

# Inspecting the Early Years Foundation Stage

Section 162A independent school inspection guidance

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The purpose of this document is to support inspectors in judging the quality of provision for children in the Early Years Foundation Stage. It should be read in conjunction with *The framework for inspecting independent schools* and *Completing the record of inspection evidence and judgements*.

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# Contents

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<b>Background</b>	<b>5</b>
Exemptions	5
Inspection of early years and/or childcare provision	6
<b>An overview of the process</b>	<b>7</b>
Getting started: before the inspection	7
Getting started: the SIEF	8
During the inspection	9
Gathering evidence on the welfare requirements	10
What to do if you find unregistered Early Years Foundation Stage provision for children aged under three years	11
Writing the report	11
<b>Additional guidance</b>	<b>13</b>
Inspecting the Early Years Foundation Stage when there are no, or few, children present	13
Hospital schools: meeting the Early Years Foundation Stage statutory guidance for accessing outdoor play	13
<b>Inadequate Early Years Foundation Stage provision</b>	<b>14</b>
Judging and reporting on schools with inadequate provision for Early Years Foundation Stage	14
Monitoring inadequate provision in Early Years Foundation Stage	15
<b>Annex A: Judging attainment on entry and/or progress</b>	<b>16</b>
Attainment on entry to nursery and reception	16
<b>Annex B: The Early Years Foundation Stage profile</b>	<b>19</b>
<b>Annex C: Inspecting the welfare requirements</b>	<b>27</b>
Welfare requirements in the Statutory Guidance	27
Already part of s5 inspection	27
Inspect specifically in Early Years Foundation Stage (or for childcare of older children when relevant)?	27
Safeguarding and promoting children’s welfare p22–28	27
The school takes necessary steps to safeguard and promote the welfare of children	27
Qualifications and ratios	30
<b>Annex D: Pointers to good and inadequate practice</b>	<b>35</b>
Features of good practice	35
Outcomes for children: what to look for	35
Quality of provision for children’s learning and welfare: what to look for	35
Leadership and management	38
<b>Some pointers towards inadequate provision</b>	<b>38</b>

Outcomes for children:	39
Quality of provision	39
Leadership and management	41
<b>Annex E: Strategy for monitoring independent schools where the Early Years Foundation Stage is judged inadequate</b>	<b>42</b>
<b>Annex F: Early Years Foundation Stage legal requirements for registered providers</b>	<b>45</b>

## Background

The framework for the Early Years Foundation Stage became statutory under the Childcare Act 2006, from September 2008. The framework replaced: *Curriculum Guidance for the Foundation Stage*; *Birth to Three Matters*; and the *National Standards for Under 8s Day Care and Childminding*. It applies to children aged from birth to the end of the reception year. The full framework, guidance, and supporting materials for practitioners can be found at [www.nationalstrategies.standards.dcsf.gov.uk/earlyyears](http://www.nationalstrategies.standards.dcsf.gov.uk/earlyyears).

Here you can also find links to other publications, programmes and resources that might be in use in schools.

## Exemptions

The Childcare Act 2006 enables regulations to be made which provide for the Secretary of State to grant exemptions to providers, in prescribed circumstances, from all or part of the learning and development requirements which are set out in the Early Years Foundation Stage. The regulations can also enable early years providers to grant exemptions in relation to individual children from all or part of the learning and development requirements in prescribed circumstances. Applications may seek to either modify or disapply the assessment arrangements but in this case, providers should still conduct observational assessment of children's development as they normally would, and plan accordingly. The provider may be given an exemption from the requirement to complete and submit the Early Years Foundation Stage profile. The Act does not allow exemptions to be granted from the welfare requirements of the Early Years Foundation Stage as these deal with fundamental issues of child safety.

Providers may apply for exemptions in the following circumstances.

- Where providers are temporarily unable to deliver the full learning and development requirements.
- Where a majority of parents and carers agree with the provider that an exemption should be sought, and the exemption is required because the established principles about learning and development for young children which govern their practice conflict with elements of the Early Years Foundation Stage learning and development requirements.

A parent<sup>1</sup> may apply to the provider/prospective provider of childcare that their child attends (or will attend) for an exemption in respect of their child, where they consider that the learning and development requirements, or some element of them, are in conflict with the parent's religious or philosophical convictions.

## **Inspecting registered early years provision in independent schools**

All provision for children aged from birth to their third birthday must be registered by Ofsted. This includes such provision in all independent schools. The exception to this where the school only takes children under three in the term in which they attain the age of three (rising threes) where such provision does not require registration.

Registration is also required where schools directly make provision for children aged three and over where no child attending the provision is a pupil of the school. This is the case in some nurseries attached to independent schools.

There are around 2,400 independent schools in England. Roughly half of these schools are members of the Independent Schools Council (ISC). ISC member schools are inspected by the Independent Schools Inspectorate (ISI). The ISI is responsible for inspecting all educational provision in these schools, including any provision made directly by the school and registered by Ofsted on the Early Years Register. The exception to this is that Ofsted conducts the first inspection of registered provision in ISC associated schools following a new registration.

Ofsted is responsible for inspecting provision for children made directly by the school and registered by Ofsted on the Early Years Register in all other independent schools.

Where Ofsted also inspects the education provision in independent schools, the inspection of any registered provision is part of the school inspection.

There are two small independent inspectorates which also operate in independent faith schools. These are the Bridge Schools Inspectorate (BSI) and the School Inspection Service (SIS). Between them they inspect about 120 schools. They are not approved to inspect early years provision that is separately registered by Ofsted. Very few of these schools make registered early years provision, but where they do so, Ofsted is responsible for its inspection. This is a 'free-standing' inspection, not combined with the inspection of another inspectorate and carried out according to Ofsted's own schedule.

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<sup>1</sup> The definition of 'parent' in this case includes someone (a) with parental responsibility or (b) someone who doesn't have parental responsibility, but who has 'care of a child'. Having care of a child means someone who has ongoing day to day responsibility for a child. This would include someone who lives with and looks after the child such as a foster parent or another relative but not a childminder.

Ofsted investigates any concerns about registered provision wherever that provision is.

## Ofsted's inspection of early years and/or childcare provision

Following the Childcare Act 2006, from September 2008, early years provision or childcare on a school site has been inspected at the same time as the school wherever possible.

Early years or childcare provision of more than two hours that is **not managed by the proprietor**<sup>2</sup> must normally be registered with Ofsted. Such provision is also inspected at the same time as the school where practically possible as a **parallel inspection event**. However, the inspections remain separate, as do the published reports. The provision is inspected under the Childcare Act 2006 using *The Early Years Evaluation Schedule*. Guidance for inspectors on carrying out these inspections can be found in the document entitled *Using the Early Years evaluation schedule*.

All provision on a school site that is **managed by the proprietor** is generally inspected as a 'single inspection' under the section 162A framework.<sup>3</sup>

Where provision includes care for children under three years or any other early years provision or childcare where no child of the school attends that is registered by Ofsted, the tariff for the inspection is increased according to the size and complexity of the additional provision. Early years and/or childcare provision for children within the Early Years Foundation Stage is reported in the Early Years Foundation Stage section unless this is provided as part of a children's centre and no child attending is a pupil of the school. Childcare for older pupils, not part of the Early Years Foundation Stage, is inspected proportionately as part of section 162A and should be mentioned in the main school report.

Further guidance on inspecting childcare can be found on the Ofsted website.<sup>4</sup>

## An overview of the process

### Getting started: before the inspection

The school will be given two clear days' notice of its s162A inspection and will be notified by the inspection service provider that the Early Years Foundation Stage provision is to be inspected at the same time. The inspection service provider will

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<sup>2</sup> The ownership will vary for each school and could be a sole proprietor, partnership, governing body, board of trustees or a Scottish firm. In this case 'proprietor' covers any of these arrangements.

<sup>3</sup> There may be some changes in line with new government policy for schools judged to be outstanding at their previous inspection.

<sup>4</sup> [www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Care-and-local-services/Childcare/Inspection/Guidance-for-inspectors](http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Care-and-local-services/Childcare/Inspection/Guidance-for-inspectors). Inspectors are particularly referred to the factsheet *Triggers for inspections of those on the Early Years Register or Childcare Register*, Ofsted, 2009; [www.ofsted.gov.uk/publications/080179](http://www.ofsted.gov.uk/publications/080179).

check whether there are any off-site nurseries under the same school registration and they will staff the inspection accordingly. The lead inspector will need to clarify the Early Years Foundation Stage provision with the school during initial contact and remind the school of the integrated report format. It is vitally important that at this initial contact the lead inspector checks whether the school has correctly registered its provision for children under three (if it has any). The lead inspector will also need to check with the school who is responsible for co-ordinating the Early Years Foundation Stage. It is likely that the team inspector will need to arrange a meeting with this person. It is also a helpful to check how many children there are in the Early Years Foundation Stage and how they are organised, what the provision for outdoor learning is like, whether the school has established a key worker system and what the links are like between the Early Years Foundation Stage and other years. The rest of the information may be recorded in the school's self-evaluation or in their early years SEF. The lead inspector will also need to establish whether any of the learners are exempt from any of the learning and development requirements. Please refer to *Exemptions from the learning and development requirements*.<sup>5</sup>

The inspection service provider will ensure that both the lead inspector and the team inspector receive a copy of the school evaluation of their own performance, if the school wishes to share it in advance of the inspection.

Before the inspection starts the lead inspector will contact the team inspector who will be responsible for inspecting the provision for children in the Early Years Foundation Stage to discuss the proposed inspection arrangements, and how the day will be spent in school and the timings of meetings and feedback, and to negotiate respective responsibilities within the inspection itself. This team inspector may only be on site for one day, generally the first inspection day, and therefore it is likely they will not be at the feedback meeting, unless this is a light-touch inspection lasting one day only. This said, the team inspector will feedback Early Years Foundation Stage findings to the headteacher and/or proprietor before they leave.

## Getting started

- Check whether the school has submitted an early years SEF in relation to any registered early years provision. If this is available it should be on the inspection service provider's portal with all other inspection documents. Does the information give rise to any queries about the provision that will need to be followed up, or evidence of strengths to be confirmed by the inspection?
- In advance of the inspection, the school may choose to provide inspectors with a copy of an evaluation of their own performance. This evaluation may also enable inspectors to identify any issues about the Early Years Foundation Stage to be followed up in the course of the inspection.

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<sup>5</sup> *Exemptions from the learning and development requirements*, Ofsted, 2010; [www.ofsted.gov.uk/publications/080144](http://www.ofsted.gov.uk/publications/080144).



- What evidence is there about the children's attainment on entry or their subsequent progress? You may want to alert the headteacher to the need for further evidence and/or a discussion at the start of the inspection.
- If the school completes the Key Stage 1 tests look at the results and any analysis of these in the school's evaluation of their performance. Are there any issues here that might start in the Early Years Foundation Stage? For example, if results in mathematics are especially low you would want to track back to pupils' earliest mathematical experiences, as well as those in Key Stage 1.
- Look at the previous report, including any reports on childcare managed by the proprietor, and ensure any issues raised there are followed up, as necessary.
- As usual, plan appropriate trails and set up meetings with staff who can answer your questions.

## During the inspection

- If the lead inspector is spending part of the preparation day in school, it is advisable for her or him to ask to look at the documentation relating to the Early Years Foundation Stage. This will include initial entry documentation, assessment for the Early Years Foundation Stage and the Early Years Foundation Stage profiles. It may be helpful, in order to check if children are making sufficient progress in the Early Years Foundation Stage, to have some background information from the first statistical release of the Early Years Foundation Stage profiles for the previous year, which can be found on the Department for Education website at:  
[www.education.gov.uk/rsgateway/DB/SFR/s000979/SFR39\\_2010\\_FSP\\_Text.pdf](http://www.education.gov.uk/rsgateway/DB/SFR/s000979/SFR39_2010_FSP_Text.pdf).
- Ensure sufficient time is devoted to the inspection of the Early Years Foundation Stage.
- Inspection activities should include: observations of sessions/lessons in the Early Years Foundation Stage, assessing the children's outcomes as reflected through Every Child Matters outcomes, welfare and safeguarding of the Early Years Foundation Stage; an analysis of the school's information on attainment and progress in the Early Years Foundation Stage; and discussions about the leadership and management of the Early Years Foundation Stage.
- Guidance on **judging attainment and progress**, including analysing data from the Early Years Foundation Stage profile can be found at **Annexes A and B**.
- Inspectors should consider their judgements on outcomes in the Early Years Foundation Stage when judging the attainment, learning and progress of children in Key Stage 1, so that any incongruence is investigated. If, for example, children make good progress in the Early Years Foundation Stage,

including in their personal, social and emotional development, and reach age-related expectations in the elements of early literacy (communication, language and literacy) and early numeracy (problem solving, reasoning and numeracy), low standards in reading, writing and mathematics at Key Stage 1 might indicate inadequate progress in these areas in Year 1 and/or Year 2. If there is evidence of slower progress in Key Stage 1 this should be explained.

- In order to help with pitching judgements, Annex D contains some 'pointers' to good and inadequate provision and its effect on overall judgements.
- Where there is separate registered provision, for example a nursery provided directly by the school or wrap-around care, weigh up any differences in the quality of provision, leadership and management when coming to an overall judgement for the Early Years Foundation Stage.
- Lead inspectors should note that team inspectors should contribute to the *Record of inspection evidence and judgements*.<sup>6</sup> Further information is given in the guidance for inspectors document, *Completing the Record of inspection evidence and judgements*.<sup>7</sup>
- The lead inspector will confirm the four Early Years Foundation Stage judgements with the team inspector prior to feedback to the headteacher and/or proprietor. The grade criteria for the Early Years Foundation Stage (see the guidance for inspectors document, *Criteria for making inspection judgements about quality of provision*) should be referred to.<sup>8</sup> In rare circumstances where the Early Years Foundation Stage inspection judgements differ, for good reason, from those made on the school as a whole, this must be clearly evidenced and explained to the provider at feedback.
- Any significant strengths or weaknesses in the Early Years Foundation Stage will have a proportionate impact on the grades given for the school and should therefore be taken into account when making judgements.

## Gathering evidence on the welfare requirements

As with section 5 inspections, you **must** check that safeguarding procedures meet current government guidelines. There is no necessity to make a physical check of other requirements. However, by visiting the early years provision, observing the children, examining paperwork, following up any issues from the previous inspection or issues raised in the parents' questionnaire, you will form a view as to whether there is any likely breach of other requirements. If this seems possible, then you will need to tailor your inspection activity in proportion to the issues that the situation presents. Effectively, you will be making a risk assessment and then making a

<sup>6</sup> [www.ofsted.gov.uk/publications/090065](http://www.ofsted.gov.uk/publications/090065).

<sup>7</sup> [www.ofsted.gov.uk/publications/090051](http://www.ofsted.gov.uk/publications/090051).

<sup>8</sup> [www.ofsted.gov.uk/publications/090049](http://www.ofsted.gov.uk/publications/090049).

proportionate response. See Annex C for further guidance on inspecting the welfare requirements including information about qualifications and ratios.

### **Breaches of statutory welfare requirements**

Inspectors should treat a breach of statutory requirements in staffing qualifications and ratios in the same way as any other breach: ensure that the headteacher and governors are alerted to this breach of requirements and report it; evaluate the **impact** of this breach on the quality of provision; and, where appropriate, include a recommendation for improvement. Inspectors should use their professional judgement about the extent to which any breaches have implications for judgements on leadership and management of the Early Years Foundation Stage.

### **What to do if you find unregistered Early Years Foundation Stage provision for children aged under three years**

If the school being inspected has Early Years Foundation Stage provision for children aged under three years which should be registered and is not, the lead inspector will contact the compliance, investigation and enforcement team through the National Business Unit on 0300 123 1231. When connected, the lead inspector should ask to speak to the compliance, investigation and enforcement (CIE) team. The National Business Unit will then put the call through to the CIE team, who will direct the call to an appropriate case officer in the team that covers the area concerned. The lead inspector should explain the situation regarding unregistered provision to the case officer. The lead inspector should alert the school that they have taken this action and also record in the ROIEJ any explanation given by the school as to why the situation has arisen. The school needs to take immediate steps to register their childcare provision and should be advised to contact the NBU immediately on this matter.

The lead inspector should look at the provision for the under threes to ensure that there are no immediate concerns about children's welfare, health and safety. Any concerns should be noted and also reported to the CIE team. Beyond this, the lead inspector should not attempt to conduct an inspection of the unregistered provision, as this will be covered by the registration visit from a childcare inspector.

### **Writing the report**

- Ensure that all guidance on the report template and in the document *Guidance for inspectors on writing the report* is followed so that information on the Early Years Foundation Stage is entered correctly and any figures quoted are accurate.
- The lead inspector will ensure that the section 'Information about the school' contains accurate information about the Early Years Foundation Stage which has been agreed by the school, including where the school has applied for or been granted exemption from learning and development aspects of the Early Years Foundation Stage. The lead inspector will also complete the inspection judgements page and the final page of the report

with the school's details, ensuring with the school and the team inspector that these are correct.

- Judgements on the overall effectiveness of the Early Years Foundation Stage are reported in a separate section towards the end of the report.
- Report on the quality of the provision and outcomes for learners, explaining why things are as they are, clearly identifying any key strengths or weaknesses.
- A length of around 250 words will normally be appropriate, depending on the context, size of provision and findings. This should allow for sufficient detail and exemplification about the Early Years Foundation Stage to give users a clear picture of provision, but particular strengths or weaknesses may require further detail.
- Record the numerical grade awarded for each of the four judgements in the table.
- Any key weakness in the Early Years Foundation Stage should be referred to in the **Evaluation of the school** section of the report, be reflected in **Compliance with regulatory requirements**, and be matched by grades required in the Early Years Foundation Stage section.
- Where the inspection has incorporated the inspection of registered early years or childcare provision managed by the governing body, any **actions** raised for the registered Early Years Foundation Stage provision to meet statutory requirements should be included in the **Compliance with regulatory requirements** section of the report. The s162A template contains the correct wording to use. It should be deleted if there is no registered provision for children under three years of age at the school.

## Additional guidance

The following section provides inspectors with additional guidance for particular circumstances.

### **Inspecting the Early Years Foundation Stage when there are no, or few, children present**

When there are no children currently in the Early Years Foundation Stage, for example because the school staggers their intake or because the inspection occurs early in September, there should still be scope to gather evidence to evaluate provision and outcomes, to make the four judgements and to report on trends and progress made. This is often possible through scrutiny of children's work from reception and the start of Year 1, and analysis of the results of the Early Years Foundation Stage profile. The inspection should explore outcomes from evidence of the past two or three years to make a judgement where possible. A view of provision could be formed through reviewing the curriculum and teachers' planning, analysis of the SEF and comments from children and parents. Leadership and management can be judged through scrutinising documentation and discussion.

When there are only one or two children in the Early Years Foundation Stage, inspectors should be sensitive to the way that outcomes are reported so that judgements are not linked to a particular child. Inspectors should follow the guidance above and take account of evidence from previous years in their reporting.

Inspectors should no longer record IE (insufficient evidence) for any grade. The inspection report needs to make the circumstances clear, but must still include all the judgements and a paragraph of text. Not doing so could leave parents and other key stakeholders without the information necessary to make informed judgements about the relative quality of early years provision in an area. Where inspectors consider that the school's circumstances cannot be covered in this way they should seek further guidance from the duty desk before or during the inspection.

### **Hospital schools: meeting the Early Years Foundation Stage statutory guidance for accessing outdoor play**

Hospital schools that make provision for children in the Early Years Foundation Stage should have regard to the following statutory guidance with regard to access to an outdoor play area:

*Wherever possible, there should be access to an outdoor play area, and this is the expected norm for providers. In provision where outdoor play space cannot be provided, outings should be planned and taken on a daily basis (unless circumstances make this inappropriate, for example unsafe weather conditions).*

'Have regard to' means that a provider must demonstrate that they have considered the guidance and taken all reasonable steps to comply as far as possible but, in some circumstances, this may not be practicable. Clearly it is not always possible or

appropriate for children in hospital schools to access outdoor play, and inspectors should exercise their judgement in the specific context of the provision and the needs of the children. However, all providers, including hospital schools, should ensure there are some facilities that can be accessed at some time during a child's stay, where this is medically appropriate. Wherever possible, there should therefore be some safe, suitable, outdoor facility available that is planned and used when appropriate to a child's needs. Plans and arrangements need to be in place to maximise use of outside play, when at all possible. If no facilities are available, there should be a strategic plan developed with the hospital trust or suitable partners who own the premises to develop access to appropriate outdoor facilities.

Providers and parents are allowed to formally seek exemptions from some of the learning and development requirements, or modifications to the Early Years Foundation Stage. It is anticipated that exemptions will rarely be needed, and that they should only be granted in exceptional circumstances. Exemptions cannot be granted from the welfare requirements of the Early Years Foundation Stage as these deal with fundamental issues of child safety.

It must be recognised that exceptional circumstances pertain in hospital schools. Exemptions or modifications may be needed more often for children in hospital, especially for those with serious or life threatening conditions, than for children in other settings. However, inspectors should understand that in many cases it is currently impracticable to formally seek exemptions for these children.

## **Inadequate Early Years Foundation Stage provision**

### **Judging and reporting on schools with inadequate provision for Early Years Foundation Stage**

Inspection will focus on the school's outcomes and the aspects of provision which contribute to them. There may be several scenarios for inadequate provision.

- Some statutory requirements are not being met or had proper regard to so that there is a significant impact on the children.
- Registered provision for under threes or children that are not pupils of the school is inadequate.
- Provision for pupils aged three to five is inadequate.
- The whole Early Years Foundation Stage (birth to the end of reception year) is inadequate.

If inspectors find that any of the learning and development or welfare requirements are **not being treated with due regard**, they should evaluate the **significance** of the individual requirements in judging whether the Early Years Foundation Stage provision is inadequate overall. This will not necessarily be the case, for example, when schools have already identified and begun to address problems, or if they are of a minor nature. However, **overarching requirements** (such as 'Adults looking after children must have appropriate qualifications, training, skills and

knowledge') not given due regard are likely to result in an inadequate judgement because they will be reflected in judgements on the quality of provision and leadership and management. Failures to have due regard for requirements that affect the safety of the children or have a significant impact on their welfare, enjoyment and progress should lead to a judgement of inadequate.

Where provision for pupils aged three to five or for children in registered provision is inadequate and the rest of the school is at least satisfactory, inspectors will need to consider whether inadequate Early Years Foundation Stage provision will lead to a situation whereby the Department for Education issues a school with a Notice to Improve. If so, inspectors should complete Form A.

Reports should be written so that it is clear what has been inspected. Inspectors should state clearly which overarching requirements have not been met and the impact on the children.

## **Monitoring inadequate provision in Early Years Foundation Stage**

In independent schools with registered provision for the under threes, inadequate provision could lead to enforcement action being taken by Ofsted against a school. This could lead to the nursery setting being closed down and learners sent home. Inadequate provision will be dealt with on the following basis:

- Ofsted will take enforcement action in schools in respect of registered provision, that is provision for under threes or after school care for children who are not pupils of the school
- inadequate provision for pupils aged three to five years, including where provision for under threes and over threes is mixed, will be followed up using existing procedures agreed with the Department for Education
- where the whole provision for children from birth to the end of the reception year is inadequate this will be followed up by Ofsted and the Department for Education using their powers for dealing with inadequate provision

See Annex E for a table which details the procedures for monitoring inadequate provision that is managed by the governing body. It clarifies the monitoring process for different scenarios, depending on whether the Early Years Foundation Stage is itself inadequate. The annex enables inspectors to explain to a school: whether it will be monitored; the focus of any further inspection visit; the timing of any visit; and who will monitor provision. The table is **not** a set of instructions for making judgements, but simply an aid for inspectors to explain how monitoring will occur.

## Annex A. Judging attainment on entry and/or progress

This guidance is to inform judgements on attainment on entry, attainment and/or progress. For reference, consult the following.

- The **development matters** in the *Practice Guidance for the Early Years Foundation Stage*. They describe likely achievements for a child who is progressing towards the early learning goals. Progression is shown by the use of broad age-related bands. Note that these bands overlap and children will not necessarily progress sequentially through each element within them.
- The Early Years Foundation Stage profile points on each of the 13 scales.

### Attainment on entry to nursery and reception

No national data on attainment on entry are available for comparison. Instead, inspectors should make a professional judgement by taking account of the proportions of children meeting expectations in the age-related bands. In doing so, they should use the school's assessment evidence and take account of the range of ages represented in a group as well as the range of previous experiences. Remember to avoid using the term 'average' and 'standards' as there is no 'national average' for three- and four-year-olds on entry to nursery and reception.

Ask the school about its first set of records/data put in place after the admission of its youngest pupils this year and the previous two years, to inform judgements about attainment on entry and progress in the Early Years Foundation Stage. To judge whether the evaluation of attainment on entry in the SEF is convincing, also take into account contextual factors shown in RAISEonline (where available) and the previous inspection report, the attainment on entry evaluation in this report and whether contextual factors have changed recently. If contextual features look similar then attainment on entry may be more or less the same. If the picture is unclear, note the exploration of attainment on entry in the pre-inspection briefing.

If a substantial number of new children enter the school in reception or leave after nursery, establish attainment on entry to reception as well as to nursery. Also take into account children who enter reception part way through the year. If many children enter reception without pre-school experience, this might mean that attainment on entry at this point is lower, or similar, to the attainment on entry to nursery. Remember, entry to reception varies in different local authorities, and children admitted in April have only one term in reception. Check arrangements for 'staggered entry' and part- and full-time attendance, as the amount of time spent in school could well affect both attainment and progress.



## Nursery

Attainment on entry to nursery at age three: most<sup>9</sup> children are likely to be working within the development matters band for 30–50 months, having shown competence in the preceding band for 22–36 months. This may be referred to as the age-related expectation at the beginning of nursery. Consider this guidance for all six areas of learning when judging attainment on entry to nursery, taking into account children's ages on entry. Attainment on entry is likely to be below age-related expectations where a substantial proportion<sup>10</sup> of children in a school has not demonstrated all of the elements in the 22–36 month band.

## Reception

Attainment on entry to reception at age four: most children are likely to demonstrate some of the elements of skill, knowledge and understanding within the development matters band for 40–60+ months, in addition to all of the elements in the preceding band for 30–50 months. This may be referred to as the age-related expectation at the beginning of reception. Consider all six areas of learning when judging attainment on entry to reception, taking into account children's ages on entry. Attainment on entry is likely to be below age-related expectations where a substantial proportion of children in a school has not demonstrated all of the elements in the 30–50 month band. The statutory early learning goals establish national expectations for most children to reach by the end of the reception year. These are the statements in bold in the 40–60+ month band.

## Attainment at the end of the Early Years Foundation Stage/entry to Year 1

Schools have Early Years Foundation Stage profile data provided by their local authority. For details about the Early Years Foundation Stage profile see Annex B. Compare school data with national results, rather than local, to evaluate attainment. Take into account all six areas of learning. Check how many children score 6 in **all** of the personal, social and emotional development and communication, language and literacy scales. This indicates children working at a **good level of development** – see definition below in Annex B. Then check the data against the proportion of children scoring 6 or more in each of the assessment scales. Results very close to the national figures are likely to be described as broadly average. If results in any area fall below, but not close to, national figures it is unlikely that attainment would be judged to be above average.

Establish the consistency of the school's Early Years Foundation Stage profile results in recent years and the accuracy of its judgements, supported by training and moderation. Training is gradually increasing accuracy and consistency. Ask the senior management team and the Early Years Foundation Stage leader about training and moderation and whether any Early Years Foundation Stage profile assessments

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<sup>9</sup> 'Most' means the majority or nearly all children. Ofsted's definition of 'most' is 80%–96%.

<sup>10</sup> 'Substantial proportion' means more than the 20% that might be outside the definition of 'most'.

(areas or years) may be too harsh or lenient. Data are likely to be inaccurate if they are not based predominantly on observation of child-initiated activity. Interpret the results accordingly to agree with the school the standards of children who have completed the Early Years Foundation Stage.

For current children in the Early Years Foundation Stage, ask the school to compare the most recent attainment records with those for the previous year group at the same time of the year, and the targets for the cohorts, to evaluate the standards of current pupils. In small schools, the attainment of different cohorts may vary greatly. Take this into account in evaluating current standards attained, clarifying differences in the report. If accuracy of judgement or the quality of records are inspection issues, it may be helpful to check work or observe and talk to children jointly with a member of staff to inform the standards judgement.

### **Judging progress in the Early Years Foundation Stage**

Progress from the age-related expectations at the beginning of nursery, to the age-related expectations at the beginning of reception, on to the end of reception where they can be compared with Early Years Foundation Stage profile national figures is likely to represent satisfactory progress during the Early Years Foundation Stage. However, contextual factors should be taken into account.

It is important not to confuse the government's Public Service Agreement (PSA) targets and definition of a 'good level of development' and a 'good level of achievement' with the 'progress' that demonstrates the school's added value. It is important that inspectors take account of how well children learn and develop in relation to their starting points and capabilities. For example, a 'good level of overall achievement' explained by the PSA targets and definitions, as shown by gaining 78+ scale points with 6+ in all scales of personal, social and emotional development and communication, language and literacy **might represent outstanding progress** for children who started at a level much lower than that expected for their age. However, for an able child starting at a higher point, such 'good achievement' **might only demonstrate satisfactory progress**.

## Annex B. The Early Years Foundation Stage profile

The Early Years Foundation Stage profile captures the early learning goals as a set of 13 assessment scales grouped into six areas of learning (listed under Table 1 below). The full list of early learning goals can be found in Appendix 1 in the Early Years Foundation Stage statutory framework. Each scale has nine points. Be careful not to confuse 'points' with 'scores' as they are not generally hierarchical; an example of a point is 'plays alongside others'.

- The first three points (1–3) describe a child who is still progressing towards the achievements described in the early learning goals. Most children will achieve all of these three points before they achieve any of the early learning goals. A child who fails to demonstrate any of these points is likely to be suffering from profound and complex problems.
- The next five points (4–8) are the early learning goals themselves re-arranged, combined or split to form an assessment tool. The points on each scale are presented in approximate order of difficulty, according to evidence from trials. However, the points are not necessarily hierarchical and a child may achieve a later point without having achieved some or all of the earlier points.
- The final point (9) in each scale describes a child who has achieved all the points from 1–8 on that scale, has developed further both in breadth and depth, and is working consistently beyond the level of the early learning goals. The purpose of point 9 is to identify children with a pronounced ability in a specific area of learning.
- Children who score six points or more on a scale may be classified as working securely within the early learning goals. The records do not show which six of the nine points have been achieved; for example, for one child these may be points 1, 2, 3, 5, 6, 8. However, research by the National Foundation for Educational Research (NFER) indicates that children who are attaining within points 4–8 will generally have already attained points 1–3.
- The point (0) in each scale describes a child for whom it has not been possible to record an assessment. While the Early Years Foundation Stage profile has been developed to be as inclusive as possible so that as many children as possible can be assessed against the scales it contains, there may be some items in the scales that some children are unable to achieve because of the nature of their individual needs. For example, there may be items within the personal, social and emotional development scales (such as those involving interactions with others) that cannot be achieved at this stage of their development. Similarly, there may be items within the scale for physical development that cannot be achieved by some children.

The scale score for each child on each of the 13 Early Years Foundation Stage Profile assessment scales is the number of points that the child has achieved. If the score is 4 the child may have achieved any four of the points. They are in a hierarchical order

for points 1–3 and on average in personal, social and emotional development, communication, language and literacy and problem solving, reasoning and numeracy at points 4–8, but not in the other scales, so it is likely the child will have gained points 1–3 and one other.

### **Which Early Years Foundation Stage profile figures are important?**

The important comparison is whether children are working securely within the early learning goals (that is, whether they have a scale score of six or more) on each scale. Total scores within an area of learning should not be used alone. For example, a child scoring 24 on communication, language and literacy (which has four scales) may have achieved only five of the points in writing but seven in reading.

**Table 1**

2010 Foundation Stage profile national results – Percentage of children by number of points achieved in each of the 13 assessment scales

**Table 1: Percentage of children by number of points achieved in each of the 13 assessment scales**

Year: 2010

Coverage: England

	Number of points achieved (percentage) <sup>1</sup>													
	0 <sup>2</sup>	1	2	3	4	5	6	7	8	9 <sup>5</sup>	1–3 <sup>3</sup>	4–8 <sup>4</sup>	Six or more <sup>6</sup>	Mean points score
<b>Girls</b>														
PSE: DA	0	0	0	0	1	5	14	25	41	14	1	85	94	7.4
PSE: SD	0	0	0	1	2	6	27	25	28	11	1	87	90	7.0
PSE: ED	0	1	1	1	3	7	16	20	39	11	3	86	87	7.1
CLL: LCT	0	0	1	1	3	7	23	26	29	11	2	87	88	6.9
CLL: LSL	0	1	1	4	5	8	16	29	24	13	6	81	82	6.8
CLL: R	0	0	2	1	5	11	20	27	23	8	4	88	79	6.6
CLL: W	0	1	2	4	7	12	23	22	23	6	7	87	75	6.4
PSRN: NLC <sup>7</sup>	0	0	1	1	3	4	7	43	26	15	2	83	91	7.2
PSRN: C <sup>7</sup>	0	1	2	3	6	10	19	32	22	5	6	89	78	6.5
PSRN: SSM <sup>7</sup>	0	1	1	1	3	7	19	38	23	6	3	90	86	6.8
KUW	0	1	1	2	4	8	20	30	31	3	3	94	84	6.7
PD	0	0	0	1	1	3	11	30	45	8	1	91	94	7.3
CD	0	0	0	0	2	8	22	32	29	5	1	94	89	6.9

Boys	Number of points achieved (percentage) <sup>1</sup>												Six or more <sup>6</sup>	Mean points score
	0 <sup>2</sup>	1	2	3	4	5	6	7	8	9 <sup>5</sup>	1-3 <sup>3</sup>	4-8 <sup>4</sup>		
PSE: DA	0	0	0	1	2	8	17	28	33	10	1	89	88	7.0
PSE: SD	0	0	0	3	4	11	31	22	21	7	3	89	81	6.5
PSE: ED	0	1	2	2	7	12	20	20	30	7	6	88	76	6.5
CLL: LCT	0	1	2	2	5	10	26	24	23	7	5	88	80	6.5
CLL: LSL	1	1	2	6	7	11	17	26	20	9	10	81	72	6.3
CLL: R	0	1	4	2	8	15	21	22	20	6	7	86	69	6.2
CLL: W	1	2	4	9	12	16	21	17	14	3	15	81	56	5.6
PSRN: NLC <sup>7</sup>	0	1	1	1	4	5	8	40	24	15	3	82	87	7.1
PSRN: C <sup>7</sup>	1	1	4	4	6	10	18	29	21	6	9	84	73	6.3
PSRN: SSM <sup>7</sup>	0	1	2	3	5	9	19	34	21	7	5	88	81	6.6
KUW	0	1	1	2	5	9	18	27	32	4	4	92	81	6.7
PD	0	0	1	1	3	6	15	30	37	5	3	92	88	7.0
CD	0	1	1	1	6	16	31	27	16	2	3	94	75	6.2

All Children	Number of points achieved (percentage) <sup>1</sup>												Six or more <sup>6</sup>	Mean points score
	0 <sup>2</sup>	1	2	3	4	5	6	7	8	9 <sup>5</sup>	1–3 <sup>3</sup>	4–8 <sup>4</sup>		
PSE: DA	0	0	0	0	1	7	16	27	37	12	1	87	91	7.2
PSE: SD	0	0	0	2	3	9	29	23	24	9	2	88	86	6.8
PSE: ED	0	1	2	2	5	10	18	20	34	9	4	87	81	6.8
CLL: LCT	0	1	2	1	4	8	24	25	26	9	4	87	84	6.7
CLL: LSL	0	1	2	5	6	9	16	28	22	11	8	81	77	6.5
CLL: R	0	1	3	2	7	13	21	25	21	7	6	87	74	6.4
CLL: W	0	2	3	7	9	14	22	20	19	5	11	84	65	6.0
PSRN: NLC <sup>7</sup>	0	0	1	1	3	5	8	41	25	15	2	83	89	7.1
PSRN: C <sup>7</sup>	1	1	3	4	6	10	18	31	21	6	8	86	76	6.4
PSRN: SSM <sup>7</sup>	0	1	1	2	4	8	19	36	22	7	4	89	84	6.7
KUW	0	1	1	2	5	9	19	29	31	3	4	93	83	6.7
PD	0	0	1	1	2	5	13	30	41	7	2	91	91	7.1
CD	0	0	1	1	4	12	26	29	23	3	2	94	82	6.5

Source: EYFSP full child collection<sup>7</sup>

1. The number of points achieved does not necessarily represent a straight progression through the scale. For example, 16% of all children achieved 6 points in PSE: DA. This does not mean that they have necessarily achieved all the points from 1–6 as it is possible they could have achieved, for example, point 7 but not point 4.
2. A scale score of 0 indicates where it has not been possible to record an assessment. Figures for pupils with a total score of zero may include (as in previous years) children whose EYFS profile data is incomplete, alongside children with very significant and complex special educational needs for whom a comprehensive alternative assessment record is in place.

3. A scale score of 1–3 indicates working towards the early learning goals.
4. A scale score of 4–8 indicates working within the early learning goals.
5. A scale score of 9 indicates working beyond the early learning goals.
6. A scale score of 6 or more indicates working securely within the early learning goals.
7. The total number of children in the cohort is 585,200. This is made up of 285,600 girls and 299,600 boys (figures rounded to the nearest hundred).

**KEY:**

PSE: DA	Personal, social and emotional development: Dispositions and attitudes
PSE: SD	Personal, social and emotional development: Social development
PSE: ED	Personal, social and emotional development: Emotional development
CLL: LCT	Communication, language and literacy: Language for communication and thinking
CLL: LSL	Communication, language and literacy: Linking sounds and letters
CLL: R	Communication, language and literacy: Reading
CLL: W	Communication, language and literacy: Writing
PSRN: NLC	Problem solving, reasoning and numeracy: Numbers as labels for counting
PSRN: C	Problem solving, reasoning and numeracy: Calculating
PSRN: SSM	Problem solving, reasoning and numeracy: Shape, space and measures
KUW	Knowledge and understanding of the world
PD	Physical development
CD	Creative development

Table from: [www.education.gov.uk/rsgateway/DB/SFR/s000961/index.shtml](http://www.education.gov.uk/rsgateway/DB/SFR/s000961/index.shtml).

You can find the table for each year's profile on [www.education.gov.uk/rsgateway/whatsnew.shtml](http://www.education.gov.uk/rsgateway/whatsnew.shtml).



## Measuring achievement across scales

Children who have achieved 6 or more points in all scales within an area of learning are **working securely** in that assessment area.

A child who achieves a **good level of development** is scoring 6 or more in **all** of the 7 scales in the personal, social and emotional development and communication, language and literacy areas of learning. This particular measure is used to assess the progress made nationally in improving outcomes.

Children who achieve a score of 78 points or more across the 13 assessment scales score an average of 6 points per scale. When a child who achieves this overall score also achieves a score of 6 or more in each of the personal, social and emotional development and communication, language and literacy scales, that child is deemed to be reaching a **good level of overall achievement**. This measure is used to assess the progress made by local authorities in improving outcomes, a duty placed on them by the Childcare Act of 2006.

## Childcare Act 2006: statutory early years local authority targets

In 2007, full child level data were collected so targets for the inequality gap could be linked specifically to children rather than overall areas of deprivation. The Childcare Act 2006 imposes the following statutory early years targets on local authorities:

- a. To raise the percentage of children achieving a **good level of overall achievement** on the Early Years Foundation Stage profile; and
- b. To narrow the percentage inequality gap in achievement by raising the results for the poorest performing 20% of children faster than the rest.

**Table 2**  
**Percentage of children working securely in each area of learning in maintained schools and private, voluntary and independent providers**  
**Years: 2008 – 2010**  
**Coverage: England**

Area of learning	2008	2009	2010
Personal, social and emotional development [PSE] (in all 3 scales)	72	74	77
Communication, language and literacy [CLL] (in all 4 scales)	53	55	59
<i>PSE and CLL combined (in all 7 scales)<sup>2,3</sup></i>	49	52	56
<i>Children in 30% most deprived areas<sup>2</sup></i>	39	42	47
<i>Children in other areas<sup>2</sup></i>	55	57	61
<i>Difference between deprived/other areas<sup>2</sup></i>	16	15	14
Problem solving, reasoning and numeracy (in all 3 scales) <sup>4</sup>	68	70	72
Knowledge and understanding of the world (1 scale)	79	81	83
Physical development (1 scale)	89	90	91
Creative development (1 scale)	79	80	82

1. Children achieving 6 or more points in all scale(s) within an area of learning are working securely in that assessment area.
2. The figures are based on children for whom it was possible to establish an area of residency.
3. The figures for 2009 and 2010 are based on the areas identified as being the 30% most deprived using the Index of Multiple Deprivation 2007. The 2008 figures are based on the areas identified as being the 30% most deprived using the Index of Multiple Deprivation 2004.
4. The Problem solving, reasoning and numeracy area of learning was known as Mathematical development prior to 2009.

Table from: [www.education.gov.uk/rsgateway/DB/SFR/s000961/index.shtml](http://www.education.gov.uk/rsgateway/DB/SFR/s000961/index.shtml).

## Annex C. Inspecting the welfare requirements

Welfare requirements in the Statutory Guidance	Already part of s5 inspection	Inspect specifically in Early Years Foundation Stage (or for childcare of older children when relevant)?
<b>Safeguarding and promoting children's welfare p22–28</b>		
<b>The school takes necessary steps to safeguard and promote the welfare of children</b>	✓ A significant element of all inspections – see latest s5 guidance	Covered as part of s5
■ Safeguarding	✓	No already covered
■ Information and complaints	✓ May come through questionnaire responses	Follow up if an issue arises
■ Premises and security	✓ Part of general observation	Follow up any concerns as is the case in all s5
■ Outings	May be part of risk assessment	Follow up any concerns as is the case in all s5
■ Equality of opportunities	✓	No already covered
<b>The school promotes the good health of the children, takes necessary steps to prevent the spread of infection and takes appropriate action when they are ill.</b>	The school's evaluation of their own performance may include information on this as part of welfare health and safety	Not unless it appears to be an issue, for example through questionnaire, an observation or incident, or issue from previous inspection. Evidence will emerge from general inspection
■ Medicines	✓ welfare health and safety information covers health and safety issues	May be part of health and safety policy
■ Illnesses and injuries	As above	May be part of health and safety policy
■ Food and drink	✓ Part of general observation	Follow up if an issue arises
■ Smoking	All schools are non smoking sites	All schools are non-smoking sites

Welfare requirements in the Statutory Guidance	Already part of s5 inspection	Inspect specifically in Early Years Foundation Stage (or for childcare of older children when relevant)?
Children's behaviour is managed positively and in a manner appropriate for their stage of development.	✓	Already covered
Suitable people p29–32		
Adults looking after children or having unsupervised access to them are suitable to do so.	✓	Already covered as part of s5
<ul style="list-style-type: none"> <li>■ Safe recruitment</li> </ul>	✓	Covered in s5
<ul style="list-style-type: none"> <li>■ Notification to Ofsted</li> </ul>	X	No registered providers only (will be part of a standard inspection)
<ul style="list-style-type: none"> <li>■ Alcohol/other substances</li> </ul>	X	No – Respond if concerned
Adults looking after children have appropriate qualifications, training, skills and knowledge.	See section below on staff qualifications and ratios	N/A. Registered providers only – relates to childcare (will be part of a standard inspection)
Staffing arrangements are organised to ensure safety, and to meet the needs of children.	✓ Use professional judgement through observations	Figures in section B of SEF may alert you to issues re staffing ratios; follow up concerns
Suitable premises, environment and equipment p33–36		
Outdoor and indoor spaces, and furniture, equipment and toys are safe and suitable for their purpose.	✓ Use professional judgement through observations	Follow up any concerns
<ul style="list-style-type: none"> <li>■ Risk assessment</li> </ul>	Part of general health and safety	Follow up any concerns
<ul style="list-style-type: none"> <li>■ Premises</li> </ul>	As above	Follow up any concerns
<ul style="list-style-type: none"> <li>■ Organisation of premises/equipment</li> </ul>	As above	Follow up any concerns
Organisation p37		

Welfare requirements in the Statutory Guidance	Already part of s5 inspection	Inspect specifically in Early Years Foundation Stage (or for childcare of older children when relevant)?
<b>Systems are organised to ensure that every child receives an enjoyable and challenging learning and development experience that is tailored to meet their individual needs</b>	Already part of schedule – see learning and development section	May need to follow up 'key person' system (N/A for childcare of older children)
<b>Documentation p38–40</b>		
<b>Records, policies and procedures required for the safe and efficient management of the school and to meet the needs of the children are maintained.</b>	X	Unlikely to inspect in detail unless a concern arises
<ul style="list-style-type: none"> <li>■ Data</li> </ul>	X	Unlikely to inspect in detail unless a concern arises
<ul style="list-style-type: none"> <li>■ Providers' records</li> </ul>	X	Unlikely to inspect in detail unless a concern arises

## Qualifications and ratios

Please refer to page 32 for exceptions for ratios and qualifications for staffing within the Early Years Foundation Stage in independent schools.

### Nursery classes

Nursery classes must have an assigned person with qualified teacher status, early years professional status or another suitable level 6 qualification (which is full and relevant, and defined by the Children's Workforce Development Council). Nursery classes must be staffed on a ratio of no less than one adult to 13 children, if the person with the level 6 qualification works directly with the children. If, however, the person with the level 6 qualification does not work directly with the children, there must be at least one member of staff for every eight children – please refer to the table below on page 31.

Typically, a nursery class of 26 children will have one assigned teacher and an assistant qualified to NNEB/NVQ Level 3. The Early Years Foundation Stage recommends that, where the size of a group or class exceeds 26 children, it would be good practice to assign an additional teacher to it.

The term 'school teacher' is as defined by section 122 of the Education Act 2002 and the Education (School Teachers' Prescribed Qualifications, etc) Order 2003. 'School teachers' include:

- headteachers
- qualified teachers
- overseas trained teachers
- instructors with special qualifications or experience
- staff on an employment-based teacher training scheme
- graduate teachers
- registered teachers
- student teachers
- trainee teachers yet to pass the skills tests.

'School teachers' do not include teaching assistants, higher-level teaching assistants or other support staff. However, support staff are able to carry out 'specified work', in certain circumstances. See *Time for Standards: Guidance accompanying the Section 133 Regulations under the Education Act 2002* for further information. This is available at: [www.teachernet.gov.uk/wholeschool/remodelling](http://www.teachernet.gov.uk/wholeschool/remodelling).

The teacher must be present except during non-contact time, breaks and short term absence. During such occasions, one of the remaining members of staff should meet the following conditions:

- have a full and relevant level 3 qualification, on the qualifications list provided by the Children’s Workforce Development Council, for example a level 3 teaching assistant certificate<sup>11</sup>
- they must be assisting or supporting the work of a teacher
- they must be subject to the direction and supervision of a qualified teacher in accordance with arrangements made by the headteacher
- the headteacher must be satisfied that they have the skills, expertise and experience necessary.

The required ratio of 1:13 remains the same regardless of whether the teacher is present. The school is not required to adjust the adult: child ratios during the teacher’s planning, preparation and assessment time, for example. Inspectors will need to judge the impact of such occurrences on the quality of provision.

#### *Instructors with special qualifications or experience*

‘Instructor’ means a person who provides education at the school which consists of instruction in any art or skill or in any subject or group of subjects in circumstances where special qualifications or experience or both are required for such instruction, and the person or body of persons responsible for the management of the school is satisfied as to the qualifications or experience (or both) of the person providing education.

### **Reception classes**

Reception classes in independent schools which fall within the legal definition of an infant class (that is, a class containing pupils the majority of whom will reach the age of five, six, or seven during the course of the school year) are subject to infant class size legislation. They must not contain more than 30 pupils while an ordinary teaching session is conducted by a single ‘school teacher’ (see definition above). However, where a reception class does not fall within the definition of an infant class because the majority of children will not be five by the end of the academic year, the qualifications and ratio requirements for children aged three and over will apply (1:13).

### **Mixed age classes**

The Early Years Foundation Stage practice guidance contains some scenarios for this on pages 18–20. Inspectors should use their professional judgement to decide whether the school’s staffing arrangements are appropriate to meet the needs of the children. As always you must judge the **impact** on the quality of provision.

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<sup>11</sup> Children’s Workforce Development Council: [www.cwdcouncil.org.uk/qualifications-list](http://www.cwdcouncil.org.uk/qualifications-list).

## Lunchtimes and break-times

There are no fixed requirements for cover during lunchtimes. The school should undertake risk assessments to assess the level of supervision that is required taking account of the particular needs and vulnerabilities of children in the Early Years Foundation Stage. Inspectors should make a professional judgement on the level of supervision and raise an issue if they have concerns. Safety should always be the first priority.

## Key person systems

It is a requirement of the Early Years Foundation Stage that each child is allocated a key person. However it does not specify how many children should be allocated to a key person. The school must meet the ratio requirements of 1:30 for a reception class. Although many schools provide additional staff in reception classes, there is no requirement to do so. In this instance the class teacher will be the key person. Inspectors must judge the quality of the provision and any impact on children's progress and on their social and emotional development. Likewise, the nursery class(es) in a maintained school must operate a key person system but it is for the school to decide how they do this. Inspectors must judge the **impact** of the organisation of the key person system in meeting the needs of the children.

## Paediatric first aid qualifications

The requirement for paediatric first aid is documented on page 26 of the Statutory Framework document, where it states that 'at least one person who has a current paediatric first aid certificate must be on the premises at all times when children are present. There must be at least one person on outings who has a current paediatric first aid certificate': <http://nationalstrategies.standards.dcsf.gov.uk/node/151379>.

Schools are required to have someone on the premises and on outings that has a paediatric first aid certificate, but the Department for Education has relaxed this requirement slightly so that first aid training should be appropriate to the age of the children being cared for. For example, there is no need for the certificate to cover first aid for babies in a setting that only cares for older children of four and five years old. Nonetheless, it must be clear from the certificate that the course that has been delivered has covered First Aid for children. This means the words 'children', 'child' or 'paediatric' must appear somewhere on the certificate. The course must also be a minimum of 12 hours training. First aid training should be appropriate to the age of the children being cared for (point 7 of the guidance).

The Department for Education has amended the criteria for effective paediatric first aid training on page 23 of the practice guidance booklet: <http://nationalstrategies.standards.dcsf.gov.uk/node/84490>.

## Employing early years staff from overseas

Members of staff employed from overseas must have a qualification which is



mapped, at the appropriate level for the position in which they have been employed, to a qualification on the list provided by the Children’s Workforce Development Council.<sup>12</sup>

For example, where schools employ an overseas teaching assistant to work in their early years provision, they must check whether the person’s qualification is mapped to a level 3 qualification on the list provided by the Children’s Workforce Development Council.<sup>13</sup> Where the person’s qualification is partially mapped, schools must have plans to update the relevant aspects and must do so by 2012. For further information, please refer to paragraphs 8 and 9 of Ofsted’s guidance *Qualifications for those on the Early Years and Childcare Registers*.<sup>14</sup>

It is the school’s responsibility to establish that the qualification held by the member of staff is at the appropriate level.

Staff from overseas employed as teachers must have a recognised teaching qualification. It is not sufficient for them to only have experience of teaching in early years’ provision.

**Table of ratios and qualifications for staffing within the Early Years Foundation Stage in independent schools<sup>15</sup>**

Age of children	Qualifications	Ratio of adults to children	Additional requirements
Under two	At least one member of staff must hold a full and relevant level 3 qualification <sup>16</sup> and have suitable experience of working with children under two.	One to three	The member of staff in charge of the babies’ room must have suitable experience of working with children under two.
	At least half of all other staff must hold a full and relevant level 2 qualification.		At least half the staff must have received specific training in the care of babies.
Aged two	At least one member of staff must hold a full and	One to four	

<sup>12</sup> Children’s Workforce Development Council: [www.cwdcouncil.org.uk/qualifications-list](http://www.cwdcouncil.org.uk/qualifications-list).

<sup>13</sup> Children’s Workforce Development Council: [www.cwdcouncil.org.uk/qualifications-list](http://www.cwdcouncil.org.uk/qualifications-list).

<sup>14</sup> *Qualifications for those on the Early Years and Childcare Registers* (100160), Ofsted, 2010; [www.ofsted.gov.uk/publications/100160](http://www.ofsted.gov.uk/publications/100160).

<sup>15</sup> The ratios and qualifications are set out in appendix two of Statutory Framework for the Early Years Foundation Stage, DCSF, 2008; <http://nationalstrategies.standards.dcsf.gov.uk/node/151379>.

<sup>16</sup> As defined by the Children, Young People and Families Workforce Development Council (CWDC).

Age of children	Qualifications	Ratio of adults to children	Additional requirements
	relevant level 3 qualification.		
	At least half of all other staff must hold a full and relevant level 2 qualification		
Aged three and over, including in reception classes (defined as a class or group containing children the majority of whom reach the age of five during the school year)	Where a person with qualified teacher status, early years professional status or another suitable full and relevant level 6 qualification is working directly with the children	One to 13	From September 2009: at least one other member of staff must hold a full and relevant level 3 qualification
Aged three and over, including in reception classes (defined as a class or group containing children the majority of whom reach the age of five during the school year)	Where a person with qualified teacher status, early years professional status or another suitable level 6 qualification is not working directly with the children	One to eight	From September 2009: at least one member of staff must hold a full and relevant level 3 qualification and at least half of all other staff must hold a full and relevant level 2 qualification

## Annex D. Pointers to good and inadequate practice

### Features of good practice

The following are features of good practice which may be of some support to inspectors in coming to judgements. This is by no means a definitive list and as always, inspectors should exercise professional judgement when coming to a decision about the overall effectiveness of the Early Years Foundation Stage.

### Outcomes for children: what to look for

Inspectors will need to consider outcomes in all five areas, giving weight to children's learning and progress towards the Early Learning Goals as well as to their safety and general well-being. Inspectors should make use of the grade descriptors and outline guidance in *The evaluation schedule for schools*. They should expect to see children:

- developing their knowledge, skills and understanding across all the areas of learning
- initiating activities, showing initiative and making decisions
- having time to explore ideas and interests in depth
- behaving well, feeling secure and becoming confident learners
- developing their concentration and ability to see activities through
- learning in different ways and at different rates
- making links in, and discussing, their learning
- recognising that they have learned something new and 'improved'
- working co-operatively (for example, taking turns, sharing and discussing)
- working independently at times without close supervision
- showing that they know how to keep themselves safe and healthy
- taking responsibility (for example, tidying up, pouring the juice)
- following instructions and responding well to questions
- learning through movement and all their senses, being active learners
- learning to accept each other's differences.

### Quality of provision for children's learning and welfare: what to look for

Inspectors will evaluate what the school is doing to promote the outcomes considered in the section above.

## Teaching and the curriculum

Inspectors will seek to identify:

- an inclusive approach that meets the diverse needs of all children
- well-planned and purposeful activities that engage and interest the children, and help to achieve an appropriate learning objective
- 'continuous' provision where progress is promoted through different areas of learning, including effective planning for the outdoor environment to extend all six areas of learning
- a good balance between children making purposeful choices about their activities (child-initiated<sup>17</sup>) which consolidate learning and adults directing (adult-led<sup>18</sup>) what they do/teaching specific skills
- adults modelling language well, to extend children's speaking skills
- adults actively teaching 'good' behaviour (rather than policing) and teaching children how to look after themselves
- adults encouraging independence rather than doing things for children (for example, showing a child how to tie a shoelace rather than tying it)
- clear roles for and expectations of other adults working in the setting to ensure they add to the children's learning experience
- good relationships with and involvement of parents/carers in their children's learning
- children's physical, social and emotional needs are cared for effectively.

## Assessment, observation and planning

Children develop rapidly in the early years. Assessment should be based on observation which in turn informs the planning and provision. The Early Years Foundation Stage practice guidance advocates 'look, listen and note' as an integral part of the daily activities to help practitioners assess the progress children are making. The Early Years Foundation Stage profile is statutory in all schools but the methods of gathering evidence to make the assessments are not prescribed. In the best practice, observations will be carried out against clear criteria for outcomes. In

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<sup>17</sup> An activity is child-initiated when the child engages in it by choice using the resources that are available, or when a child takes ownership of an activity provided by adults by changing its focus. Adults may capitalise on these interests by providing further resources and by engaging in the activity with the child/children to observe and assess the learning that is taking place.

<sup>18</sup> An adult-led activity has a specific focus and is planned by the adult to encourage a particular aspect of learning, to discuss a particular topic or to provide an opportunity to learn a particular skill. The adult may introduce the material, skill or idea, initiate the activity, and may direct elements of the learning. However, once introduced the activity may provide an opportunity for children to practise on their own or to modify it.

coming to judgements about the effectiveness of assessment in guiding and supporting the children, inspectors should bear in mind the following:

- Inspectors should not expect to see, nor recommend, a particular method of assessment or record keeping.
- Accredited baseline assessments are not statutory. However, staff should be able to demonstrate that they evaluate children's starting points in order to identify next steps in learning and to evaluate their progress.
- Ongoing observations of child centred/initiated activities on post-it notes and/or notebooks are common but not the only method. Practitioners may keep individual records, records of achievement, annotated work samples, photographs, records of focused observations, observations of specific assessments and tick sheets. All these strategies have a place **providing there is a purpose to them.**
- Effective practitioners are likely to use the information they have to identify the next steps in children's learning and to plan appropriate activities that will build on what children already know, understand and can do. The systems in place should be manageable, operated consistently by staff and used effectively.
- Staff should be able to explain their assessment and record keeping system to inspectors, show how it demonstrates the progress children are making and explain how they ensure children are appropriately challenged.

## Welfare

Inspectors will seek to identify:

- effective assignment of key persons to small groups of children who know each child and their families well
- a welcoming atmosphere that helps children settle to their new environment
- close adherence to policies and procedures so that children's safety and well-being is secure
- partnerships with external agencies to ensure that any specific needs can be met
- effective promotion of racial harmony; positive role models of respect for others
- staff fostering children's positive attitudes to learning.

## Leadership and management

Inspectors will seek to identify that the Early Years Foundation Stage leader (or Key Stage leader or headteacher depending on the size and management structure within the school):

- sets clear direction for developments **within the Early Years Foundation Stage** with a strong focus on achievement, personal development and well-being
- has a clear vision about how **the development of the Early Years Foundation Stage** is integral to the overall improvement in the school
- motivates staff and children and is a model of good practice
- is committed to professional development and workforce reform to ensure that all staff/assistants are valued and encouraged to improve their practice
- monitors and evaluates provision to identify strengths and areas for improvement
- promotes equality of opportunity, setting challenging targets and tackling discrimination so that all children make good progress
- ensures staff understand their roles and responsibilities in developing children's learning and in sharing successful teaching strategies
- helps staff to work together to help all children **make progress towards the early learning goals** in each area of learning
- gathers and uses feedback from parents
- monitors the progress children are making **towards the early learning goals**, analysing the progress they make to identify where provision could be better
- has high expectations of the staff, children and their families
- has led and overseen clear improvements since the previous inspection
- contributes to the promotion of community cohesion
- ensures that the governing body is **actively involved in the Early Years Foundation Stage** and contributes to improvement through its role as a critical friend.

## Some pointers towards inadequate provision

The list below is not exhaustive. It is not necessary for all these features to be present for provision to be inadequate. Some are serious enough in their own right to suggest that provision is inadequate. Inspectors should weigh up the extent of such features and their **impact** on children's learning and well-being when coming to a judgement. As always, any lack of care that may compromise children's health and safety should be considered carefully. If Early Years Foundation Stage leaders and senior managers do not give the staff an adequate sense of direction and show

insufficient capacity to affect improvement, you must consider the impact of this on the overall judgement on the school.

### **Outcomes for children:**

- Learners in general, or a particular group of them, make inadequate progress towards the early learning goals in one or more of the areas of learning.
- Children are not making sufficient progress in developing listening and speaking skills, making use of books or developing skills in writing, reading and the linking of sounds and letters.
- Learning about numbers and counting, shape, space and measures and understanding of numbers is not promoted through practical activities.
- Children's knowledge and understanding of the wider world is limited by a narrow range of experiences to investigate and explore their immediate and local environment, to encounter people, plants and creatures, and to use a variety of tools and range of materials.
- Children lack confidence and independence; they are unsettled and have low self esteem.
- Poor attitudes and/or unacceptable behaviour limit their achievements; they need constant reminders about expected behaviour.
- Arguments over resources, or aggressive behaviour, are frequent.
- Children lack concentration and flit between activities.
- Relationships between children and/or between children and adults are poor.

### **Quality of provision**

#### **Teaching, assessment and curriculum**

- Activities are insufficiently matched to the children's needs and interests; tasks are over-prescriptive and repetitious.
- A scrutiny of plans over time reveal some areas/aspects of learning are rarely considered.
- There is too much direction by adults and this restricts opportunities for creativity and imagination.
- There is too little direction by adults, so activities lack progression.
- There is an over-emphasis on supervising and servicing activities rather than teaching; staff are vague about the difference between adult-led and child-initiated activity.
- Insufficient attention is paid to the social and learning needs of children.
- Adults are pre-occupied with teaching/supervising one activity to the

exclusion of others and so fail to respond to unforeseen events.

- Children have insufficient and/or inappropriate opportunities to use indoor and outdoor space to develop their skills, knowledge and understanding.
- Children have little opportunity to use their imagination.
- Children have limited opportunities to ask questions, talk about their work, or use their initiative and independence to develop ideas.
- Activities fail to build on children's current knowledge and skills because the work is too easy or too difficult.
- Children are often merely occupied rather than being questioned and challenged so that their learning is taken forward.
- Adults are uncertain what children are to learn from an activity or how it contributes to an area of learning.
- Children have few opportunities to explore and investigate the world.
- Staff do not check on children's progress and have inadequate assessment information for planning appropriate activities and developing learning.
- Expectations are too low either because adults do not know children's learning needs and/or are unsure of the activities' learning potential.
- There is insufficient questioning of children to extend their learning or to encourage them to find out more.
- The same activities and resources appear frequently but without any variation in their intended outcomes.
- There is a restricted range of media and materials and unsuitable equipment.

## Welfare

- A blatant disregard for key statutory requirements jeopardises children's health, safety, or well being.
- Policies and procedures to safeguard children are not in place or are not followed consistently and so children are not adequately safeguarded.
- Children's physical, social and emotional needs are not met.
- Staff are not deployed to ensure adequate supervision of children.
- Behaviour management is weak so that unacceptable behaviour limits children's achievements.
- Staff are not suitably knowledgeable about welfare requirements.
- Aspects of the physical environment are unsafe, for example overcrowded, contains hazards, inappropriate equipment.
- Individual children, or groups of children, are not fully supported and integrated.



- Partnerships with external agencies are not sufficiently well developed to secure appropriate support for children who need it.

## **Leadership and management**

- Weaknesses identified in the previous inspection have not been tackled and/or the measures taken have had little impact on the quality of provision.
- There are weaknesses in the quality of self-evaluation and its use for driving improvement.
- Procedures to ensure the health and safety of children are ineffective.
- The Early Years Foundation Stage leader has a limited understanding of the areas of learning, development matters and early learning goals.
- Planning and/or assessment procedures are not securely in place, or lack detail, precision and understanding.
- The leader does not ensure that the needs of the range of children are met. For example, equality of opportunity is not promoted, and the provision for children with special educational needs and/or children for whom English is not their first language is weak.
- Limited commitment to professional development leads to disillusioned staff who are unclear about their roles and responsibilities; they do not work well as a team.
- The deployment of staff is ineffective.
- Parents express dissatisfaction or raise concerns through the questionnaires.
- Parents are not encouraged to be involved in their children's learning.

## Annex E. Strategy for monitoring independent schools where the Early Years Foundation Stage is judged inadequate

Provision for 0–3 and 3–5 has been separated in order to capture the different procedures for following up inadequate provision in registered and non-registered provision. In reality, there would be only **one** Early Years Foundation Stage judgement.

School judgement – overall effectiveness	Early Years Foundation Stage judgement	Time frame for follow-up visit(s)	Monitoring strategy	By whom
Inadequate and causing concern	Satisfactory or better	Assessment of action plan  Progress monitoring visit within six months  Further monitoring visit leading to possible order	Under 'progress monitoring' procedures  Check Early Years Foundation Stage as part of regular monitoring as appropriate	Additional inspector
Inadequate and causing concern	0–3 satisfactory 3–5 inadequate	Assessment of action plan  Progress monitoring visit within six months  Further monitoring visit leading to possible order	Under 'progress monitoring' procedures  Provision in 3–5 a focus of visits	Additional inspector

<p>Inadequate and causing concern</p>	<p>0–3 inadequate 1 3–5 satisfactory</p>	<p>Assessment of action plan</p> <p>Progress monitoring visit within six months</p> <p>Further monitoring visit leading to possible order or referral of 0–3 provision to Ofsted’s Children’s Directorate</p>	<p>Under ‘progress monitoring’ procedures</p> <p>0–3 a focus of <b>all</b> visits</p>	<p>Additional inspector trained to inspect 0–3</p>
<p>Inadequate and causing concern</p>	<p>0–3 inadequate 2 3–5 satisfactory</p>	<p>Enforcement action as required immediately after inspection, including a possible visit before three months</p> <p>School: assessment of action plan</p> <p>First ‘progress monitoring’ visit to school within six months of inspection, to take account of Children’s Directorate report</p> <p>Further monitoring visit leading to possible order</p>	<p>Compliance, investigation and enforcement procedures</p> <p>Visit to check action taken</p> <p>Under progress monitoring procedures</p> <p>0–3 issues to be a focus of <b>all</b> visits to ensure that provision is not slipping back</p>	<p>Children’s Directorate inspector</p> <p>Additional inspector trained to inspect 0–3</p>

Inadequate and causing concern	Whole Early Years Foundation Stage inadequate	As above	Under 'progress monitoring' procedures Early Years Foundation Stage issue(s) a focus of <b>all</b> visits as above	As above
Satisfactory	0–3 satisfactory 3–5 inadequate	Assessment of action plan  First 'progress monitoring' visit within a year, with scope to invoke enforcement procedures if no improvement evident	Under 'progress monitoring' procedures	Additional inspector
Satisfactory	0–3 inadequate 1 3–5 satisfactory	Assessment of action plan  First 'progress monitoring' visit within a year, with scope to invoke enforcement	Under 'progress monitoring' procedures, with focus on 0–3	Additional inspector trained to inspect 0–3
Satisfactory	Whole Early Years Foundation Stage inadequate	Assessment of action plan  First 'progress monitoring' visit within a year, with scope to invoke enforcement	Under 'progress monitoring' procedures, with focus on Early Years Foundation Stage	Additional inspector trained to inspect 0–3 and Early Years Foundation Stage

If a complaint is received about provision for 0–3 this would need to be investigated by the Children's Directorate through normal compliance, investigation and enforcement procedures, regardless of the timeframe for monitoring visits (see pages 7–8).

## Annex F. Early Years Foundation Stage legal requirements for registered providers

Note: this is **only** for schools which have provision for 0–3 year-olds.

<p><b>Welfare of children</b></p> <p><b>Relating to Early Years Foundation Stage evidence in standards in part 33 (welfare, health and safety of pupils) and standards in part 44 (suitability of staff, supply staff, and proprietors) in the <i>Record of inspection evidence and judgements</i></b></p>
<p>An effective safeguarding children policy and procedure must be implemented. This must include the procedure to be followed in the event of an allegation being made against a member of staff.</p>
<p>The provider must ensure that all members of staff understand the safeguarding policy and procedures. Staff are trained in safeguarding every 3 years.</p>
<p>Registered providers must inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises – whether that allegation relates to harm or abuse committed on the premises or elsewhere – or any other abuse which is alleged to have taken place on the premises, and of the action taken in respect of these allegations.</p>
<p>A practitioner must be designated to take lead responsibility for safeguarding children within the setting and liaising with local statutory children’s services agencies as appropriate. They must also attend a child protection training course – every 2 years. Providers must ensure they keep concerns confidential.</p>
<p>Providers must engage with, and provide the following information for parents: including the type of activities provided for the children; the daily routines of the provision; the staffing of the provision; food and drinks provided for the children and policies and procedures including safeguarding.</p>
<p>Providers must obtain the necessary information from parents in advance of a child being admitted, including emergency contact numbers, child’s dietary requirements, food allergies or special health requirements and who has parental responsibility for the child.</p> <p>Written parental permission must be requested, at the time of the child’s admission to the provision, to the seeking of any necessary emergency medical advice or treatment in the future.</p>
<p>Registered providers must put in place a written procedure for dealing with concerns and complaints from parents and keep a written record of complaints and their outcome. (28 day response). Providers must provide Ofsted, on request, with a written record of all complaints made during a specified period and the action taken as a result of each complaint.</p>
<p>Parents must be given free access to developmental records about their child, for example, the Early Years Foundation Stage profile. However, a written request must be made for personal files on the children and providers must take into account data protection rules when disclosing records that refer to third parties.</p>

<p>The premises, both indoors and outdoors, must be safe and secure. Providers must take steps to prevent intruders entering the premises.</p>
<p>Providers must ensure that children do not leave the premises unsupervised.</p>
<p>Providers must only release children into the care of individuals named by the parent.</p>
<p>Children must be kept safe while on outings. For each specific outing, providers must carry out a full risk assessment, which includes an assessment of required adult to child ratios.</p>
<p>All providers must have and implement an effective policy about ensuring equality of opportunities and for supporting children with learning difficulties and disabilities.</p>
<p>All providers in receipt of Government funding must have regard to the special educational needs code of practice.</p>
<p>Providers must implement an effective policy on administering medicines. The policy must include effective management systems to support individual children with medical needs.</p>
<p>Providers must obtain prior written permission for each and every medicine from parents before any medication is given.</p>
<p>Providers must keep written records of all medicines administered to children, and inform parents.</p>
<p>Providers must notify Ofsted, and local child protection agencies of any serious accident or injury to, or serious illness of, or death of, any child while in their care, and of the action taken in respect of it. Notification must be made as soon as is reasonably practicable, but in any event within 14 days of the incident occurring.</p>
<p>At least one person who has a current paediatric first aid certificate must be on the premises at all times when children are present. There must be at least one person on outings who has a current paediatric first aid certificate.</p>
<p>Providers must keep a record of accidents and first aid treatment. Providers must inform parents of any accidents or injuries sustained by the child while in the care of the providers and of any first aid treatment that was given. Keep a first aid box with appropriate contents.</p> <p>Procedures for children who are ill or infectious and protocols for contacting parents, or another adult designated by the parent if a child becomes ill or injured should be discussed with parents. Exclusion arrangements should be clear.</p>
<p>Where children are provided with meals, snacks and drinks, these must be healthy, balanced and nutritious. Those responsible for the preparation and handling of food must be competent to do so.</p>
<p>Fresh drinking water must be available at all times.</p>
<p>Providers must notify Ofsted of any food poisoning affecting two or more children looked after on the premises. Notification must be made as soon as is reasonably practicable, but in any event within 14 days of the incident occurring. Failure to do so, without a reasonable excuse, is an offence.</p> <p>Providers must ensure that children are in a smoke-free environment.</p>

Providers must not administer or threaten corporal punishment to a child for whom they provide early years provision and, so far as it is reasonably practicable, shall ensure that corporal punishment is not given to any such child by any person who cares for, or who is in regular contact with children or any person living or working on the premises. Failure to comply is an offence.

Providers must have an effective behaviour management policy which is adhered to by all members of staff.

**Relating to Early Years Foundation Stage evidence on standards in part 44 (suitability of staff, supply staff, and proprietors) and standards in part 55 (premises of and accommodation at schools)**

Providers must obtain an enhanced criminal records bureau disclosure in respect of every person aged 16 or over who works directly with children and who lives on the premises on which the childcare is provided.

Providers must keep records of the information they have used to assess suitability to demonstrate to Ofsted that checks have been done. Such records must include the unique reference numbers of criminal records bureau disclosures obtained and the date on which they were obtained.

Providers must not allow people whose suitability has not been checked to have unsupervised contact with children who are being cared for.

Registered providers must notify Ofsted of any change in the address of the premises on which childcare is provided or any change in the name or registered number of a company or charity. Also of any criminal offence committed by the provider after the time of registration. Where the early years provision is provided by a partnership, body corporate or unincorporated association, any change to the 'nominated individual', or any change to the individuals who are partners or members of its governing body. Notification must be in the form of name, any former names or aliases, date of birth and home address, and either in advance of the event or as soon as reasonably practicable but no later than 14 days after the event occurring.

Registered providers must notify Ofsted of any change of person with direct responsibility for managing the early years provision. Notification must be in the form of name, any former names or aliases, date of birth and home address, and either in advance of the event or as soon as reasonably practicable but no later than 14 days after the event occurring.

In registered settings all supervisors and managers must hold a full and relevant level 3 qualification (as defined by the Children's Workforce Development Council (CWDC)) and half of all other staff must hold a full and relevant level 2 qualification (CWDC).

Practitioners must not be under the influence of alcohol or any other substance which may affect their ability to care for children.

Providers must meet the adult: child ratios set out in the statutory framework pg 49–51.

In registered group settings there must be a named deputy who is able to take charge in the absence of the manager.

<p>Outdoor and indoor spaces, furniture, equipment and toys must be safe and suitable for their purpose. The provider must conduct a risk assessment and review it regularly – at least once a year or more frequently where the need arises.</p>
<p>The risk assessment must identify aspects of the environment that need to be checked on a regular basis: providers must maintain a record of these particular aspects and when and by whom they have been checked.</p> <p>Providers must take all reasonable steps to ensure that hazards to children – both indoors and outdoors – are kept to a minimum.</p>
<p>Providers must inform Ofsted of any significant changes or events relating to the premises, for example, structural alterations or adding a pond or removing fencing or something which adversely affects the smooth running of the provision over a sustained period of time.</p> <p>Providers must take reasonable steps to ensure the safety of children, staff and others on the premises in the case of fire, and must have a clearly defined procedure for the emergency evacuation of the premises. Appropriate fire detection and control equipment, for example, fire alarms, smoke detectors, fire fighting equipment, and so on, are in working order.</p>
<p>The premises and equipment must be organised in a way that meets the needs of children.</p> <p>In registered provision, providers must meet the following space requirements: children under two years: 3.5 m<sup>2</sup> per child; two year olds: 2.5 m<sup>2</sup> per child and children aged three to five years: 2.3 m<sup>2</sup> per child.</p> <p>The premises must be for the sole use of the provision during the hours of operation.</p> <p>The premises and facilities, including equipment and access must be suitable for children with disabilities.</p>
<p>The provider must carry public liability insurance for the provision.</p>

<p><b>Organisation and documentation</b></p> <p><b>Relating to Early Years Foundation Stage evidence in standards in part 66 (provision of information) as well as relating to quality of provision, outcomes for children, and aspects of welfare, health and safety of pupils in standards in part 33 in the <i>Record of inspection evidence and judgements</i></b></p>
<p>Providers must plan and organise their systems to ensure that every child receives an enjoyable and challenging learning and development experience that is tailored to meet their individual needs.</p>
<p>Providers must have effective systems to ensure that the individual needs of all children are met.</p>
<p>Each child must be assigned a key person.</p>
<p>Providers must promote equality of opportunity and anti-discriminatory practice and must ensure that every child is included and not disadvantaged because of ethnicity, culture or religion, home language, family background, learning difficulties or disabilities, gender or ability.</p>
<p>Providers must ensure that there is a balance of adult-led and freely-chosen or child-initiated activities, delivered through indoor and outdoor play.</p>



Providers must undertake sensitive observational assessment in order to plan to meet young children's individual needs.

Providers must plan and provide experiences which are appropriate to each child's stage of development as they progress towards the early learning goals.

Providers must maintain records, policies and procedures required for the safe and efficient management of the settings and to meet the needs of the children.

Providers must record the following information for each child in their care: full name; date of birth; the name and address of every parent and carer who is known to the provider; which of these parents or carers the child normally lives with; emergency contact details of the parents and carers.

Providers must record and submit the following information to their local authority about individual children receiving the free entitlement to early years provision as part of the Early Years Census: full name; date of birth; address; gender; ethnicity (collected voluntarily and where parents make a preference); special educational needs status; the number of funded hours taken up during the census week; the total number of hours (funded and unfunded) taken up at the setting during census week.