Ofsted
Inspecting education, skills and childcare

Guidance

Early years inspection handbook for Ofsted regulated provision for September 2021

Updated 30 September 2021

This guidance applies from 1 September 2021.

Contents
Introduction
Inspection and the COVID-19 (coronavirus) pandemic
Preparation and planning
Inspection and the COVID-19 (coronavirus) pandemic
EYFS requirements and previous modifications and/or disapplication
Revisions to the EYFS from 1 September 2021
How we select providers for inspection
No children on roll or present on the day of inspection
Early years or childcare provision on a school site
Before the inspection
Safeguarding
Leadership
Reaching Young Audiences
After the inspection
Inspection and the COVID-19 (coronavirus)
Part 2. The evaluation of the provision
Part 3. Inspection judgements
Part 4. Inspection of outstanding
Part 5. Inspection of childcare provision on school sites
Part 6. Inspection of early years provision on school sites
Grade descriptors for the inspection judgements
Grade descriptors for the quality of education
Grade descriptors for the quality of education
Behaviour and attitudes
Grade descriptors for personal development
Grade descriptors for the quality of early years provision
Grade descriptors for the quality of childcare provision
Grade descriptors for the quality of provision for children in hospital provision and other schools sick and isolation provision
Print this page

Introduction

1. This handbook describes the main activities that inspectors undertake when they carry out inspections of early years provision in England registered under sections 49 and 50 of the Childcare Act 2006. The handbook does not set out the judgements that inspectors will make and on which they will report.

2. The handbook for Part 3 applies:

- Part 1, Have we met Ofsted requirements? only applies to providers registered with Ofsted and inspected on proportionality and carrying out early years registered inspections
- Part 2, The evaluation schedule. This contains guidance for inspectors on judging the quality of early years provision registered early years settings and childcare that offer types of childcare under 2.

3. This handbook is available to providers and other organisations to make sure that they understand how Ofsted carries out inspections. It applies to Ofsted's inspectors and to those who are contracted to carry out inspections on Ofsted's behalf. In particular circumstances, it should be regarded as an explanation of normal practice when Ofsted's inspectors carry out inspections. It applies to all inspections applicable to inspectors carried out from September 2019 onwards. The education inspection framework (EIF).

Privacy notice

4. During an inspection, inspectors will collect information about staff and children at the setting. This information will be used to inform judgements. It may also be used in prosecutions to places non-expert the purposes set out in our privacy notice.

5. We normally gather information electronically using a range of devices, including laptops, mobile handsets and tablets. All evidence is securely transmitted to Ofsted's systems. These will be stored as evidence but not retained by the inspector personally.

Inspection and the COVID-19 (coronavirus) pandemic

6. This section outlines the additional considerations for inspectors when carrying out inspections of early years providers in the context of the COVID-19 pandemic and subsequent recovery. It is to be read in conjunction with the rest of the early years inspection handbook. We will keep our handbook and methodology under review during the transition period as circumstances change and we continue to arrange for the inspection of providers.

7. This section sets out our approach to routine graded inspections. It is intended to reflect the COVID-19 context and the disruption it has caused and may continue to cause to early education and childcare. It does not cover inspections of children's homes.

8. All inspections will be carried out on site. However, it may be proportic to use remote learning and other remote activities as part of the inspection, if we think it is proportic or the start of the inspection. We will usually only use remote activities to instilate parents/carers and their wellbeing responsibility who are unable to be present at the inspection.

Preparation and planning

9. During the notification phase with the provider or its representative, the inspector will seek to understand how specific impact of COVID-19 on the provider and its children, staff and leadership and management.

10. In this conversation, the provider and inspector will agree safety protocols that the inspector have with the provider that the inspection is proportic, and that it will recover easy.

11. Given this additional discussion, the conversation may take longer than usual. It may be that at three elements are discussed in a single telephone conversation. Inspectors will use their professional judgement in conversation with a break in between, as agreed between the inspector and the provider.

Reaching inspection judgements

12. Inspectors will always seek to understand the impact of the COVID-19 pandemic on providers and will take this account when reaching final inspection judgements. In particular, inspectors will consider the impact on children's learning and development in terms of the EYFS and quality of education, personal development, behaviour and attitudes and leadership and management.

13. Inspectors understand that some providers will have been unable to support children in the usual way during the COVID-19 pandemic. Throughout the inspection, inspectors will seek to understand how the provider adapted and prioritised what it did to meet the needs of its children during this period. They will also look at actions taken during inspection judgements.

14. We recognise that the disruption to learning caused by the pandemic may have impacted on what children know, remember and can do. This could mean that children having a wider than usual range of starting points and gaps in their knowledge. Inspectors will pay close attention to how providers identify and address the needs of children and gaps.

15. When evaluating the quality of education, using this judgement criteria set out in the EIF, inspectors will take into account how providers have adapted and/or redesigned an ambitious and well-sequenced curriculum. When considering the impact of the curriculum, inspectors will have due regard to any loss of learning the pandemic may have caused. Inspectors will also take into account how well the provider has ambitious ang discipline to learning to ensure that children are well prepared for their next stage of education.

Leadership

16. Inspectors will seek to understand how leaders have adapted their approaches as a result of the pandemic to ensure, including the rationale for any new or modified ways of working.

Safeguarding and welfare

17. The COVID-19 pandemic increased safeguarding risks. Inspectors will consider how providers adapted approaches to safeguarding during the pandemic to make sure that:

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

18. Inspectors will also discuss how safeguarding arrangements have changed over time due to the pandemic, and how providers have made sure that they remain fit for purpose.

19. Inspectors recognise that the context in which providers operate has changed as a result of the pandemic. Inspectors will take into account the extent to which providers are prepared to understand the pandemic specifically affected the local community. They will consider the specific context and steps that providers have taken to ensure that parents and children are prepared.

EYFS requirements and previous modifications and/or disapplication

20. To support early years providers during the COVID-19 pandemic, in April 2020 the government temporarily disapplied and modified certain elements of the early years foundation stage (EYFS) framework. Details of the EYFS disapplication and modifications (disapplications). The modified detail on where provisions were applied "reasonable endeavours" and "best endeavours". If they were relying on any disapplication or modification.

21. Disapplications ceased on 31 August 2021. Inspectors will continue to take into consideration where providers were relying on modifications to and/or disapplications of the requirements (disapplications).

22. Inspectors will have due regard to any loss of learning the pandemic may have caused. Inspectors will also take into account how well the provider has adapted its curriculum to ensure that it will be appropriate for their next stage of learning.

23. When determining judgements, the inspector will consider all failures to meet EYFS requirements, even where they were previously modified (see guidance on disapplications and modifications). If the inspector judges the provision not to meet or to have failed to meet the requirements, they will inform the provider that it is required to judged inadequate. When judging provision as inadequate, the inspector will also decide whether the provider has the capacity to put things right through their statutory monitoring visits. If the provider does not have the capacity to put things right, we will accordingly CIS-10 the Ofsted registration.

24. Assessment arrangements may also have been altered as a result of the pandemic. Inspectors will take into account how providers have adapted their approaches to modifications to some of the assessment requirements of the EYFS framework.

25. Inspectors will check whether providers were meeting relevant assessment requirements They will also consider how providers were supporting staff with any additional workload expectations as a result.

Revisions to the EYFS from 1 September 2021

26. In October 2019, the Department for Education (DfE) launched a public consultation seeking views on changes to the statutory framework for the EYFS. The consultation was in response to the Ofsted review of inspection of early years learning goals and the EYFS profile assessment.

27. All registered nurseries, childminders, schools and pre-schools in England must follow the revised and final EYFS framework from September 2021.

28. Development matters, the DfE's non-statutory curriculum guidance to support the EYFS, has been updated to reflect the changes to the EYFS framework from September. The guidance offers a top-level view of how children develop, and guides, but does not replace, professional judgement.

29. We have also updated this handbook to reflect the revised EYFS. You can see a summary of the changes.

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

How we select providers for inspection

30. Once a provider is registered on the Ofsted Early Years Register, we use our regular inspections to evaluate the overall quality and standards of its early years provision. We also use our inspections to evaluate how well the EYFS requirements for the EYFS.

31. The Parliamentary Under-Secretary of State for Children and Families wrote to Ofsted's Chief Inspector in 2018 to set out the Ofsted Early Years Inspection Arrangements from the start of Ofsted inspection. Ofsted inspection arrangements. The letter states that Ofsted must inspect each provider within 6 years from the date of its last inspection. The letter also states that inspectors should use all the information we hold about a provider to determine the timing of its inspection. This means that early years providers with other education remits.

32. Providers on the Early Years Register will normally be inspected at least once within a 6-year window. We will prioritise the first inspection of newly registered providers on the Early Years Register. This will normally be within 10 months of the registration.

33. We prioritise inspections and/or inspect more frequently when we receive a concern about a setting, and do unannounced concerns that an inspection is needed.

34. All provision judged as inadequate will be re-inspected within 6 months.

35. All pre-school early childhood provision or requires improvement will be re-inspected within 12 months. Where possible, we will also inspect childminders judged requires improvement within 12 months.

36. Provision that has been given 2 consecutive 'requires improvement' judgements is likely to be judged inadequate if there is no improvement at the next inspection. Inspectors will take into account the provider's capacity to improve when they make a registration cancellation if there is no improvement at the next inspection. We may also take steps to cancel a provider's registration at any point if we find that they are no longer meeting requirements. CIS-10.

37. We risk assess any information we receive about early years provision. This may include information from parents, Ofsted's Early Years Register, or from other sources. The Register will decide whether to carry out an inspection, depending on our risk both. The nature of the concern will influence how quickly we inspect or visit. We will also take into account how long it has been since the last time that information is received. Information about equality activity is available in the early years compliance handbook.

38. We may decide not to carry out an inspection as a result of the risk assessment. Inspectors must, as part of the inspection, gather information to determine if the provider is meeting the requirements of the EYFS. Inspectors will also consider whether the provider has the capacity to put things right through their statutory monitoring visits. If the provider does not have the capacity to put things right, we will accordingly CIS-10 the Ofsted registration.

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39. The majority of inspections are carried out by children at old and children's homes. A small number may be children providers. The main purpose of the inspection is to fulfill our duty to inform parents and carers about the quality and standards of the early years and childcare provision. The inspection report is whether the provider complies with the requirements for the Early Years Register and, if applicable, the Childcare Register.

40. 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 and development needs of children

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

42. The provider must demonstrate they have:

- met the learning and development requirements, if appropriate (paragraph 1)
- met the safeguarding and welfare requirements
- develop and deliver the educational programme, if appropriate
- ensure that children are supported to learn and develop in a manner that is learning through effective planning, 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

44. The provider should tell the inspector how they have addressed any actions and recommendations from their last inspection and how they will assess the quality of children's care and learning.

45. During the inspection, the provider decides to resign from the Early Years Register or Childcare Register, the inspector will inform the provider that it is required to collect sufficient evidence of compliance with the Childcare Register requirements by referring to the Childcare Register requirements: childcare providers on non-domestic or domestic premises.

Early years or childcare provision on a school site

31. Schools that take children aged 2 years and over as part of their early years provision must be registered on the Early Years Register. Schools that take children aged 2 years and over for these children under the school-based early years provision.

32. Schools that take children younger than 2 years must register with Ofsted. We will inspect this provision under the early years inspection arrangements set out in this handbook.

Before the inspection

Clarification for providers

33. The information below confirms our requirements. This is to dispel myths about inspection that can result in unnecessary workload for providers. It is intended to highlight specific practices that we do not require. Pre-detail or what evidence inspectors will gather can be found in paragraph 34.

34. Ofsted will:

- when making judgements, take a range of evidence into account, including observations of children and practice, the pedagogy and learning, discussions speaking to parents and so on (see paragraphs 42 to 44)
- judge early providers that offer childcare on the premises of a school using the same criteria as childcare providers on non-school premises. Inspectors will focus on how well children are being cared for, adapted and supported with appropriate coverage, including physical and sequencing and independence of children.

35. Ofsted will not:

- create unnecessary workload for staff through its recommendations
- advocate a particular method of planning, teaching or assessment. It is up to providers to decide how they will do this, and how they will keep these on their own records rather than by referring to this handbook.

36. Ofsted does not require providers to:

- provide EYFS curriculum planning in any specific format for inspection
- prepare any performance and tracking information for Ofsted
- do additional work or to use children to do work specifically for the inspection.

Inspectors' planning and preparation

37. 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 provision and setting.

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

- which region(s) the provider is in and and confirm that we hold the correct registered/early years/childcare/school details. If any uncertainty about the provision, the inspector must contact their regional duty desk and try to resolve the issue promptly. If the provider is not registered, the inspector must stop the inspection and the matter is resolved
- the accuracy of the information about individuals connected with the registration and the provision, including staff
- details of any concerns received and specifically those they have been asked to follow up
- previous inspection reports
- any published information, such as outcome summaries and monitoring letters
- the provider's website, if it has one, and what it says about the provision and setting
- the provider's website, if it has one, and what it says about the provision and setting
- any other contextual information we may hold about the provider or the setting

39. Inspectors must confirm the information about the setting and the provision is correct and agree this with the provider at the start of the inspection.

40. Inspectors must take account of the provider's previous history when planning inspection and make any concerns in their mindset. These will normally be shared with the provider.

Notification of inspection

41. Group provision will normally receive a telephone call at around midday on the working day before the start of the inspection.

42. In group provision, if the provider or their representative is unavailable when the inspector calls, the inspector will leave a message with the provider to ask for a call back the next calendar number of suitable.

43. If all reasonable steps have been taken to make contact with the setting but the inspector has not been able to speak to anyone, then the inspection will be deemed to be not carried out.

44. In childminding, or group providers that do not operate regularly, such as summer play schemes, will usually receive a call on the morning of the inspection. Inspectors check ways they are operating and which days they are operating.

45. Inspectors will usually leave a voicemail message if they are unable to speak to anyone. Inspectors will also leave a text message with their name and a phone number to leave the house if the inspector has not arrived by that time.

46. The inspectors use to the first opportunity to discuss professional relationship between the inspector and the provider or their representative. It should be clear and agreed between the inspector and the provider or their representative, that the inspecting. The purpose of the notification call is to provide an opportunity for setting to ask questions about the inspection and to confirm that:

- the setting is open and ready for inspection
- the setting is open and ready for inspection, including any changes to its usual practice
- the setting knows about its statutory duty to inform parents of the inspection
- arrangements for the inspection, this includes informing the provider or their representative (including the manager) that they will usually be required to take part in a discussion by phone
- discussions with particular staff members, including the manager, will be part of the inspection
- the setting knows about its statutory duty to inform parents of the inspection
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- arrangements for the inspection, this includes informing the provider or their representative (including the manager) that they will usually be required to take part in a discussion by phone
- discussions with particular staff members, including the manager, will be part of the inspection

47. Inspectors should tell the provider that the relevant documentation or information they must access includes:

- paediatric first aid certificates
- the Disclosure and Barring Service (DBS) records and any other documents relevant to the DBS checks for all people who are regularly in the setting and all staff working at the setting
- any other documents or information they may need access to.

48. Childminders are not required to attend inspections with written policies and procedures but must be able to explain them in relation to the requirements in the EYFS.

Requests for deferral or rescheduled inspection

49. If a setting requests a deferral of its inspection, the inspector must immediately tell the regional duty desk. We will decide whether the request should be granted in line with our deferral policy. The absence of the provider or manager, or having no children in the setting, are not valid reasons for deferral. Decisions will be made on a case-by-case basis.

50. Where possible, a setting that has no children present on the planned day of inspection should be open and ready for inspection during the week, should have the inspection rescheduled for a short time later.

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

Inspection without prior notification

52. We may carry out inspections without notice. This normally, but not exclusively, happens when a provider has been judged as inadequate at its last inspection or when we have received information that raises a concern about a provider. We will inform parents/carers of our intention to inspect and we will inform parents/carers of any concerns that have been expressed about a setting. When the inspection is carried out unannounced, we will not do this.

53. Inspectors will use their professional judgement to decide if it is proportic to carry out an inspection without prior notification.

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Safeguarding

Safeguarding

58. Inspectors will check that the provider has met the requirements for safeguarding and welfare. They must access including:

- paediatric first aid certificates
- the Disclosure and Barring Service (DBS) records and any other documents relevant to the DBS checks for all people who are regularly in the setting and all staff working at the setting

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- paediatric first aid certificates
- the Disclosure and Barring Service (DBS) records and any other documents relevant to the DBS checks for all people who are regularly in the setting and all staff working at the setting
- any additional support and/or arrangements for children who need special educational provision and disability (SEND) or medical conditions (paragraph 1 EYFSPTP) or whether any children attending the setting are subject to a child protection plan or child in need plan (see paragraph 419).

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Safeguarding

EI. Inspectors will always begin to look at how children are helped and protected so that they are kept safe. Although inspectors will not provide a separate grade for this area, inspection evidence will be used to inform judgements in other areas and will report whether the arrangements for safeguarding children are effective.

EI. 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

EI. It also asserts that inspectors are familiar with and take into account the statutory guidance in relation to safeguarding:

- Working together to safeguard children

EI. Inspectors will also have regard to the safeguarding in the early years, education and skills settings' (EIF) from those set out in the EYFS, settings should follow the EYFS requirements.

During the inspection

Days allocated to inspection and inspection team members

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

79. When inspecting:

- a childminder, the inspector will normally be on site for about 3 hours
- a group provision that operates only for sessional early years, the inspector will normally be on site for about 4 hours
- group provision open for a full day, the inspector will normally be on site for about 6 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 region

The start of the on-site inspection

80. On entering the setting, inspectors should introduce themselves and show the provider their identification. The inspector should advise the provider time to check the identity of the inspector using the phone number on the ID card. If, for any reason, the inspector is unsure that the provider has been informed of the inspection, the inspector should wait for the provider to be informed before proceeding.

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

- checking the accuracy of – or any changes to – the information about the setting
- checking the number of qualified staff attendance, children on site and other people present
- asking the provider to display the notice of inspection – if this has not already been done, the inspector should do it and ask the provider to do so later
- agreeing the timetable for inspection activities, including a summary time for observations. Inspectors must offer the provider or their representative the opportunity to be present for the observations of children's learning and development
- 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 children's learning and development (see below)
- making arrangements for providing feedback at the end of the inspection and, for group provision, request that the nominated individual or their representative is present
- inquiring arrangements for parents – this may be about immediately if parents are present – and to check that the provider has informed them about the inspection
- checking staff qualifications and ensure that they are in place

80. If the inspection is being carried out without notice, the inspector should refer to the provider's records to check that the provider has informed the inspector of aspects of the need to maintain safe practice and to protect children, and any information relating to complaints.

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

Gathering and recording evidence

82. During inspection, inspectors will carry out the following activities:

- joint observation
- observing children
- observing staff
- discussion with leaders/managers

These activities enable inspectors to gather evidence to make valid and reliable inspection judgements. These activities are part of our inspection methodology, are an effective way of finding out what is like for a child at that setting or with that childminder, and are fair to all providers. They are not intended to be burdensome.

83. Inspectors will evaluate evidence of the impact of the curriculum, including on the development of children's language, literacy and communication skills (see Ofsted's Early years inf. 2). Inspectors will also evaluate how children are helped to develop the necessary skills to access and benefit from the curriculum (see early years inspection handbook).

84. Inspectors will evaluate how well the provider is providing evidence about the quality of care, teaching and learning by:

- observing the children at play
- talking to the children and practitioners about the activities provided
- looking at documentation, including the evidence of children's development provided
- observing the interaction between practitioners and children
- gauging children's levels of understanding and their engagement in learning
- observing how practitioners support children's development of what children can do and how they are building on it
- observing care routines and how they are used to support children's personal development and how they are helped to be independent
- evaluating the provision in the setting against the EYFS requirements

85. In group provision, the inspector must track a representative sample of 2 or more children across the inspection. The inspector should discuss with the provider what they intend the relevant children to learn and remember toward or when those children have set out on visits. The collection tools should include:

- the practitioner's knowledge of each child
- the child's interests and preferences
- the impact of any special support provided for children with special needs or disabilities
- the quality of support for any children with SEND (see paragraph 85)
- the discussions held with each child's key person and how they relate what to teach the new activities on developing the prime and specific areas of learning that help children to be ready for the next stage of their development and learning
- the reason why children have been kept for extended periods, the quality of the impact that has on them, particularly those from disadvantaged backgrounds and those who are vulnerable (see paragraph 85)

Every of the children an eligible for the free early years entitlement (two-year-olds) or subject to a child protection plan or child in need plan, at least one of them must be included in the sample of the tracked.

86. childminders have only a small number of children, inspectors are not able to track a representative sample. In this case, the inspector should focus on the long-term outcomes for the childminder's practice and its impact on children's learning, development and well-being.

87. inspectors must record their evidence clearly and succinctly. All sections of the evidence base must be completed before the end of the inspection. Inspectors must record evidence against the EYFS requirements, the quality of the provision and how it is in order to provide the end of the inspection. It is essential that the inspector records the evidence against the EYFS requirements and the quality of the provision. Inspection evidence in EYFS is necessary to identify the and to avoid confusion. Inspectors should identify clearly and succinctly the evidence they provided in confidence.

88. The evidence underpinning the judgements and areas for improvement must be used to summarise the main points for feedback and to write the report.

89. Inspection evidence, notes and inspection tools may be scrutinised for the purposes of quality assurance, to respond to a complaint, in the event of evidence in the award of a complaint or a Freedom of Information request.

Using the setting's own analysis of its strengths and weaknesses during the inspection

90. Leaders and managers of settings should have an accurate view of the quality of provision and children's learning. They should be able to show how they use self-evaluation but it should be proportic to discuss the quality of education and how the provider – and how well they meet the needs of the children – with the inspector. Inspectors will use the provider's self-evaluation to understand the provision and know how they can improve it to maintain its high standards.

91. The inspector must meet the provider or their representative to discuss how they evaluate the quality of provision and children's learning. The provider should explain that gave the inspector enough time to follow up any matters arising from the accuracy of the setting's analysis. The inspector will observe children learning, staff teaching and the quality of the provision. The provider and the inspector should discuss how the provider evaluates the quality of provision, including whether they take account of the views of parents and the progress made by the children to determine what it needs to improve.

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

Observation and discussion

93. Inspection will complete a learning walk around the premises with the provider or their representative and go to the inspection. This provides an opportunity for leaders to show the inspector the learning and care provisions, including the areas for improvement for their EYFS curriculum.

94. Inspectors must discuss with leaders and practitioners what they intend children to learn and how they will know if children have learned it. This will include how they will support children's learning, including and well-being. The observations should not enable them to collect sufficient evidence to support detailed and specific judgements about the quality of provision, including the quality of teaching, behaviour and attitudes, personal development, and learning and development.

95 In group settings, inspectors should observe as many staff as possible to ensure that as accurate picture of the quality of interactions between practitioners and children can be gained.

100. When observing interactions between staff and children, inspectors should evaluate how well staff:

- engage in dialogue with children
- adapt, listen and respond to children
- model language well
- read actual and text cues to children
- encourage children to sing songs, nursery rhymes and musical games
- encourage children to ask questions and use new words
- support independence and confidence
- encourage children to speculate and test ideas through trial and error
- support children's emotional well-being
- behave as an excellent role model for children
- support children to recognise and respond to their own physical needs
- attend to children's personal needs
- deal with children's cues and arrangements, including intimate cues, the details of physical care and the supervision arrangements when accompanying children to toilets/nappy bins

101. Inspectors will also discuss children's learning and development with staff as part of the inspection. Plus of the discussion should include:

- how children are helped to develop the necessary skills to access the curriculum

102. Where the quality of practice is weak, the inspector must talk to the provider about what has been observed. The inspector should agree what the provider will do and taking to bring about improvement.

103. The inspector should always inform the provider or a nominated senior member of staff – such as the manager or early years professional – to take part in one or more learning walks. The inspector should also invite the provider to take part in the observations. If the provider declines the opportunity to take part in joint observations, this should be recorded in the evidence base, along with the reason.

104. Joint observations should enable the inspector to:

- gain an insight into the effectiveness of the provision's professional development arrangements and practice
- learn about the provider's view of staff's interactions with children
- see the quality of the implementation of the curriculum/educational programmes
- consider how effectively the manager supports staff to promote the learning and well-being of children

105. Following a joint observation, the inspector should discuss and note any similarities or differences between the provider's and inspector's views.

106. When childminders work alone, it is not possible to carry out joint observations in the same way. However, it could be the inspector and childminder agree to an individual childmin together and discuss their learning, progress and behaviour as part of the inspection. The inspector should discuss the childminder's practice with them and with a further discussion about the child who learned and how the childminder intends to build on it to help the child make progress. If childminders have assistants, a joint observation can be carried out by the inspector.

Evaluating policies and procedures

107. 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 be able to show that they have effective procedures in place as set out in the EYFS. The inspector should check that the provider has a clear, up-to-date policies and procedures that support the parents and children expected.

108. All providers, including childminders, are expected to keep any written records in English.

109. The EYFS is clear that records must be easily accessible and available (these may be kept electronically). The inspector should check that the provider's records and requirements of the EYFS must be easily accessible and available for the end of an inspection, as appropriate.

110. In addition to meeting the EYFS requirements, providers must comply with other legal requirements, such as those relating to safeguarding, employment, anti-discrimination, health and safety, and data processing and storage. If the inspector identifies that the provider is not complying with these, it should be recorded in the daily diary. A decision will be made about what action should be taken and where there should be liaison with the other agencies.

111. The inspector must check SEND records and paediatric first aid certificates, and record in the evidence base that they have seen it.

112. Inspectors are unlikely to check all policies held by the provider. However, they should consider:

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

113. The inspector is likely to talk to leaders and staff about how they implement policies in practice, particularly where it relates to the training and implementation of safeguarding practice and procedures. If the inspector is identified, inspectors are likely to check staff's knowledge of the setting's policies.

Meetings with parents

114. Wherever possible, the inspector must find out the views of parents during the inspection. Parents' views are important and inform judgements. They also contribute to judgements about how well the provision works in partnership with parents to support children's learning and development, and the promotion of their well-being.

115. Where the provision has been notified in advance, parents will know that an inspector will be visiting the setting. The provider should let the inspector know which parents in the setting and should set aside time to speak to parents.

116. If the inspection is carried out with no notice, the inspector must check how the provider obtains and uses their views regarding the provision. If the provider is unable to provide a list of parents' contact details, the inspector should make good enough and the inspector may choose to contact parents by phone to request their views.

Meeting with the provider and/or their representative

117 The inspector must meet the provider – if the provider is not present, the manager. The inspector should consider the best time to hold this meeting. It should be early enough in the inspection so that matters that are being discussed can be followed up.

118. If the provision operates over more than one site, the provider's leaders and managers need to take place at appropriate moments during the general observations, when the inspector is visiting the different rooms or areas of the provision. The inspector should be supported and the parts needed for a number of sessions, if the provision is open for a number of sessions.

119. If the provider is not working directly with children and the meeting takes place in a room or office where the provider's staff are present, the inspector should ask the provider to make sure that the staff are not disturbed. The inspector should be free from direct observation of children.

120. The inspector should test and discuss the provider's views on the evidence the findings that are emerging during the inspection and record all these in the inspection evidence.

121. Before the inspection is complete, the inspector should always check with the provider or their representative that the evidence base is accurate. If the provider suggests that the provision might be inadequate, the inspector should the provider an opportunity to offer further evidence by having any discussion about this.

122 The inspector should discuss with the provider which improvements are needed and recommendations about how the provider might improve.

Performance management and professional development

123. Inspectors will gather evidence of the effectiveness of staff supervision, performance management, training and continuing professional development, and the impact on the quality of provision and children's learning. Inspectors will look for evidence on how effective leaders and managers deal with staff under-performance and manage any of the main processes on them.

124. The early years service will keep records from unique childminders to large day care settings. This means that inspectors must use their professional judgements to assess the provider's performance management.

125. Inspectors should consider how effective senior leaders and managers are in management and their assessment of strengths and areas for improvement within the setting to provide a focus for professional development activities, participation in relation to increasing children's vocabulary and cultural capital.

Reaching final judgements

126. Paragraphs 124-125 set out our approach to reaching final judgements within the inspection.

127 Inspection activity, including observations, should continue throughout the inspection. Inspectors should avoid giving any impression that they have reached final judgements before the inspection finishes.

128. The inspector must set aside sufficient time towards the end of the inspection to consider the evidence and to reach judgements. The inspector should be sure that time is be reported and the main points for feedback can be identified. The inspector should also ensure that time is set aside for the final feedback meeting.

129. Part 2 of the inspection will set out the judgements that the inspector must make and the aspects they should consider when doing so. The inspector must use professional judgement to make judgements in the light of the evidence. Inspectors are not constrained against the evidence to feel that and debate judgements that reflect what they have seen and heard.

130. 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 but should not simply repeat its wording. Recommendations for settings judged good or outstanding should be based on how they might become even better. The inspector is not expected to check that all of the statutory requirements are met in the EYFS are met. However, if, in the course of collecting evidence, the inspector finds that a provider is not meeting them, they should take this into account when reaching judgements.

131. If one or more of the statutory requirements is not being met, this should be reflected in the judgement on leadership and management, and in the overall judgement.

132. Failure to meet a statutory requirement will not always result in a judgement that the provision is inadequate. Failure to meet statutory requirements is serious. It will take into account the impact of this on children's health, safety and welcoming as well as their learning and development.

133. Where the quality of education judgement is judged to be less than good, the inspector should consider whether the provision is in fact inadequate because of a failure to meet a statutory requirement or if the EYFS as a setting is not good enough in their good.

134. Where provision does not meet statutory requirements at the time of the inspection, inspectors must take into account the extent to which the provider has provided robust evidence to show that necessary EYFS requirements that, taken together, are sufficient to ensure that children are safe and that their learning and development. However, a history of previous non-compliance is the same, or different, areas is likely to indicate either that the provider lacks knowledge of the requirements or that it is not willing to meet them. Failure to meet the EYFS is likely to judge the leadership and management to be inadequate because the provider does not understand the statutory requirements sufficiently.

135. Where administrative errors mean that one or just eight failures the inspector is over should not necessarily have a negative impact on the judgements. An example might be a failure to record the date of a first aid training course or to record the date of a DBS check. Inspectors will use their professional judgement to decide whether the number of administrative requirements. The inspector will need to consider whether the provider is in fact meeting the requirements but has not recorded it in the right place. In, it is likely to have a negative impact on the leadership and management judgement.

136. 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 acceptable standard of care and/or quality of education, the overall effectiveness will be inadequate. The inspector will need to consider the impact of the failure to meet, and/or whether the provider has the capacity to put things right through improvements, actions or whether the failures are serious enough to warrant enforcement action.

137 Where a provider is not meeting statutory requirements that have been brought about that leadership has the capacity to remedy quickly, actions will be set. The actions will be in relation to the inspection report. The inspector should also set out the EYFS.

- the provider is not meeting one or more of the learning and development requirements or the welfare requirements
- leaders and managers demonstrate an understanding of the requirements and show that they are working to ensure that the necessary improvements are made for satisfying enforcement action

138. When there is a significant failure to meet the safeguarding and welfare requirements, the inspector should consider whether the provider is in fact meeting actions will normally trivial or additional action because they are not in the inspection report. Inspectors are likely to issue a welfare requirements notice if the provider is not meeting the EYFS requirements or if the welfare requirements that or substantial impact on children's health, safety and welcoming. This is normally where one or more of the following applies:

- leaders and managers do not demonstrate sufficiently understanding of how to meet the safeguarding and welfare requirements of the EYFS
- the provider has failed to take action to improve in relation to the same or different requirement(s)
- actions relating to existing failures to meet safeguarding and welfare requirements, or other requirements, are not met
- the failure to meet the requirement is so serious that the inspector judges that the welfare requirements notice is appropriate

139. On making the judgement that the provision is inadequate, the inspector must consult with the regional duty desk.

140. The inspector should inform the provider risk to children or failure to meet any of the conditions placed on the registration

- serious concerns about the provision have not been dealt with in a satisfactory way, or the provider has not taken sufficient action to meet actions and statutory requirements set in previous inspections
- the inspector considers that they may need to issue a welfare requirements notice or take other enforcement action, such as suspension, cancellation or prosecution
- the provider shows insufficient understanding of their responsibility to meet the requirements of the EYFS or to promote the welfare of children attending the setting
- the set inspection requisition is a judgement that the overall effectiveness is inadequate

141. The inspector should inform the inspection's consultation with the regional duty desk to discuss whether – and what type of – enforcement action should be taken and the kind of monitoring that will be required. The early years compliance handbook has more information about the enforcement action that inspectors and regional teams can be informed and actively. This discussion will determine what the inspection report will say about the enforcement action.

Failure to notify Ofsted and/or meet conditions

142. It is an offence to fail to notify Ofsted of a significant event or fail to comply with a condition of registration. Ofsted will take action if a provider fails to meet conditions. Any visit for the compliance handbook and contact the regional duty desk if necessary. The inspector should not set actions for breaches of condition or a failure to notify a significant event. The inspector should inform the provider that such failure is the report. Where appropriate, this may contribute to an inadequate judgement (annex).

Providing feedback

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

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

143. At the end of the inspection, there must be a feedback meeting that should include the provider or their representative. The inspector should also invite the inspector should give feedback to the manager or the provider's nominated senior member of staff, and the person in charge of the setting.

144. The inspector should allow enough preparation time for feedback, making sure that their evidence is clear and focused. The inspector should be able to give the provider examples that illustrate the provision's strengths and weaknesses.

145. At the feedback meeting, the inspector should discuss the main points to share the main findings of the inspection and any areas for improvement. The inspector must be sure that the provider understands the judgements and the reasons for them and the areas for improvement. The inspector should also discuss the provider's strengths and weaknesses.

146. The inspector should give the provider enough information to be clear about what they need to do to improve. The inspector should be able to explain how the provision's strengths and weaknesses.

147. The inspector should be able to explain how the provision's strengths and weaknesses. The inspector should be able to explain how the provision's strengths and weaknesses.

148. The inspector should give the provider time for feedback, making sure that their evidence is clear and focused. The inspector should be able to give the provider examples that illustrate the provision's strengths and weaknesses.

149. At the feedback meeting, the inspector should discuss the main points to share the main findings of the inspection and any areas for improvement. The inspector must be sure that the provider understands the judgements and the reasons for them and the areas for improvement. The inspector should also discuss the provider's strengths and weaknesses.

150. The inspector should give the provider enough information to be clear about what they need to do to improve. The inspector should be able to explain how the provision's strengths and weaknesses.

Inspectors will use their professional judgement and what is 'best fit' approach in order to judge whether early years provision is good or requires improvement.

Good (2)

Intent

- Leaders adapt or construct a curriculum that is ambitious and designed to ensure children are prepared for future learning. It is coherent, the knowledge and cultural capital they need to succeed in life.
- The provider's curriculum is coherently planned and sequenced. It builds on children's knowledge and skills and is ambitious for children with disadvantaged and skills for their future learning.
- The provider has the same ambitious for almost all children. For children with SEND, adaptations to the curriculum are made so that they can be taught towards ambitious and meets their needs.

Implementation

- Practitioners know their learning and support children's learning and development. They use their knowledge and skills to plan for and develop their own language and vocabulary with children. They use their knowledge and skills to engage in meaningful interactions with children.
- Over the EYFS, teaching is designed to help children remember long-term learning has been taught and to develop more knowledge into larger concepts.
- Practitioners and leaders are assessment well to check what children know and are able to do in their learning. This includes planning sufficient time for children to practise, consolidate and deepen their knowledge. They avoid unnecessary limitations of assessment and avoid unnecessary burdens for staff or children.
- Practitioners promote children's communication that supports their learning, an ambitious and coherently planned and sequenced curriculum. The available resources meet the children's needs and promote their learning.
- Practitioners share information with parents about their child's progress in relation to the EYFS. They know parents to support and extend their 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 development that prepares them for Year 1. They develop a strong foundation and understanding of language across the EYFS curriculum.
- Children are ready for the next stage of education, especially school, when they leave the EYFS. They are confident, curious, motivated, have strong self-esteem, which prioritises their ability to thrive in the classroom.
- Children enjoy, listen attentively and respond with comprehension to familiar books, and understand the stories that are appropriate to their age and their development.
- Children understand securely the early mathematical concepts appropriate for their age and stage that will enable them to move on to the next stage of learning.
- Children articulate what they know, understand and can do in an age appropriate way, building meaningful relationships with adults and their peers.

Requires improvement (3)

- Provision is not good.
- Any breaches of the statutory requirements do not have a significant impact on children's safety, welfare or learning.

Inadequate (4)

- Provision is not good.
- Any breaches of the statutory requirements do not have a significant impact on children's safety, welfare or learning.

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

Background to the evaluation schedule

The evaluation schedule is not intended to be used in conjunction with the guidance set out in Part of this document. How we will inspect early years settings, section 8.

NOTE: Paragraphs 12 to 15 set out our approach to reaching final judgements within the COVID-19 context.

NOTE: The evaluation schedule is not exhaustive. It does not include all the requirements of the EYFS or other legal requirements. It does include those in relation to children's safe, development and stage of education.

1.70. In line with the EIF, inspectors will make the following judgements:

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

1.71. Inspectors will also evaluate and report on:

- the quality of provision
- the quality of leadership and management

1.72. Inspectors will use 4 point scales to make all judgements:

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

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

- a childminder who has only a very small number of children
- settings in which early babies and very young children are present
- settings in which children who are disadvantaged are present or who are disadvantaged
- settings that have children who access their early EYFS education entirely in their homes
- children who are no longer in the early years age range

1.74. Inspectors must make a difference to the quality of education for children of different ages. Paragraph 1.75 they will use their professional judgement and take into account all their evidence and give more weight to the most important things.

Reaching a judgement of outstanding

1.75. Outstanding is a challenging and exacting judgement. In order to reach this conclusion, inspectors will determine whether the early years provision meets all the criteria set out under 'good' for that judgement and does so securely and consistently. Inspectors will also determine whether the provision meets the criteria set out under that judgement and exceptional. It must reach such a standard, or be so far above the standard, that it is clearly outstanding. If, in the judgement of the inspector, the provision does not meet the criteria for outstanding, it should not be judged outstanding, and the evidence gathered will be in particular evidence that is consistent and secure across the whole provision.

Reaching a judgement of good, requires improvement or inadequate

1.76. 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 descriptor for good or for requires improvement. Inspectors will make a judgement of inadequate when a particular requirement of one or more of the inadequate criteria applies.

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

1.77. Inspectors must use all their evidence to evaluate what it is like to a child in the early years setting, taking into account the children who attend and their circumstances. Inspectors will consider whether the standard of education and care being provided is at the criteria for good, then inspectors will consider whether it is outstanding. If it is, then it is good. If it is not outstanding, inspectors will consider whether it is requires improvement or inadequate.

1.78. In judging the overall effectiveness, inspectors will take account of the 4 judgements. They will also make a judgement about the effectiveness of the arrangements for safeguarding children.

1.79. Inspectors should take account of all the judgements made across the evaluation schedule. They should consider:

- the extent to which the provision plans, design and implement the EYFS curriculum
- the extent to which the curriculum and care practices that the setting provides meet the needs of children, including those with disadvantaged and SEND needs
- the progress children make in their learning and development relative to their starting points, and their readiness for the next stage of their education
- children's personal and emotional development, including whether they feel safe and are happy
- whether the requirements for children's safeguarding and welfare have been fully met and there is a shared understanding of and responsibility for protecting children
- the effectiveness of leadership and management in evaluating practice and securing continuous development that improves children's education

Grade descriptors for the provision's overall effectiveness

Outstanding (1)

- The quality of education is outstanding.
- Children are exceptionally well prepared for learning. In exceptional circumstances, one of the judgements may be good, as long as there is convincing evidence that it is improving this area rapidly and securely towards outstanding.
- 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, as long as there is convincing evidence that 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 require improvement.
- Safeguarding is effective and any weaknesses are easy to rectify because they do not affect children's safety.
- If there are any breaches of EYFS requirements, they do not have a significant impact on children's safety, welfare and learning, or children's safety.

Inadequate (4)

The provision's overall 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 welfare of children and their learning and development.
- It has been given 2 previous 'requires improvement' judgements and it is still not good.

Quality of education

The EYFS curriculum

NEW. The EYFS (educational programmes) provides the curriculum framework that practitioners must implement. It underpins children's learning and development. 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 what children know and can do.

Curriculum flexibility

NEW. Some providers offer a specialist early years curriculum and Ofsted recognises their autonomy to do so. For example, they may follow a specific philosophical or ideological approach or reflect a particular faith. The choice of teaching methods is a decision for providers and their staff. Ofsted does not, in its inspection, prescribe what teaching methods it is important that children have access to in early years education, and what it does not consider.

When inspecting a judgement on quality of education, inspectors will work with leaders and managers to understand how the curriculum is ambitious for children and where they can find evidence that the quality of education criteria are met.

NEW. The inspector will judge fairly those providers that take radically different approaches to the curriculum and will judge the quality of the provision in relation to what it is trying to do. The inspector will not be prescriptive about what it means to enjoy a provider's curriculum. Nevertheless, when leaders and managers have built a curriculum with appropriate coverage, content, structure and sequencing and have implemented it well, the EYFS will be a happy place for children to learn and develop. Where essential curriculum has been designed in a way deployed in a way that limits children's opportunities or fails to prepare them for life in modern Britain, inspectors will evaluate how well.

NEW. Inspectors will evaluate how well:

- leaders assess themselves that the setting's curriculum (educational programmes) is ambitious for children, including those with SEND and those who are disadvantaged
- leaders use additional funding, including the early years pupil premium, well and equitably, and measure its impact on disadvantaged children's outcomes
- leaders have planned the curriculum so that children make progress in the areas of learning as expected and whether they demonstrate enough of children
- children develop, consolidate and deepen their knowledge, understanding and skills across the areas of learning
- the provider's curriculum prepares children for the next stage of learning

NEW. Inspectors will look for evidence that the provider has a clear way of working. It is a logical form that covers the many different ways in which leaders and practitioners have built curriculum with appropriate coverage, content, structure and sequencing and have implemented it well. The EYFS is a happy place for children to learn and develop. Where essential curriculum has been designed in a way deployed in a way that limits children's opportunities or fails to prepare them for life in modern Britain.

Cultural capital

NEW. Cultural capital is the essential knowledge that children need to prepare them for future learning and life. It is the knowledge that underpins the curriculum and broadens education. As part of making a judgement about the quality of education, inspectors will consider how well leaders use the curriculum to enhance the experience of children and how well it prepares children for future learning and life.

NEW. Some children arrive at early years setting with different experiences from others, in their learning and play. What a setting does, through its EYFS curriculum and its care, can make a difference to what children know and can do. It can also make a difference to the ease of the setting to bring children experience the ease and wonder of the world in which they live, through the 7 areas of learning.

Grade descriptors for the quality of education

NEW. Inspectors will use grade intent, implementation and impact separately. Instead, inspectors will reach a single graded judgement for the quality of education, drawing on all the evidence they have gathered, using their professional judgement.

NEW. To reach a judgement about the quality of education, inspectors must see that children are prepared to succeed in the next stage of education or children in the setting.

NEW. In order for the quality of education to be judged outstanding, it must meet all of Ofsted's criteria accurately and consistently. It must also meet all the outstanding criteria.

Outstanding (1)

The provider meets all the criteria for a good quality of education securely and consistently. The quality of education at this setting is exceptional. In addition, the following applies:

- The provider's curriculum intent and implementation are ambitious and accurately and consistently across the provision. It is evident from what practitioners do and say that they are passionate about children's learning and development. They are motivated and what it means for their practice. Across all parts of the provision, practitioners' interactions with children are of a high quality and contribute to children's learning and development.
- Children's experiences over time are consistently and coherently arranged to build cumulatively sufficient knowledge and skills for their future learning.
- Children are very well prepared for the next stage of their education, including for reading effective. Children demonstrate this through being deeply engaged in their work and play and sustaining high levels of concentration. Children, including those with SEND and those who are disadvantaged, do well. Children with SEND achieve the best possible outcomes.
- Children consistently see new vocabulary that enables them to communicate effectively. They are very well prepared for reading effective. They are ready that they acquire knowledge for future learning, especially in preparation for them to become fluent readers.

Good (2)

Intent

- Leaders adapt or construct a curriculum that is ambitious and designed to ensure children are prepared for future learning. It is coherent, the knowledge and cultural capital they need to succeed in life.
- The provider's curriculum is coherently planned and sequenced. It builds on children's knowledge and skills and is ambitious for children with disadvantaged and skills for their future learning.
- The provider has the same ambitious for almost all children. For children with SEND, adaptations to the curriculum are made so that they can be taught towards ambitious and meets their needs.

Implementation

- Practitioners know their learning and support children's learning and development. They use their knowledge and skills to plan for and develop their own language and vocabulary with children. They use their knowledge and skills to engage in meaningful interactions with children.
- Over the EYFS, teaching is designed to help children remember long-term learning has been taught and to develop more knowledge into larger concepts.
- Practitioners and leaders are assessment well to check what children know and are able to do in their learning. This includes planning sufficient time for children to practise, consolidate and deepen their knowledge. They avoid unnecessary limitations of assessment and avoid unnecessary burdens for staff or children.
- Practitioners promote children's communication that supports their learning, an ambitious and coherently planned and sequenced curriculum. The available resources meet the children's needs and promote their learning.
- Practitioners share information with parents about their child's progress in relation to the EYFS. They know parents to support and extend their 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 development that prepares them for Year 1. They develop a strong foundation and understanding of language across the EYFS curriculum.
- Children are ready for the next stage of education, especially school, when they leave the EYFS. They are confident, curious, motivated, have strong self-esteem, which prioritises their ability to thrive in the classroom.
- Children enjoy, listen attentively and respond with comprehension to familiar books, and understand the stories that are appropriate to their age and their development.
- Children understand securely the early mathematical concepts appropriate for their age and stage that will enable them to move on to the next stage of learning.
- Children articulate what they know, understand and can do in an age appropriate way, building meaningful relationships with adults and their peers.

Requires improvement (3)

- Provision is not good.
- Any breaches of the statutory requirements do not have a significant impact on children's safety, welfare or learning.

Inadequate (4)

- Provision is not good.
- Any breaches of the statutory requirements do not have a significant impact on children's safety, welfare or learning.

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. The needs of babies and young children are not met.
- Practitioners have a poor understanding of the areas of learning they teach and how children learn and develop.
- Assessment is inadequate. Practitioners do not adequately understand children's knowledge, understand and can do.
- Practitioners do not understand how to plan the next stage of their learning, so learning plans are not in receipt of additional funding. Strategies for engaging parents are weak and parents do not know what their child is learning and how they can support their child.
- Breaches of the statutory requirements have a significant impact on children's learning and development.

Behaviour and attitudes

192. 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

193. Although attendance at the setting is not mandatory, inspectors will explore how children who are attending regularly are being supported to develop the children from good habits for future learning. In particular, inspectors will consider how attendance of children for whom the provider receives early years pupil premium.

194. Inspectors will consider the extent to which leaders and practitioners support children's behaviour and attitudes, including how the provision helps children to manage their own feelings and behaviour, and how to relate to others.

195. To reach a judgement about children's behaviour and attitudes, inspectors must consider the following judgements to consider the ages, development and stages of children in the setting.

Grade descriptors for behaviour and attitudes

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

Outstanding (1)

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

In addition, the following apply:

- Children have consistently high levels of respect for others. They increasingly show high levels of confidence in social situations. They consistently demonstrate their understanding of why behaviour rules are in place and why they need to be kept to ensure everyone is safe.
- Children are highly motivated and are very eager to join in, share and cooperate with each other. They have consistently positive attitudes to their learning and others.
- Children demonstrate high levels of self-control and self-confidence in trying hard, even if they encounter difficulties. When children struggle with learning, they persevere and demonstrate high levels of self-esteem and effective action to support them.

197. Inspectors will use their professional judgement and adapt 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. Children understand what is expected of them and behave well most of the time. They are confident in children's positive behaviour and conduct. They are beginning to manage their own feelings and behaviour and to understand how to behave in different situations. Children are beginning to understand their behaviour. Leaders and practitioners take appropriate action to support them. Children are developing a sense of right and wrong.
- Children are developing positive attitudes to learning. They are developing high levels of curiosity, concentration and enjoyment. They listen intently and persist positively to adults and each other. Children are developing their resilience to challenge and how to cope with disappointment.
- Children benefit from the varied education opportunities available to them. They participating and responding promptly to requests and instructions from their practitioners.
- Relationships among 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/or poor behaviour lead to a disorderly environment that hinders children's learning and/or puts them and others at risk.
- The education provided has demonstrable poor self-control and a lack of respect for others, leading to children not being safe and secure.

Personal development

198. Inspectors will evaluate the extent to which the provision is successfully promoting children's personal development. Inspectors must use their professional judgement and adapt a 'best fit' approach in order to judge the quality of children's development. In doing so, inspectors must be mindful of the ages and stages of development of the children in the setting.

Grade descriptors for personal development

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

Outstanding (1)

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

- The provider goes beyond the expected and is highly successful at giving children a wide range of experiences that enhance their learning and are relevant to their needs. Children and their families benefit from this. Opportunities for all children to develop their talents and interests are of exceptional quality.
- The provider ensures that these rich experiences are planned in a coherent way that ensures children are well prepared for the next stage in their lives.
- The way the provider goes about developing children's character is exemplary and is worthy of being shared with others.

200. Inspectors will use their professional judgement and adapt 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 characters. Children are gaining a good understanding of what makes them unique.
- The curriculum and the provider's effective care practices provide children's with a good range of experiences that enable children to develop skills and take appropriate risks and challenges as they play and explore. Children are confident, participately supporting them to develop physical and emotional well-being.
- A well-established key person system helps children form secure attachments and promotes their well-being and independence. Practitioners know children well and are sensitive to children's needs and help them to develop their emotional literacy (see page 61 to 8 of the Statutory framework for the early years foundation stage (pdf) (Department for Education, 2021) and the Personal, Social and Economic Education (PSED) area of learning). Relationships between staff and children are sensitive, stimulating and responsive.
- Children are developing independence and a range of opportunities for physically active play, both indoors and outdoors. They give clear and consistent messages to children that support healthy choices around food, rest, exercise and hygiene.
- Practitioners help children to gain an effective understanding of when they might be at risk, including when using the Internet, digital technology and mobile phones. They teach children how to keep themselves safe.
- Practitioners actively promote and implement consistently hygiene practices ensure that the personal needs of children of all ages are met promptly and in a way that promotes their independence. Children are independent in managing their personal needs.
- Practitioners value and promote equality and diversity and prepare children for life in modern Britain. They are sensitive to and know how to talk to children to reflect on their differences and understand what makes them unique. Practitioners do this by teaching children to be respectful and to understand how to behave towards others who are different from themselves. Leaders are with integrity of fundamental British values, developing children's understanding and appreciation of diversity, celebrating what we have in common and challenging stereotypes.Unacceptable behaviours and promoting respect for different people.

Requires improvement (3)

- Provision to support children's personal development is not good.
- Any breaches of the statutory requirements do not have a significant impact on children's personal development and 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 to enable them to transition 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 fails 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

201. 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.

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

Grade descriptors for leadership and management

203. In order for leadership and management to be judged outstanding, it must meet all of the good criteria accurately and consistently. It must also meet 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 have a clear and ambitious vision for improvement and highly effective plans for improvement. Practitioners' subject knowledge, curriculum content and knowledge consistently builds and develops over time, and this has contributed to significant improvements in the teaching of the curriculum.
- Leaders ensure that highly effective and meaningful engagement takes place with all children's families and carers. Leaders and practitioners are highly identified—in particular about workload—they are consistently and very appropriately and kindly.
- Staff consistently report high levels of support for well-being issues.

204. Inspectors will use their professional judgement and adapt 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 for all. This is realised through strong shared values, practices and culture.
- Leaders focus on improving practitioners' knowledge of the area of learning and understanding of how children learn to enhance the teaching of the curriculum and children's learning. They ensure that staff have good knowledge of curriculum (including those who are newly qualified) and improve over time. Leaders have effective systems in place for the supervision of practitioners.
- Leaders are with integrity to ensure that all children, particularly those with SEND, have access to their entitlement to early education. Practitioners are supported to ensure that all children participate in their community, including schools, and other social services.
- Leaders engage with their staff and are aware of the main pressures on them. They are with integrity to ensure that workload is manage staff including those workload to avoid any unnecessary burdens.
- Those with oversight or governance understand their roles and carry this out effectively. They ensure that strong and strategic leadership is in place and account for the quality of care and education. They ensure that resources are used effectively to improve the quality of the setting.
- 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 safeguarding practice. Leaders are with integrity to ensure that a culture of neglect, abuse, grooming or exploitation. Help children to keep their child safe by securing the support they need, or referring in a timely way those children who need it. Staff are confident and fully 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 the 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. Their plans for improvement are not sufficiently ambitious or are insufficient or ineffective. Training for staff is ineffective.
- Leaders are not doing enough to tackle the poor curriculum or teaching, or to ensure that children are safe and their welfare promoted. Leaders' children's progress, particularly those who are disadvantaged and have SEND.
- Staff with parents, other settings and professionals involved in supporting children's care and education do not identify or meet children's developmental needs. Children fail to thrive.
- Leaders do not promote equality and discrimination. Equality, diversity and British values are not implemented 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 'Inspecting 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 providers' operations.

2 Provision (including childminders) registered on the Early Years Register but that operates only before and after school and during holidays will be inspected using the holiday periods set out in the section without retaining grades against the 4 judgements ('Quality of education', 'Behaviour and attitudes', 'Personal development' and 'Leadership and management') and the overall effectiveness.

3 These providers do not need to have their inspection report published immediately after the EYFS. They do have to meet in full the safeguarding and welfare requirements. Inspectors will report on these in the report. Inspectors will also report on safeguarding, and whether 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 2 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') and make 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 a requirement or a requirement with an enforcement notice. In some 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 specified in their registration)
- can demonstrate sufficient understanding of the safeguarding and welfare requirements of the EYFS
- can meet the core, 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, inspectors will use their professional judgement to make an audit in line with section 5 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 their activities
- talk with practitioners about performance management and professional development
- deal 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 breaches of the EYFS and any other statutory requirements that the provider is required to meet. Where a setting has a 'met' judgement, inspectors will usually report on what the setting needs to do better, but will not raise recommendations.

1 Ofsted defines the transitional period as the period for which transitional arrangements for the EYFS remain in place. These are intended to be removed in March 2021.

2 The Secretary of State for Education decided that the EYFS profile assessment was not required for children in reception in the academic year 2020 to 2021 and not required to use Ofsted's methodology to complete it in particular the requirement to 'tiep' teachers and/or parents. If this was possible. The EYFS profile was dropped for 2020 and moderation requirements for the beginning of academic year 2021 to 2022.

3 Enforcement requires the provider to take action to remain compliant with the requirements of the EYFS. Inspectors will use their professional judgement to decide if enforcement actions are set out in Part 3 and Annex C of the Ofsted inspection handbook 2019.

4 In a childcare where a childminder is self-employed and is a sole or two children present, they should include Ofsted General guidance the notification call in a cover as well as the inspection report and the inspection report.

5 Some providers do not have the learning and development requirements. See the Statutory framework for the early years foundation stage.

See: Requirements to meet based provision.

6 In a childcare where a childminder is self-employed and is a sole or two children present, they should include Ofsted General guidance the notification call in a cover as well as the inspection report and the inspection report.

7 Some providers do not have the learning and development requirements. See the Statutory framework for the early years foundation stage.

8 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.

9 Cultural capital is the essential knowledge that children need to be educated citizens.