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Policy paper

Inspection of early years register providers: requirements for Ofsted

Updated 27 March 2026

Applies to England

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1. Background

Ofsted is responsible for the registration, regulation and inspection of early years childcare providers in England.

Early years childcare providers who care for a child from birth to age 5 (up to 31

August following the child's fifth birthday) and for more than 2 hours per day must register with Ofsted on its early years register. This includes nurseries, pre-schools and childminders (alternatively early years childminders can register with an early years childminder agency instead of registering with Ofsted).

It is an offence to provide early years childcare for a child for more than 2 hours a day without being registered with Ofsted or a childminder agency unless you are exempt from compulsory registration. Read Ofsted's guidance about [when you should register](#) and [registration exemptions](#).

In July 2012, we removed a number of requirements placed on Ofsted within The Childcare (Inspections) Regulations 2008 as part of the government's plans to remove unnecessary regulation and burdens. It was agreed that, in future, the early years inspection requirements would be set out in letters from the Secretary of State for Education to the Chief Inspector of Ofsted. This guidance sets out details of the requirements, starting with the most recent.

2. Requirements from 1 April 2026

On 18 March 2026, the Minister for Early Education and Minister for Equalities, Olivia Bailey MP, wrote to His Majesty's Chief Inspector, Sir Martyn Oliver, on behalf of the Secretary of State to set out the necessary inspection requirements for early education and childcare inspections.

This letter replaces the remit letter issued on 3 November 2020. It reflects our commitment, as set out in the [Best Start of Life strategy](#) for Ofsted to move to a more frequent inspection window. This means that standards, including safeguarding and quality, are reviewed more regularly, giving parents more up-to-date information to help them choose the right setting for their child.

Inspection Timeline

Under section 49(2)(b) of the Childcare Act 2006, the Secretary of State requires you to:

- inspect all providers registered on the Early Years Register, whether they registered before or after 1 April 2026, within 4 years from the date of their last

inspection – the 4-year inspection window will be introduced from April 2026 and phased in over 4 years, with full implementation expected by March 2030

- prioritise the first inspection of all newly registered providers on the Early Years Register, usually or where possible, within 18 months of registering – this requirement will apply to providers registering on or after 1 April 2026
- continue with existing arrangements to inspect all providers who were registered before 1 April 2026, usually within 30 months of the date of registration

Childcare providers with no children on roll

When arrangements are in place, if a registered early years provider has no children on roll at the time an inspection is due, then the Secretary of State will not require you to carry out an inspection.

In such cases, you may undertake proportionate checks to confirm compliance with registration requirements, until such time when an early years provider has children on roll and Ofsted will carry out a full inspection as soon as reasonably practicable.

Once a provider receives an inspection, the 4-year inspection window will resume from the date the inspection is carried out. You have powers outlined in the Childcare Act 2006 to cancel the registration of childminders with domestic premises and childminders without domestic premises who have not cared for children for more than three years.

Independent Schools

You are not required to inspect early years provision at an independent school if both of the following apply:

- by 2 months before the date by which you would have been required to inspect the early years provision, that early years provision has been inspected by a body approved by the Secretary of State under section 106 of the Education and Skills Act 2008 or section 49(4) of the Childcare Act 2006
- that approved body has prepared a report of the inspection which reports on the matters set out in section 50(1)(a) to (d) of the Childcare Act 2006, and has sent a copy of that report to you

Copies of early years reports to local authorities

The Secretary of State requests that a copy of an inspection report (or such parts of the report as you consider appropriate) made under section 50 of the Childcare Act 2006 be sent to the local authority in whose area the provider is situated.

Copies of later years reports to local authorities

The Secretary of State requests that a copy of an inspection report (or such parts of the report as you consider appropriate) made under section 61 of the Childcare Act 2006 be sent to the local authority in whose area the provider is situated.

3. Requirements from 4 May 2021

On 3 November 2020, the Parliamentary Under-Secretary of State for Children and Families, Vicky Ford MP, wrote to the Chief Inspector Amanda Spielman setting out the requirements for Ofsted to inspect early years register providers as soon as they resume full routine early years inspections. Ofsted resumed its full routine early years inspections on 4 May 2021. Further information about Ofsted's return to on-site inspections is available at [Ofsted's plans: 2021](#).

The letter also sets out a requirement for Ofsted in relation to reports about childcare providers who are registered with Ofsted to care for children from 1 September 2021, after the child's fifth birthday up until their eighth birthday – also known as 'later years' providers.

Inspection timetable

Under section 49(2)(b) of the Childcare Act 2006, the Secretary of State requires the Chief Inspector to:

- inspect providers on the early years register – whether they registered before or

after Ofsted resumes its full routine inspections post COVID-19 – within 6 years from the date of their last inspection

- prioritise the first inspection of providers on the early years register – whether they registered before or after Ofsted resumes its full routine inspections post COVID-19

Independent schools

The Chief Inspector is not required to inspect early years provision at an independent school if:

- by 2 months before the date by which the Chief Inspector would have been required to inspect the early years provision, that early years provision has been inspected by a body approved by the Secretary of State, and
- that approved body has prepared a report of the inspection which reports on the matters set out in section 50(1)(a) to (d) of the Childcare Act 2006, and has sent a copy of that report to the Chief Inspector

Copies of early years reports to local authorities

The Secretary of State requests that a copy of an inspection report (or such parts of the report as the Chief Inspector considers appropriate) made under section 50 of the Childcare Act 2006 is sent to the relevant local authority.

Copies of later years reports to local authorities

The Secretary of State requests that a copy of an inspection report (or such parts of the report as the Chief Inspector considers appropriate) made under Section 61 of the Childcare Act 2006 is sent to the relevant local authority.

4. Requirements from 25 March 2020:

temporary suspension of Ofsted routine inspections

On 25 March 2020, the Secretary of State for Education Gavin Williamson MP wrote to the Chief Inspector Amanda Spielman. Following the COVID-19 pandemic, the letter set out a temporary suspension to routine Ofsted inspections.

5. Requirements from 1 August 2012 to 25 March 2020

On 12 July 2012, the Secretary of State for Education Michael Gove wrote to the Chief Inspector Sir Michael Wilshaw.

The letter set out the necessary inspection requirements for early education and childcare inspections from 1 August 2012. The letter also sets out a requirement for Ofsted in relation to reports about childcare providers who are registered with Ofsted to care for children from 1 September after the child's fifth birthday up until their eighth birthday – also known as 'later years' providers.

Inspections timetable

Under section 49(2)(b) of the Childcare Act 2006, the Secretary of State requires the Chief Inspector to complete, by 31 July 2016, the inspection of all providers registered on the early years register before 1 August 2012.

Under section 49(2) of the Childcare Act 2006, the Secretary of State requires the Chief Inspector to inspect providers newly registering on the early years register on or after 1 August 2012 within the period of three years beginning with 1 August following the date of registration.

Independent schools

The Chief Inspector is not required to inspect early years provision at an

independent school if:

- by 2 months before the date by which the Chief Inspector would have been required to inspect the early years provision, that early years provision has been inspected by a body approved by the Secretary of State, and
- that approved body has prepared a report of the inspection which reports on the matters set out in section 50(1)(a) to (d) of the Childcare Act 2006, and has sent a copy of that report to the Chief Inspector

Copies of early years reports to local authorities

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