

The Ofsted logo is written in a white, handwritten-style font on a black rectangular background.

Making a difference

How Ofsted inspections improved inadequate care for children

**Better
education
and care**

A very small minority of providers are inadequate. Children deserve better. In most cases we gave providers actions to help them focus on what mattered most to bring about rapid improvement. When reinspecting these providers we found that a very large majority had carried out the actions and improved to a standard that is satisfactory or even better for children. Making our findings public helps parents of children in inadequate provision to realise that their children can, with effort from the provider, have an improved quality of care.

Of particular interest to:

Parents, registered childcare providers, professional childcare associations, local authorities, the Parliamentary Education and Skills Select Committee and the Department for Education and Skills.

Age group

0-8

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Executive summary

In April 2005 Ofsted started its third cycle of inspections to the National Standards, using a new inspection framework.^{1,2} During the 15 months from April 2005 to June 2006, Ofsted judged 1,100 care providers to be inadequate. Though at 3% this is a very small minority of the providers inspected, it is clearly not good enough for those children and their families that use these providers.

This report shows the impact of inspection on improving the quality of care for those children. Making our findings public helps parents of children in inadequate care provision to realise that their children not only deserve better, but that they could also, with effort from the provider, have an improved quality of care.

In most cases where Ofsted judged provision as inadequate, we gave providers actions to help them focus on what mattered most to bring about rapid improvement.² We inspected these providers again within a year and found that, of the 490 reinspected by June 2006, a very large majority of inadequate providers had carried out the actions and improved to a satisfactory standard or even better.

Where we judged care to be so poor that children were at risk of harm, or providers were unwilling or unable to change, our inspections helped encourage some of these inadequate providers to resign. In other cases, Ofsted took more serious action such as cancelling their registration.

Key findings

- ❑ Most providers judged to be inadequate during the period from April 2005 to June 2006 and who have been reinspected since, successfully tackled the actions Ofsted set them. They now meet the National Standards and promote positive outcomes for children. Of the 490 inadequate providers reinspected so far, the very large majority (87%) have improved and are now satisfactory or better in all outcomes for children.
- ❑ As a result of Ofsted's intervention, 10,000 registered places for children in previously inadequate provision now offer at least satisfactory care.³

¹ The *National Standards for under 8s day care and childminding (1844780600)*, DfES, 2003; available from www.surestart.gov.uk/publications/index.cfm?document=225.

² There is more information about Ofsted inspections and the actions we can take in the notes section.

³ Registered places refer to the maximum number of children that may attend a provision at any one time. It is not the number of places occupied, and it is not the number of children who may benefit from attending provisions offering sessions at different times of day. The figure also includes an estimate of places in cases where the database does not hold the number of registered places.

- ❑ Ofsted has judged the remaining providers (13%) to still be inadequate. This is clearly unacceptable and we have taken more stringent enforcement action, which has been effective in securing improvement.
- ❑ A number of inadequate settings have now closed, either because the providers resigned or because it was necessary for Ofsted to cancel their registration.

Evaluation

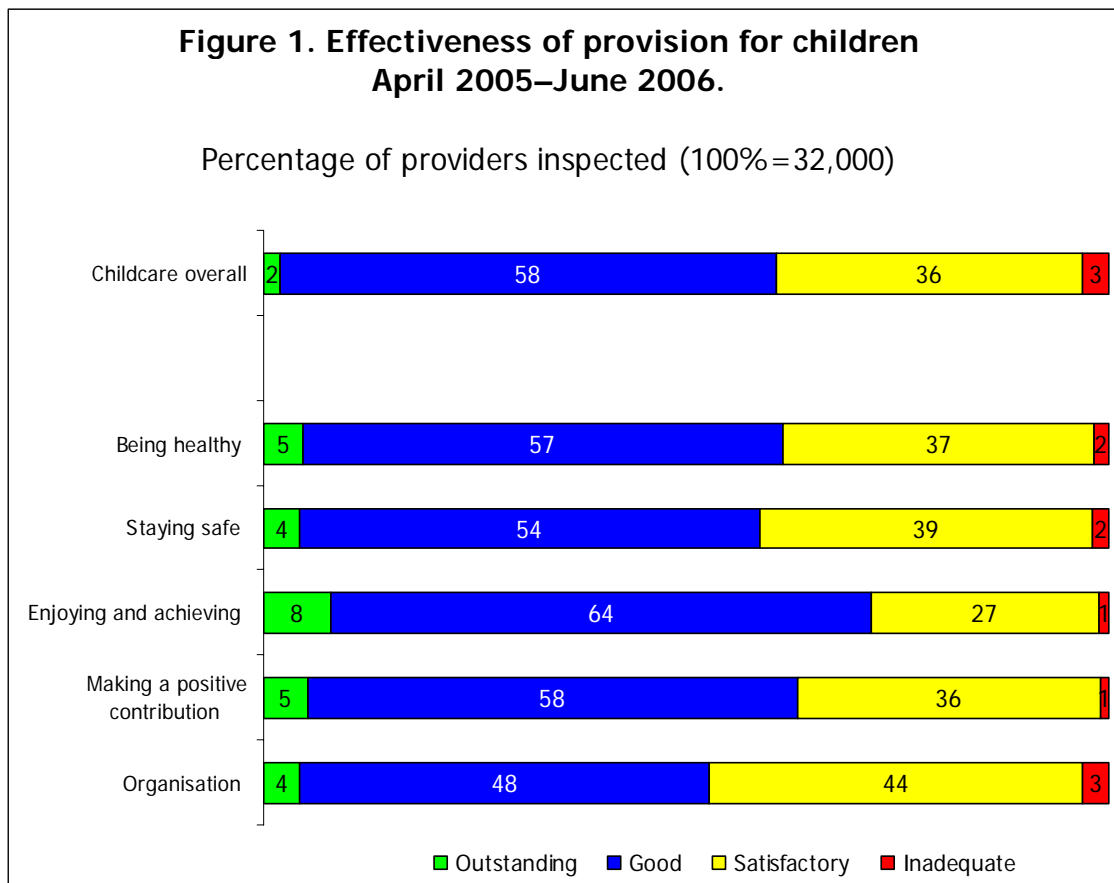
Inadequate provision for children

1. Only a very small minority of registered providers have inadequate childcare. Of the 32,000 inspected during the 15 months from April 2005 to June 2006, around 1,100 or 3% were judged to provide inadequate childcare by failing to meet one or more of the National Standards.⁴ There are in total around 26,000 registered childcare places in provision inspected during the period and judged as inadequate (Figure 1).
2. Where we found inadequate practice we sought to bring about rapid improvement. In most cases we achieved the necessary improvements in childcare by identifying actions for the provider to take to meet the standards, monitoring the outcome, and when necessary taking further steps to ensure improvement.⁵ We also told local authorities where we judged care as inadequate so that they could provide support for the providers to make the necessary improvements.
3. Ofsted's inspections focus on outcomes for children. The publication *Every child matters* identified five outcomes that the government says are vital for all children: to be healthy, stay safe; enjoy and achieve; make a positive contribution; and thrive economically.⁶ Our inspections assess how well providers help to promote the first four outcomes.
4. Of those providers Ofsted judged as inadequate, some were inadequate in just one of the outcomes. Others were inadequate across a range of outcomes and provided all-round inadequate care. We found a very low level of inadequate provision in each of the outcomes we inspected (Figure 1).

⁴ These figures are rounded and refer to the most recent inspections completed during the period from April 2005 to June 2006 for providers still registered on 30 June 2006. They exclude a few inspections where Ofsted has not yet completed its internal validation process. In total 34,000 inspections were carried out during the period, including reinspection of inadequate providers and inspection of providers who by the end of June 2006 were no longer registered.

⁵ There is more information about Ofsted inspections and the actions we can take in the notes section.

⁶ *Every child matters* (CM 5860), DfES, 2003; available from www.everychildmatters.gov.uk/publications/?asset=document&id=19783.



All figures are rounded, and percentages may not always add exactly to 100.

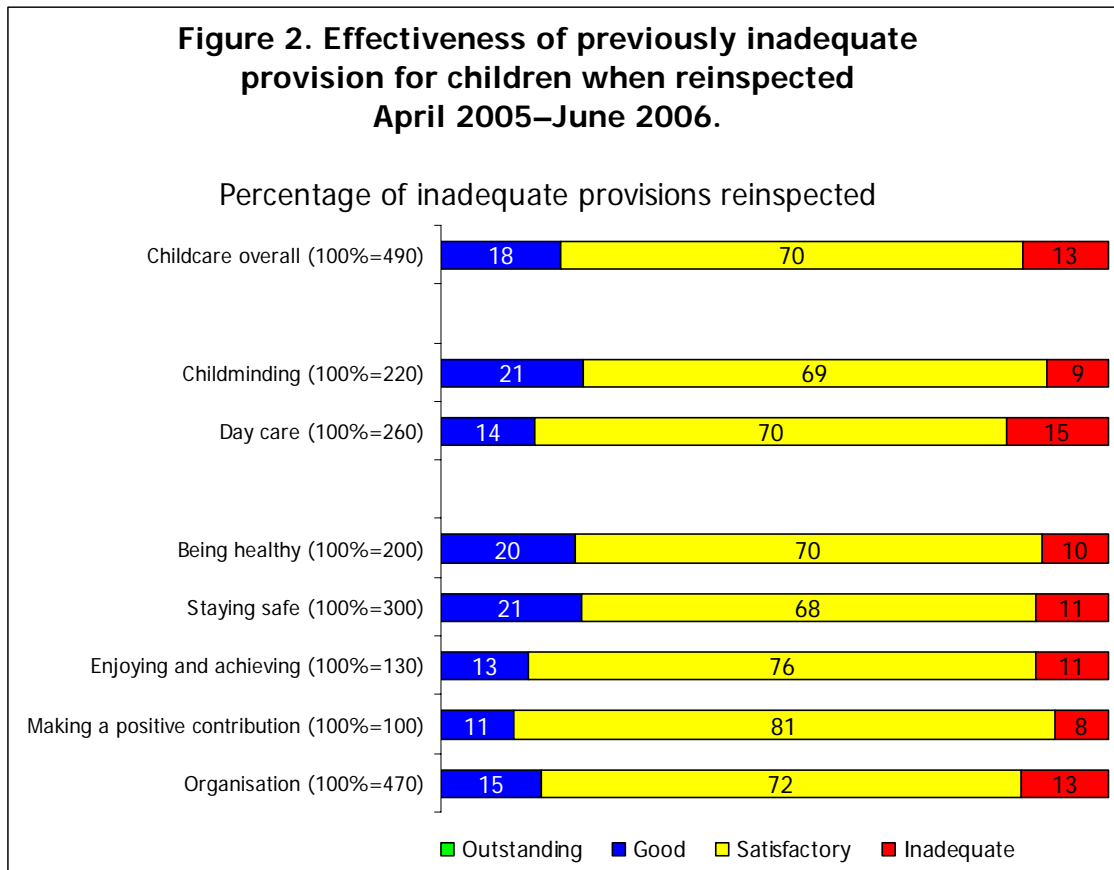
Improvement in promoting outcomes for children following inspection

- Ofsted sought to bring about rapid improvement by giving providers judged as inadequate an agenda for action. We identified actions to bring about improvement and a date by which these actions should be completed.⁷ We also monitored the effectiveness of the agenda for improvement by early reinspection within a year. We had reinspected around 490 inadequate providers by June 2006.⁸ Of those reinspected, the very large majority (87%) had improved by successfully completing all actions we had set at their previous inspection, and their childcare overall is now satisfactory or better. The level of improvement in childcare was even higher among childminders (91%) than day-care providers (85%). Providers made improvements in every outcome for children. A number of improved providers had received individual support, advice and training from local authorities (Figure 2).

⁷ There is more information about Ofsted inspections and the actions we can take in the notes section.

⁸ Ofsted reinspects all inadequate providers within a year, so all those found inadequate in the period to June 2006 will be reinspected by June 2007.

6. These improvements are a good step forward in giving children better quality care and education. But those settings which have improved can be supported to become even better. Even where at reinspection provision was judged to be satisfactory or good, we set recommendations to improve outcomes for children further; thus, these settings were clearly guided to continue their improvement.⁹



All figures are rounded, and percentages may not always add exactly to totals stated.

Being healthy

7. The outcome for children 'being healthy' includes children feeling the positive benefits of being healthy and active, enjoying a balanced and nutritious diet, and gaining confidence in themselves and what they can do. The most relevant national standards relate to health (Standard 7) and food and drink (Standard 8).
8. Improvements to provision judged as inadequate in helping children to enjoy the best possible health included:
 - provision of a balanced, nutritious and healthy diet for children

⁹ Annex 2 gives more details.

- increased opportunities for children to enjoy active play and regular time in the fresh air
- reduction of risks of infection
- making sure that an adult with a current paediatric first aid qualification is present at all times
- having in place all records needed to support children's health.

Case study: day nursery

At the inspection in October 2005 the inspector found the environment was not sufficiently clean and routines were not sufficiently hygienic to prevent spread of infection: many toys were grubby; younger children put toys that were not clean in their mouths; children did not wash hands routinely before meals or after using the toilet; and only communal towels were available for children to dry their hands. Records on medication administered were not sufficiently clear, and sun creams were sometimes applied without parents' prior consent. Children did not have opportunities for vigorous exercise. Children attending for the whole day did not all have sufficient food to meet their needs, dietary requirements were recorded but the relevant staff were not always informed, and fresh drinking water was not freely available for children.

Ofsted set actions for the nursery to monitor cleanliness and promote hygiene; to share clear information with parents; to ensure a balanced range of appropriate activities for all children; and to ensure that children have sufficient nourishing, healthy food and can access fresh drinking water.

At the reinspection in April 2006 it was evident that the nursery was now assessing cleanliness daily and had arrangements to ensure regular cleaning. The nursery followed hygienic routines including hand washing. The limited outdoor space available was now used regularly and creatively and was supplied with a variety of resources that encourage children to be physically active, including tyres, wood, buckets, and paint brushes with water. Children now had a choice of healthy food options and regular meals throughout the day. Menus catered effectively for the range of individual dietary needs and preferences. Children now had free access to drinking water at all times. The inspector judged the provision as good in supporting children in being healthy.

Staying safe

9. The outcome 'staying safe' covers children's security, stability and care protecting them from mistreatment and accidental injury. The most relevant national standards relate to: physical environment (Standard 4); equipment (Standard 5); safety (Standard 6); and child protection (Standard 13).

10. Improvements to help children stay safe included:

- increased staff awareness in how to recognise child protection concerns and how to report them appropriately
- extra security measures to prevent unsupervised access
- regular and rigorous risk assessments to recognise and minimise safety hazards
- provision of safe and suitable equipment to support activities for children to play and develop.

Case study: day nursery

At the inspection in September 2005 the inspector found that the nursery's policies and procedures to promote children's safety were applied inconsistently in practice; for example, fire drills were lacking and risk assessment was incomplete. Staff had limited awareness of child protection issues, and there was no suitably trained person responsible for liaison with child protection agencies.

Ofsted set actions for the nursery to operate its safety policies consistently and to improve its competence in child protection.

At the reinspection in May 2006 the nursery had introduced new and effective risk assessments, with daily checks of all areas and regular checks of all equipment, taking positive steps to remove hazards identified. An effective emergency evacuation procedure is now in place; 'evacuation bags' are kept in each room and include toys and nappies to ensure children are well cared for in an emergency until their parents arrive. Children learn about taking responsibility to keep themselves and others safe: staff give them clear explanations, and older children participate in topic work and discussions on safety. All staff have attended training in child protection and now have a thorough understanding of issues and procedures, ensuring they are able to identify, report and follow up on any concerns. The inspector judged the provision as good in helping children to stay safe.

Enjoying and achieving

11. The outcome for children 'enjoying and achieving' involves children enjoying play experiences that stretch and develop them and help them achieve. The relevant national standard relates to care, learning and play (Standard 3).
12. Improvements in supporting children to enjoy what they do and achieve well included:
- appropriate training and understanding of how to assess and provide for children's developmental needs
 - careful assessment of children's development

- planning of appropriate play activities based on the children's individual needs
- ensuring there are sufficient resources
- evaluation of what is offered, so that sessions sustain children's interest and stimulate their development.

Case study: childminder

At the inspection in June 2005 the inspector found that the childminder did not fully identify the individual needs of all children, and opportunities were missed to enable very young children to explore a suitable variety of stimulating experiences. Also, the needs of more demanding children at times had an adverse impact on the attention the childminder gave to other children.

Ofsted set actions for the childminder to plan and provide a suitable range of activities for all children, appropriate for their stage of development and based on their individual needs. Following the inspection, the childminder sought and received advice from her local authority and attended courses to enable her to provide a varied and balanced range of experiences for children of all ages.

At the next inspection in February 2006, it was evident that the childminder now recognised children's needs well: she identified all the children's needs at the start of their time with her and monitored them continuously throughout. She responded to each child's needs and preferences by providing a wide range of stimulating and appropriate activities for children of all ages based on their individual levels of development. The inspector judged the provision as satisfactory in helping children to enjoy and achieve.

Making a positive contribution

13. The outcome for children 'making a positive contribution' involves children making positive relationships, engaging in positive behaviour, being involved in what goes on around them, and gaining in self-confidence. The most relevant national standards relate to: equal opportunities (Standard 9); special needs (Standard 10); behaviour (Standard 11); and partnership with parents (Standard 12).
14. Where provision was judged as inadequate in helping children to make a positive contribution, improvements included:
 - sharing more information with parents to help them to contribute more fully to their children's learning and development
 - better training in managing children's behaviour
 - setting clearer expectations, so that children know what is expected of them and respond well

- providing extra resources and activities that support children in appreciating and valuing diversity.

Case study: nursery with out of school care

At the inspection in July 2005 the inspector found that children's behaviour was poorly managed: disputes between children went unnoticed, or staff mishandled them; staff gave children insufficient praise or encouragement and sometimes made inappropriate comments in front of them. A number of staff were confused about the home language of children with English as an additional language. They had limited awareness of the challenges faced by children attending who had special educational needs, so children's progress was hindered. Parents' involvement in their children's care and education was limited: staff at times gave parents inaccurate descriptions of what their children had been doing; the amount of feedback given was variable; and written information about the nursery was incomplete and out of date.

Ofsted set actions for the nursery to develop appropriate strategies to promote positive behaviour; to develop staff awareness and appropriate responses to the needs of children with English as an additional language and with special educational needs; and to ensure appropriate partnership with parents including a complaints policy.

At the next inspection in April 2006 it was found that the staff had received training and significant support from the local authority and were now involved effectively so the children were playing together well, learning to share and take turns. A member of staff had been trained in special educational needs. The nursery had obtained support so it could help effectively children for whom English is an additional language. Arrangements for involving parents by sharing information had improved: parents can now view their children's assessment files and take home helpfully annotated scrap books; and the complaints policy is displayed with a log book in place. The inspector judged the provision as satisfactory in helping children to make a positive contribution.

Organisation to support the outcomes for children

15. Organisation refers to the measures providers put in place and how they organise themselves to promote positive outcomes for children. The relevant national standards relate to: suitable person (Standard 1); organisation (Standard 2); and documentation (Standard 14).

16. Where provision had inadequate organisation to support children's well-being, improvements included:
- providers checking adults' suitability more thoroughly
 - organising space, resources and daily activities better
 - producing required documentation, including written agreements with parents, emergency contact details and attendance registers.

Case study: after school and holiday club on school premises

At the inspection in May 2005 the inspector found that children's safety and well-being was not secure because action was not always taken to check suitability of new staff; too few staff were qualified; staff were not aware of the National Standards and associated regulations, or their responsibilities; and there were no records on staff or on their daily attendance.

Ofsted set actions relating to staff suitability checks, staff qualifications and record keeping. Following the inspection a new supervisor was appointed.

At the reinspection in March 2006 the inspector found that new arrangements had been made to check staff suitability; sufficient staff were qualified and they were continuing training; and all documents required were now in place and available for inspection. Organisation for children's safety had also improved. For example, children wear identification bands so staff can easily identify those attending the club. The inspector judged the organisation as good.

All-round improvement

17. The clear actions which Ofsted set led to all-round improvement for a number of providers who were judged as providing several inadequate outcomes for children.

Case study: day nursery

At its inspection in May 2005 the nursery was judged as providing inadequate outcomes in all areas for children. Children's health was compromised by: dirty equipment; food with high levels of sugar and salt; and a failure to display and update details of children's allergies. Children had limited access to fresh air and vigorous physical play. Children's safety was not safeguarded as staff had only limited knowledge of child protection issues and were unaware of their responsibilities to protect children from harm. Older children's behaviour was not managed effectively. Adults' knowledge of early child development was limited and they did not plan or resource activities sufficiently to meet children's individual needs. As a result children did not make enough progress with early education, and

those with special needs or English as an additional language were not adequately supported.

Ofsted set actions: to promote children's health and safety; to ensure staff are suitable and able to carry out their responsibilities in child protection; to improve staff understanding to manage children's behaviour effectively; and to plan for a range of activities appropriate to each child's stage of development.

At the reinspection in November 2005 the nursery had made good progress with all actions, checking new staff more rigorously to ensure suitability, and revising policies and practices to ensure all adults were carrying out their responsibilities. The nursery had developed the range of equipment available to children and undertaken staff training on child development, and this was reflected in a wider range of activities and improved planning and assessment. Staff had completed child protection training and the nursery had introduced a range of safety measures including CCTV, daily risk assessments and a duty manager system. Children's behaviour was managed more effectively.

As a result of these measures the nursery now provides satisfactory care and early education for children.

Failure to improve: further actions and enforcement by Ofsted

18. Setting a clear agenda for improvement was successful for the vast majority of providers judged as having inadequate provision. But not all were able to make the necessary improvements. Occasionally care remained inadequate because providers did not have a sufficient understanding of the National Standards, or weaknesses in their organisation meant that standards were not consistently met. Where provision remained inadequate, we took further action to secure improvement quickly.
19. Of the 490 providers judged as inadequate from April 2005 and inspected again by June 2006, a few (13% – 61 providers) continued to provide inadequate childcare. The proportion still staying inadequate was similar for each of the inspected outcomes for children (Figure 2).
20. The majority of these providers had made some improvement following their previous inspection. However, although this showed some promise, the pace of change was too slow. Also the care still did not meet the National Standards. Our intervention had made some difference but not enough to give children the care they deserve. For example, some providers had improved safety but had not reduced all hazards sufficiently

to protect children fully. Where this was the case Ofsted took swift and firm action to prevent inadequate childcare continuing.¹⁰

21. Other providers were able to make the necessary improvements, but focusing on these meant they allowed other areas of their practice to slip. This resulted in the same inadequate judgement at reinspection because other weaknesses had arisen. For example, in an out of school club staff had gained first aid qualifications by the time of the reinspection. However, now children were not washing their hands before eating and they were not learning sufficiently about good hygiene or how to prevent the spread of infection; also there was an insufficient supply of healthy food and the children were not gaining an understanding of healthy eating. Ofsted aims to make such providers realise that improvement is not a one-off event but a continuous process. We do this through careful monitoring and have frequent inspection of weaker providers to help them maintain a satisfactory standard of care.

Further enforcement action

22. The law gives Ofsted a number of enforcement measures that we can use in the event of providers failing to meet their statutory obligations. These include issuing compliance notices, prosecution and the cancellation of a registration.¹¹ We can also suspend a registration while steps are taken to reduce or eliminate the risk of harm to children. Taking such measures is a serious step and we take an incremental approach to doing so, based on the need to protect children and reduce risks to their safety. But poor practice is not acceptable and we will always take enforcement action where providers are unwilling or unable to bring about enough improvement.

Compliance

23. Ofsted issued compliance notices to 17 of those providers whose settings remained inadequate, requiring them to take action within a specified timescale to comply with the National Standards and associated regulations. In each case we visited again at the end of the timescale to assess whether the provider had completed the action successfully. If not, we interviewed the provider – after cautioning them because they had committed an offence – and considered what further action to take to ensure standards were met and children protected. We also arranged to inspect each provider again within three to six months. Of these 17 providers, 16 have since taken sufficient action and now comply with the relevant standards and regulations to protect children's safety and well-being: the other provider has resigned.

¹⁰ More details are given below on compliance (paragraph 23) and cancellation (paragraph 25).

¹¹ A compliance notice gives providers a period of time to complete certain actions so that they meet the National Standards and associated regulations. Failure to comply with the notice is an offence and Ofsted may prosecute.

Case study: childminder

At the inspection in June 2005 Ofsted found the care inadequate and set actions. At the reinspection in January 2006 the childminder had not met the actions required. As a result, Ofsted issued five compliance notices for the childminder to: put in place a daily record of children's names and hours of attendance; ensure sufficient toys and play materials are available for children, appropriate to their ages and stages of development; minimise children's access to harmful materials and hazards such as cleaning materials and exposed electric sockets in the kitchen and bathroom; promote children's health and take steps to prevent infection, for example by improved nappy-changing arrangements and ensuring children wash hands after using the toilet; and provide appropriate activities and resources to promote equal opportunity and anti-discriminatory practice.

At the monitoring visit in March 2006 to assess compliance with the notices, the inspector found the childminder had taken appropriate action and now complied with all the relevant standards.

Inadequate provision closed

24. Providers did not always want to take the steps we identified at inspection or reinspection to bring about the necessary improvements. There were some occasions when the action we took, or required the provider to take, led them to resign. Although this resulted in a loss of childcare places, these places were of poor quality and placed children's well-being at risk. After receiving the judgement of inadequate, 180 providers had resigned by June 2006.

Case study: day nursery

At the inspection in June 2005 the nursery was judged as inadequate in promoting outcomes for children and in the organisation of childcare. Children's hygiene was poorly promoted with inappropriate access to pets and no emphasis on hand washing after using the toilets and before eating. Children's safety was compromised by poor supervision, particularly during outdoor play. Children had to wait for too long between activities, behaviour was poor and they were not encouraged to show respect for each other. The nursery had a poor partnership with parents, including a lack of necessary records and consents to meet children's needs.

As a result of the inspection and subsequent enforcement action taken to improve the quality of care to minimum standards, in July 2005 the provider resigned.

Inadequate provision cancelled

25. Though very rare, it is sometimes necessary for Ofsted to cancel a registration where the quality of care is so poor that a provider is no longer suitable to be registered. We normally allow a provider the opportunity to make any necessary improvements first unless we judge that the risk of harm to children is too great. We cancelled the registration of 11 inadequate providers, making sure that those children who attended the childcare were removed from the risk of harm.

Case study: out of school club

At the inspection in September 2005 Ofsted found this out of school club inadequate and set actions. During reinspection in February 2006 Ofsted found that the provider had not made the improvements required and identified further issues. There was now a wide range of concerns: failure to check staff suitability; lack of appropriate qualifications held by the manager and other staff; no staff with first aid qualifications; insufficient awareness of what to do in case of concern about child protection; lack of appropriate activities for the children; absence of risk assessments or action to minimise safety hazards; and poor behaviour management. Ofsted judged the provider to be unable to meet the National Standards and so no longer qualified to be registered. In March 2006 Ofsted cancelled the registration.

Conclusion

26. Inadequate outcomes for young children in the daily care of others are unacceptable. So it is heartening to know that the vast majority of childcare providers are judged as promoting satisfactory or better outcomes for young children. Inadequate care and early education happens in only a very small proportion of settings inspected by Ofsted.
27. The vast majority of those judged to have inadequate provision take note of the actions Ofsted set at inspection and bring about the necessary improvement. Reinspections of 490 settings show that 10,000 childcare places are now of better quality; we identified the weaknesses that were evident in a public report and insisted that improvements were made quickly.
28. Ofsted will continue to monitor inadequate childcare providers closely and we will take enforcement action where necessary to ensure that children have the best possible outcomes.

Annex 1. Provision remaining inadequate: further actions Ofsted set to meet the National Standards

For the 61 settings reinspected that remained inadequate, Ofsted set further actions to meet the Standards, as shown in the table below. Ofsted followed up each case to ensure the actions were completed and arranged for a further reinspection within 12 months.

Outcome	Main actions required following reinspection:
Being healthy	<ul style="list-style-type: none"> • ensure consistent practice to minimise risk of spread of infection, for example by washing hands before meals • ensure adequate arrangements for administration of medication, by obtaining parents' permission beforehand and by keeping appropriate records • ensure an adequate quantity of nutritious food is available that meets children's individual dietary needs
Staying safe	<ul style="list-style-type: none"> • assess and minimise risks, for example from hazardous substances, the trampoline, or storage equipment • ensure people cannot enter and leave the premises and playground unsupervised • ensure adults can recognise signs of possible abuse or neglect and know who to contact • develop a procedure for action in the event of an allegation against a staff member
Enjoying and achieving	<ul style="list-style-type: none"> • provide a suitable range of activities and resources to meet children's individual needs and promote their development
Positive contribution	<ul style="list-style-type: none"> • develop effective ways to manage children's behaviour appropriate to their age and level of understanding • develop and share with parents a written complaints procedure and a complaints log
Organisation	<ul style="list-style-type: none"> • ensure all adults are appropriately vetted for suitability • keep all records required by regulations for children's safety and wellbeing • ensure registration conditions are met at all times

Annex 2. Improved provision that met the National Standards at reinspection: recommendations Ofsted made for further improvement

The large majority of inadequate providers improved and the care was judged as satisfactory or better. At reinspection Ofsted recommended additional improvements which included:

- further helping children to **be healthy** by: ensuring adequate opportunities for physical play; gaining parents' consent to administer

medication or to seek emergency medical aid; improving hygiene practice to reduce risk of infection by keeping clean kitchen surfaces or by giving each child separate hand-drying facilities; and ensuring children have free access to drinking water

- further helping children to **stay safe** by: further enhancing understanding of child protection issues and knowledge of local procedures; practising emergency evacuation; ensuring toys are kept tidy to avoid tripping and used safely to protect the youngest children from equipment with small parts; further improving entrance security; and continuing to develop appropriate equipment and facilities for under-threes
- further helping children to **enjoy and achieve** by: further enhancing the planning and provision of a range of activities for younger children, by for example using *Birth to three matters*; further developing the range of toys and books that children can access easily; further encouraging children in making choices about their play or to build on their natural curiosity and imagination; further improving opportunities for children to develop their physical skills through play; monitoring individual children's choices and activities more closely to maximise their learning and development; linking assessment of children's progress with developmental milestones; and continuing to develop planning and assessment¹²
- further helping children to make a **positive contribution** by: continuing to develop adults' understanding of how to help children appreciate and value diversity, and extending resources; and ensuring more staff are confident in providing appropriately for children with particular additional needs
- further improving **organisation** to promote positive outcomes for children by: improving arrangements for complaints; improving arrangements for vetting new staff; improving documentation including records on times of attendance; updating first aid training; ensuring parents have agreed in writing before giving medication; and displaying the registration certificate.

¹² *Birth to three matters: a framework to support children in their earliest years*, SureStart, 2003; available from www.surestart.gov.uk/resources/childcareworkers/birththreematters.

Notes

Ofsted regulates the care given to children aged under eight through registering providers, carrying out regular inspections, investigating concerns to see whether providers continue to be suitable for registration and taking enforcement action where necessary. When regulating childcare we assess whether providers meet the National Standards, minimum standards set by the government below which no provider may fall.¹³

In the revised early years inspection framework, introduced in April 2005, inspection judgements are awarded on a four-point scale of outstanding, good, satisfactory and inadequate.¹⁴ Ofsted judges as inadequate any setting that does not meet one or more of the National Standards and fails to provide satisfactory outcomes for children. Ofsted has no cause for concern about providers who are judged as satisfactory or better, although it gives recommendations to improve the quality of care further.

Ofsted has also introduced more proportionate inspection, where providers who cause concern are inspected more frequently than those we have no concerns about. One of the factors causing early reinspection is when providers receive a judgement of inadequate at inspections.

Ofsted groups providers whose care is judged as inadequate into one of two categories. For providers placed in inadequate category 1, Ofsted serves a notice of action for improvement, as we believe these providers are able and willing to improve. The notice gives them a period of time to achieve the necessary improvement. Ofsted normally reinspects these providers in 6–12 months, although we may also monitor progress during this time.

But there are some providers who will not improve without Ofsted taking more serious enforcement measures. We judge these providers at inspection as inadequate category 2 and Ofsted can take a number of enforcement measures. The measures include issuing compliance notices, prosecuting a provider and cancelling a registration. Ofsted can also suspend a registration while steps are taken to reduce or eliminate the risk of harm to children. Ofsted normally reinspects inadequate category 2 providers in 3–6 months, and we monitor progress very closely during this time.

A compliance notice gives providers a period of time to complete certain actions so that they meet the National Standards and associated regulations. Failure to comply with the notice is an offence and Ofsted may prosecute.

¹³ The *National Standards for under 8s day care and childminding* (1844780600), DFES, 2003; available from www.surestart.gov.uk/publications/index.cfm?document=225.

¹⁴ Outstanding = exceptional settings that have excellent outcomes for children; good = strong settings that are effective for children; satisfactory = settings that have acceptable outcomes for children but which have scope for improvement; inadequate = weak settings that have unacceptable outcomes for children. To be awarded the overall judgement 'outstanding', a provision must be outstanding in each of the five areas inspected: being healthy, staying safe, enjoying and achieving, making a positive contribution, and organisation. A provision assessed as inadequate in any one of these areas is judged as inadequate overall.