good provision

You must make at least one recommendation to improve the care or nursery education if you have judged either or both of these as satisfactory or good overall. When deciding on recommendations, you should identify the few most significant improvements needed to enrich the outcomes for children.

- Inadequate provision (Category 1)

You must raise at least one action to improve the quality of care or the nursery education where it has been judged as inadequate. In these circumstances, actions will be triggered by standards which are not met or by the most significant weaknesses in the nursery education.

You cannot raise both a mixture of actions and recommendations against inadequate care or inadequate nursery education. This is because it needs to be clear to

providers that they must take action to meet the National Standards or to improve the nursery education to an acceptable standard.

The registered person will be issued with a notice of action to improve notifying them of the actions which they must take and by what date. Those which relate to care must be raised against specific standards.

- Inadequate provision (Category 2)

Childcare

We will take enforcement action in line with an escalating tariff according to the risk to children. This could be a compliance notice, suspension, caution/prosecution, an emergency order to impose or vary conditions or cancel registration, or cancellation of registration.

Nursery education

This is equivalent to a school going into special measures. As with category 1, the registered person will be issued with a notice of action to improve telling them what they must improve.

(For information about making judgements on inadequate provision, see page 41 – childcare; and page 54 – nursery education)

Communicating judgements

Oral feedback

You must feedback your judgements and findings to the most appropriate person before you leave the setting. This will normally be the manager or person-in-charge, or their nominated deputy in the absence of the manager. You should make it clear to the manager that the registered person or their nominee may also attend the feedback if it is possible for them to do so. But you should not defer feedback to allow this to happen on another day.

Consult your team manager before giving feedback if you are in doubt about your judgement. You may wish to consult with your CIE team before feedback if you judge the provision to be inadequate: category 1. You must consult them if the provision is inadequate: category 2.

Only in rare circumstances should you delay full feedback, for example if you need to consult with your CIE team about urgent enforcement action to take. Even in these circumstances you must make clear to the provider what options Ofsted can take and the reasons for doing so.

You should allow sufficient time to gather your thoughts and be clear about what you are going to say. Your feedback notes must be consistent with your evidence (and the content of your report). Make sure you have examples to explain the strengths and weaknesses you have identified, and enough evidence to support your judgements. Judgements once given must stand and cannot be changed without the whole basis of the inspection being called into question.

If you have judged the provision as no better than satisfactory because there are no children present, make clear to the provider that the judgement has been made after considering all available evidence.

Before the feedback make sure that the provider knows that the meeting is not a time to challenge judgements or present more evidence. Give the provider an opportunity to confirm there is nothing else you need to see or do before you start the meeting.

Where possible, share your judgements with the provider using the Inspection summary screen on your laptop.

You might find the checklist on the following page helpful when giving feedback. The order is flexible.

Checklist for oral feedback (integrated inspections)

- Thank the provider for his/her cooperation.
- Explain the purpose, structure and confidentiality of the feedback.
- Invite note taking.
- Agree details of paragraphs on Information about the setting and Complaints.
- Give your judgements and summarise strengths and weaknesses for:
 - being healthy
 - staying safe
 - enjoying and achieving
 - nursery education: teaching and learning
 - making a positive contribution
 - nursery education: partnership with parents and carers
 - nursery education: spiritual, moral, social and emotional development
 - organisation
 - meeting the needs of the range of children for whom care and/or nursery education is provided
 - nursery education: leadership and management (refer to as 'organisation' for accredited childminders).
- Give your overall judgements on:
 - the quality of care
 - the quality of nursery education.
- If the care and/or nursery education is inadequate, make clear whether it is category 1 or 2 and, in the case of childcare, the options Ofsted can take.
- Where appropriate, give:
 - recommendations or
 - actions and/or
 - any conditions to be varied or imposed.
- Explain:
 - that the provider will receive a final copy of the report which will then be published on the internet within the next 25 working days.
 - any follow-up action required.
- Share the *Prompt Points* sheet with the provider to explain the timing of the next inspection.
- Give provider a copy of the Next Steps leaflet if the care and/or nursery education has been judged as inadequate.
- Any clarification needed?
- You may need to explain that a draft report is no longer issued.

Writing the report

Although the format is prescribed, there are few rules about content and wording of the report. The report should read fluidly and in a way which captures the uniqueness of the setting. The text, balance and tone of the report should reflect the quality of the outcomes for children in that particular setting and the organisation of the provision. The reasons for your judgements should be clear to anyone reading your report, particularly where the quality of care and nursery education is different.

Reports should be long enough for you to say what **needs** to be said and no more. It is likely, that settings with a number of weaknesses will require a more detailed explanation of the reasons for your judgements.

General guidance:

Reminder:

- Do not name the childminder or give too much information about where he or she lives in any part of the report.
- If there are no children on roll or present when you carry out the inspection you must explain this in the Information about the setting section of the report.
- Your report on the outcomes for children and the organisation of the provision should help the reader understand how you reached your overall judgements on care and nursery education.
- Where there is a clear breach of a regulation or condition this must be reported under the most appropriate section of the report.
- Any actions or recommendations must arise clearly from the main body of the report. For example, the impact of a weakness which gives rise to a recommendation to 'update knowledge on current food handling practices' must be explained in the 'being healthy' section of the report.
- You should comment on each of the National Standards in relevant section. This does not mean you should just list the standards. Try to weave them together so your report paragraphs read fluently.
- Use evaluation plus illustration to identify strengths and weaknesses in the outcomes for children.

Reporting on under-threes

You only need to report separately on the effectiveness of the provision for under-threes where:

- there are specific strengths or areas that need improvement
- the setting makes effective use of the *Birth to three matters* framework to plan and provide a range of stimulating and appropriate activities

- recommendations and actions arise as a result of quality of care for the under threes. In this case you can specifically refer to the *Birth to three matters* framework to help the provider focus on improving the outcomes for children. For example,
 - improve the outcomes for children under three by using an approach in line with *Birth to three matters*: or
 - develop a suitable range of activities for the younger children as explained in *Birth to three matters*.

Reporting on meeting of the needs of the children

You must include a judgement in the Organisation section of the report about whether children's needs are met. The judgement is that:

- overall, children's needs are met where the care and nursery education is satisfactory or better
- overall, children's needs are not met where the care and/or nursery education is inadequate.

Reporting on nursery education

Where the setting provides nursery education, you should report this under the following outcomes:

Enjoying and achieving

In this section you must enter:

- the sub-heading Nursery education
- a single text judgement on the quality of teaching and learning.

This is where you report on the quality of teaching and learning. You can either weave these two elements together or report on them in separate paragraphs. Either way, the impact of teaching on learning must be crystal clear. There is no requirement to comment on each area of learning. Focus on the overall quality of teaching and children's learning, and any significant differences in quality for different groups of children.

Positive contribution

In this section you must enter:

- a text judgement on the quality of the partnership with parents and carers
- a text judgement on whether or not children's spiritual, moral, social and cultural development (SMSC) is fostered.

When reporting on the partnership with parents, you can integrate your findings on care and nursery education, but remember to explain how the latter helps children make progress towards the early learning goals.

You should explain your judgement for SMSC. You may find it helpful to include an observation(s) of an area(s) of learning to illustrate how children are learning to make a positive contribution and how this impacts on their SMSC development. This brings the report to life and helps the reader understand the reasons for your judgement on SMSC.

Organisation

In this section you must enter:

- a text judgement on the quality of leadership and management of the nursery education (day-care inspections only)
- a text judgement on whether the provision meets the needs of the range of the children for whom it provides.

Similarly, you can integrate your findings on care and nursery education, making clear how the organisation impacts on the latter. In day-care settings, you should include a text judgement on the quality of leadership and management of nursery education.

It is inappropriate to use the term leadership and management in reports of accredited childminders. Instead, make clear within the text the impact of the childminder's organisation on the nursery education, including the impact of the network coordinator. You must, however, make a judgement on leadership and management in the toolkit.

You can also integrate your findings to arrive at a single text judgement on whether the care and the nursery education meets the needs of the range of the children for whom it provides.

Reporting on improvement

You do not need to make a judgement on improvement. But you should evaluate and report on how the steps taken to tackle actions, recommendations or key issues raised at the last inspection have improved outcomes for children and the organisation of the provision. For example, where previous actions related to safety issues, your evaluation of improvement should focus on how any changes in the provision contribute to children 'Staying safe'.

It is not necessary to write out previous actions, recommendations or key issues in full. Where possible, summarise them, for example '*The childminder was asked to*

develop documentation to improve the organisation of care and to improve children's access to books and writing materials.'

If this is the first inspection since registration, you should write Not applicable, as before.

Reporting on complaints (childcare only)

In this section you should include information about any complaints, since registration, the last inspection or 1 April 2004 (whichever is later), which caused Ofsted to investigate the provider's compliance with the National Standards. Summarise the National Standards to which the complaint(s) relate, how the complaint was investigated including any actions the provider has taken, and the outcome of the investigation.

To report on complaints since 3 October 2005, inspectors should include the appropriate standard wording in relation to the provider's complaint record and report briefly on whether the record is compliant with our information.

You should prepare the first part of the section about complaints made to Ofsted before the inspection. The completed complaints section should be shared with the provider during feedback at the end of the inspection. (see [Information for Inspectors 48.6](#))

Reporting on future improvement

- Begin each recommendation or action with a verb and a lower case letter.

Although actions and recommendations should be few in number, there is no set number. They should be worded so that providers are clear about what they must do to meet the National Standards.

Normally, at least one action will arise for each outcome (and for organisation) judged as inadequate. The exception to this is where it is sensible to combine the resulting action from one 'inadequate' outcome with that arising from another. For example, an action to tackle the absence of required documentation (organisation) may be combined with an action raised against *staying safe* regarding required procedures relating to child protection or what to do in the event of a fire, etc.

You should set recommendations where they are likely to bring about the most impact. They should be worded so that providers are clear what they must do to improve the quality of care or nursery education that they provide. You should concentrate on giving the provider enough detail to understand what they need to improve rather than wording them in terms of outcomes for children. Remember you should NOT raise a mixture of actions and recommendations against inadequate care or against inadequate nursery education!

Normally you must report, separately, those recommendations or actions which apply to the childcare and those which apply to the nursery education.

Occasionally one or more of your recommendations for care and for nursery education may be identical. In these circumstances, there is no need to write the recommendation in both sections. Instead, you should enter:

- the recommendation in the section where it is likely to have the most impact
- the following words in brackets to indicate which recommendation or action applies to both care and education:

(also applies to care/nursery education) – amend as necessary.

If this means that one section will be left blank – because there are no other recommendations – enter the following wording in the 'blank' section:

make improvements as indicated in the care/nursery education section above/below – amend as necessary.

For example:

To improve the quality and standards of care further the registered person should take account of the following recommendation(s):

- improve induction arrangements for new staff working with children under three
- increase opportunities for all children to develop their physical skills (also applies to nursery education).

To improve the quality and standards of nursery education further the registered person should take account of the following recommendation(s):

- make improvements as indicated in the care section above.

Inadequate childcare: category 2

If the childcare or nursery education has been judged as inadequate: category 2, then standard text – rather than actions – is generated in the report section 'what must be done to secure future improvement?' This standard text states that 'Ofsted is taking enforcement action to safeguard the welfare of children.' This is to make sure that CIE teams, in liaison with the CCI, are able to give full consideration to the circumstances and decide the most appropriate enforcement action. For example, if having taken full account of all evidence, it is decided to cancel a person's

registration because of serious concerns about the childcare, then clearly it would be unhelpful to include actions in the report.

However, you must make the weaknesses in the provision explicit in the main body of the report. The provider, parents and the public should be left in no doubt about the seriousness of these, their impact on the outcomes for children, and why Ofsted is taking enforcement action.

Where the decision is taken to issue a compliance notice, this will include the most significant actions which the registered person needs to take in order to comply with the requirements of the Children Act 1989 and other regulations. You may also decide that other – less significant – actions should be taken in order that the provision will not be judged as inadequate at the next inspection. In these circumstances, you must alert the CIE team dealing with the case to draft a ‘warning letter’ detailing these actions to be sent with the compliance notice.

- **Checking your report**
 - You should always aim to write a report that meets HMCI’s standard.

This means that the report arises from the evidence in the notebook which is:

- evaluative
 - convincing
 - sufficient
 - when read as a whole, makes clear the outcomes for children. Anyone reading the notebook can see clearly how you arrived at your judgements. The most important strengths and weaknesses stand out, and are brought forward into the report.
- is consistent. Judgements within the report are balanced and are not contradictory. They support your overall judgements for care and nursery education.
 - is well written. It is concise, free from jargon, grammatical errors and spelling mistakes. Interested people can read and understand the report, and have a fair and accurate assessment of the provision and what it must do to improve.
 - is compliant i.e. includes all the required elements detailed in the Evaluation Schedule.

Remember, if you have applied the ARI principle and decided not to raise an action to a breach of regulation or condition, you must record evidence of the circumstances that has led to the breach and convincing reasons for not raising an action.

The checklist on the following pages will help you make sure that your report meets the required standard.

Report Checklist (integrated inspections)

Information about the setting

- Does this contain the required factual information?
- No children present or on roll

Overall judgements

- overall judgement for care selected?
- overall judgement for nursery education selected?

Being healthy

- outcome judgement selected?
- balance of strengths and weaknesses reflect the outcome judgement?

Staying safe

- outcome judgement selected?
- balance of strengths and weaknesses reflect the outcome judgement?

Enjoying and achieving

- outcome judgement selected?
- text judgement for teaching and learning entered?
- balance of strengths and weaknesses reflect the outcome judgement?

Positive contribution

- outcome judgement selected?
- text judgement for partnership with parents and carers entered?
- text judgement for SMSC entered?
- balance of strengths and weaknesses reflect the outcome judgement?

Organisation

- outcome judgement selected?
- text judgement for meeting the needs of the children entered?
- text judgement for leadership and management entered? (*day care only*)
- balance of strengths and weaknesses reflect the outcome judgement?

Improvement since the last inspection

- summary of previous recommendations, actions and key issues?
- impact of action taken on outcomes for children's evaluated?

Complaints

- summary of any complaints, since the last inspection; or registration; or 1 April 2004?
- National Standards to which the complaint relates?
- details and outcome of investigation?
-

Future improvement

- main aspects which require improvement

- few in number?
- at least one recommendation for care/nursery education judged good or satisfactory
- at least one action for care/nursery education judged inadequate
- traceable to relevant outcome/organisation?
- start with a verb
- start with a lower case letter?

Overall...

- makes sense?
- judgements 'add up'?
- spellchecked - free from spelling or grammatical errors?

And...

- Fully substantiated by evidence in the toolkit!

Additional guidance

A: judging the quality of childcare

The focus of the inspection is NOT to make judgements about each of the National Standards. Instead, the standards guide your judgement of the overall quality of care in relation to the following outcomes for children:

- being healthy
- staying safe
- enjoying and achieving
- making a positive contribution

In reaching a judgement about **organisation** you should evaluate the extent to which the management of care promotes children's well-being. It must make sense against your judgements on the outcomes. In other words, the impact of main strengths and aspects for improvement in the organisation of the childcare should be traceable to the outcomes for children.

To evaluate the outcomes for being healthy, concentrate on:

How well do children enjoy good health and a healthy lifestyle?

Consider how well children:

- are protected from infection and are well taken care of if they have an accident or become ill because practitioners follow current and appropriate environmental health and hygiene guidelines, policies and procedures
- learn to understand simple good health and hygiene practices
- are nourished
- learn about healthy eating/living
- rest and sleep according to their needs
- have their health and dietary needs met because practitioners work well with parents
- take part in regular physical activity both indoors and outdoors.

Consider the impact of organisation, equal opportunities, documentation.

Sources of evidence include:

- the setting's SEF
- discussions with children, parents and carers, staff
- observations of:
 - the accommodation
 - health and hygiene policies and procedures working in practice
 - children's response to routines e.g. personal hygiene, meal/snack times, physical play activities.

To evaluate the outcomes for staying safe, concentrate on:

How well are children protected from harm and neglect?

Consider how well children:

- are cared for in a welcoming, secure and safe indoor and outdoor environment (e.g. suitable for purpose, risk assessed, well-implemented policies and procedures)
- use suitable and safe equipment
- learn to keep themselves safe (e.g. avoid accidental injury)
- are kept safe on outings
- are safeguarded because staff understand their role in child protection and are able to put appropriate procedures into practice when necessary
- are cared for by adults who are vetted and have relevant experience, knowledge and skills.

Consider the impact of organisation: suitable person, organisation, and documentation.

Sources of evidence include:

- the setting's SEF
- discussions with children, parents and carers, staff
- observations of:
 - the accommodation, furniture and toys
 - safety policies and procedures working in practice
 - children's movements in and around the setting.

To evaluate the outcomes for enjoying and achieving, concentrate on:

How well are children enjoying the provision and making good progress in learning, leisure and personal development?

Consider how well children:

- settle and become happy in the setting
- gain self-esteem
- are involved in a broad range of planned activities and spontaneous events, which support their development and learning
- are becoming confident to make decisions, explore and investigate
- relate to others
- respond to adults who are interested in what they do and say
- have their individual needs met.

Where nursery education is provided take account of the quality of learning and teaching
(see pages 44-49)

Consider the impact of organisation: suitable person and organisation

Sources of evidence include:

- the setting's SEF
- observations of children's interaction and response to indoor and outdoor experiences, activities and routines, adults and peers
- accessibility of suitable range of resources
- talking to the provider/staff, for example, to enquire about how they use observations of children to plan the next steps for play and learning and to provide for individual needs
- outcomes from activities - what children can do; their interest and enthusiasm
- the views of parents.

To evaluate the outcomes for positive contribution, concentrate on:

How well children join in, take responsibility and play a productive part in the setting?

Consider how well children:

- are valued and included
- have their individual needs met by adults who work in close partnership with parents and carers (including children with special needs)
- feel a sense of belonging
- learn to respond to appropriate expectations for their behaviour
- develop self-esteem
- are aware of their own needs and respect the needs of others
- learn to work harmoniously with others
- make choices and take decisions
- benefit from activities and resources which help them value diversity
- improve their SMSC development (where funded children attend).

Consider the impact of organisation: suitable person and organisation.

Sources of evidence include:

- the setting's SEF
- balance of adult-led and child-initiated indoor and outdoor activities
- interactions across the provision
- accessibility of suitable range of resources
- talking to the provider/staff, for example, to enquire about how they increase children's awareness of diversity
- observations of children's levels of engagement and enthusiasm
- the views of parents.

How well does the organisation of the day care promote positive outcomes for children?

Consider how well the care is organised to show:

- adults have a clear sense of purpose and a commitment to continual improvement
- recruitment and vetting procedures contribute to children being protected and cared for by staff with knowledge and understanding of child development
- a high regard for the well-being of all children
- the adult: child ratio positively supports children's care, learning and play
- time, space and staff deployment contributes to children's good health, safety, enjoyment and achievement and ability to take an active part in the setting
- policies and procedures work in practice to promote children's health, safety, enjoyment, achievement and ability to make a positive contribution
- record keeping systems are used well to meet children's needs
- leadership and management of the nursery education contributes to children's progress towards the early learning goals
- the provision meets the needs of the range of the children for whom it provides.

Sources of evidence include:

- the setting's SEF
- sampling documentation
- the views of staff and parents/carers
- first hand observations of routines and activities.

Pitching your judgements about care

This is not a prescribed checklist, but an indication of characteristics of each grade. There are wide variations in children's development. Adults should adapt their practice to match the specific needs of individuals and promote the best possible outcomes for each child. Adapt the guidelines according to the context of the setting, age and stage of development of the children you observe.

<p>Outstanding (Grade 1)</p>	<p>Outcomes for children are excellent. Children are eager to attend and relish their time in the vibrant and safe setting which puts them first. A superb partnership between the childminder/staff, parents and external agencies ensures all work together in numerous ways to meet each child's needs and ensure their protection. Children play a dynamic part in the setting. They are animated and enthusiastic as they make choices about their activities and care. Wherever possible, they share responsibility for decisions about the provision actively contributing to the development of safety, health and care routines. Relationships are excellent at all levels. Children gain a high level of self-control. They express their needs appropriately, learn to negotiate conflict and become sensitive and respectful in their interactions with others. They show an excellent understanding and willingness to keep themselves safe and healthy. Children become engrossed in a wide range of purposeful and developmentally appropriate indoor and outdoor activities which provide high levels of challenge appropriate to their age and stage of development. Children's care is significantly enhanced by exceptional organisation. All policies and procedures are individual to the setting, robust and fully support the expert practice of knowledgeable and highly skilled practitioners who consistently give utmost priority to protecting all children, promoting their well-being and supporting all to develop their potential.</p>
<p>Good (Grade 2)</p>	<p>Outcomes for children are good. Children are happy and settled in the welcoming setting. A good partnership between the childminder/staff, parents and external agencies encourages all to work together to meet each child's needs. Children play an active part in the setting. They enjoy making choices about their activities and care. They often share responsibility for decisions about the provision contributing, at some level, to the development of safety, health and care routines.</p> <p>Children develop caring and cooperative relationships. They are increasingly able to manage their behaviour, to find solutions to conflict and to show respect for the needs of others. They have a good understanding of how to keep themselves safe and healthy. Children are motivated and interested in a broad range of purposeful and developmentally appropriate indoor and outdoor activities which provide good levels of challenge appropriate to their age and stage of development.</p> <p>Children's care is enhanced by efficient and effective organisation. Knowledgeable practitioners fully understand and follow the setting's comprehensive policies and procedures to protect children, promote their well-being and support all to develop their potential.</p>
<p>Satisfactory (Grade 3)</p>	<p>Outcomes for children are satisfactory overall. Children are broadly content and settled in the setting. Parents, the childminder/staff and external agencies work sufficiently well together to meet each child's needs. Children have a sense of belonging. They make some choices about their activities and care and, on occasion, share responsibility for decisions about the provision. Children know and comply with safety, health and care routines but may not often share in their development.</p> <p>Children are interested in a suitable range of developmentally appropriate indoor and</p>

<p>Satisfactory (Grade 3) cont.</p>	<p>outdoor activities, although these are not always sufficiently challenging to help children to take the next step. Relationships are generally good. Children generally manage their behaviour appropriately and understand their actions affect others. They are beginning to understand how to keep themselves safe and healthy.</p> <p>Children's needs are met through generally effective organisation. Practitioners have a sound knowledge and understanding of childcare. They understand and generally follow the setting's acceptable policies and procedures to take appropriate steps to protect children, promote their well-being and support their development.</p>
<p>Inadequate (Grade 4) Category 1</p>	<p>The outcomes for children are inadequate as a result of practitioners' insecure knowledge and understanding of good quality childcare and a failure to comply with a national standard or regulation. The organisation of care does not meet children's needs and/or regulatory requirements. This compromises children's safety and well-being or limits their potential to develop.</p> <p>Where practitioners knowledge is weak a significant number of children may remain unsettled. They spend much of their time in the setting aimlessly or complying with strict regimentation. Parents, staff and external agencies do not work sufficiently well together to meet each child's needs. Children may be passive or have little confidence and self-assurance and rarely work and play effectively either independently or with others. They may have limited guidance and support or make few choices and decisions in an overly adult-directed environment. Conversely, they may be left too much to their own devices; with insufficient adult attention and support to help them make progress. Behaviour may be poor and disruptive or overly compliant, with children gaining little understanding of how to manage their own behaviour. They may show little regard the needs of others in the setting. Children have a limited understanding of safety, health and care routines and as a consequence do not learn how to keep themselves safe and healthy.</p>
<p>Inadequate (Grade 4) Category 2</p>	<p>This may be as a result of the practitioners' poor knowledge and understanding of good quality childcare and/or unwillingness and constant failure to improve. The failure to comply with a national standard or regulation is likely to have severe consequences on children's safety, well-being and/or development.</p> <p>Most children may remain unsettled and spend much of their time with little purpose. Parents, the childminder/staff and external agencies do not work together to meet each child's needs. Children gain little confidence and self-assurance, and are unable to work and play effectively either independently or with others. They may be passive and make few choices and decisions in an overly adult-directed environment. Conversely, they may receive insufficient adult attention and support which means they make little progress. In some instances the care may be detrimental to their development. Behaviour is likely to be poor and disruptive showing little understanding of behavioural boundaries or overly compliant, with children failing to learn how to manage their own behaviour. They may show a disregard for the needs of others in the setting. Children have little understanding of safety, health and care routines and as a consequence do not learn how to keep themselves safe and healthy. Overall the organisation of care fails to meet children's needs and/or regulatory requirements. Practitioners' fail to protect children, promote their well-being and/or support all to develop their potential.</p>

Judging inadequate childcare: category 2

The **capacity to improve** is a very significant factor in determining whether inadequate provision should be judged as category 1 or 2.

Where you judge that a provider does not have the willingness or capacity to improve the quality of care, then you must judge the quality and standards of care as inadequate category 2. You must only make this judgement with the approval of your line manager and, the case of childcare, with advice from the CIE team who agree that enforcement action is relevant and appropriate to the inspection findings.

This will most likely be the case where:

- the provider has had previous actions relating to your concerns and has taken little or no action:, or has allowed the situation to recur
- the provider's attitude is poor – the provider lacks the necessary knowledge; or does not see the importance of what you are asking them to do: or is reluctant or refuses to carry out the action
- there is an identified risk to children that can be minimised
- there is a detrimental impact on outcomes for children.

If you judge that the quality of care falls into this category you should, before giving feedback:

- consider what information you already know about this provider such as a history of non-compliance
- consider and assess the risks to children
- make sure that you have enough evidence recorded to support your judgement
- think about what enforcement action is most appropriate
- contact your line manager and/or the CIE team to tell them about your findings, your recommended course of action, and ask for advice/confirmation
- give feedback to the provider following the guidance in the *CIE guidance: section 8* making sure that the provider knows what will happen next
- leave a copy of the *Next steps* leaflet.

Possible courses of action

Compliance notice (refer to *CIE guidance* section 12)

You may recommend the issue of a compliance notice where you have evidence that a person is not meeting the National Standards or keeping required records. You are most likely to recommend this where:

- settings have not responded to previous actions; or

- what you have found is significant enough to warrant action further up the escalating tariff because of the risk to children and impact on the outcomes for children; or
- the provider has a poor attitude to the issues you raise and would be unlikely to comply without enforcement action.

You should seek agreement from your line manager/CIE team that a compliance notice is the best course of action before leaving the setting, and tell the provider this is what Ofsted intends to do. You should raise compliance actions at the setting wherever possible, talk these through and tell the provider that they can start work on these straight away.

Suspension (refer to *CIE guidance* section 11)

You should recommend suspension where you judge that the continued provision of childcare may expose one or more children to the risk of harm. This is most likely to be the case where:

- there are risks to safety from the condition of the premises
- you have information that one or more persons are not suitable to care for or be in contact with the children
- there are insufficient adults to minimise risks to children to an acceptable level.

The CIE guidance takes you through the steps of what you must do when imposing suspension. You must seek immediate advice and may have to remain in the setting; or leave and return with the suspension notice very quickly.

Emergency order (refer to *CIE guidance* section 14)

You should recommend emergency action where it is necessary to protect children in an emergency. We can apply for an emergency order to cancel registration; vary or impose a condition of registration. To recommend this course of action you must have evidence that a child is suffering or is likely to suffer significant harm.

Only senior managers may decide whether to make an application for an emergency order, so you must seek immediate advice if this is what you recommend.

Cancellation (refer to *CIE guidance* section 13)

You will not normally resort to cancellation of registration at inspection as you have a range of other courses of action to take in the escalating tariff before considering cancellation. You should only recommend cancellation of registration where you judge that a person is no longer qualified for registration because you have evidence that:

- the registered person is not suitable

- other people looking after children are not suitable
- other people living or working on the premises are not suitable
- the premises are not suitable
- the registered person is not complying with regulations
- the registered person is not complying with conditions of registration.

But before recommending cancellation consider whether

- your evidence is sufficient to prove that the person is no longer qualified
- cancellation is a proportionate response
- the welfare of the children is best served by cancellation.

Only senior managers may decide to cancel registration. It is unlikely that you will agree this course of action before you leave the inspection. In these circumstances you must make sure before you leave that the provider understands the different courses of action open to Ofsted, and the seriousness of what you have found.

Prosecution and cautions (refer to *CIE guidance* sections 15 & 16)

You are likely to recommend prosecution or offering a caution where:

- issuing of a compliance notice is not likely to achieve the desired outcome; or
- the issues are of such significance that this is the only reasonable action; and
- prosecution is likely to improve care to an adequate standard. If not then you should consider cancellation.

Only divisional managers can make the decision to prosecute or offer a caution. It is unlikely that you will agree this course of action before you leave the inspection. In these circumstances you must make sure before you leave that the provider understands the different courses of action open to Ofsted, and the seriousness of what you have found.

B: judging the quality of nursery education ¹¹

Providers who are eligible to provide nursery education must have regard to the *Curriculum guidance for the foundation stage*. This continues to be the key document in helping you judge children's progress towards the early learning goals which remains the focus of nursery education inspections.

In evaluating the quality of nursery education you should take account of:

- the quality of children's learning
- the quality of teaching

¹¹ This section should be read in conjunction with [revised HMI 2152](#)

- the extent to which parents are involved in children's learning
- the effectiveness of senior managers/the childminding network coordinator in promoting good levels of progress, monitoring and evaluating performance and identifying and tackling weaknesses in the programme for nursery education.

Judging learning

You do not need to make judgements about each of the six areas of learning. But you should gather evidence of children's progress in each of them to judge the effectiveness of their learning overall.

To do this, concentrate on:

How good are the children's attitudes and behaviour?

Consider how well children:

- enjoy the nursery/childminder and its activities
- show interest in what they do
- ask questions
- use initiative
- take responsibility
- concentrate
- develop confidence and self-esteem
- begin to distinguish between right and wrong, to understand the moral codes of their own and other cultures
- behave (in relation to their stage of development)
- begin to understand and respect the values and feelings of others
- form constructive and harmonious relationships (share and take turns)
- begin to appreciate their own culture and the cultural traditions of others.

Sources of evidence include:

- observations of children's interactions and response to experiences, activities and routines
- the views of children, parents and carers, staff
- the setting's SEF.

How good are children's achievements?

Consider:

- how well children are doing in relation to the stepping stones towards the early learning goals in the six areas of learning
- whether children make enough progress in relation to their starting points

- any differences in learning between different groups of children – girls, boys, ability, ethnicity
- whether children grapple with new ideas and skills or are working well within their limits in relation to what is seen at the time of the inspection
- whether progress in a particular area of learning is consistently better than or falls below that of other areas of learning.

Sources of evidence include:

- the outcomes from children’s activities in and out of doors, (such as what children can do, whether they are developing problem-solving skills, their levels of interest and enthusiasm and the ability to share, turn-take and sustain high levels of concentration)
- the views of children, parents and carers, staff
- displays, portfolios of children’s work, photographs
- evidence of progress from assessment records
- talking with the provider and staff about children’s starting points and how assessments and records are used to track children’s progress and plan the next step in their learning
- the setting’s SEF.

The areas of learning: ‘The Big Picture’

Concentrate on gathering evidence for key aspects within the areas of learning to evaluate how well children are doing in relation to the stepping stones and whether their achievements are good enough given their capability and starting points. You will gain most information about what children know, understand and can do from direct observation and by talking with them.

- As you focus on the children’s attitudes and behaviour, you will gain much evidence of their personal, emotional and social development.
- Conversations will help you gauge children’s confidence in a key aspect of communication, language and literacy; learning through talk. You may, for instance evaluate whether children use language imaginatively and to organise their thinking. Observe whether they develop the early skills of reading and writing in meaningful, practical experiences. You must also consider the outcomes for children whose first language is not English and for those with special educational needs.
- Listen for the use of mathematical language related to shape, measures and numbers as well as problem solving in everyday activities. Check that children with difficulties in understanding and communicating in spoken English have time and support to develop mathematical language.
- Your observation of children’s curiosity and interest in finding out about objects, materials and living things, where they live and in each others lives will contribute to your evaluation of knowledge and understanding of the world.

- Consider whether children enjoy physical activity; develop an understanding of changes that happen to their body; what it means to be healthy. Observe how well they develop physical control of the way they handle their bodies and use a range of small and large equipment. Check that children with physical disabilities are included and given appropriate support to develop their skills and become increasingly independent.
- Look for evidence that children's creativity is valued. Observe how children use their imaginations and respond to what they see, hear, touch and feel.
- Look across the provision as a whole to reach an informed judgement on children's SMSC.

Where your evaluations highlight particular strengths or weaknesses in children's overall learning, you should consider how this impacts on their progress in specific areas of learning. For example, if children do not ask questions or take initiative you should analyse how this affects:

- the development of their problem solving skills in mathematical development
- their ability to explore and investigate in knowledge and understanding of the world
- their skill to express and communicate their ideas in communication, language and literacy.

Pitching your judgements about learning

This is not a prescribed checklist, but an indication of characteristics of each grade. There are wide variations in children's development. Adults should adapt their practice to match the specific needs of individuals and promote the best possible outcomes for each child. Adapt the guidelines according to the stage of development of the children you observe.

<p>Outstanding (Grade 1)</p>	<p>Children relish their time in the setting. They have an excellent attitude to learning and are happy, settled and purposefully engaged throughout the session. Children become extremely confident, self-assured and self-disciplined working and playing effectively on their own or with others. They negotiate with others and take responsibility for their actions. They have an excellent awareness of right and wrong in line with their stage of development. Children gain a well-developed respect for others and their beliefs, cultures and traditions.</p> <p>Children are fully involved and engrossed in an exciting range of highly innovative and developmentally appropriate indoor and outdoor activities which provide optimal challenge. Children play a dynamic role in their learning. They offer their ideas and respond to challenges with great enthusiasm. They show high levels of independence, curiosity, imagination and concentration and use all their senses to actively explore a stimulating range of new experiences. Overall, all children make outstanding progress in their learning and have excellent levels of achievement given their capability and starting points.</p>
<p>Good (Grade 2)</p>	<p>Children are happy, enjoy coming to the setting and have a positive attitude to learning. They are confident and can play well on their own or with others. Children develop self-control and accept responsibility for their actions. They have secure awareness of right and wrong, and show a good respect for others and their beliefs, cultures and traditions.</p> <p>Children are involved, motivated and engaged in a broad range of developmentally appropriate indoor and outdoor activities which provide good levels of challenge. They are keen to offer their own ideas and respond well to challenges. They show good levels of independence, curiosity, imagination and concentration and use all their senses to explore a wide range of new experiences. Overall, children make good or better progress in their learning and achieve well given their capability and starting points.</p>
<p>Satisfactory (Grade 3)</p> <p>Satisfactory (Grade 3) <i>cont.</i></p>	<p>Most children are happy, settled and enjoy coming to the setting. They are sufficiently confident and self-assured to work and play independently or in groups. They respond appropriately to realistic adult expectations for acceptable behaviour so that learning can take place. Children are able to accept responsibility for their actions, with adult support. They know about the need for simple rules. Children are aware of others and know that they may have differing beliefs, cultures and traditions.</p> <p>Children show interest in a range of purposeful, first-hand activities and experiences. They sometimes offer their own ideas and most respond appropriately to challenges. They have satisfactory levels of independence, curiosity, imagination and concentration and use all their senses to explore a sufficient range of experiences. Overall, children make sound progress in their learning and achievement given their capability and starting points.</p>

<p>Inadequate (Grade 4)</p> <p>Category 1</p>	<p>A significant minority of children remain unsettled and anxious about leaving their parent/carer. They do not gain sufficient confidence and self-assurance to enable them to work and play independently or with others, without adult support. Children have a limited understanding of how to manage their behaviour. They are overly compliant or insufficiently aware of the effect of inappropriate actions on others which hinders the quality of learning. They develop little awareness of their own or differing beliefs, cultures and traditions.</p> <p>Children show little interest in the limited range of activities and experiences provided. Learning is often repetitive with little challenge. Children may follow adult directives in the setting but rarely use their curiosity and imagination at a level appropriate to their stage of development. Overall, children make insufficient progress in their learning and achieve too little given their capability and starting points.</p>
<p>Inadequate (Grade 4)</p> <p>Category 2</p>	<p>Many children are unsettled and remain extremely anxious about leaving their parent/carer. They have little confidence and are unable to work and play effectively either independently or with others, with adult support. Most children fail to learn how to manage their behaviour which undermines learning. They are excessively compliant or have no understanding of the effect of inappropriate actions on others. They disregard the needs of others in the setting and have an insufficient awareness of their own or differing beliefs, cultures and traditions.</p> <p>Learning is mundane. Children are unresponsive, bored and show scant interest in a poor range of activities. They fail to develop their imagination, sense of curiosity and ability to concentrate at a level appropriate to their stage of development. Overall, children make poor progress in their learning and fail to achieve given their capability and starting points.</p>

Judging Teaching

The teaching children receive is at the core of how well they learn and is fundamental to the overall quality of provision for nursery education.

To evaluate the quality of teaching, concentrate on:

How well does teaching meet the needs and interests of all children, as well as requirements?

Consider

- the extent of practitioners' knowledge and understanding of the Foundation Stage and how young children learn
- how well the learning environment and programme of activities:
 - is planned to provide a broad and balanced range of activities and experiences across the six areas of learning
 - is suited to the needs of the children
 - reflects the community the children come from and the wider world

- the extent to which the teaching of different areas of learning truly interests children, helping them to become focused, able to resist distractions and persist for some time
- whether methods, expectations and questions challenge and support children to achieve as much as they can
- how well staff manage children’s behaviour.
- whether the inclusion of all children is actively planned and monitored (including the arrangements in place to support children with SEN, even if there are none present/on roll at the time of inspection) how well staff uses time and resources, including accommodation to enable children to make as much progress as they can.

How suitable and rigorous is assessment? How well is it used?

Consider

- whether providers know about children’s attainment on entry, for example using information from parents about their child’s personal, social and emotional development, physical development and communication skills
- how well information gained from assessments is used to help move children to the next stage in their learning
- how well records give a clear picture of progress.

Sources of evidence will include:

- observations of activities and interactions between children and practitioners
- discussions with staff and practitioners
- the setting’s SEF
- plans
- records of children’s progress.
- Pitching your judgements about teaching

This is not intended to be a prescribed checklist, but an indication of characteristics of each grade. Adapt according to the age and stage of development of the children you observe.

Outstanding (Grade 1)	<p>Teaching is consistently inspiring and challenging for all (groups of) children. The activities and experiences provided are exceptionally well matched to children’s needs and interests. Teaching is rooted in expert knowledge of the Foundation Stage, varied, exciting and sometimes innovative teaching methods and a full understanding of how young children learn and progress. Relationships are excellent. Teaching highly motivates children so they are engrossed in their activities and make very rapid progress. Assessment is rigorous and the information gained used very effectively to guide planning.</p> <p>Activities and experiences for all children are rich, varied and imaginative and meet the needs of individual children exceedingly well. Practitioners are extremely skilled and sensitive in their management of children and their behaviour. They provide a highly stimulating and welcoming environment which fully reflects the</p>
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	<p>children's backgrounds and the wider community. They consistently make excellent use of their time and resources to support children's learning. Continual and rigorous monitoring procedures enable practitioners to maintain the high standards of teaching.</p>
<p>Good (Grade 2)</p>	<p>Teaching provides realistic challenge for all (groups of) children. Practitioners understand children's needs and provide a wide range of activities and experiences to move them on. Teaching is rooted in a secure knowledge of the Foundation Stage, a good range of teaching methods and a clear understanding of how young children learn and progress. Relationships are good. Teaching motivates children so they are keen to learn and most make good progress. Assessment is thorough and the information gained used effectively to guide planning.</p> <p>The activities and experiences are broad and effective and meet the needs of individual children. Practitioners manage children and their behaviour well. They provide an interesting and welcoming environment which reflects most children's backgrounds and the wider community. They make good use of time and resources to support children's learning. Practitioners use monitoring procedures well to evaluate and improve the quality of their teaching.</p>
<p>Satisfactory (Grade 3)</p>	<p>Teaching is appropriate for all groups of children. Practitioners understand children's needs and provide a sufficient range of activities and experiences. They have a sound knowledge of the Foundation Stage, a reasonable range of teaching methods and an adequate understanding of how young children learn and progress. Relationships are secure. The level of challenge is sufficient to interest most children in the activities and enable them to make satisfactory progress. Assessments and the use of information gained from it are satisfactory, but sometimes inconsistent.</p>
<p>Satisfactory (Grade 3) <i>cont.</i></p>	<p>The activities and experiences satisfactorily cover the areas of learning and mostly meet the needs of individual children. However, teaching is not particularly innovative or stimulating and has some minor deficiencies.</p> <p>Practitioners generally manage children and their behaviour appropriately. They provide a secure environment which reflects the background of many children and some sections of the wider community. They make satisfactory use of their time and resources to support children's learning. Monitoring procedures are adequate but are not always used to identify ways to improve teaching.</p>
<p>Inadequate (Grade 4) Category 1</p>	<p>A significant number of children do not progress well enough because teaching is ineffective. There is too little to capture children's interest and activities and experiences are not well enough matched to children's needs to provide a suitable level of challenge. Practitioners have an incomplete knowledge of the Foundation Stage, a limited range of teaching methods and an insecure understanding of how young children learn. Assessment is inadequate.</p> <p>The activities and experiences do not sufficiently cover the areas of learning or meet the needs of a substantial number of children.</p> <p>Practitioners are uncertain about effective ways of managing children and their behaviour and put much effort into supervising rather than promoting learning. The environment does not adequately reflect the background of the children or the wider community. Time and resources are not used effectively to support children's learning. The content, suitability and effectiveness of the provision is rarely monitored and evaluated and limited attention is given to improving the quality of teaching to make it relevant and interesting to children.</p>

<p>Inadequate (Grade 4)</p> <p>Category 2</p>	<p>Children do not make sufficient progress because teaching is poor. The range of activities and experiences is too narrow to cover the areas of learning. Practitioners do not take account children's interests and needs in their plans. They have low expectations of children, offer little challenge and have a weak knowledge and understanding of the Foundation Stage.</p> <p>Teaching methods are inappropriate; they fail to engage all children and hinder their progress. Assessment is unsatisfactory. Practitioners fail to take account of what children know and can do when planning the next steps in learning.</p> <p>Practitioners are unable to manage children well and have unclear or unrealistic expectations of behaviour. The environment lacks warmth and does not reflect the background of the children or the wider community. The use of time and resources is poor. Practitioners fail to monitor the provision and are unaware of any improvements needed to improve teaching.</p>
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Judging the partnership with parents and carers

To evaluate the partnership with parents and carers, concentrate on:

How effectively does teaching include parents and carers in children's learning?

Consider

- whether parents receive good quality information about the provision, particularly the educational programme
- how well parents are informed about children's progress and achievements
- the extent to which the childminder/setting seeks, values and acts on parents' views
- whether the childminder/setting actively encourages parents and carers to become involved in their child's learning in meaningful ways.

Sources of evidence include

- the setting's SEF
- discussions with staff, children, parents and carers e.g. about setting-in procedures, sharing of information on the provision, children's progress and achievements
- first-hand observations of children, parents and staff at the beginning and end of a session/day
- any information for parents (e.g. booklets, letters, photographs, displays, notices, reports of children's progress and achievements) outcomes of any monitoring conducted by the setting.

Judging leadership and management

Judgements on the effectiveness of leadership and management of the nursery education must make sense when set against your judgements for teaching and learning. To evaluate the quality of the leadership and management of the nursery education, concentrate on:

How good is the leadership and management?

Consider

- whether the leader(s) have a clear vision for the nursery education with a strong focus on the personal development and achievement of all children
- how effectively the childminder/leader(s) set clear directions, leading to improvements in the organisation of nursery education and the outcomes for children
- how well the leader(s) in day care settings motivates staff and children, builds committed teams and acts as a good role model
- how effectively the provision is managed and monitored

- how well equality of opportunity is promoted and discrimination tackled so that all children make good progress
- how well the leader(s) in day care settings inducts new staff and promotes the professional development of all
- how well practitioners' monitor and evaluate the curriculum to identify strengths and areas for improvement
- how well accredited childminders work with their network coordinators to evaluate and improve the nursery education offered
- the commitment and effectiveness of the practitioners in promoting an inclusive environment in which every child matters.

Sources of evidence include:

- the setting's SEF
- discussions with staff, children, parents and carers
- the impact of staff development and training on the outcomes for children, particularly enjoying and achieving and positive contribution
- a commitment to high standards and improvement shown through documents, such as: minutes of staff meetings, evaluations of planned activities, assessments of children's progress being used to plan the next step in children's learning.

Judging inadequate provision for nursery education

In reaching a judgement about whether the quality of nursery education is inadequate, you should decide whether the weaknesses are:

- minimal and insignificant and the provision is, therefore, satisfactory overall
- restricted to one or two significant aspects
- widespread and severe across several significant aspects.

If you decide the provision is inadequate, then the next decision is whether the provider has the capacity to bring about improvements without a significant amount of support. Look closely at the weaknesses in leadership and management to decide whether the setting can 'pull through' on its own and in an acceptable timescale. If it cannot, then your judgement is likely to fall into category 2.

When weighing up your evidence, it is critical that you recognise there will be variations both in range and degree of strengths and weaknesses in settings; no two settings/schools are alike. In the end, it is the inspector's professional judgement which will gauge the magnitude of the weaknesses.

If there are important weaknesses in one or more of the following aspects then inspectors must consider whether they are significant enough to make the provision inadequate:

- the quality of the teaching
- the quality of children's learning
- the effectiveness of the leaders, managers or accredited childminders in promoting good levels of progress, checking performance and identifying and tackling weaknesses
- the extent to which parents are involved in their children's learning
- the promotion of the children's spiritual, moral, social and cultural development.

All these aspects are inter-related: if there are significant weaknesses in the teaching then it is highly unlikely that the quality of learning will be satisfactory; similarly if the children's learning is poor, then there will undoubtedly be weaknesses in the teaching, and probably in the way the nursery education is led and managed.

Although there are no hard and fast rules, it is most unlikely that SMSC will be fostered if the nursery education is judged inadequate – category 2. This is not necessarily the case for category 1, where the nature and extent of the weaknesses in teaching and leadership and management may not, overall, bring the SMSC judgement down.

Judging inadequate nursery education

Key starter questions

Ask yourself the following questions to alert you to the need to undertake further investigations.

The quality of the children's learning:

- do many of the children make inadequate progress in relation to the stepping stones towards the early learning goals?
- do the children's attitudes and behaviour limit their achievements?

The quality of teaching:

- is the teaching failing to promote adequate progress for many of the children?
- is the curriculum matched sufficiently to the children's needs and interests so as to promote their progress?

The effectiveness of leadership and management:

- has the setting rectified the most important weaknesses identified in the previous inspection?
- do leadership and management fail to promote high standards, set clear directions or manage the setting inefficiently?

- have leadership and management failed to ensure that all the learners are valued equally?
- do leadership and management fail to meet the range of needs of the children for whom nursery education is provided?

The extent to which parents are involved:

- are parents not fully involved or informed about the nursery education and their children's progress?

The promotion of the children's spiritual, moral, social and cultural development:

- are there weaknesses in one or more elements of their development?

Further investigation

Having identified some negative responses to the key starter questions, you need to assemble the detailed evidence. The following indicators are a guide:

The quality of learning

- The children often are merely occupied rather than being questioned and challenged.
- Activities fail to build on children's current knowledge and skills.
- Adults do not check on children's progress.
- The work is too easy or too difficult.
- Insufficient attention is paid to the social and learning needs of children of different ages.
- There are limited opportunities for children to ask questions, talk about their work, or use their initiative and independence to develop ideas.
- There are major weaknesses in the children's progress in relation to the stepping stones in one or more of the areas of learning as follows:

Personal, social and emotional development

- unacceptable behaviour which hinders learning
- children display poor relationships with others
- children lack confidence, independence and self-esteem.

Communication, language and literacy

- insufficient attention to developing listening and speaking skills
- limited use of books
- no planned or consistent approach to developing writing, reading and the linking of sounds and letters.

Mathematical development

- insufficient attention to numbers and counting, and to shape, space and measures
- failure to extend children's understanding of numbers through practical activities.

Knowledge and understanding of the world

- insufficient attention, overtime, to the different strands of learning – scientific, technological, geographical and historical
- limited use of the local environment as a learning resource
- few opportunities to investigate or explore.

Physical development

- insufficient and inappropriate use of indoor and outdoor space to increase children's physical skills
- equipment is inappropriate for the age or stage of children's development.

Creative development

- little opportunity for children to use their imagination
- over-prescriptive and repetitious tasks
- restricted range of media and materials.

The quality of teaching

- There is too much direction by adults to achieve the end result e.g. in producing a collage, baking activities, counting and writing tasks.
- Insufficient questioning of children.
- There is vagueness in understanding the differences between adult- and child-initiated activity.
- Expectations are low either because adults do not know children's learning needs and/or are unsure of the activities' learning potential.
- Adults are pre-occupied with teaching/supervising one activity to the exclusion of others.
- Adults fail to respond to unforeseen events either behavioural, or developing a learning situation.
- Adults fail to observe what children do and know, and how they learn order to move the learning on.
- There is an over-emphasis on supervising and servicing activities rather than teaching.
- Adults are unable to talk about how they develop each area of learning.
- Adults are not sure how different activities contribute to an area of learning, and fit in with the stepping stones.
- Adults are uncertain about what children are to learn from an activity.
- A scrutiny of plans over time reveal some areas/aspects of learning are rarely considered.

- The same activities and resources appear frequently but without any variation in their intended outcomes e.g. sand, water, home corner, climbing frame, painting area.
- No questions are asked which encourage children to do and find out more.

The effectiveness of leadership and management

- There has been little progress made in rectifying previous weaknesses and/or the measures taken have had little impact on the quality of provision.
- The leader/supervisor/accredited childminder has a limited understanding of the areas of learning, stepping stones and early learning goals.
- Planning and/or assessment procedures are not in place, or lack detail, precision and understanding.
- The leader/supervisor/accredited childminder does not ensure that the needs of the range of children for whom nursery education is provided are met. For example, equality of opportunity is not promoted, and the provision for children with special educational needs is weak.

In group settings

- The leader/supervisor: is not a good role model for others; teaching style is weak; delegates planning and its contents to others; prefers to administrate and service activities rather than teach.
- There is no commitment to professional development for staff.
- Staff are unclear about their roles and responsibilities.
- The deployment of staff is inefficient.

The extent to which parents are involved

- Parents are not given detailed information about the **nursery education**, especially the curriculum.
- Parents are not encouraged to be involved in children's learning
- There are inadequate arrangements for informing parents of their children's progress.

The promotion of the children's spiritual, moral, social and cultural development

- There are imbalances in the promotion of one or more elements.

Has the leadership and management of the setting the capacity to make the necessary improvements?

Having identified the weaknesses and decided that the provision is inadequate, you will need to be certain, as far as you can, that the leadership and management is of sufficient quality to carry out the required improvements. **If you are not**

convinced, then you must assign a category 2. A recent change in leadership or a network coordinator is not in itself a good enough reason to give the setting the 'benefit of the doubt'. There must be some proof of progress. The most obvious sources of 'proof' would be: accurate self-evaluation; sensible plans to develop the provision; effective systems to check progress; and actions which have had a beneficial impact.

C: links across the outcomes, *Birth to three matters*, the National Standards and the Foundation Stage

Making a positive contribution: links to components of a strong child

Me, myself and I	Being acknowledged and affirmed	Developing self-assurance	A sense of belonging
and link mostly to National Standards:			
9, 10, 11, 12 (3: develop children's emotional capabilities)	9, 10, 11 (3: develop children's social capabilities)	9, 10, 11 (3: develop children's emotional capabilities)	9, 10, 11, 12 (3: develop children's emotional & social capabilities)
and link mostly to the Foundation Stage area and aspects of learning:			
Personal, social & emotional development - self-confidence and self-esteem - self-care.	Personal, social & emotional development - making relationships.	Personal, social & emotional development - dispositions and attitudes - self-confidence and self-esteem.	Personal, social & emotional development - sense of community - behaviour and self-control - self-confidence and self-esteem.

Enjoying and achieving: links to components of a skilful communicator

Being together	Finding a voice	Listening and responding	Making meaning
and link mostly to National Standards:			
3 (consider 2 [keyworker], 9, 10)	3 (consider 2 [keyworker], 9, 10)	3 (consider 2 [keyworker], 9, 10)	3 (consider 2 [keyworker], 9, 10)
and link mostly to the Foundation Stage area and aspects of learning:			
Communication, language and literacy	Communication, language and literacy	Communication, language and literacy	Communication, language and literacy

- language for Communication.	- language for Communication.	- language for Communication.	- language for thinking.
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Enjoying and achieving: links to components of a competent learner

Making connections	Being imaginative	Being creative	Representing
and link mostly to National Standards:			
3 (consider 4, 5, 9, 10, 11)	3 (consider 4, 5, 9, 10, 11)	3 (consider 4, 5, 9, 10, 11)	3 (consider 4, 5, 9, 10, 11)
and link mostly to Foundation Stage areas and aspects of learning:			
Knowledge and understanding of the world: all aspects. Mathematical development: - numbers as labels and for counting - shape, space and measures. Personal, social & emotional development: - sense of community.	Creative development: - imagination. Physical development: - movement.	Creative development: - exploring media and materials. - music - responding to experiences and expressing and communicating ideas.	Communication, language and literacy: - reading and writing. Mathematical development: -numbers as labels and for counting. Creative development: - exploring media and materials.

Being healthy and keeping safe: link to components of a healthy child

Emotional well-being	Growing and developing	Keeping safe	Healthy choices
and link mostly to National Standards:			
7 (consider 3, develop emotional capabilities)	7, 8 (consider 3, develop physical capabilities)	4, 5, 6, 13 (consider 2: keyworker)	7, 8 (consider 3, develop emotional and physical capabilities)
and link mostly to Foundation Stage areas and aspects of learning:			
Personal, social and emotional development:	Physical development:	Personal, social and emotional development:	Physical development: - health and bodily awareness.

<ul style="list-style-type: none"> - relationships - self-confidence and self-esteem 	<p>all aspects.</p>	<ul style="list-style-type: none"> - relationships - self-confidence and self-esteem - behaviour and self-control. 	<p>Personal, social and emotional development:</p> <ul style="list-style-type: none"> - self-care - behaviour and self- control.
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Annex

Prompts in electronic inspection toolkit (pages 61-63)

These are prompts in the toolkit to help guide your evidence collection.

Inspection Record (pages 64-77)

This can be printed and used during inspections in circumstances where it is not possible to record evidence electronically.

Prompts in electronic inspection toolkit

You will find the following prompts in the inspection toolkit to help you collect evidence and make your judgements.

- Helping children to be healthy

Care

Standard 7: Health

How well does the provision promote the good health of children; take positive steps to prevent the spread of infection and appropriate measures when children are ill?

Standard 8: Food and drink

Are children provided with regular drinks and food in adequate quantities for their needs? Is food and drink properly prepared and nutritious? Does it comply with dietary and religious requirements?

Birth to three matters

Does the provision take into account:

A healthy child: emotional well-being; growing and developing; healthy choices.

Nursery education

How good is the provision for children's physical development?

Consider whether children engage in activities which help develop all their physical skills; whether they are encouraged to adopt healthy lifestyles.

- Protecting children from harm or neglect and helping them stay safe

Care

Standard 4: Physical environment

Are the premises safe, secure and suitable for their purpose?

Do they provide adequate space in an appropriate location? Are they welcoming to children and offer access to the necessary facilities for a range of activities which promote their development?

Standard 5: Equipment

Are the furniture, equipment and toys provided appropriate for their purpose and do they help to create an accessible and stimulating environment?

Are they of suitable design and condition, well maintained and conform to safety standards?

Standard 6: Safety

Are positive steps taken to promote safety within the setting and on outings and ensure proper precautions are taken to prevent accidents?

Standard 13: Child protection

Are local child protection procedures approved by the area child protection committee complied with?

How does the registered person ensure that all adults working and looking after children in the provision are able to put the procedures into practice?

Birth to three matters

Does the provision take into account: **A healthy child:** keeping safe

- Helping children enjoy and achieve

Care

Standard 3: Care, learning and play

Are children's individual needs met and their welfare promoted?

Does the registered person plan and provide activities and play opportunities to develop children's emotional, physical, social and intellectual capabilities?

Birth to three matters

Does the provision take into account:

a skilful communicator: being together; finding a voice; listening and responding; making meaning

a competent learner: making connections; being imaginative; being creative; representing

Nursery education: the quality of children's learning

How good are children's attitudes to learning, their behaviour, and general level of engagement?

Consider how well they enjoy the provision; show interest in what they do; ask questions; use initiative; take responsibility; concentrate; develop confidence and self-esteem; begin to distinguish between right and wrong, to understand the moral codes of their own and other cultures; behave; begin to understand and respect the values and feelings of others; form constructive and harmonious relationships (share and take turns; begin to appreciate their own culture and the cultural traditions of others).

How good are children's achievements?

Consider how well children are doing in relation to the stepping stones towards the early learning goals in the six areas of learning; whether they make enough progress in relation to their starting points; any differences in learning between different groups of children – girls, boys, ability, ethnicity; whether children grapple with new ideas and skills or are working well within their limits in relation to what is seen at the time of the inspection; whether progress in a particular area of learning is consistently better than or falls below that of other areas of learning.

Nursery education: the quality of teaching

How well does teaching meet requirements, and the needs and interests of all children?

Consider the extent of practitioners' knowledge and understanding of the Foundation Stage and how young children learn; how well the learning environment and activities are planned to provide a broad and balanced range of activities and experiences across the six areas of learning; are suited to the needs of the children; **and** reflects the community the children come from and the wider world; the extent to which the teaching truly interests children, helping them to become focused, able to resist distractions and persist for some time; whether methods and expectations challenge and support children to achieve as much as they can; how well staff manage children's behaviour; whether the inclusion of all children is actively planned and monitored; how well staff uses time and resources, including accommodation to enable children to make as much progress as they can.

How suitable and rigorous is assessment? How is it used to help children make progress toward the early learning goals?

Consider whether providers know about children's attainment on entry; how well information gained from assessments is used to help move children to the next stage in their learning; how records give a clear picture of progress.

- Helping children make a positive contribution to the provision and the wider community

Care

Standard 9: Equal opportunities

Is equality of opportunity and anti-discriminatory practice for all children actively promoted?

Standard 10: Special needs (including special educational needs and disabilities)

Is the registered person aware that some children may have special needs and proactive in ensuring that appropriate action can be taken when such a child is identified or admitted to the provision? Are steps taken to promote the welfare and

development of the child within the setting, in partnership with the parents and other relevant parties?

Standard 11: Behaviour

Are adults caring for children in the provision able to manage a wide range of children's behaviour in a way which promotes their welfare and development?

Standard 12: Working in partnership with parents and carers

Does the registered person and staff work in partnership with parents to meet the needs of the children, both individually and as a group? Is information shared?

Birth to three matters

Does the provision take into account: **a strong child:** Me, myself and I; being acknowledged and affirmed; developing self-assurance; a sense of belonging

Nursery education

How effectively does the partnership with parents and carers involve them in children's learning?

Consider whether parents receive good quality information about the educational programme; how well parents are informed about children's progress and achievements; the extent to which their views about their children's learning are sought and acted on; whether they actively encouraged to become involved in their children's learning in meaningful ways.

Overall, is the children's spiritual, moral, social and emotional development fostered?

- Organisation

Care

Standard 1: Suitable person: Are the adults who provide day care, look after children or have unsupervised access to them suitable to do so?

Standard 2: Organisation: Does the registered person meet the required adult: child ratios, ensure that training and qualifications requirements are met and organise space and resources to meet the children's needs effectively?

Standard 14: Documentation: Are records, policies and procedures which are required for the efficient and safe management of the provision, and to promote the welfare, care and learning of children maintained? Are records about individual children shared with the child's parent?

Nursery education: The leadership and management of the nursery education

How effectively does the leader(s) set clear directions which lead to improvements in the organisation of care and nursery education and the outcomes for children?

Consider whether the leader(s)/childminder has a clear vision for the setting with a strong focus on the personal development and achievement of all children; how well the leader(s)/childminder motivates staff and children, builds committed teams and acts as a good role model; how well the leader(s)/childminder promotes the integration of care and nursery education to enhance children's learning; how well the leader(s)/childminder inducts new staff/any assistants and promotes the professional development of all.

How effectively is the provision managed and monitored?

Consider how well the leader/childminder monitors and evaluates the curriculum to identify strengths and areas for improvement.

How well is equality of opportunity promoted and discrimination tackled so that all children make good progress?

Consider the commitment and effectiveness of the leader/childminder in promoting an inclusive environment in which every child matters.

■ Improvement

Consider how effective improvements are in the childminding and day care and, where appropriate, the nursery education since the last inspection.

Inspection record

Provider and setting

URN		Inspector	
Inspection date		Inspection type	
Provider			
Name			
Address			
	Postcode		
Telephone			
Email			
Provision			
Funded?			
Organisation type			
Setting			
Name			
Address			
	Postcode		
Telephone			
Email			
Type of care			

What sort of setting is it?	
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Quality assurance, complaints and notes

Quality assurance		
Endorsed quality assurance scheme		
Scheme		
Complaints		
Complaints about the childcare provision		
Notes and comments		
Comments from the last inspection		

Conditions, actions and recommendations

Conditions			
Std	Condition		Status
Actions			
Type	Std	Action	Due date
Recommendations			
Type	Outcome	Recommendation	Status

Being healthy

Evidence				
Outcome judgement				
	Outstanding		Good	
			Satisfactory	
				Inadequate

Staying safe

Evidence				
Outcome judgement				
	Outstanding		Good	
			Satisfactory	
				Inadequate

Enjoying and achieving

Evidence						
Quality of teaching and learning						
	Outstanding		Good		Satisfactory	Inadequate
Outcome judgement						
	Outstanding		Good		Satisfactory	Inadequate

Making a positive contribution

Evidence							
SMSC development							
	Fostered		Not fostered				
Quality of teaching and learning							
	Outstanding		Good		Satisfactory		Inadequate
Outcome judgement							
	Outstanding		Good		Satisfactory		Inadequate

Improvement

Evidence						
Leadership and management						
	Outstanding		Good		Satisfactory	Inadequate
Outcome judgement						
	Outstanding		Good		Satisfactory	Inadequate

Improvement

Evidence

Registered numbers

Day-care numbers		
Day-care type	Active	Maximum number of children
Full day care		
Sessional (am)		
Sessional (pm)		
Crèche		
Out of school (am)		
Out of school (pm)		
Out of school (playscheme)		
Overall maximum		
Childminding numbers		
Age range	Number of children	
0–under 1		
0–under 5		
0–under 8		
Maximum number of children		

Inspection summary

Outcome judgements	
Being healthy	
Staying safe	
Enjoying and achieving	
Making a positive contribution	
Organisation	
Nursery education judgements	
Teaching and learning	
Partnership with parents	
SMSC development	
Leadership and management	
Overall judgements	
Quality and standards of care	
Quality and standards of nursery education	
Children present	
On roll	
Receiving nursery education	
Conditions	
Provider agreement?	

Feedback notes

New conditions, actions and recommendations