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Guidance

Childminder agencies: inspection guidance

Updated 31 January 2024

Applies to England

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Our guiding principle

[Ofsted's corporate strategy](#) sets out our aim to improve lives by raising standards in education and children's social care. We are a force for improvement through the intelligent, responsible and focused use of inspection, regulation and insights.

Conduct during Ofsted inspections

Ofsted's [code of conduct](#) sets out our expectations for both inspectors and childminder agencies. At the start of an inspection, the lead inspector will explain these expectations and will ask childminder agencies to read the code. It is important that inspectors and childminder agencies establish and maintain a professional working relationship based on mutual courtesy and respectful behaviour. This will ensure that inspection and regulation are productive and beneficial for childminder agencies.

Inspectors will uphold the highest professional standards in their work. They will treat everyone they meet during inspections fairly and with the respect and sensitivity they deserve. They will work constructively with leaders and staff, demonstrating professionalism, courtesy, empathy and respect at all times.

When we inspect childminder agencies and the law

Throughout this guidance, we use the term 'childcare provider' to refer to both childminders and childcare on domestic premises providers.

Inspecting childminder agencies

Childminder agencies must be inspected by Ofsted. We carry out the first inspection of a newly registered agency within 12 months of the date that it registers its first childcare provider. Inspections will then take place within 36 months of the first or previous inspection, as set out in the [inspection arrangements](#) published by the Department for Education.

The agency must inform Ofsted once it registers its first childcare provider. This is so that we can establish when it should have its first and subsequent inspections. The notification should be made online at: [childminder agency: data notification](#). We prioritise inspections and/or inspect more frequently when we receive a concern about an agency and the risk assessment concludes that an inspection is needed.

A childminder agency that is judged to be ineffective at any inspection will be reinspected within 6 to 12 months of the date of the ineffective inspection judgement. We may proceed to cancellation if we judge a childminder agency to be ineffective as outlined in our [enforcement policy](#) alongside our range of other enforcement powers. We will consider all available evidence and information about non-compliance, as well as the enforcement options available, before we make a decision. If actions are set at inspection, they will be listed in the inspection report and either followed up at the next inspection or during a regulatory event.

We risk-assess any information we receive about childminder agencies. This may remain on the agency's record, or we may refer it to our regional team for a decision on next steps. The region will decide whether to carry out an inspection, regulatory activity or both. The nature of the concern will influence how quickly we inspect or visit. Information about regulatory activity is available in our [enforcement policy](#).

Where the region decides to carry out an inspection as a result of the risk assessment, inspectors must (as part of the inspection) gather evidence that relates back to the concern. They should plan activities, including a discussion with the agency's nominated individual and/or senior managers, that enable them to gather

sufficient evidence to complete the inspection. The provision may subsequently be judged to be effective or ineffective, according to the evidence. This is the case even if the inspection is taking place because of possible previous non-compliance.

We will try, where appropriate and in the interests of children, to give childminder agencies time and the opportunity to put matters right. When a registered childminder agency has failed to respond and/or we have lost confidence in their ability to make and sustain improvements to meet regulations, we may decide to cancel their registration. Following 2 ineffective judgements, we will always consider cancellation.

Childminder agencies and the law

A childminder agency is required by law to:

- maintain a statement of purpose that reflects how the agency meets the requirements for registration
- provide an updated statement of purpose within 28 days of making any changes
- ensure a childminder's suitability, including, where appropriate, their capacity to deliver the statutory requirements of the [early years foundation stage \(EYFS\) statutory framework](#) and/or the Childcare Register requirements, as applicable
- ensure the suitability of all those working in the agency, including, where appropriate, their capacity to support and monitor childcare providers registered with the agency
- support the training and development of childcare providers
- quality assure the standard of care and education being delivered by childcare providers registered by the agency

You can find more information about the [role of childminder agencies in the Department for Education's policy paper](#).

The legal basis for regulation

Ofsted inspects childminder agencies under the [Childcare Act 2006](#) (the Act), as amended by the [Children and Families Act 2014](#). The Act establishes His Majesty's Chief Inspector of Education, Children's Services and Skills (HMCI) as the authority

for regulating childminder agencies in England. It gives HMCI responsibility for registering and inspecting childminder agencies on the Early Years Register and the Childcare Register and for carrying out enforcement action where it appears that legal requirements are not being met.

There are 4 aspects to Ofsted's regulation of childminder agencies. These are:

- registering agencies
- inspecting registered agencies
- checking that agencies meet the legal requirements for registration
- taking enforcement action where an agency does not meet the requirements for registration

The purpose of regulation is to:

- make sure that agencies meet and continue to meet the requirements for registration
- give childcare providers and parents an expert and independent assessment of how well an agency is performing so that they can make informed choices
- provide information to the Secretary of State for Education and to Parliament
- promote the improvement of agencies and the early years sector as a whole

How childminder agencies will be inspected

Information-sharing

The duty to share specific information between childminder agencies and Ofsted is set out in the [Childcare Act 2006](#) and other regulations. Information-sharing is reciprocal and is necessary to provide both Ofsted and registered childminder agencies with information that will help protect children from harm or neglect.

To prepare for inspections, inspectors require information about the childcare providers registered with your agency so that they can determine the sample of them that they will visit and any records they would like to review. An optional [template for](#)

[providing childcare provider information](#) is available for agencies to use. Agencies can keep this up to date as childcare providers are registered or leave, or complete it following notification of the inspection.

When completing the childminder information spreadsheet, you will need to include information on all childcare providers, both active and resigned, as an inspector may wish to include them in the sample and seek the views of any who have recently left your organisation.

Notification of inspection

We will usually notify you of an inspection by 10am on the Wednesday or Thursday before the site visit on the following week. The notification date is at the discretion of the regional inspection team and depends on different factors, including the size of the childminder agency. The lead inspector will normally telephone the owner or nominated individual of the childminder agency to do this. This will give you and the inspection team time to prepare for the inspection.

During the notification call, the inspector will:

- confirm your registration status and clarify any issues relating to your registration
- make sure you are aware of your statutory duty to inform childcare providers and parents of the inspection
- give you their contact details
- confirm the length of the inspection
- confirm the size of the inspection team and give you the names of the other inspectors and their responsibilities
- confirm domestic arrangements, such as car-parking arrangements, access to the premises, base rooms for the inspection with space for inspectors to work, and refreshments
- make sure you are clear about the scope of the inspection, reporting arrangements and any other key issues
- provide details about how to access documents related to the inspection online
- ask you to provide the details of any meetings or training sessions that will occur during the inspection
- arrange the initial meeting with the agency's owner or nominated individual
- arrange to hold discussions with key people, including anyone involved in making

registration and enforcement decisions about childcare providers, staff in a quality assurance role, parents and childcare providers – these may be made by telephone

- refer the agency to Ofsted's code of conduct
- provide an opportunity for you to raise any questions, issues or concerns, or to seek clarification before the inspection

You will be asked to send the inspector the childcare provider information spreadsheet, if you are using this, or a list of all childcare providers (both active and resigned) that the agency has registered so that the inspector can plan the sample visits. This should be provided by 4pm on the day that the agency receives notification of an inspection. It must include:

- the childcare provider's name, address and postcode
- their date of registration, which register(s) they are on, and their registration end date if applicable
- how many support visits and/or quality assurance visits they have had
- the date of their most recent assurance visit, if applicable
- any quality grading you have given them
- their level(s) of qualifications
- whether any safeguarding concerns or enforcement action have been raised against the childcare provider
- any attendance at training courses and other events run by or on behalf of your agency

The inspector will also tell you which other records and documents the agency will need to make available before the inspection. These will include:

- an up-to-date statement of purpose
- any concerns and complaints about the agency raised with Ofsted
- any notifications to Ofsted that an offence has been committed by a childcare provider
- any enforcement activity since the previous inspection
- the content of the agency's website
- any self-evaluation and/or any development plans that the agency has, if these are available electronically
- the agency's previous inspection reports

If we have received information that indicates potential non-compliance with

regulatory requirements, the inspector must pursue these as specific areas of inspection focus during the inspection. The lead inspector will inform you of any such concerns at the beginning of the inspection.

Gathering views from childcare providers registered with the agency

As part of the inspection, the inspector will seek the views of the childcare providers registered with the agency through an online survey. The inspector will send the link to the agency by email once we have announced the inspection and ask you to distribute this link on our behalf. The agency should send out our survey to all its childcare providers by 5pm on the day after notification. The responses are submitted directly to Ofsted and shared with inspectors.

If there are no responses for an agency, this will also form an area of focus for the inspection.

Requests for deferral

In most cases, we will only defer or cancel an inspection/visit if you no longer have childcare providers registered with you. The absence of any of the individuals who make up the registered person (see our [childminder agency registration guidance](#)), managers or staff is not a valid reason for deferral. Inspections that have been prioritised as a result of risk assessment will not normally be deferred.

While it is important that we carry out our planned inspections wherever possible, we understand that sometimes there may be reasons why a planned inspection may not go ahead. In these circumstances an agency may request a deferral of its inspection.

Any request to defer an inspection should be made during the notification call, or at the earliest opportunity afterwards before the start of the inspection. We will consider whether to grant a deferral in line with our [deferral policy](#). We make these decisions on a case-by-case basis.

The inspection

The inspection team

The size of the inspection team and duration of the inspection will depend on the size of the childminder agency being inspected, the geographical area the agency covers and the geographical spread of childcare providers. The inspection is likely to last for between 2 and 5 days and have a team of between 3 and 15 inspectors. All inspectors will have completed training to carry out CMA inspections. Further information can be found in the [DfE's Inspection of childminder agencies: requirements for Ofsted](#).

The start of the inspection

At the heart of our inspections is a professional dialogue between inspectors and leaders. During the inspection, inspectors will need to speak to staff in a range of different roles. They will do so in line with our code of conduct, and at all times act with professionalism, courtesy, empathy and respect. The lead inspector will hold an initial meeting with your agency's owner or nominated individual and will encourage them to have at least one other senior leader present to support them. This meeting may take place on site or by telephone.

When meetings are held on site, the inspector will show you their identification and will allow you time to check the identification and contact us to confirm it, should you wish to do so.

When meetings take place by telephone, you can verify an inspector's identity by contacting the Ofsted helpline on 0300 123 1231 and asking for the call to be transferred to the inspector. Please note that during busy periods, waiting times on the helpline can be significant.

During the initial meeting, the lead inspector will:

- clarify the role of the key people involved in the inspection, both in the inspection team and the agency, including the lead inspector and other inspectors, the agency's nominated individual/senior manager, and the arrangements for communication between the inspection team and the agency

- clarify who nominated individuals/senior managers have to support them if needed during or after the inspection (typically someone who is connected to the registration and who can understand the context of the inspection), and how to contact whoever is responsible for the nominated individual/senior manager's well-being on a day-to-day basis
- agree a process for keeping nominated individuals/senior managers informed of progress throughout the inspection. This will normally mean regular meetings with the nominated individual/senior manager, so that they can raise concerns or seek clarification about the inspection. The lead inspector will inform nominated individuals/senior managers if there is evidence that the agency may be judged ineffective. They will emphasise that final judgements are not made until the feedback meeting on the final day of the inspection
- check the accuracy of, or any changes to, the information about the agency, including the structure of the organisation
- discuss the available evidence and the areas of inspection focus – the agency's owner or nominated individual will have the opportunity to clarify the self-evaluation and to provide any new contextual information
- agree the timetable for inspection activities, including meetings and arrangements for joint observations and for completing the visits to a sample of childcare providers. This includes agreeing that childcare providers may be accompanied by a person of their choice when speaking to inspectors. However, it is important that childcare providers are able to express their views freely to inspectors. Therefore, we would urge them, where possible, to speak to inspectors without agency staff present
- make arrangements for providing feedback at the end of the inspection, and request that the agency's owner or nominated individual will attend

Inspectors will take careful account of the well-being of nominated individuals/senior managers and staff and adjust their approach or activity as appropriate. If any staff member becomes upset or distressed at any point during the inspection, the lead inspector will pause the activity to check on their well-being. Where appropriate, inspectors will make reasonable adjustments to enable the staff member to continue. Inspectors will inform those responsible for the person's well-being. In extreme circumstances (such as when inspectors have serious concerns about a staff member's well-being) the lead inspector will contact the duty desk to discuss what action to take. They may need to consider pausing the inspection.

Pausing inspection

There may be occasions when it is difficult or inappropriate for an inspection to continue. This could include where there is a significant event involving a member of agency staff, childcare provider or a child, or where there are significant concerns about the nominated individual/senior manager's welfare. We will consider these on a case-by-case basis and will be sympathetic to the pressures on the nominated individual/senior manager and staff. If, at any time, an inspector thinks that an inspection should be paused, they should immediately contact the duty desk. The duty desk will liaise with the regional director, who will advise on next steps.

Gathering and recording evidence

The detail of the activities carried out and discussions held will depend on the areas of inspection focus for each individual inspection. Inspection activities will be determined by the lead inspector but usually include:

- discussion with agency leaders and managers
- discussion with agency staff and other key partners, for example training providers or those in contracted roles deployed by the agency to undertake delegated tasks
- visits to a sample of childcare providers registered with the agency to gather their views about the agency, to check the accuracy of the agency's assessment about the support it provides and the impact of its training, and to see them at work (see sections on [sampling](#) and [what those being visited can expect](#))
- observing recruitment and training sessions wherever possible
- accompanying a member of agency staff on a 'support/monitoring' visit to a childcare provider
- examining relevant records and documents to assess the impact of the agency's services to childcare providers and parents; this is likely to include training plans and records, recruitment policies and procedures, case files, and monitoring and quality assessment records
- case tracking of childcare providers who have recently been recruited or undergone training and assessment by the agency
- reviewing relevant records of the sampled childcare providers, such as records of support or quality assurance visits
- speaking with parents

Childcare provider case records

Inspectors will scrutinise the case records for a sample of childcare providers to be visited to understand how the agency operates. This may be done alongside senior agency staff.

The records may also include the following, although this is not an exhaustive list:

- the registration process carried out for the childcare providers, including right to work checks
- training and professional development records
- evidence of monitoring/inspection of childcare providers by the agency
- the way the agency deals with any complaints and the action it has taken

Sampling childcare providers

We will visit a sample of the childcare providers you register. We do this to assess the quality of support being offered.

The lead inspector will determine the size of the sample to be visited. This will normally be based on the number of childcare providers registered with the agency.

The sample should include, where possible:

- both childminders and childcare on domestic premises providers, if the agency has both
- a childcare provider assessed by the agency as needing additional support
- a newly recruited childcare provider
- a childcare provider who has been registered for more than 6 months
- a selection of childcare providers operating in different geographical locations
- a childcare provider who has been the subject of a safeguarding concern
- a childcare provider who you have taken enforcement action against or cancelled
- a childcare provider having a quality assurance visit where the inspector can observe the agency staff member

Inspectors will sample sufficient information from the above to arrive at a judgement about the effectiveness of the agency. During the planning, they will identify which childcare providers they will include in the sample.

Inspectors will track the experiences and progress of at least 4 children from the childcare providers sampled. The number may increase or decrease depending on the size of the agency.

If the inspector is concerned about how the agency handles safeguarding concerns, they may increase the sample size.

Inspectors will consider:

- how accurately the agency has assessed the childcare provider's strengths and weaknesses
- how any support, guidance or training is helping the childcare provider to comply with the requirements of the EYFS and/or the Childcare Register (if appropriate)
- how any support, guidance, training or monitoring is helping the childcare provider to improve their practice
- how the agency has tackled weaknesses and underperformance
- if monitoring is sufficiently rigorous to improve childcare provider practice
- if the agency has disseminated good practice to childcare providers

What those being visited can expect

Inspectors will spend between an hour and 3 hours with each childcare provider. They will explain to them that the purpose of the visit is to assess the quality of the support being offered by the agency. The visit is not an inspection and will not result in a judgement or feedback from Ofsted. During the visit, inspectors will maintain a constructive professional dialogue and treat childcare providers with the respect and sensitivity they deserve. At the start of the visit, inspectors will clarify who childcare providers have to support them, if necessary, during or after the visit. Childcare providers may be accompanied by a person of their choice when speaking to inspectors. However, it is important that they are able to express their views freely to inspectors. Therefore, we would urge them, where possible, to speak to inspectors without agency staff present.

Inspectors will observe the childcare provider's practice to gauge the extent to which children's learning and development are being promoted, how well children are progressing and the effectiveness of care practices. This helps the inspector to assess the effectiveness of the agency's arrangements for assuring the quality of its childcare providers and the accuracy of the agency's evaluation of quality.

Inspectors will hold a discussion with the childcare provider to gauge the impact of the agency's support and training on their childminding practice. Inspectors will ask questions about the registration process to understand the childcare provider's view of the process. Where the agency has provided business support, inspectors will note the extent to which the childcare provider feels this has benefited their business.

Inspectors will agree with the childcare provider when to hold this discussion in order to avoid disrupting the children's care. They may agree to hold the discussion by telephone later in the day.

Inspectors must check the childcare provider's arrangements for safeguarding children and child protection procedures and that they meet with the agency's expectations.

Inspectors will talk with children and the childcare provider but will take care not to disrupt their practice and usual routine.

Agency staff, discussions and observations

Inspectors will hold discussions with any of the agency's staff who provide support to the childcare providers visited as part of the sample. If any quality assurance visits are due to take place, the inspector will arrange, where practicable, to carry out joint observations with the agency staff as part of the sample. A constructive, respectful and empathetic dialogue with agency staff will enable us to explore how the agency is supporting the childcare provider's practice and bringing about improvement.

Inspectors may observe your staff while they are working in order to evaluate the quality and impact of the agency's work. This may include inspectors attending any existing groups that meet during the inspection. Observations of a range of sessions/activities could include:

- recruitment/registration visits to applicants
- assessment/monitoring visits of those registered with the agency
- training sessions delivered and/or commissioned by the agency
- support meetings run by agency staff
- drop-in sessions at outreach sites (as applicable)

In discussion with agency leaders where practicable, inspectors will choose which,

and how many, sessions and activities to visit. They will give agency leaders/managers/the nominated individual the opportunity to carry out joint observations of agency staff.

Observations will enable the inspector to:

- assess the accuracy and quality of the agency's monitoring and evaluation of practice
- discuss the effectiveness of the agency's performance management arrangements and professional development programme for staff
- help the agency manager understand the judgements the inspector team are making about the quality and impact of practice, and how they might be improved

The agency's owner/manager/nominated individual is able to choose whether or not to take part in joint observations. Where a joint observation takes place, the inspector and the owner/manager/nominated individual must discuss their views about the quality of the session/visit. Any differences in the analysis and evaluation of the session/visit should be explored and, where appropriate, used to inform the judgement made.

After a joint observation, the inspector and leader/manager/nominated person should agree how to manage the feedback and when this should take place. The inspector may observe the leader/manager/nominated person giving feedback in order to evaluate the manager's assessment about the quality of practice observed and to observe how they carry out and deliver feedback.

Inspectors can also speak directly to any parents who have asked to speak to them after being notified of the inspection. They can do this by telephone. Telephone discussions with parents must take place without the presence of agency leaders or staff, unless there are exceptional circumstances.

To help the nominated individual/senior manager to understand how the inspection is progressing, and to continue the constructive professional dialogue, the lead inspector should hold brief discussions with them about the findings that are emerging during the inspection, and record these in the inspection evidence. This is an opportunity for them to raise any issues or concerns, or to seek clarification about the inspection.

Evaluating policies and procedures

Inspectors do not routinely examine all policies and procedures. Inspectors examine documents if they inform an area of inspection focus for that individual inspection. Inspectors focus on the impact of documents such as risk assessments and how they work in practice, rather than the format. What matters is that they are fit for purpose and provide enough information to childcare providers so that they can care for the children safely and appropriately.

If the agency uses the [DBS update service](#) to check the status of an individual's DBS certificate, it should be able to demonstrate how it manages and records details of any check it carries out.

If any areas of inspection focus require additional information, then the inspector may ask that a small sample of full personnel records are made available at the inspection visit. These may include:

- DBS records for any agency staff who have direct contact with children
- recruitment records for all agency staff and evidence of how safe recruitment has been carried out for agency staff who do not have direct contact with children
- evidence of how the agency ensures the ongoing suitability of its staff, including systems for performance management
- how the agency's leaders manage the performance of agency staff
- staff qualifications
- evidence that all staff and childcare providers have been trained to understand the agency's safeguarding policy and procedures and that the training enables them to identify possible signs of abuse and neglect at the earliest opportunity and to respond in a timely and appropriate way
- any records of complaints

Inspectors will want to see evidence of how an agency assesses the ongoing suitability of those that it has registered and how it develops them to help them improve their practice.

Evaluation criteria

Inspectors use their professional judgement to weigh up the evidence they gather. They consider this evidence against the grade criteria to reach fair and reliable judgements that reflect the quality of the agency.

Inspectors will judge whether the childminder agency is effective or not by taking into account 3 key judgements:

- the effectiveness of the leadership and management of the childminder agency
- the quality of the agency's services
- the impact of the agency's services on the quality of the education and care provided by its childcare providers

In reaching the overall effectiveness judgement, inspectors must evaluate how well the agency:

- assesses and identifies the quality of childcare providers registered with it
- improves and/or maintains the effectiveness of childcare provision
- ensures that childcare services contribute positively to children's well-being and progress

Inspectors will consider the following criteria to make judgements, including benchmarks for what 'effective' looks like:

- the evidence and judgements from across the evaluation schedule
- the context in which the agency works, including specialising in placements for particular groups of children
- how the agency helps drive up the quality of childcare in areas of high deprivation
- how the agency improves the quality of weaker childcare providers, taking account of the length of time that childcare providers have been registered with it
- the effectiveness of the agency's systems to carry out its role as the regulator of the childcare providers registered with it
- the seriousness of any failure on the part of the agency to meet regulations and requirements for registration and the potential impact of that failure on childcare providers registered with the agency and children

Effective

The childminder agency is effective overall if:

- the agency understands its own context well, enabling resources to be targeted appropriately to improve the quality of practice
- the agency provides a good service to childcare providers, including those who

take children in areas of deprivation, and the quality is improving strongly

- safeguarding meets requirements and the agency's policies and guidance support childcare providers well to keep children safe and secure
- the agency's leaders are clear about and fulfil their responsibility as the regulator
- childcare providers understand the agency's expectations for them to continually improve their practice
- the agency demonstrates that the quality of childcare providers and children's experiences of the early years are improving as a clear result of its work

Ineffective

The agency is likely to be judged ineffective if:

- any one of the key judgements is ineffective
- there are failures in regulatory requirements, which have a significant impact on the children's safety and well-being and/or learning and development

The effectiveness of the leadership and management of the childminder agency

Inspectors must consider:

- how well leaders and managers demonstrate a clear vision and strategic direction for the agency
- how well leaders and managers promote British values and equality and diversity
- the rigour of self-evaluation in measuring the impact of actions taken and in setting challenging targets for improvement
- the effectiveness of the agency's recruitment policies and procedures for checking the suitability of childcare providers at registration and their continuing suitability to work with young children
- the effectiveness of partnerships with stakeholders and external agencies
- whether systems to monitor the quality of provision and to identify what support is required to improve the provision are robust
- the extent to which leaders and managers take account of parents' and children's views

- the effectiveness of systems for supervision, performance management and continuing professional development of agency staff
- whether arrangements for safeguarding meet requirements

Effective

Leadership and management of the agency are effective if:

- leaders and managers are ambitious for the agency and communicate high expectations to all in the agency. Self-evaluation is thorough and accurate, and the actions taken by the agency to improve the quality of the agency and childcare provider's services are carefully planned, concerted and effective
- leaders and managers implement robust procedures to support childcare providers to meet safeguarding and welfare requirements and to ensure that children are safe
- the promotion of British values and equality and diversity can be seen in the agency's policies and practice
- rigorous and precise monitoring enables the agency to have a comprehensive understanding of childcare provider's strengths and areas for development. Poor performance is tackled systematically, leading to improvement
- thorough checks and clear recruitment policies ensure the suitability of agency staff and childcare providers who apply to register and their continuing suitability to work with young children
- the agency works effectively with partners to provide support for childcare providers to improve their practice
- leaders and managers take account of the views of parents, childcare providers and children in order to drive improvement
- regular monitoring and professional development support childcare providers to improve
- performance management and professional development of agency staff are thorough and lead to improvement
- the commitment of leaders and managers to improving the quality of childcare provision is such that they do not restrict applications to childcare providers previously judged as good or better
- childcare providers who consistently fail to meet the agency's standards are de-registered promptly

If the inspector considers that a regulation/requirement is not being met, but there is no impact on the quality of the childcare, the inspector will include this as an area for improvement.

Ineffective

Leadership and management are likely to be ineffective if one or more of the following apply:

- leaders and managers do not monitor the work of the agency staff and/or childcare providers' practice well enough
- known weaknesses in childcare providers' practice are not tackled quickly enough, so provision is not improving and/or children's health, safety and well-being are at risk
- leaders and managers are not working effectively with external agencies to meet regulations and ensure that prompt action is taken to protect children and keep them safe from harm
- recruitment processes do not ensure the suitability of agency staff and/or childcare providers
- professional development does not lead to improvement and, consequently, childcare providers whose practice is weak remain registered with the agency for too long
- self-evaluation is not accurate. As a result, leaders and managers do not secure improvement and hold an overly high view of the quality of childcare provider practices
- the agency does not promote British values or equality and diversity, or ensure that childcare providers registered with it do
- strategies for working with parents and other agencies are weak and parents are not satisfied with the service provided
- arrangements for safeguarding children do not meet statutory requirements, and give serious cause for concern

The quality of the agency's services

Inspectors must consider:

- the quality and accessibility of support, training and guidance to ensure that childcare providers meet the requirements of the [EYFS statutory framework](#) and/or the requirements of the Childcare Register
- how well support is targeted to help childcare providers improve their practice
- the breadth and range of services provided to childcare providers to enable them to improve the quality of their provision

- the effectiveness and accuracy of the agency's assessment of registered childcare providers' needs and the extent to which support meets these needs
- any observations of training and support work taking place during the inspection period

Effective

The childminder agency's services are effective if:

- the agency has a well-planned programme of training, with high levels of participation, which enables childcare providers to improve their practice
- the agency supports childcare providers to meet all statutory requirements by providing high-quality policies and guidance
- childcare providers are challenged and supported well to improve weaker aspects of their practice through individual programmes of support that develop their knowledge, skills and confidence
- childcare providers and parents are positive about the services the agency provides and can point to the impact they have had
- belonging to the agency enables childcare providers to learn from best practice and to work together to improve outcomes for children
- childcare providers develop knowledge, skills and confidence to improve their practice because of the broad range of events and activities the agency provides

Ineffective

The agency's services are likely to be ineffective if one or more of the following apply:

- childcare providers are not improving their practice because the agency is failing to provide quality training and/or support
- opportunities for childcare providers to attend training are not frequent enough and do not lead to improvement in practice
- services provided do not match the needs of the childcare providers registered
- the agency is slow to tackle weak practice
- lack of clear policies and guidance mean that childcare providers are not meeting statutory requirements
- childcare providers and parents are dissatisfied with the agency's services

The impact of the agency's services on the quality of education and care provided by its childcare providers

Inspectors must consider how well the agency assures itself:

- that children are kept safe at the childcare provider's provision
- of the quality and range of experiences offered to children and opportunities provided for their parents to be involved in their learning
- of the progress made by children in childcare provider provision registered with the agency, especially in their speech, language development and ability to communicate
- that gaps in achievement between groups of children in the local area, particularly between those who receive government funding and those who do not, are narrowing
- that childcare providers use any additional funding they receive for children in their care effectively
- that the quality of provision in childcare is continually improving

Effective

The agency can demonstrate that:

- all childcare providers registered with it meet safeguarding requirements and, as a result, children are safe and secure
- childcare providers provide children with a wide range of experiences that are well suited to their development needs
- advice and guidance to parents support children's development needs
- childcare providers understand how to develop children's skills in communication and language and so meet children's learning and development needs
- childcare providers assess children's skills and abilities well and plan targeted programmes to help children at risk of falling behind to catch up with their peers
- additional funding is targeted effectively and is making a significant difference to raising the development levels of children with funded places
- training and development provided by the agency have had a positive impact on improving the quality of childcare practices

Ineffective

Services are likely to be ineffective where the agency has not identified and/or

tackled weaknesses so that one or more of the following apply:

- not all childcare providers meet safeguarding requirements and, as a result, children are at risk
- the quality of experiences provided for children is poor and consequently gains in learning and development are too slow
- parents are not engaged with or supported to help their children to develop
- childcare providers' knowledge of the EYFS is weak, particularly in communication and language. Consequently, children are not making enough progress
- childcare providers do not assess children's skills and abilities well enough to be able to plan appropriate support to enable children who lag behind to catch up with their peers
- additional funding is not targeted well and/or the agency has no records of how additional funding is spent

Safeguarding and child protection concerns

During the inspection, inspectors share emerging findings about the childminder agency's key strengths and weaknesses with the agency. Shortfalls that could have an immediate impact on the safety of children or another concern that may lead to the agency being judged ineffective should be brought to the immediate attention of the owner or nominated individual.

If serious issues of concern arise during the inspection, for example in relation to the failure of the agency or a childcare provider registered with the agency to follow child protection procedures, the inspector must notify the agency manager as soon as possible unless to do so might put children at further risk.

Inspectors should always follow [Ofsted's safeguarding policy](#).

Where relevant, the inspector must ensure that the agency deals with the matter appropriately. The inspector will ensure that any referral needed is made to the relevant local authority children's services and, if the concerns relate to allegations against agency staff, childcare provider they are referred to the designated officer.

You can find further guidance in [Safeguarding concerns: guidance for inspectors](#).

Reaching final judgements

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

The lead inspector must set aside sufficient time towards the end of the inspection to consider the evidence and make the final judgements. They should record final judgement grades and identify the main points for feedback. The lead inspector should also ensure that time is set aside for the final feedback meeting.

On reaching a judgement of ineffective the lead inspector may consult with the regional duty desk but should always consult the regional duty desk if:

- there is evidence of any safeguarding issues or child protection concerns
- previous concerns about the agency have not been dealt with in a satisfactory way, including the failure to take satisfactory action to meet actions set at a previous visit
- the agency shows insufficient understanding of their responsibility to meet the requirements
- the last inspection resulted in a judgement that was ineffective

End of the inspection and feedback

At the end of the inspection, the lead inspector will give feedback to the agency's nominated individual/senior manager on the main findings and provisional judgements. Any person the nominated individual/senior manager wants present to assist and support them can attend. If the nominated individual/senior manager cannot be present, the inspector should give feedback to the manager as the representative. The lead inspector will usually give feedback on the last day of the inspection, but in some circumstances, they may need extra time to take advice before giving feedback.

If the feedback is likely to be challenging or is likely to raise sensitive issues, the lead inspector will be sympathetic to the implications of the feedback. The lead inspector and the nominated individual/senior manager will agree which other people should attend. Attendance at the feedback meeting is voluntary and any attendee may leave at any time.

Feedback will be consistent with the evidence gathered during the inspection and should cover the agency's strengths and areas for improvement in:

- the quality of leadership and management
- the quality and standards of the services the agency provides
- how effectively the agency assures itself of the quality of the care and education provided by those registered with it

The lead inspector will also give feedback on actions to be taken and/or recommendations for improvement.

The lead inspector will provide examples that illustrate the agency's strengths and weaknesses. They will ensure that you are clear about the:

- main findings of the inspection and each of the judgements made
- main points provided orally in the feedback, which will be referred to in the text of the report
- recommendations for improvement and any actions that you need to take if the agency has failed to meet regulatory requirements
- procedures leading to the publication of the report
- post-inspection survey, which the agency is encouraged to complete
- complaints procedure

At the feedback meeting, the lead inspector will allow time for the nominated individual/senior manager to raise any issues or concerns, or to seek clarification on the points discussed. This includes issues related to the conduct of the inspection or inspectors. The nominated individual/senior manager can also contact Ofsted on the working day after the end of the inspection if necessary. The lead inspector must make it clear that the findings are restricted and confidential to the relevant senior staff (as determined by the agency) and should not be shared more widely or published until the provider receives the final report. This should not prevent the nominated individual/senior manager from discussing the inspection outcome with others, in confidence. This may include their colleagues, family members, medical advisers and/or their support group. However, the information should not be made public or shared with childcare providers registered with the agency or parents. As the grades are provisional, they may change as a result of quality assurance procedures. We may share a draft of the inspection report with the DfE and other bodies as necessary. This will only take place following moderation or quality assurance.

Inspectors will not provide a written summary of the inspection or written feedback

before sending the inspection report. The lead inspector will encourage the nominated individual/senior manager, or a representative, to take written notes at the feedback meeting. The inspector will summarise in their evidence base the main points raised at the feedback meeting and the responses to these.

After the inspection

All inspectors are responsible for the quality of their work. The lead inspector must ensure that the inspection is carried out in accordance with the principles of inspections and our code of conduct.

We monitor the quality of inspections through a range of formal processes. This may include another inspector conducting a quality assurance visit during the inspection to monitor the quality of the inspection. This may also be carried out remotely in some circumstances. We may also evaluate the quality of an inspection evidence base. The lead inspector will be responsible for giving team inspectors feedback about the quality of their work and their conduct.

The great majority of our work is carried out smoothly and without incident. If concerns do arise during the inspection, they should be raised with the lead inspector as soon as possible, in order to resolve issues before the inspection is completed. Any concerns raised, and actions taken, will be recorded in the inspection evidence. If there are any concerns that it is not possible to resolve with the lead inspector during the inspection, the nominated individual /senior manager can contact Ofsted on the working day after the inspection to speak to a senior inspector. This will be an opportunity for them to raise informal concerns about the inspection process or outcomes, ask about next steps or highlight information that they feel was not fully considered during the inspection. This will be directed to an inspector who is independent of the inspection, to discuss and resolve any concerns at the earliest opportunity.

Following the quality assurance process, Ofsted will share the report with the registered person or nominated individual of the childminder agency. We aim to send reports to the registered person/nominated individual as quickly as is reasonably possible. They will have 5 working days to comment on the draft report, inspection process and findings. We expect them to share the findings with relevant senior staff and anyone they deem appropriate. They may also share provisional inspection outcomes, in confidence, with others not involved in the agency. However, the information should not be made public or shared with childcare

providers registered with the agency or parents. We will consider all comments, and we will respond to the comments when we share the final report with you within 30 working days after the inspection.

If it is not possible to resolve concerns during the inspection, shortly after the inspection or through submitting comments in response to the draft report, the agency may lodge a formal complaint within 5 working days of receipt of the final report. The lead inspector will ensure that the agency is informed that they are able to make a formal complaint and that information about how to complain is available on GOV.UK. The lead inspector should advise you of the above at the feedback meeting at the close of the inspection.

If agency staff have a safeguarding concern about an inspector, they can contact Ofsted using the phone number provided at the beginning of the inspection (regional duty desk number) and to ask to speak with an SHMI.

Use of personal data

As part of our inspection activities, we may gather personal data that is necessary to help us evaluate childminder agencies. Our [personal information charter](#) sets out the standards you can expect from Ofsted when we collect, hold or use personal information, and that we will follow all applicable data protection legislation in how we treat personal information. We will apply [Ofsted's policy on incomplete inspections](#) where appropriate.

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