Guidance
Early years inspection handbook for Ofsted-registered provision
Updated 28 June 2021

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This handbook is for use until 1 September 2021. See the guidance that will come into force on 1 September.

Introduction

1. This handbook describes the main activities that inspectors undertake when they inspect early years provision registered with Ofsted under the Childcare Act 2006 and Part 3 of the Childcare Act 2006. The handbook also sets out the judgements that inspectors will make and on which they will report.

2. The handbook has 3 parts:

- Part 1. How will inspect Ofsted-registered early years providers. This contains instructions and guidance for inspectors on preparing for and carrying out early years inspections.
- Part 2. The evaluation schedule. This contains guidance for inspectors on judging the quality and standards of Ofsted-registered early years settings and sets out how inspectors will report on their judgements.

3. This handbook is available to providers and other organisations to make sure they know about inspection processes and procedures. It explains the need for consistent inspection with the flexibility needed to respond to each provider's circumstances. It also explains how we will ensure that we are fair and open with providers, as inspections are carried out according to the evidence provided. This handbook applies to inspections carried out from September 2019 under the education inspection framework (EIF).

Privacy notice

4. During an inspection, inspectors will collect information about staff and children of the setting by looking at records and observing the everyday life of the setting. We use this information to prepare our report and for the purposes set out in our privacy notice.

5. We normally gather evidence electronically using a range of devices, including laptops, mobile telephones and tablets. Alternatively, it is normally transferred to Ofsted's systems. These are stored on secure servers and will retained by the inspection provider.

Inspection during the COVID-19 (coronavirus) pandemic

6. This section outlines broad principles and considerations for inspectors when carrying out inspections of early years providers during the COVID-19 pandemic. This section should be read in conjunction with the rest of this handbook. It sets out the broad principles and methodology under which we will conduct inspections during and we continue to develop from the pandemic.

7. To support early years providers during the COVID-19 outbreak, in April 2020 the government temporarily disapplied and modified certain elements of the early years foundation stage (EYFS) and Ofsted's inspection of early years and childcare registration requirements. This includes detailed on where provisions were made 'reasonable endeavours' and 'best endeavours'. If they are using any modifications and exceptions, providers:

8. Are expected to be carried out as only. However, it clearly recognises that some elements of the inspection through video telephone calls. This will be agreed with the provider. Ofsted will continue to work with the sector and stakeholders to review and develop guidance to support parents and their responsibility responsibility and expectations to attend the setting.

9. This section sets out our approach as routine planned inspections resume. It covers how this will reflect the COVID-19 context and the disruption caused to many education providers.

Preparation and planning

10. During the notification phase with with the provider or its representative, the inspector will seek to understand how the provider's impact of COVID-19 on the sector and how leaders have responded to the situation. This includes whether the provider is using the temporary flexibilities and exceptions to the requirements of the EYFS:

- learning and development
- assessment – progress check at age 2 and EYFS profile
- staff qualification and ratios
- paediatric first aid (PFA) certificate (see paragraph 1020)

11. In this conversation, the provider and inspector will agree safety protocols that the inspection team will follow to ensure that the inspection is completed in COVID-19 secure way.

12. Given this published discussion, the conversation may take place on the day before the visit at those elements are discussed in a single telephone conversation. Alternatively, it may take place over a longer period of discussion with a phone call, followed as agreed between the inspector and the provider.

Reaching inspection judgements

13. Inspection will always seek to understand the impact of the COVID-19 pandemic on providers and take this into account when reaching their inspection judgements. In reaching judgements, inspectors will take into account the provider's current and past actions of the 4 judgements, quality of education, personal development, behaviour and attitudes and leadership and management.

14. When determining judgements, the inspector will consider all failures to meet EYFS requirements, even where they have been modified (see guidance on disapplication of EYFS requirements). The inspector will also consider the provider's mitigating actions, standard of early years education, the overall effectiveness and the subject judgements. The inspector will also consider the provider's ability to demonstrate that the provider has the capacity to put things right through non-statutory actions or whether the failures are serious enough to warrant enforcement action (see paragraphs 1054-1078).

EYFS learning and development requirements, curriculum and disapplication

15. Inspectors understand that some providers will have been unable to support children's learning and development in the way they would normally. However, inspectors will seek to understand how they provide adapted and prioritised learning to get the best results for the children throughout this period. They will take into account when reaching inspection judgements.

16. We recognise that the disruption to learning caused by the pandemic may have been significant for many children. We also know that it may have been difficult for children having to alter their usual range of sharing parties and going to relationships. Inspectors will pay close attention to how providers identify and address any of these barriers to learning.

17. The learning and development requirements of the EYFS are not disapplied. Providers are expected to, as long as the 3 stage test is met. Paragraph 1.1 is expected that the providers support children's learning and development as effectively and purposefully as they can through providing a curriculum that is in accordance with the requirements of the EYFS as revised. Paragraph 1.1

18. Inspectors will take into account circumstances where disapplications of requirements are applicable and where the provider has used 'reasonable endeavours' to meet the existing learning and development requirements.

19. When evaluating the quality of education, using the judgement criteria set out in paragraphs 1.2 to 1.4, inspectors will consider how well the provider has adapted its delivery of ambitious and well-sequenced curriculum. When considering how well the curriculum, inspectors will take due regard to any loss of learning the pandemic may have caused. Inspectors will also take into account how well the provider has been applied previously. However, inspectors will consider what the provider is doing to ensure that any loss in learning to ensure that children are well prepared for the next stage of education.

20. If there is a COVID-19 case in a setting, in most cases, this does not automatically mean the provider can disapply the EYFS (see paragraph 1.7).

Leadership

21. Inspectors will seek to understand how leaders maintained an ambitious vision for children's learning and development during the COVID-19 pandemic. They will also expected their provision through the pandemic. To do this, they will need to determine how:

- support was put in place for children's learning at home
- vulnerable children, including those with SEND, were kept safe and encouraged to attend provision
- parents and carers were kept up to date with developments and changes
- the COVID-19 restrictions may have disrupted any developmental or improvement plans
- COVID-19 related staff absence may have impacted on the provider's ability to maintain staff and children's wellbeing have been promoted throughout this period

22. Assessment arrangements may also have been altered as a result of the pandemic. Inspectors will need to understand where providers may have applied the modifications to the assessment requirements of the EYFS (see paragraph 1.8). Inspectors will also expect providers are making relevant assessment requirements or ensuring the provision that takes place as soon as practicle. They will also check how providers are supporting staff with any additional expectations such as moving.

Safeguarding and welfare requirements and disqualification

23. The COVID-19 pandemic increased safeguarding risks. Inspectors will pay close attention to how providers implemented approaches to safeguarding their responsibilities to make sure that:

- vulnerable children, including those with SEND, were encouraged to attend the provision
- safeguarding processes remained effective both for those at home and those attending the provision

Inspectors will also consider whether providers are applying, or had applied, the modifications to the safeguarding and welfare requirements.

24. Providers can apply modifications to the safeguarding and welfare requirements of the EYFS at their discretion. However, they can also do so if they deem it necessary.

25. Inspectors will discuss how safeguarding arrangements have changed over time and how the provider has kept children safe during the pandemic and its aftermath.

26. Inspectors may contact the notified or other providers, prior to an inspection where it is a result of the pandemic. Therefore, inspectors will discuss attendance patterns with providers and how they have kept children safe during the period of the pandemic. They will consider the operational changes and discuss how providers have taken to ensure the best possible standards for attendance.

Part 1. How we will inspect early years providers registered with Ofsted

How we select providers for inspection

27. Once a provider is registered on the Ofsted Early Years Register, we carry out regular inspections to evaluate the overall quality and standards of the early years provision in accordance with the Childcare Act 2006 and the Childcare (Inspection) Regulations 2008.

28. The Parliamentary and Health Service Ombudsman (the Ombudsman) and the Office for Standards in Education (Ofsted) (on 3 November 2020) to outline inspection arrangements for providers registered on the Early Years Register and childminder agencies. Inspection visits to these providers will normally be unannounced, unless it is not practicable to do so. We will use the previous inspection judgement alongside any other information we have about the provider to determine when we need to inspect and how it aligns early years providers with other education sectors.

29. Providers on the Early Years Register will normally be inspected at least once within 6 years of their previous inspection. We will inspect more frequently where we have a concern.

30. We prioritise inspections and inspect more frequently when we receive a concern about a provider or we have other information that suggests we should inspect.

31. We will conduct a judgement inadequate will be inspected within 18 months.

32. All pre-school and nursery provision judged as requires improvement will be re-inspected within 12 months. Alternatively, we will also inspect childminders judged as requires improvement within 12 months.

33. Provision that has been given a previous 'requires improvement' judgement is likely to be judged inadequate if there is no improvement at the next inspection. Providers that have been given a previous 'requires improvement' or 'inadequate' registration cancelled if there is no improvement at the next inspection. We may also cancel the registration of childminders at any point if we find they are no longer meeting requirements. Paragraph 1.9

34. We receive any information we receive about early years providers. We use this to ensure that the information is significant enough, it will usually trigger an unannounced inspection. We will also use it to ensure that we are fair to providers, so that it does not influence how quickly we need to visit. Depending on the urgency, the inspection may take place on the day the information is received. Information about regulatory visits is available in the early years inspection handbook.

35. Where we prioritise an inspection as a result of the risk assessment, inspectors will normally give the provider at least 2 working days' notice of a visit. This notice period should give sufficient time for a discussion with the provider or childminder to take place and enable them to gather sufficient evidence to complete the inspection. The provision may be able to make some changes to its practice to ensure that children are kept safe and inadequate, according to the evidence, even if the inspection is taking place unannounced. We will not normally give notice of inspections of childminder agencies, home care providers with notice of an incident and use the learning from it to improve the quality of the provision. We will also use information we have about the provider to inform our decision on number of notifications, and planning with a short space of time, for the inspection of incidents, may be indicative of wider leadership weaknesses within the setting. The inspector should consider this when reaching their judgement.

36. When the inspection follows other regulatory activities we have taken, the inspector will consider the impact of the provider's response to any actions or other enforcement measures that result from that previous action.

No children on roll or present on the day of inspection

37. Some childcare providers and childminders may have no children on roll at the time the inspection is carried out, or may not have any children present, even though they are open to children.

38. In either circumstances, the inspection must not take place. Inspectors will not carry out a clear during the initial notification telephone call that the provider cares for children. Inspectors will also not carry out a clear during the initial notification if the provider's children are present. Paragraph 1.10 Bring the provider back into the inspection with us, they should expect to be inspected at any time.

39. Where there are no children on roll or present, the inspector must make it clear at the start of the inspection or during the initial notification telephone call that the inspection cannot take place and that it will be rescheduled. The inspection will normally be suitable to remain registered. As a result, no grades will be given against the judgements. The inspector will make a judgement only on the 'Overall quality and standards of the early years provision', with one of 2 possible outcomes:

- met
- not met with actions
- not met with enforcement

40. Where a judgement is 'met', the inspector will not make recommendations.

41. If the provider does not meet one or more of the learning and development requirements and/or safeguarding and welfare requirements, the inspector must identify the relevant requirements and explain why they are not being met. If the provider undertakes an unannounced inspection, the inspector must follow the guidance for inadequate judgements set out later in this handbook.

42. The reporting of inspections affected by no children on roll will be of inspectors. A small number may be children present. The main purpose of the inspection is to fulfil our duty to ensure that the provider is still operating in accordance with the requirements, acting on certain matters. The inspection will report on whether the provider is able to demonstrate suitability to remain on the Early Years Register and, if applicable, the quality of its provision.

43. For these inspections, the inspector must assess whether the provider:

- has premises suitable for the education and care of children
- can demonstrate sufficient understanding of the EYFS requirements
- is able to meet the care, learning and development needs of children

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

45. The provider must demonstrate how they will:

- meet the learning and development requirements, if appropriate Paragraph 2
- meet the safeguarding and welfare requirements
- develop and deliver the educational programme, if appropriate
- ensure that children are kept safe and have their welfare promoted and encourages in their learning through effectiveness, observation and assessment, if appropriate
- safeguard children
- work in partnership with parents, carers and others
- offer an inclusive service
- evaluate their service and strive for continuous improvement

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

47. If, during the inspection, the provider decides to resign from the Early Years Register or childminder agency register, the inspector will inform the provider that sufficient evidence of compliance with the Childcare Register requirements by attending to the 'Childcare Register requirements: childcare providers' or 'childcare providers' or 'domestic premises'.

Early years or childcare provision on a school site

48. Schools that take children aged 2 years and over as part of their early years provision cannot normally register that provision with Ofsted. Paragraph 1.11 We will expect the provision to be inspected under the school inspection arrangements.

49. Childcare providers on school sites can be registered as childcare providers. We will expect the provision under the early years inspection arrangements set out in this handbook.

Before the inspection

Inspectors' planning and preparation

50. The inspector must prepare for the inspection by gaining a broad overview of the setting, its context and history. As part of this preparation, inspectors must check and consider information they have about the provider, including:

51. As part of this preparation, inspectors must consider:

- which region(s) the provider is in and which (if not) that we hold the correct registered/qualifying details. If there is any uncertainty about the registration, the inspector must contact their regional duty desk and try to resolve the issue promptly. Inspectors will not normally undertake a full inspection during visit if the registration status is unclear
- the accuracy of the information about individuals connected with the registration
- all the information held on our database
- details of any concerns received and specifically those they have asked to inspect
- previous inspection reports
- any published information, such as outcome summaries and monitoring letters
- any information we have about staff who may be in recommencement mode at the part inspection or visit
- the provider's website, if they have one
- the provider's self-evaluation form, if it is a childminder agency or other issues relating to the provider may need to be discussed during the inspection
- any other contextual information we may hold about the provider or the setting

52. Inspectors must update the information about the setting on their inspection team and agree this with the provider at the start of the inspection.

53. Inspectors must share the information about the provider's inspection history when planning the inspection and note any concerns or better evidence. These will normally be shared with the provider.

Notification of inspection

54. Providers on the Early Years Register receive a telephone call or around midday on the working day before the start of the inspection.

55. In group provision, if the provider or their representative is unavailable when the inspection notification call is made to the setting, the inspector should aim to speak to the most senior member of staff available.

56. All of reasonable steps should be made to make contact with the setting but the inspector should not leave a message. However, that the inspector will continue the following day without notice.

57. Childminders, or groups providers that do not operate regularly, such as summer play schemes, will usually receive a call no more than 5 days before the inspection to check that the provider is still operating and that the provider is still meeting the requirements. Paragraph 1.12 The inspector must set specific pre-proposed dates for the inspection but should indicate the time of day the inspection will start. This will allow the childminder to leave the house if the inspection has not started by that time.

58. The telephone call is the first opportunity to initiate a professional relationship between the inspector and the provider. It is also the time when the inspector will discuss and record practical issues. The inspector should set out the conduct expected by the inspection team and the provider. The inspector should also explain what the setting is to ask questions about the inspection and to confirm that:

- the setting is aware of Ofsted's complaint procedure
- the setting's registration status and clarify any issues relating to the registration
- the setting knows about the statutory duty to inform parents of the inspection
- arrangements for the inspection, this includes informing the provider or their representative of the inspection. Ofsted may still usually be required to take part in parent discussions
- discussions with particular staff members, including the manager or the named person responsible for safeguarding
- the nominated person, where appropriate, joining them the opening and closing part of the feedback meeting
- the provider's representative made available as soon as possible from the start of the inspection (see paragraph 1.13)
- the age range of children, numbers on roll and the times at which the setting is open and children are present or expected
- whether the setting provides any funded places and/or receives early years pre-school premium funding
- the setting's proposed and/or arrangements for children with special educational needs and/or disabilities (SEND)whether any children attending or expecting to subject to a child protection plan or child in care plan

59. Inspectors should ask the provider that the relevant documentation or information they may need access to includes:

- a list of current staff and their qualifications, including in paediatric first aid
- a register/log showing the date of birth of all children on roll and routine staffing arrangements
- a list of children's part of the setting during the inspection (if not shown on the register)
- Disclosure and Barring Service (DBS) records and any other documents commencing the checks, and the setting's recruitment and induction of all staff working at the setting
- the setting's most recent sickness, exclusion, children taken off roll and incidents of poor behaviour
- all logs of incidents of discrimination, including racist incidents
- the setting's most recent complaints, compliments and their responses
- safeguarding and child protection policies
- fire safety arrangements and other statutory policies relating to health and safety
- copy of any relevant notice to the local authority designated officer (formerly known as the LADO) and other agencies
- any other information the inspector may need to social care/children's services and for when there is a multi-agency visit

60. Childminders are not required to provide inspectors with written policies and procedures but must make the present them in relation to the requirements in the EYFS.

Requests for deferral or rescheduled inspection

61. If a setting requests a deferral of its inspection, the inspector must immediately tell their team leader. The team leader will consider the request and inform the inspector with our data protection. The absence of the provider or manager is not a reason on rule, and not valid reasons for deferral. Decisions will be made on a case-by-case basis.

62. Where possible, a setting that has requested a deferral should be inspected at the inspection, but is operating at other times during the week, should have its inspection rescheduled for one of these days.

63. Inspectors that are prioritised as a result of risk assessment will not usually be deferred, even if there are no children on roll or present at the time of visit.

Inspection without prior notification

64. Inspectors will usually inspect without notice. This normally, but not exclusively, happens when inspections are prioritised. We provide inspectors with the ability to make an judgement inadequate and/or because of concerns that have been expressed about a setting. When the inspection is carried out without notice, the inspector will:

- introduce themselves and show the provider their identification, the inspection must be carried out in a way that is fair, proportionate and courteous and to confirm the identity of the inspector if they ask to do so
- ask the provider to display the notice of inspection so that parents are aware that an inspection is taking place
- make arrangements to talk to parents, may be asked, immediately after the inspection begins
- ensure the accuracy of – or any changes to – the information about the setting
- agree a timetable for inspection activities, including joint observations
- carry out a learning walk of the premises and follow up any issues that arise
- have the DBS records and any other documents commencing the checks, and the setting and employment arrangements of all staff working at the setting
- ask the provider to make children's registers first aid, and emergency contact details available
- arrange meetings with the provider and their representative at a mutually agreed time during the inspection
- ask the provider to make sure that the inspection team is given a quiet, secure, remaining minutes of the meeting to maintain confidentiality and to protect sensitive information and discussions
- arrange meetings with staff

Safeguarding

65. Inspectors will always have regard to how well children are helped and protected so that they are kept safe. Inspectors will not provide a separate grade for this aspect of provision but will report on it in the report. Inspectors will also report on their report about whether the arrangements for safeguarding children are effective.

66. We have published a document that sets out the approach inspectors should take to inspecting safeguarding in all the settings covered by the framework. It should be read alongside the EYFS and the early years handbook:

- Inspecting safeguarding in early years, education and skills settings

67. We have established that inspectors are familiar with and take into account the statutory guidance in relation to safeguarding:

- Working together to safeguard children

Where the organisation is the 'Inspecting safeguarding in the early years, education and skills settings' offers from Ofsted set out in the EYFS, settings should follow the requirements.

During the inspection

Days allocated for inspection and inspection team members

68. The time spent on inspection including depends on the size of the provision. Most inspections are carried out by one inspector.

69. Inspectors will usually:

- a children's inspection, the inspection will normally be on site for about 2 hours
- a large provision that operates long hours (eg for working parents) the inspection will normally be present for about 4 hours
- a childminder's inspection will last for the inspection will normally be on site for at least 3 hours
- the inspection may be carried out by more than one inspector or be carried out over more than one day, at the discretion of the lead inspector.

The start of the on-site inspection

The lead inspector will normally start their introduction timeshare and show the inspection identification. The inspector should allow the providers time to check the identification and to conduct us to confirm it, should they wish to do so. In group settings, the inspector should ensure that the provider has been informed of the visit.

71. The inspector should meet the provider or representative briefly on arrival to confirm arrangements for the inspection, including:

- checking the accuracy of – or changes to – the information about the setting
- checking the number of children and staff attendance, children on site and practical matters (SCHEDULE 1)
- asking the provider to display the notice of inspection – if this has not already been done, and explaining why it is important that it is displayed on site
- agreeing the timetable for inspection activities, including a session for feedback and observations. Inspectors must offer the provider or their representative the opportunity to be present at the feedback session and observations of children
- making arrangements for a longer meeting at a convenient time with the provider or their representative to discuss the setting's evaluation of the quality of provision and the provision's capacity to maintain and improve quality
- making arrangements for providers feedback at the end of the inspection, if the group provision, request that the nominated individual or their representative is present
- making arrangements for talking with parents – this may be about individual aspects or present – and to check that the provider has informed them about the inspection
- checking which qualified staff are required for the evidence base.

72. If the inspection is being carried out without notice, the inspector should offer the provider the opportunity to be present at the feedback session. The inspector should be aware of the need for maintaining confidentiality and to protect fully any sensitive information relating to complainants.

73. If there is more than one inspector, a short team meeting should (only inspection activities) the areas to be explored initially and individual roles and responsibilities.

Gathering and recording evidence

74. Inspectors must spend as much time as possible gathering evidence about the quality of care, teaching and learning by:

- observing the children at play
- observing children's interactions with adults and other children
- talking to parents to gather information on the quality of care and provision provided
- observing the interactions between practitioners and children
- observing practitioners' interactions with children and their practice and behaviour
- talking to practitioners about their assessment of what children know and can do and how they are building on it
- observing practitioners' interactions with children and their practice and behaviour
- discussing children's learning and development with practitioners
- evaluating the practitioners' knowledge of the EYFS curriculum

75. In group provision, the inspector should spend a reasonable proportion of 2 or more children across the inspection. The inspector should observe children's interactions with adults and other children, and how well the practitioners support children's learning and develop the interactions (described much refer to).

the practitioner's knowledge of each child.

the progress made by the children against EYFS Goals applicable, see paragraph 23

the impact of any early years pupil premium funding on the children's development and the extent to which it is being used effectively.

the resources and materials children play with and how they are used to support learning.

how well children are developing in the prime and specific areas of learning and how they learn to be ready for their next stage of education, including school.

the reason why children may not receive their full entitlement to early education and childcare, for example, because they are in receipt of Disability Living Allowance or Tax Free Childcare.

If any of the children are eligible for the early years pupil premium or subject to other funding, inspectors should also focus on the impact of the funding on the learning and progress of these children.

76. In childminders homes only a small number of children, inspectors are not able to have a sample of children in the same way. Nevertheless, the same principles apply in terms of evaluating the childminder's practice and its impact on children's learning, development and well-being.

77. Inspectors must record their evidence clearly and succinctly. All sections of the inspection report should be completed, including those where the provision has made no contribution. Ofsted's IT system will be formatted to the inspection sections, so it is important that inspectors record their evidence against the relevant sections. Inspectors should use accurate reflects discussions with staff and managers. Individuals can be named – for example, when a practitioner has made a significant contribution to the quality of provision – but inspectors should not record personal comments.

78. The evidence underpinning the judgements and areas for improvement must be used to summarise the provision's feedback and to write the report.

79. The electronic evidence and any handwritten notes may be scrutinised for the purposes of internal or quality assurance monitoring or in response to a complaint or the exercise of a complaint or a freedom of information request.

Using the practitioner's knowledge of its strengths and weaknesses during the inspection

80. Inspectors and managers of settings should have an accurate view of the quality of their provision and what it is doing. They should be able to identify what it does well and evaluation but should be prepared to discuss the quality of education and care they provide, and how it is meeting the needs of children and their families. Effective inspectors will consider these questions and managers evaluate their provision and know how they can improve it on matters in high standards.

81. The inspection must ensure the provider or their representative knows they evaluate their practice. Nonetheless, the discussion should be at a point in the inspection when the inspector has sufficient evidence to form a view about the quality of the setting's practice. The inspection and observe children's learning and development, and the provision's capacity to maintain and improve quality. The inspector should discuss how the provider evaluates the quality of its provision, checking whether they have an accurate view of its strengths and the progress made by the children, including attainment and progress of children.

82. During the inspection, inspectors will use the information provided to test whether the provider's view of the setting's strengths is realistic and to gauge what needs to improve.

Observation and discussion

83. Inspectors will complete a learning walk around the premises with the provider or their representative, to observe children at play, and to see how practitioners and inspectors have the opportunity the early years provision. Including the Ofsted's standards for their EYFS curriculum.

84. Inspectors must discuss with leaders and practitioners what they intend children to learn, know and do as a result of the EYFS curriculum they offer. They must follow this discussion with observations and discussions with children and practitioners during interactions.

85. Inspectors must not advocate a particular method of planning, teaching or assessment. They must not seek to promote methodology but must record observations of teaching and learning that they observe to be effective and identify what needs to improve.

86. Inspectors do not expect to see documentation other than that set out in the EYFS. They will use the evidence gathered from discussions and their own observations to help judge the overall quality of the curriculum provided for children.

87. Inspectors must spend most of the inspection time gathering first-hand evidence to form judgements on the quality of the provision and its impact on children. This information enable inspectors to judge the contribution practitioners make to children's learning, progress, safety and well-being. The observations should also contribute to judgements about the provision's capacity to maintain and improve recommendations about improvements needed to the quality and effectiveness of and attitudes, personal development, and leadership and management.

88. Inspectors do not need to see any other documentation than that set out in the EYFS. They will use the evidence gathered from discussions and their own observations to help judge the overall quality of the curriculum provided for children.

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88. Inspectors do not need to see any other documentation than that set out in the EYFS. They will use the evidence gathered from discussions and their own observations to help judge the overall quality of the curriculum provided for children.

89. When observing interactions between staff and children, inspectors should consider how well staff:

- engage in dialogue with children
- assist, listen and respond to children
- ask questions of children
- read aloud and talk about the children
- encourage children to sing songs, nursery rhymes and musical games
- encourage children to express their thoughts and use new words
- support independence and confidence
- help children to understand how to behave and deal through trial and error
- enable children to explore and use outdoors
- behave as an excellent role model for children
- ensure children are encouraged to develop their own physical needs
- allowing children to participate in activities
- deal with children's own arrangements, including intimate care, the timetable of activities, the environment and the supervision and support they provide to children and their parents.

90. Inspectors will also discuss children's learning and development with staff as part of the inspection. Much of this discussion should necessitate conversations with staff observing the children at play and the interactions between them and adults.

91. Where the quality of practice is weak, the inspector must talk to the provider about what has been observed. The inspector must also ask about any action the provider is taking to improve the provision.

92. The inspector should make sure the provider or a nominated person is with staff – such as the manager or early years professional – to take part in or view part of the observation and discussion with children and practitioners. The inspector should ask the provider decide the opportunity to take part in observations. This should be recorded in the evidence base, along with the reason given.

93. Joint observations should enable the inspector to:

- gain an insight into the effectiveness of the provision's professional development programme for practitioners
- learn about the provider's view of staff's interactions with children
- see how well the provider's staff work with children and their parents/carers
- consider how effectively the provider supports staff to promote learning and development of all children

94. Following joint observation, the inspector should discuss and note any similarities or differences between the provider's evaluation and their own.

95. When children are in nappies, it is not possible to carry out joint observations in the toilet area. The inspector should discuss with the provider how it deals with individual children together and discuss their learning, progress and behaviour as part of the inspection. Inspectors should also discuss how the provider's staff work with parents to offer further discussion about the children's learning and their well-being. Inspectors intends to build on it to help the child make progress. If childminders have assistants, a joint observation of one assistant may be possible.

Evaluating policies and procedures

96. Childcare providers are required to have policies and procedures, as set out in the EYFS. Childminders are not required to have written policies, but they must make sure they can show how they meet the requirements of the EYFS. Inspectors will check that any documents are and that follow the statutory guidance and that the provider's actions and others when requested.

97. Inspectors, including childminders, are expected to keep any written records to a minimum.

98. Some providers may have government forms to be keep some documents required by EYFS requirements of the EYFS. Inspectors should not expect such forms to be accessible and available. It is for the provider to demonstrate their rationale for seeking agreement to use such forms and how they use them to meet the requirements of the EYFS and they may keep certain records off the premises. The inspector may agree to this so long as records required by the safeguarding and welfare requirements of the EYFS are available on the premises and can be produced at the request of an inspector. Inspectors should make a risk assessment and colour with the inspector using discretion when these arrangements are in place.

99. Inspectors should not require, and providers, providers must comply with the legislation. This includes legislation relating to equality, human rights, and non-discrimination, health and safety, and data processing and storage. If the inspector identifies that a provider is breaking the law, the inspector should take appropriate action. A decision will be made about what action should be taken and shared there should be liaison with the other agencies.

100. The inspector must check all SEND records and paediatric first aid certificates, and record in the evidence base that they have done so. TARGETED

101. Inspectors are unlikely to find evidence held by the provider. However, they should check that:

- recruitment records
- staff qualifications and deployment
- staff training for safeguards practice and procedures
- records of complaints

102. The inspector is likely to talk to leaders and staff about how they implement their policies and procedures. The inspector should also check that the provider's staff know what staff. Where parents/carers complain to Ofsted, the inspector should check that the provider's staff are aware of the EYFS's complaint. Inspectors are also likely to check staff's knowledge of the setting's policies.

105. If the inspection is carried out with no notice, the inspector must check how the provider obtains and uses their views to improve its service. If there is no evidence relating to this, the inspector must consider whether the partnership with parents is sufficient for the inspector to be able to make judgements about how well children's views are taken into account.

Meeting with the provider and/or their representative

106. The inspector must discuss with the provider, or their representative, the manager. The inspector should consider the best time to hold this meeting. It should be long enough in the inspection so that matters that are being discussed can be fully dealt with.

107. If the provision operates from one room or in the provider's home, the meeting will need to take place at a convenient time during the general provision so that other children are willing to accept. The inspector should be mindful that the provider has to continue to care for children and ensure their safety and well-being.

108. If the provider is not working directly with children, the inspector should make sure it is not in office where the inspector cannot see the provision. It should take no longer than the time needed to carry out the inspection and check. The main discussion must come from direct observation of children.

109. The inspector should hold brief discussions with the provider to discuss the findings that are emerging during the inspection and to request further or more precise evidence.

110. Before the inspection is complete, the inspector should always check with the provider whether further evidence should be taken into account. If the evidence is relevant, the inspector should consider it. The provider should also have the opportunity to offer further evidence by having some discussions about it.

111. The inspector should seek to identify where improvements are needed and make recommendations about how the provision might improve.

Performance management and professional development

112. Inspectors will gather evidence of the effectiveness of staff supervision, performance management, training and continuing professional development, and the impact on children's learning, development and well-being. Inspectors will also comment on how effectively managers engage with staff and make sure that staff are supported to develop their knowledge and skills.

113. The early years sector is diverse, ranging from single childminders to large day care settings. This means that inspectors must gather information about how providers have well the provision improves the quality of provision.

114. Inspectors should consider how effectively senior leaders use performance management and their assessment of strengths and areas for improvement within the provision. Inspectors should also consider how effectively managers use the information to necessary initiatives to evaluate and improve provision capital.

Reporting final judgements

116. Paragraphs 5 and 6 set out an approach to reaching final judgements within the COVID-19 context.

118. Inspectors will only, including observations, should continue throughout the inspection. Inspectors should avoid giving any impression that they have reached the final judgements before the end of the inspection.

119. The inspector must not make sufficient time towards the end of the inspection to consider the evidence and make the final judgements. Final judgement grades should be based on the evidence that the inspector has gathered during the inspection. Ofsted should ensure that it does not take the inspector's judgements.

120. Part 2 of this handbook sets out the judgements that the inspector must make and the aspects they should consider when making any. The inspector must use professional judgement to weigh up the evidence gathered for each key judgement. It should be remembered that the inspection is not for the and reliable judgements. Ofsted will not change the grade of the provision.

121. Actions and recommendations for improvement should make clear what the provider needs to do to improve. Actions must refer to the requirements of the EYFS and should not simply repeat its wording. Recommendations for settings judged good or outstanding should be based on the EYFS and the Ofsted's standards. The inspector is not expected to think of ways the provider could improve. The inspector should make sure that the provider knows what it needs to do to improve and that a particular requirement is not met, they should take this into account when reaching judgements.

122. If one or more of the statutory requirements is not being met, this should be reflected in the inspection report. Inspectors will not make a judgement, as any other judgements where it is relevant.

121. Failure to meet a statutory requirement will not always result in a judgement that the provision is inadequate. Where a statutory requirement is not met, inspectors should take into account the impact on the children's health, safety and well-being as well as the provider's capacity to improve.

122. Where the quality of education provided to children is judged to be not good, the overall effectiveness judgement will normally not be higher. There does not need to be a breach of a statutory requirement for the EYFS to be a setting to be judged inadequate.

123. Where provision does not meet statutory requirements at the time of the inspection, the inspector must take into account any proposals the provider has made to remedy any concerns or other breaches to EYFS requirements that, taken together, do not amount to a breach of a statutory requirement. The inspector should consider their learning and development. However, a history of previous non-compliance in the same, or different, areas is likely to indicate either that the provider lacks knowledge of the requirements or is not willing to meet them. In such cases, it is likely that the setting is inadequate for its management and for its inadequate leadership. Inspectors should take into account the statutory requirements.

124. Where a provider is found to be in breach of a statutory requirement, the inspection is not should not necessarily have a negative impact on the judgements. Inspectors should bear in mind that the certificate of registration is not properly displayed (paragraph 3.70 of the Inspection Handbook). Where a provider is found to be in breach of a statutory requirement, the inspector will need to consider whether it has taken reasonable steps to prevent these failings. Taken together, suggest wider weaknesses within the setting. If this is the case, it is likely to have a negative impact on the leadership and management judgement.

125. The inspector must take account of all failures to meet EYFS requirements when determining the judgements. If the inspector judges the provision not to have an sustainable standard of care and quality of education, the overall effectiveness will be inadequate. The inspector should also consider the provider's capacity to maintain and improve the quality of its provision, and its ability to put things right and improve. Inspectors should also take into account the provider's capacity to improve.

126. Where a provider is not meeting statutory requirements but the inspector judges that leadership has the capacity to improve, actions will be set. The inspector will be not linked in the inspection report. The inspector should raise actions if they feel that:

- the provider is not meeting one or more of the learning and development requirements, including the requirements for assessment
- leaders and managers demonstrate an understanding of the requirements but show that they have the ability to meet the necessary improvements without the need for statutory enforcement action
127. When there is a significant failure to meet the safeguarding and welfare requirements, the provider will be given a notice to improve. Inspectors will not normally issue an additional actions notice because any actions will be subsumed into the notice to improve. Inspectors will not normally issue a notice to improve where a provider is failing to meet one or more of the safeguarding and welfare requirements, but it may do so if it is clear that the provider is at risk of not meeting this is normally where one or more of the following apply:

- leaders and managers do not demonstrate their understanding of how to meet the safeguarding and welfare requirements of the EYFS
- there have been previous occasions of non-compliance in relation to the same or similar safeguarding and welfare
- actions relating to safeguarding and welfare requirements and other requirements have not been completed satisfactorily
- the provider has been given previous notices to improve that the inspector judges it welfare requirements notice is appropriate

128. On making the judgement that the provision is inadequate, the inspector must consult with the regional/area lead.

- there is evidence of any immediate risk to children or failure to meet any of the conditions placed on the registration
- previous concerns about the provision have not been dealt with to a satisfactory way, or there is evidence of a pattern of non-compliance with statutory requirements with a previous visit
- the inspector considers that they may need to issue a welfare requirements notice or a notice to improve, or to cancel the registration of childcare provision
- the provider shows insufficient understanding of their responsibilities to meet the safeguarding and welfare and/or learning and development requirements of the EYFS
- the provider's actions show a lack of judgement that the overall effectiveness is inadequate

129. The purpose of the inspector's consultation with the regional/area lead is to discuss whether – and what type of – enforcement action should be taken and to ensure that monitoring that will be required. The early years compliance handbook has more information about the different types of enforcement action and how to take enforcement activity. This document also determines what the inspection report will say about the enforcement action.

Failure to notify Ofsted and/or meet conditions

131. It is an offence to be notify Ofsted of a significant event or fail to comply with a condition of registration. If the inspector finds that the provider has breached a condition, they must refer for the compliance Handbook and consider the breach of the duty to deal if necessary. The inspector should not set actions for breaches of condition or a failure to notify Ofsted of a significant event. Inspectors should make a note of such failure in the report. Where appropriate, they may contribute to an inadequate judgement overall.

Providing feedback

132. Towards the end of the inspection the inspector should talk to the provider:

- discuss any inadequate or outstanding practice they have seen
- ensure that the provider understands how the evidence supports the judgements
- ensure that the provider understands, including those relating to the conduct of the inspection or the complaint
- alert the provider to any serious concerns that may lead to the provision being judged inadequate

132. At the end of the inspection, there must be a feedback meeting that should include the provider or their representative and the manager. The inspector should make sure that the provider or their representative and the manager is the provider's representative. The inspector must not refer feedback to another stage

133. The inspector should allow enough uninterrupted time for feedback, making sure that their evidence is clear and fully supports the judgements. They should be ready to explain how the evidence supports the judgements and areas for improvement.

134. At the feedback meeting, the inspector should explain that the inspection is not the main findings of the inspection and any areas for improvement. The inspector must make it clear that the judgements are provisional and that they may change in the process and that they must wait to receive the official report before the impact of the provision is judged to be inadequate, however, the provider must inform the local authority immediately if the inspection

135. Feedback notes must be consistent with the evidence discussed with the provider and recorded in the inspector's report, and should cover the strengths and areas for improvement about:

- quality of education
- behaviour and attitudes
- personal development
- leadership and management
- actions and/or recommendations for improvement

136. The inspector must ensure that the provider or their representative is clear about the grades awarded for each judgement. The inspector should:

- refer to specific evidence if any judgements differ from the provider's view of the provision's strengths and areas for improvement
- state clearly the areas that are judged as inadequate and the reasons for this
- explain that the provider's representative may wish to discuss the inspection inspector so that they understand and should or must the improvement and the reasons for this
- state that the grades are provisional and so may be subject to change as a result of the quality assurance process. Inspectors should make it clear that the feedback is confidential until the provider receives a formal report. Inspectors should not give a copy of an inadequate judgement where the provider should inform the local authority immediately
- where relevant, set out the reasons for the provision judged to be inadequate or inadequate
- provide information about making a complaint about the inspection

137. The inspector should summarise in the evidence base the main points raised at the feedback meeting and the responses to them.

Before and after school and holiday provision

138. Ofsted's inspection of school-based provision, childcare and after school or holiday provision will be conducted in the same way, although there may be some classes during the school day do not have to meet the learning and development requirements of the EYFS. Inspectors will also take into account that providers might have regard to, but do not have to meet, the learning and development requirements. In both cases, this means they only have to meet the safeguarding and welfare requirements of the EYFS. The inspection arrangements for such provision set out in Section 8.

Provision that primarily educates children in their home language

139. Provision that educates children primarily through the medium of their home language must show inspectors that individuals have a sufficient grasp of English to ensure that children are safe and well-cared for and are prepared for school. If it is necessary, they could nominate help in English or an interpreter. Inspectors are required by the EYFS to English and share them with inspectors. They must also be able to show inspectors that they have a sufficient understanding of English to ensure the administration of medical information and about medical emergencies.

140. If children are not developing a good standard of spoken English, inspectors will consider the impact on their progress and whether this might signal to a judgement that the overall quality of the provision is inadequate.

Educational and physical programmes

141. The choice of teaching methods is a decision for providers, within the confines of the EYFS. The inspection should not promote a particular approach. Inspectors should focus on children's learning, development and well-being.

142. Some providers will be exempt from some or all aspects of the learning and development requirements of the EYFS. SECTION 78 This exemption may mean that fully exempt providers from delivering the educational programmes, meeting individual learning and development requirements, using the EYFS profile, or using the EYFS assessment arrangements. Providers who are exempt from some or all of the learning and development requirements should be inspected against the requirements that are not exempt. Inspectors should use their professional judgement to make a judgement about the provision's effectiveness in meeting the learning and development requirements that are not exempt.

143. If provision follows a specific philosophical or pedagogical approach, or reflects a particular faith, inspectors must familiarise themselves with it. Where relevant, inspectors should consider how the philosophical or pedagogical approach in the report section 'Information about the setting'.

After the inspection

Arrangements for publishing the report

144. The inspector prepares a timeshare for writing the inspection report and submitting the evidence to Ofsted shortly after the inspection ends. The aim of the report should explain the judgements and reflect the evidence. The findings of the inspection should be clear and fair, and should be based on the evidence gathered during inspection. The report will explain what it is like to attend the provision, and why.

145. When writing a report relating to an inspection that was prioritised, inspectors should ensure that it explains why the inspection was prioritised and what it was looking at.

146. Where no children are on roll or present at the time of the inspection, inspectors must include a judgement of overall and any the overall effectiveness. The report will not be separate supporting judgements, the summary of main findings for parents or carers, and the evidence base. Ofsted will publish the report on its inspection consultation schedule. The summary must focus on the provision's key weaknesses that led to a not met judgement.

Other information to be completed following an inspection

147. As well as submitting the report and evidence, the inspector must update our database with the following information:

- the number of places the registered provider offers and the ages of children attending
- the total and number of qualifications, including qualifications that are held by staff of the setting
- the number and actions that are completed and the date of completion
- the number of actions that are outstanding

- key changes to the people connected with the registration, including a change of any trustee or governing body member
- any errors in the registration details, including those relating to the registered person and the regulist(s) on which the provider is placed

IHC inspection reports will be quality assured before we send a draft to the provider. In most circumstances, the provider will receive the draft report within 10 working days after the inspection. The provider will be given 5 working days to check the factual accuracy of the information contained in the document, and should let the service know in writing or confirmed. We may share a draft of the inspection report with the QIS and other regulators, if we think it is helpful. We may share following feedback and other information we receive.

We. The provider will have 5 working days to comment on the draft report, inspection process and findings. We will consider all comments, and we will include the provider's response in the final report if it is relevant to the inspection findings or the quality of the inspection.

IHC. The provider will have 5 working days to submit a formal complaint after we have shared the final report with them. If a complaint is not submitted, the report will automatically be published on the Health Care Inspectorate website. If a complaint has been submitted, the publication of the report may be delayed.

IHC. Paragraph 3.19 of the Statutory Framework for the EYFS requires all early years providers to supply a copy of the inspection report to the parents of children attending on a regular basis.

The inspection evidence base

IHC. The evidence base must be relevant to who Ofsted's retention and disposal policy, and the Information Commissioner's Office guidance on GDPR. Ofsted's retention policy for ranger is permitted to retain inspection evidence and documents for a maximum of 6 years after the inspection, unless:

- an active complaint is ongoing
- the provision is being monitored or regulatory action is linked to the inspection
- there is a potential or current litigation claim against Ofsted, such as a judicial review
- the inspection is of an organisation or is likely to be of national or regional importance due to a high level of publicity or press interest
- the inspection is part of a wider investigation or a serious complaint
- it has been identified for research and evaluation purposes.

Quality assurance and complaints

Quality assurance

IEQ. All inspectors are responsible for the quality of their work. The inspector present must ensure that evidence is gathered and in accordance with the inspection framework and our quality standards.

IHC. We monitor the quality of inspections through a range of formal processes and inspectors will come provider or monitor remotely to quality assure inspections. We may also evaluate the quality of an inspection evidence base. If there is more than one inspector, the lead inspector is responsible for ensuring team members are clear about the quality of their work and their conduct.

IQS. All providers are invited to take part in a voluntary post inspection survey in order to contribute to inspector development.

IHC. The great majority of our work is carried out smoothly and without incident. If concerns do arise, we will try to resolve them with the provider as quickly and fairly as possible, in order to resolve issues before the inspection is completed. Any concerns raised, and actions taken, will be recorded in the inspection evidence.

IEQ. If it is not possible to resolve concerns during the inspection or if ongoing complaints or concerns to the QIS report, the provider may wish to lodge a formal complaint. Information about how to make a formal complaint and the Ofsted policy about how to complain is available on GOV.UK.

Part 2. The evaluation schedule – how early years settings will be judged

Background to the evaluation schedule

IEQ. The evaluation schedule must be used in conjunction with the guidance set out in Part of this document, 'How we will inspect early years provision', and in the EIF.

IEQ. Paragraphs 2.2 and 2.7 set out our approach to reaching final judgements within the evaluation schedule.

IEQ. The evaluation schedule is not exhaustive. It does not replace the professional judgement of inspector. Inspectors must interpret grade descriptors in relation to children's age, development and stage of education.

IEQ. In line with the EIF, inspectors take the following judgements:

- overall effectiveness
- the quality of education
- behaviour and attitudes
- personal development
- leadership and management

IEQ. The criteria for each of these judgements are drawn from Ofsted's inspection experience, areas of consistence in academic research, and research that Ofsted has itself undertaken.

IEQ. Inspectors use 4 point scale to make all judgements:

- grade 1: outstanding
- grade 2: good
- grade 3: requires improvement
- grade 4: inadequate

IEQ. Inspectors must use their professional judgement to interpret and apply the grade descriptors to the setting they are inspecting. In doing so, they consider the following factors:

- a kindergarten who has only a very small number of children
- a large day care provider with many children, ages of children and support
- settings that provide for funded 2 year-olds or groups who may be disadvantaged
- settings that have children who receive their EYFS experience elsewhere
- children who are no longer in the early years age range

IEQ. Inspectors must also any differences in the quality of education for children of different ages. For example, they may find that inspectors need to take more into account all their evidence across the whole provision.

Reaching a judgement of outstanding

IEQ. Outstanding is a challenging and exacting judgement. In order to reach this judgement, inspectors must be sure that the provision is outstanding in all the criteria set out under 'good', that judgement and does as outstanding. Inspectors must also be sure that the provision is outstanding in all the criteria for the relevant judgement and not against others. It must meet each and every criterion. In addition, inspectors must be sure that the provision is outstanding in the way in which the provision and practice meet. Provision should only be judged 'outstanding' in a particular area if it is performing exceptionally, and the provision is outstanding in that area is consistent and across-cutting across the whole provision.

Reaching a judgement of good, requires improvement or inadequate

IEQ. When considering a judgement of good or requires improvement inspectors will consider whether the overall quality of the provision is most closely aligned to the criteria for good or requires improvement. Inspectors will also consider whether children under a particular judgement if one or more of the inadequate criteria applies.

Overall effectiveness: the quality and standards of the early years provision

IHC. Inspectors must use all their evidence to evaluate what it is like to be a child in the provision and how well children are learning and developing. Based on this, inspectors will consider whether the standard of education and care is good. If it meets all the criteria for good, then inspectors will consider whether it is outstanding. If it does not, then inspectors will consider whether it requires improvement or is inadequate.

IHC. In judging the overall effectiveness, inspectors will take account of the quality of education, the behaviour and attitudes and the effectiveness of the arrangements for safeguarding children.

IYE. Inspectors should take account of all the judgements made across the evaluation schedule. In particular, they will consider:

- the extent to which leaders and providers plan, design and implement the EYFS curriculum
- the extent to which the curriculum and pre-practices that the setting provides meet the needs of children, including those with SEND, children in care and children in care
- the progress children make in their learning and development towards the early learning goals, and their readiness for the next stage of their education
- the extent of children's emotional development, including whether they feel safe and secure and happy
- whether the requirements for children's safeguarding and welfare have been fully met
- the effectiveness of the setting's self-evaluation, including its strengths and weaknesses
- the effectiveness of leadership and management in evaluating practice and securing continuous development that improves children's education

Grade descriptors for the provider's overall effectiveness

Outstanding (1)

- The quality of education is outstanding.
- All other judgements are likely to be outstanding. In exceptional circumstances, one judgement may be good, but only if the provider is convincingly evidence that it is improving this area rapidly and securing sustainable improvement.
- Safeguarding is effective.
- There are no breaches of EYFS requirements.

Good (2)

- The quality of education is at least good.
- All other judgements are likely to be good or outstanding. In exceptional circumstances, one of the judgements may require improvement, but only if the provider is convincing evidence that it is improving it rapidly and securely towards good.
- Safeguarding is effective.

Requires improvement (3)

- Where one or more aspects of the provision's work requires improvement, the overall effectiveness is likely to be requires improvement.
- The provider is not providing children with the care they need to rarely because they do not leave children at risk of harm.
- If there are any breaches of EYFS requirements, they do not have a significant impact on children's safety, well-being or learning and development.

Inadequate (4)

- Overall educational effectiveness is likely to be inadequate if one or more of the following apply:
- Safeguarding is ineffective.
- Any one of the judgements is inadequate.
- Breaches of EYFS requirements have a significant impact on the safety and well-being or learning and development of the children.
- It has been given 3 previous 'requires improvement' judgements and it is still not good.

Quality of education

The EYFS curriculum

IYI. The EYFS (educational programmes) provides the curriculum framework that children learn and develop in preparation for their education. Inspectors will evaluate leaders and practitioners decide how to implement the curriculum so that children make progress in the 7 areas of learning, Leaders and practitioners evaluate the impact of the curriculum by checking how children know and can do.

IYI. Inspectors will evaluate how well:

- leaders assure themselves that the setting's curriculum (educational programmes) intentions are met and it is sufficiently challenging for the children it serves
- the curriculum is well-sequenced, ambitious, and is implemented as intended, applicable, and measure the impact on children's development and learning
- practitioners ensure that the content, sequencing and progression in the areas of learning and development, including literacy and mathematics
- practitioners consider and deepen their knowledge, understanding and skills across the areas of learning
- the provider's curriculum prepares children for their next stage

IYI. Teaching should not be taken to imply a 'top down' or formal way of working. It is up to providers to decide how children learn, and how practitioners teach, but in most cases it includes their interactions with children during personal care and routines and activities, communicating and modelling language, showing, explaining, demonstrating, exploring, enabling, guiding children's learning, and ensuring sufficient for what they are doing, facilitating and setting challenges. It takes account of the equipment that adults provide and the attention given to the physical environment, and how well it supports children's learning and development. It also includes the learning it has practitioners assess what children know, understand and can do, and how they use this information to plan next steps in learning and to inform later learning.

Cultural capital

IYN. Cultural capital, the essential knowledge that children need to prepare them for their future success. [illegible] It is about giving children the best possible start to their education, so that they can be ready for the next stage in their education. Inspectors will consider how well leaders use the curriculum to develop the expertise and opportunities available to children, particularly the most disadvantaged.

IYI. Inspectors will evaluate how well leaders and practitioners ensure that children are ready for the next stage of their education, including, for example, through transitions and interactions with practitioners, potentially mates all the difference for children. It is the quality of the curriculum, the teaching and the way the end and transfer of the world is delivered. Recap time, through the 7 areas of learning.

Grade descriptors for the quality of education

IYN. Inspectors will not grade intent, implementation and impact separately. Indeed, inspectors will use the 3 areas to inform their judgement of the quality of education and the evidence they have gathered, using their professional judgement.

IYI. To reach a judgement about the quality of education, inspectors must over their professional judgement to consider the quality, development and impact of the provision in the setting.

IYN. In order for the quality of education to be judged outstanding, it must meet all of the good criteria exactly and consistently. It must also meet all the outstanding criteria.

Outstanding (1)

- All other judgements and the criteria for a good quality of education security and consistently. The quality of education at the setting is exceptional. In addition, the following apply:
- The provider's curriculum intent and implementation are embedded securely and consistently across the provision. It is evident from what practitioners do and how children behave that the curriculum is well-sequenced, ambitious, and is intent and what it means for their practice. Across all parts of their provision practitioners' interactions with children are of a high quality and contribute to children's learning and development.
- Children are supported to develop the skills and knowledge and readiness of high quality education, and they are well-prepared for the next stage of their education.
- Children consistently see new vocabulary and concepts and they are challenged to their learning as necessary.
- Practitioners ensure that their own speaking, listening and modelling of high quality language underpins children's learning and development across the setting. They read to children in a way that excites and engages them, introducing new ideas, concepts and vocabulary.
- Over the EYFS, teaching is designed to help children remember longer-term learning. Practitioners have taught to complete new knowledge into long term memory.
- Practitioners and leaders use assessment well to check what children know and can do and how they use this information to plan children's next steps in activities and respond to specific needs. Leaders understand the strengths and limitations of assessment and avoid unnecessary burdens for staff or children.
- Practitioners and leaders create an environment that supports the development of an ambitious and coherently planned and sequenced curriculum. The environment focuses on the children's needs and protects their learning.
- Practitioners share information with parents about their child's progress in learning. They ask for parents' views about their child's development or child's learning at home, including how to encourage a love of reading.

Impact

- Children develop detailed knowledge and skills across the 7 areas of learning and use these in age-appropriate way. Children develop their vocabulary and understanding of concepts and ideas, and their curiosity.
- Children are ready for the next stage of education, including school, where applicable. They have the knowledge and skills they need to benefit from education at the next stage, including in the 3 prime areas.
- Children enjoy, develop and deepen and expand with competence in literacy stories, rhymes and songs that are appropriate to their age and stage of development and interests.
- From birth onwards, children are developing their ability to communicate and to that age and stage that will enable them to move on to the next stage of education.
- Children are picking up the rhythm, understand and use in the age-appropriate way, holding thoughtful conversations with adults and their peers.
- Children are developing their ability to share in their play, demonstrate their physiological, cardiovascular and motor skills. They show good control and co-ordination in both large and small movements appropriate for their stage of development.

Requires improvement (3)

- Provision is not good.
- Any breaches of statutory requirements do not have a significant impact on children's learning and development.

Inadequate (4)

The quality of education is likely to be inadequate if one or more of the following applies:

- A poorly designed and implemented curriculum does not meet children's needs and the needs of children and young children are not ready.
- Practitioners have a poor understanding of the areas of learning they teach and the ways in which young children learn.
- Assessment is rarely burdensome. It is unmatched in determining what children know and can do and what they need to do next.
- Children are not adequately prepared to school or the next stage of their learning, particularly those who are in receipt of additional funding. Strategies for children who are disadvantaged are not effective. Children are not ready for learning in how they can help them improve.
- Breaches of the statutory requirements have a significant impact on children's learning and development.

Behaviour and attitudes

IHC. Inspectors will consider the ways in which children demonstrate their attitudes and behaviour through the characteristics of effective learning:

- playing and exploring
- active learning
- creating and thinking critically

IHC. Although attendance at the setting is not mandatory, inspectors will evaluate how well children are developing the skills and attitudes that underpin their ability to learn. Note specifically for future learning. In particular, inspectors will consider the attendance of children for which the provider receives early years pupil premium.

IHC. Inspectors will consider the extent to which leaders and practitioners support children to develop their self-regulation, to manage their feelings and behaviour, to manage their own feelings and behaviour, and how to relate to others.

IHC. To reach a judgement about children's behaviour and attitudes, inspectors must use their professional judgement to consider the age, development and stages of children in the setting.

Grade descriptors for behaviour and attitudes

IHC. In order for behaviour and attitudes to be judged outstanding, it must meet all of the good criteria exactly and consistently. It must also meet all the outstanding criteria.

Outstanding (1)

The provider meets all the criteria for good behaviour and attitudes security and consistently. Behaviour and attitudes in the provision are exceptional.

In addition, the following apply:

- Children have consistently high levels of respect for others. They increasingly demonstrate self-discipline and self-control. Children are able to demonstrate their understanding of what behaviour rules are in place and recognise the impact that their behaviour has on others.
- Children are very well-behaved and are very keen to share and cooperate with each other. They have consistently high levels of concentration, play and learning.
- Children have consistently high levels of self-control and consistently keep on trying and overcome difficulties. When children have difficulties in managing this, leaders and practitioners have intelligent, swift and highly effective action to support them.

IHC. Inspectors will use their professional judgement and adopt a 'best fit' approach in order to judge whether a provider is good or requires improvement.

Good (2)

- The provider has high expectations for children's behaviour and conduct. These expectations are commonly understood and applied consistently and fairly. Children are well-behaved and are developing the skills they need for beginning to manage their own feelings and behaviour and to understand how these have an impact on others. When children struggle with regulating their behaviour, practitioners are skilled in helping them to manage it.
- Children are developing a strong sense of belonging.
- Children demonstrate their positive attitudes to learning through high levels of concentration, persistence, and by being curious and motivated to explore positively to adults and other. Children are developing their readiness to settlers and take pride in their achievements.
- Children are developing their self-control and opportunities available to them to participating and responsibly and increasingly independent from practitioners.
- Children are developing children, parents and staff reflect a positive and respectful culture. Children feel safe and secure.

Requires improvement (3)

- Children's behaviour and attitudes are not good.
- Any breaches of the statutory requirements do not have a significant impact on children's behaviour and attitudes.

Inadequate (4)

Children's behaviour and attitudes are likely to be inadequate if one or both of the following apply:

- Children's behaviour and attitudes to learning are poor. Their frequent lack of engagement in activities and behaviour lead to a disorderly environment that hinders children's learning and/or puts them and others at risk of harm.
- Practitioners generally demonstrate low self-control and a lack of respect for others, leading to children not feeling safe and secure.

Personal development

IHC. Inspectors will evaluate the extent to which the provision is successfully promoting children's personal development. Inspectors must use their professional judgement to consider the ways in which the provision promotes children's personal development. In doing so, inspectors must take account of the ages and stages of development of the children in the setting.

Grade descriptors for personal development

IEQ. In order for personal development to be judged outstanding, it must meet all of the good criteria exactly and consistently. It must also meet all the outstanding criteria.

Outstanding (1)

The provider meets all the criteria for good personal development security and consistently. Personal development in this provision is exceptional. In addition, the following apply:

- Children have consistently high levels of respect for others. They increasingly demonstrate self-discipline and self-control. Children are able to demonstrate their understanding of what behaviour rules are in place and recognise the impact that their behaviour has on others.
- Children are very well-behaved and are very keen to share and cooperate with each other. They have consistently high levels of concentration, play and learning.
- Children have consistently high levels of self-control and consistently keep on trying and overcome difficulties. When children have difficulties in managing this, leaders and practitioners have intelligent, swift and highly effective action to support them.

IHC. Inspectors will use their professional judgement and adopt a 'best fit' approach in order to judge whether a provider is good or requires improvement.

Good (2)

- The curriculum and the provider's effective care practices promote and support children's emotional security and development of their personal. Children are gaining a good understanding of what makes them unique and how they can develop positive relationships with others and themselves.
- Practitioners have a good understanding of children's emotional development and diversity. They are effective at promoting these in age-appropriate ways. Children are developing their self-control and respect for others and respectful differences. They keep children to reflect on their differences and understand what makes them unique.

IHC. Inspectors will use their professional judgement and adopt a 'best fit' approach in order to judge whether an early years provider is good or requires improvement.

Good (2)

- The curriculum and the provider's effective care practices promote and support children's emotional security and development of their personal. Children are gaining a good understanding of what makes them unique and how they can develop positive relationships with others and themselves.
- Practitioners have a good understanding of children's emotional development and diversity. They are effective at promoting these in age-appropriate ways. Children are developing their self-control and respect for others and respectful differences. They keep children to reflect on their differences and understand what makes them unique.

take appropriate risks and challenges as they play and learn both inside and outdoors, particularly supporting them to develop physical and emotional health.
- A well-established key person system helps children form secure attachments and promotes their well-being and independence. Relationships between staff and babies are sensitive, stimulating and responsive.
- Practitioners provide a healthy diet and a range of opportunities for physically active play, both inside and outdoors. They give clear and consistent messages to children that support healthy choices around food, rest, exercise and screen time.
- Practitioners help children to gain an effective understanding of when they might be at risk, including when using the internet, digital technology and social media and where to get support if they need it.
- Practitioners ensure that policies are implemented consistently. Hygiene practices ensure that the personal needs of children of all ages are met appropriately. Practitioners teach children to become increasingly independent in managing their personal needs.
- The provider prepares children for life in modern Britain by supporting them to be respectful and to recognise those who help us and contribute positively to society; developing their understanding of fundamental British values; developing their understanding and appreciation of diversity; celebrating what we have in common and promoting respect for different people. $CTA

$CTA ######Requires improvement (3)

- Provision to support children's personal development is not good.
- Any breaches of the statutory requirements for safeguarding and welfare and/or learning and development do not have a significant impact on children's safety, well-being and personal development.

Inadequate (4)
Personal development is likely to be inadequate if one or more of the following applies.

- Breaches of the statutory requirements have a significant impact on children's safety, well-being and personal development.
- Practitioners do not support children's social and emotional well-being or prepare them for transitions within the setting and/or to other settings and school.
- The key person system does not work effectively to support children's emotional well-being and children fail to form secure attachments with their carers. Babies are not stimulated.
- Policies, procedures and practice do not promote the health and welfare of children. As a result, children do not know how to keep themselves safe and healthy.
- Children have a narrow experience that does not promote their understanding of people and communities beyond their own or help them to recognise and accept each other's differences.

Leadership and management

189. Inspectors will evaluate evidence from the range of different inspection activities set out in Part 1 of the handbook when considering the effectiveness of leadership and management.

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

Grade descriptors for leadership and management
191. In order for leadership and management to be judged outstanding, it must meet all of the good criteria securely and consistently. It must also meet all the outstanding criteria.

Outstanding (1)
The provider meets all the criteria for good leadership and management securely and consistently. Leadership and management in this provision is exceptional. In addition, the following apply.

- Leaders ensure that they and practitioners receive focused and highly effective professional development. Practitioners' subject, pedagogical content and knowledge consistently builds and develops over time, and this consistently translates into improvements in the teaching of the curriculum.
- Leaders ensure that highly effective and meaningful engagement takes place with staff at all levels and that any issues are identified. When issues are identified – in particular about workload – they are consistently dealt with appropriately and quickly.
- Staff consistently report high levels of support for well-being issues.

192. Inspectors will use their professional judgement and adopt a 'best fit' approach in order to judge whether an early years provider is good or requires improvement.

Good (2)

- Leaders have a clear and ambitious vision for providing high-quality, inclusive care and education to all. This is realised through strong shared values, policies and practice.
- Leaders focus on improving practitioners' knowledge of the areas of learning and understanding of how children learn to enhance the teaching of the curriculum and appropriate use of assessment. The practice and subject knowledge of practitioners build and improve over time. Leaders have effective systems in place for the supervision and support of staff.
- Leaders act with integrity to ensure that all children, particularly those with SEND, have full access to their entitlement to early education.
- Leaders engage effectively with children, their parents and others in their community, including schools and other local services.
- Leaders engage with their staff and are aware of the main pressures on them. They are realistic and constructive in the way they manage staff, including their workload.
- Those with oversight or governance understand their role and carry this out effectively. They have a clear vision and strategy and hold senior leaders to account for the quality of care and education. They ensure that resources are managed sustainably, effectively and efficiently.
- The provider fulfils its statutory duties, for example under the Equality Act 2010, and other duties, for example in relation to the 'Prevent' strategy and safeguarding.
- Leaders protect staff from harassment, bullying and discrimination.
- The provider has a culture of safeguarding that facilitates effective arrangements to identify children who may need early help or are at risk of neglect, abuse, grooming or exploitation; help children to reduce their risk of harm by securing the support they need; or referring in a timely way to those who have the expertise to help; and manage safe recruitment and allegations about adults who may be a risk to children.

Requires improvement (3)

- Leadership and management are not yet good.
- Any breaches of statutory requirements do not have a significant impact on children's safety, well-being or learning and development.

Inadequate (4)
Leadership and management are likely to be inadequate if one or more of the following applies.

- Leaders do not have the capacity to improve the quality of education and care. Actions taken to tackle areas of identified weakness have been insufficient or ineffective. Training for staff is ineffective.
- Leaders are not doing enough to tackle the poor curriculum or teaching, or the inappropriate use of assessment. This has a significant impact on children's progress, particularly those who are disadvantaged and those with SEND.
- Links with parents, other settings and professionals involved in supporting children's care and education do not identify or meet children's individual needs. Children fail to thrive.
- Leaders do not tackle instances of discrimination, Equality, diversity and British values are not actively promoted in practice.
- Safeguarding and welfare requirements are not met. Breaches have a significant impact on the safety and well-being of children.

Annex A. Inspecting before- and after-school care and holiday provision

1. Please refer to the section 'Inspection during the COVID-19 (coronavirus) pandemic', which outlines how our approach to inspection will reflect the COVID-19 context and the disruption caused to many education providers.

2. Providers (including childminders) registered on the Early Years Register but that only provide care exclusively for children at the beginning and end of the school day or in holiday periods will be inspected without receiving grades against the 4 judgements ('Quality of education', 'Behaviour and attitudes', 'Personal development' and 'Leadership and management') of the inspection framework.

3. These providers do not need to meet the learning and development requirements of the EYFS. They do have to meet in full the safeguarding and welfare requirements, which are designed to help providers create high-quality settings which are welcoming, safe and stimulating, and where children are able to grow in confidence.

4. The inspector will make a judgement only on the 'Overall effectiveness': quality and standards of the early years provision'. The inspection will result in one of 3 possible outcomes:

- met
- not met with actions
- not met with enforcement

5. The inspector will consider the criteria for 3 of the key judgements ('Behaviour and attitudes', 'Personal development' and 'Leadership and management') in reaching a judgement about whether or not the provider is meeting the safeguarding and welfare requirements of the EYFS.

6. When the provider does not meet one or more of the safeguarding and welfare requirements, the inspector must consider a judgement of 'not met' and either issue actions for the provider to take or consider enforcement action. In these cases, the inspector must follow the guidance for inadequate judgements set out previously in this handbook.

7. Provision judged as 'not met' will normally be re-inspected within 12 months.

8. When inspecting before and after school, and holiday care provision, the inspector must assess whether the provider:

- has premises suitable to care for children in the early years age range (as appropriate)
- can demonstrate sufficient understanding of the safeguarding and welfare requirements of the EYFS
- can meet the care, safeguarding and welfare needs of children

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

10. The provider must demonstrate how they:

- meet the safeguarding and welfare requirements
- safeguard children
- work in partnership with parents, carers and others
- offer an inclusive service
- evaluate their service and strive for continuous improvement

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

Gathering and recording evidence

12. To assess whether the provider is meeting the safeguarding and welfare requirements, the inspector will undertake appropriate inspection activity as set out in part 1 of the handbook. In particular, inspectors will:

- observe interactions between practitioners and children
- consider how leaders and practitioners create and plan the play environment
- find out how practitioners seek children's views and engage them in planning of activities
- talk with practitioners about performance management and professional development
- met with the provider and/or their representative
- evaluate a sample of policies and procedures and relevant documentation
- where possible, seek the views of parents

Writing the report

13. Although there are no separate supporting judgements, the inspection will result in a summary for parents, which will explain what it is like for a child to attend the setting.

14. Inspectors will report on what the setting does well and what it needs to do better. This section must include reference to leadership and management, children's behaviour and attitudes and personal development. It must describe clearly any weaknesses that led to a 'not met' judgement and from which actions or enforcement action have been raised. For settings that meet the safeguarding and welfare requirements, inspectors will report what the setting needs to do better but they will not raise recommendations.

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1. A provider can only use a disapplication/ modification if both of the following conditions are met: there must be government restrictions in place and the provider must have deemed these restrictions to mean that it is unable to deliver the EYFS as required. ↩
2. Staff qualifications and ratios may be the cause of disapplication. See details on disapplying the EYFS as a result of staffing issues. ↩
3. The Secretary of State for Education has decided that the progress check at age 2 will not need to be done during any period of intervention related to COVID-19.

   The Secretary of State for Education has decided that the EYFS profile assessment will not be mandatory for any provider in 2021. However, all providers are required to use their 'best endeavours' to complete it and provide the information to Year 1 teachers and to parents, if this is possible. The EYFS profile will be disapplied and a 'best endeavours' requirement introduced for the academic year 2020 to 2021 only. ↩
4. Enforcement requires the provider to take action to remain compliant with the requirements of the 'Statutory framework for the early years foundation stage'. Our enforcement actions are set out in our 'Early years compliance handbook', April 2019. ↩
5. In a situation where a childminder is self-isolating and as a result has no children present, they should make Ofsted aware during the notification call or a soon as self-isolation starts following notification. ↩
6. Some providers do not have to deliver the learning and development requirements. See the Statutory framework for the early years foundation stage. ↩
7. See 'Registering school-based provision'. ↩
8. In a situation where a childminder is self-isolating and as a result has no children present, they should make Ofsted aware during the notification call or a soon as self-isolation starts following notification. ↩
9. This includes any staff or children currently self-isolating due to COVID-19. ↩
10. During any period of intervention relating to COVID-19, if children are aged 2 to 5 within a setting, providers must use their 'best endeavours'. See guidance on coronavirus disapplications to ensure that one person with a full PFA certificate is on site when children are present. If, after using best endeavours, they are still unable to secure a member of staff with a full PFA certificate (including a PFA certificate that expired after October 2020 but can be extended to 31 March 2021 under the DfE's policy) to be on site, then they must carry out a written risk assessment and ensure that someone with a current first aid at work or emergency PFA certificate is on site at all times children are present. This change does not apply to childminders, who must already have a full PFA certificate (or extended expired PFA certificate) as part of registration requirements, or to providers caring for children under 2 years old. ↩
11. See The Early Years Foundation Stage (Exemptions from Learning and Development Requirements) Regulations 2008, and The Early Years Foundation Stage (Exemptions from Learning and Development Requirements) (Amendment) Regulations 2012. ↩
12. The term 'children' should be read to include the different ages and stages of children in the early years age range (birth to 31 August following a child's fifth birthday). Inspectors should interpret the grade descriptors according to a child's age and stage of development, therefore taking into account babies and young children. ↩
13. The EYFS sets the standards that all early years providers must meet to ensure that children learn and develop well and are kept healthy and safe. ↩
14. Cultural capital is the essential knowledge that children need to be educated citizens. ↩

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