

Conducting priority and brought forward inspections following risk assessment

This guidance is intended for all inspectors conducting inspections that have been prioritised or brought forward because of a concern and must be used in conjunction with all other inspection guidance and documentation.

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361

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Contents

What are priority and brought forward inspections?	4
Patterns and history of concerns	5
Useful lines of enquiry	6
Quality assurance	6
Linking concerns to the evaluation of the provision	7
Useful documents to help with inspection	9

What are priority and brought forward inspections?

1. These are inspections that arise from concerns or information that we risk assess and decide to carry out an inspection within five or 30 days. An inspection within five days is a priority inspection, and one within 30 days is a brought forward inspection. This guidance covers both types of inspection.
2. These inspections are some of the most important that we carry out, especially when triggered by child protection or safeguarding matters. They provide us with the opportunity to interrogate the level of concern and make a judgement about whether or not the provider is meeting requirements. If we fail to consider everything we know about the provision at the time of the inspection the consequences can be considerable for children and young people.
3. We should always look very carefully at all concerns and use them to gather appropriate evidence trails to get underneath the issues. The best inspectors follow their experience and are not afraid to use their instincts. They are curious and methodical, tenacious and robust, and never leave an inspection without securing a good understanding of what is really going on.
4. These inspections are no different from scheduled inspections in that inspectors must reach a judgement about the overall quality of provision. In reaching that judgement inspectors must take into account what they know about the provision as well as what they see on the day of the inspection. For brought forward and priority inspections, this means taking account of the concern (or history of concerns) and any action the provider took or needs to take to put things right.
5. In order to do this inspectors **must**:
 - look at the full picture and the past history of the provision before carrying out the inspection
 - rigorously pursue all matters that arise before and during an inspection rather than follow any 'tick lists' which may be provided to aid their work
 - root their inspection judgements in secure evidence
 - record their findings in sufficient detail to support the judgements reached
 - ensure that their evidence securely supports the findings and meets the quality assurance standard
 - make sure they record the outcomes of inspection clearly - especially when **no action** is decided on.

(The guidance on inspecting following a risk assessment provides additional detail about recording and reporting:

www.ofsted.gov.uk/resources/inspection-guidance-for-inspecting-provision-early-years-register-following-risk-assessment-process).

Patterns and history of concerns

6. All inspections use a snapshot of evidence gathered during the inspection event. Inspectors will judge the overall quality and standards of the early years provision, taking into account three key judgements:
 - how well the early years provision meets the needs of the range of children who attend
 - the contribution of the early years provision to children’s well-being
 - the leadership and management of the early years provision.

7. However, we must keep the ‘bigger picture’ in mind in coming to our overall judgement. This includes analysis of, and reference to, any significant information we have about the provider’s history. Inspectors must consider the previous history, present state and future plans a setting when coming to their overall judgement.

8. A setting may be found to be providing a service that appears to be meeting the needs of the children and families well on the day of inspection. However, the history and information held on the setting must be considered as part of the inspection judgements. We must be rigorous and thorough in evaluating the impact of past events on how well the setting has and continues to meet the needs of all children.

9. In other words, as well as considering what we find on the day, we must take account of what may have happened previously in the setting and how this impacted on children. For example, where there is a concern that is a matter of fact, such as where a child has previously gone missing, inspectors must consider how this impacts on the judgements, given what that issue tells us about the provider’s overall quality, particularly in terms of their leadership and management.

10. Bearing this in mind we need to consider the following issues:
 - The **registration history** – any significant concerns identified as part of application process/compliance of provider with requirements since registration/links with any other registered provision (active, proposed or resigned), the information contained in the risk assessment action plan, any significant information held on the Regulatory Support Application (RSA) and/or the provider information portal (PIP), or supplied through the pre-inspection materials. ISP inspectors should contact Ofsted directly if they require any additional information or clarification.

- The **inspection history** – the dates of previous inspections/whether the provider has made themselves available for previous inspection/the outcome judgements and any actions set or enforcement action taken/evidence that the provider is meeting or not meeting actions set previously.
- The **complaint history** – the number type and frequency of complaints.
- Whether there is a pattern or a theme emerging from the history of concerns, for example the conduct of staff, staff ratios, safeguarding issues, equality issues.
- Who the complaints are being instigated by – parents/staff/outside agencies? Whether the concerns raised have had any impact on the safeguarding and welfare/learning and development of children and, if so, what this impact has been.

Useful lines of enquiry

What happened? (who/where/when/how)	
Why did it happen? (lack of training/poor supervision)	
Could it have been prevented from happening?	
What measures are now in place to prevent a reoccurrence?	
What (if any) was the impact on the child/children?	

Quality assurance

11. Looking into concerns during an inspection is an important part of deciding whether a provider meets the requirements and also helps to inform the quality judgements we make.
12. An inspection is about making qualitative judgements about the quality of the provision, in particular for the overall effectiveness of the provider to meet the learning and development, and safeguarding and welfare needs of all children, in line with the Early Years Foundation Stage requirements.
13. Fully considering the concern, and the provider's previous history, at inspection will help inspectors to gather evidence towards making the judgements that they make at the end of the inspection.

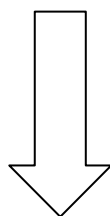
14. Inspectors should not ignore historical and/or new information. A persistent failure of the registered person to meet requirements or take action, over a period of time, is likely to impact on the assessment of aspects of leadership and management. Conducting early years inspections contains more detail.
15. Improvements in practice must be supported by evidence. A stated intention of the provider to make changes is not sufficient to make a judgement of good or better for leadership and management.
16. Using the Evaluation schedule for inspections of registered early years provision (September 2012) inspectors must consider all of the evidence gathered before and during the inspection when considering which grade descriptor best fits the evidence for each of the three key judgements and when making the overall inspection outcome judgement.

Linking concerns to the evaluation of the provision

17. The overall judgement is informed by the three key judgements

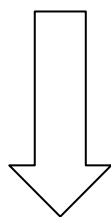
The overall quality and standards of the early years provision

The extent to which:
children's needs are met
all children make progress in their learning and development depending on
their starting points
requirements for children's safeguarding and welfare are met
effective leadership and management secures continuous improvement



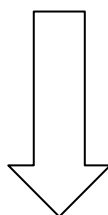
How well the early years provision meets the needs of the range of children who attend

Educational programme	Effective learning	Quality of teaching
Planning and assessment	Children's good progress	Parental involvement



The contribution of the early years provision to children’s well-being

Behaviour management Key person Keeping safe Being healthy Managing transitions



The effectiveness of leadership and management of the early years provision

Understanding requirements Safeguarding Monitoring the provision Staff performance management Parents agencies

18. As for all inspections, there are no ‘limiting judgements’ for this type of inspection. As set out above, inspectors must take full account of the history in making those judgements. In particular, inspectors must take great care to ensure that any weaknesses identified – including those arising from a discussion about a particular concern or concerns – are given their proper consideration in reaching the overall judgement. While it is entirely appropriate that a setting’s strengths are duly acknowledged and referenced within the report, these must not be seen as ‘mitigating’ serious weaknesses if these are identified. Inspectors must ensure that they consider fully the grade descriptors for each judgement from the evaluation schedule during all concern-driven inspections and that if any aspects of the setting’s work are judged as inadequate, this is reflected within the judgement for overall effectiveness, as set out below.

Outstanding (1)	<p>The setting’s practice consistently reflects the highest aspirations for all children and staff, enables children to make excellent progress in relation to their starting points and prepares them extremely well for school or the next stage in their learning.</p> <p>All major aspects of the provision are at least good, and outstanding in most respects, with all legal requirements met.</p>
Good	<p>The setting’s practice enables all children to do well and make good progress relative to their starting points and prepares them well for school or the next</p>

(2)	stage of their learning. Children benefit from practice that is at least good and sometimes outstanding. No aspects of the setting are inadequate and all legal requirements are met. The judgement on 'How well the early years provision meets the needs of the range of children who attend' is at least good.
Satisfactory (3)	The setting's practice is not good enough because one or more key aspects of its work require improvement.
Inadequate (4)	Overall effectiveness is likely to be inadequate if any of the key judgements are inadequate. If any of the key judgements are inadequate, but inspectors judge Overall effectiveness to be better than inadequate, inspectors must consider leadership and management's ability to bring about rapid and sustained improvement.

Useful documents to help with inspection

Statutory Framework for the Early Years Foundation Stage (2012), Department for Education

www.education.gov.uk/aboutdfe/statutory/g00213120/eyfs-statutory-framework

Evaluation schedule for inspections of registered early years provision (updated July 2012), (120086), Ofsted;

www.ofsted.gov.uk/resources/evaluation-schedule-for-inspections-of-registered-early-years-provision

Conducting early years inspections (updated October 2012) (120087), Ofsted;

www.ofsted.gov.uk/resources/conducting-early-years-inspections.

Development matters in the Early Years Foundation Stage (2012), Department for Education

www.education.gov.uk/schools/teachingandlearning/curriculum/a0068102/early-years-foundation-stage-eyfs

Are you ready for your inspection? (updated August 2012) (120085), Ofsted;

www.ofsted.gov.uk/resources/are-you-ready-for-your-inspection-guide-inspections-of-provision-ofsteds-childcare-and-early-years-r

The EYFS progress check at age two (2012), Department for Education;

www.gov.uk/government/publications/a-know-how-guide-the-eyfs-progress-check-at-age-two

Inspection guidance for inspecting provision on the Early Years Register following the risk assessment process (120380), Ofsted;

www.ofsted.gov.uk/resources/inspection-guidance-for-inspecting-provision-early-years-register-following-risk-assessment-process