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Guidance

Early years inspection operating guide for inspectors: for use from September 2026

Updated 12 June 2026

Applies to England

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 **For use on inspections from 1 September 2026.**

About this page

This guidance sets out how inspectors ('you') should carry out inspections of registered early years (EY) settings.

Inspectors should use the guidance in this document and the [toolkit for EY inspections](#), along with their professional curiosity and compassion, to gather evidence to reach fair and accurate grades. They should also draw on their experience and expertise.

Further information for providers on the process is in our [inspection information for early years](#).

Where this guidance refers to leaders, this includes childminders who are the leaders and practitioners in their setting. Therefore, any references to leaders apply to the childminder. Any references to practitioners or staff apply to the childminder and any assistants.

Where this guidance refers to children, this means all children educated and cared for in the setting, including babies.

Conduct

Throughout the inspection, you must act in line with our [code of conduct](#), and show professionalism, courtesy, empathy and respect at all times. At the earliest opportunity, and as necessary throughout the inspection, remind the provider and the inspection team (where there is one) of the importance of following the code of conduct.

Equality duties on education inspection

Both inspectors and providers have responsibilities under the [Equality Act 2010](#). Guidance on the equality duties for providers and inspectors is set out in our [Equality duties on education inspection](#) policy. This includes what to do if you witness or find evidence of behaviour by leaders and staff that does not comply with the act.

Key principles

Principle 1

- Throughout the inspection, the toolkit will help you gather evidence to celebrate the setting's strengths, validate leaders' priorities and progress and highlight where improvement is needed. In doing so, you will consider the extent to which children:
 - achieve – develop the knowledge, skills and confidence they need to secure the best start in life
 - belong – feel safe, welcomed and valued
 - thrive – benefit from the right systems, processes and levels of oversight, so that they are kept safe and are able to flourish, whatever their background or individual needs.

The toolkit will give you assurance that you are building a clear and typical picture of all aspects of the setting's work.

Principle 2

- Leadership, inclusion and whether there is an open and positive safeguarding culture are key areas of focus when gathering evidence.

Principle 3

- The 'expected standard' in the evaluation areas in the toolkit is the starting point for planning your inspection activities.

What to do before arriving on site

Preparing for inspection

Preparation is a vital part of ensuring that the inspection is a positive experience. Being focused and proportionate is key. You may wish to review some information briefly before your first phone call with leaders to notify the inspection and return to this later in the day to review the information in more detail before the planning call.

When preparing, consider the [3 key principles](#).

Review the following, and record brief, relevant, evaluative information:

- which register(s) the setting is on, confirming that we hold the correct details about the registered person/legal entity – if you are uncertain about the registration, contact the duty desk and try to resolve this promptly so the inspection can take place; if this is not possible, you may need to delay the inspection until the matter is resolved, seeking advice from a senior manager if this means the inspection will exceed the 'no later than' date
- the number of places
- whether an additional inspector is needed (see [Principles for deciding when more than one inspector is needed for early years inspection and regulatory activity](#)) and this has been agreed by the region – if so, record the rationale and who agreed

this decision; this might include concerns about suitability and/or your safety, and/or the number of places

- details of the setting's regulatory history and of any concerns received, in particular those to be considered at the next inspection
- whether your planning indicates that the inspection should be carried out as an inspection without notice – if so, record your rationale clearly; contracted inspectors must discuss this with the inspection duty desk and record who agreed the decision
- any published information, including outcome summaries, regulatory notices and previous inspection reports
- the setting's website, if it has one
- information reported in the press or online
- any safeguarding or other issues relating to the setting that may need to be followed up during the inspection
- any other contextual information we may hold about the setting
- data relating to the context of the local area, including deprivation levels, take-up of the early years pupil premium (EYPP), obesity rates, education, health and care (EHC) plans and special educational needs and/or disabilities (SEND) and oral health statistics – this publicly available data, which can be found with the [Ofsted: explore an area](#) tool, will help to inform your discussions with leaders during the [planning call](#).

Checking for open cases and regulatory history

You must consider any notifications and/or concerns received about the setting since the last visit/inspection. Take account of such information when planning inspection activities and use it to inform the areas of inspection focus.

If the inspection is taking place as a priority, for example because of a risk assessment of concerns or complaints received about the setting, the inspection will focus on the wider issues these raise.

You must do everything you can to protect a complainant's identity and make sure it is not shared with the setting. Sometimes, the nature of the complaint makes it possible for leaders to guess the complainant's identity. However, you must not confirm this.

Use your preparation and knowledge of the early years foundation stage (EYFS), the Early Years Register and the Childcare Register requirements (if applicable), and the [toolkit for early years](#) to identify what to explore with leaders in the planning call.

Notification

Constructive, professional dialogue

At the heart of our inspections is a professional dialogue between inspectors, the setting's leader(s) and [the nominee](#) (where appropriate). This dialogue must follow our code of conduct and always be carried out with professionalism, courtesy, empathy and respect.

The notification call should set the tone for the inspection. From the outset, you should build positive relationships and rapport with leaders. Consider the wellbeing of both staff and leaders throughout.

Timing of the call

Contact the setting by telephone by 10am, unless any of the [principles for carrying out inspections and regulatory work without notice](#) apply. If you have any difficulty in contacting the setting, contact your region.

Childminders and group settings

For childminders, and group settings that do not operate regularly, such as summer play schemes, you must call the setting no more than 5 working days before the inspection to check which days they are operating and whether there are children on roll and present.

For childminders and group settings that do not operate regularly, identify the most suitable day for the inspection to take place. This will help you plan for inspection.

No children on roll or present

If the setting is not going to have children present within the next 5 days, find out when children will be present. If this is expected to be within one month, you must

attempt to rearrange the inspection to take place when the children will be present. If the inspection has previously been rearranged because there were no children on roll or present, the inspection should go ahead without children on roll or present. Additional guidance for inspections where there are no children on roll or present is provided in the [Specific contexts to consider](#) section.

Group provision

For group provision, you must call the setting on the working day before the inspection.

Term-time-only settings

For term-time-only settings, you should not plan to inspect during the first week of any term, unless you have concerns that the setting is not meeting the requirements of the EYFS statutory framework. Your rationale for doing so should be clear in your evidence base if this is the case.

Where possible, you should inspect when children are present and agree with the setting the best day to do this.

If the setting is not going to have children present within the next 5 days, find out when children will be present within the inspection window. You should then rearrange the inspection to take place when they will be present.

Notifying leaders of the inspection

Ask to speak with the leader of the setting. In childminder settings, you must speak with the childminder directly. If the provider or their representative is unavailable, ask to speak with the person in charge.

If you have taken all reasonable steps to contact the setting but you have not been able to speak with anyone, the inspection will normally continue the following day without notice or as soon as reasonably practicable (for example, if you have established that the setting is not operating the following day).

Inform the setting that an inspection is taking place and explain the type and length of the inspection. Remind the setting that they can contact a senior Ofsted leader, using the number provided as part of the notification process, to raise any issues or concerns or to seek clarification about the inspection. This should be the only route

used to contact Ofsted, as it is the most efficient and helpful way to have these addressed (see the [Concerns or complaints about an inspection](#) section in the early years inspection information pages).

Confirm details of the inspector(s) and check whether there are any conflicts of interest or concerns. Note any concerns or conflicts and your response in the evidence base.

Explain if there is to be a quality assurance visit on this inspection. More information is available in the [inspection information for registered early years settings](#).

Scheduling the planning call

Agree with the leader, or the next most senior member of staff, the time for a second, longer call (see the [Planning call](#) section). Explain that this is normally a video conference call, unless technology does not allow this. Agree with the leader the arrangements for this.

Explain what you are going to discuss on the call, that it will take approximately 30 minutes, and why it needs to happen on the same day (although after you have completed some [preparation](#)).

Emphasise to leaders that they can take breaks as needed.

Agree who should attend that call. Encourage the leader to have someone present to assist and support them in all calls. The nominee should also attend all calls.

Nominee

In group settings, explain the role of [the nominee](#). In childminder settings, a nominee is not required. As the sole provider, the childminder will liaise directly with the inspector throughout the inspection. In other small settings, a nominee may similarly not be necessary to support with the logistics of the inspection.

Ask leaders if they would like to select a nominee to work closely with inspectors throughout the inspection. If they do, ask if the proposed nominee has accessed any of our optional training for nominees – though stress that it will not hinder the inspection if they have not. Reassure leaders that, if they decide they do not need a

nominee, the inspection will still proceed as planned without any adverse impact.

Confirm that the nominee is suitably placed to support inspection activity. They should be a member of staff with a thorough knowledge of how the setting operates on a day-to-day basis. Record in the evidence base the role of the person selected to be the nominee.

Ask that the nominee, if one has been selected, joins the planning call(s) alongside the nominated individual (NI)/person in charge and any other senior leaders. If the nominee joins the planning call(s) you must check that any information that you discuss is appropriate to share with them.

You must not share confidential notes or complaint-related information with the nominee. Only relevant logistical and contextual information may be shared.

Reasonable adjustments and adaptations

Ask whether anyone who will be joining the planning call, whether team members or setting staff, requires any reasonable adjustments due to a disability and, if so, what arrangements are already in place.

Consider any requests, following the guidance in the [responding to requests for reasonable adjustments and/or adaptations](#) section, and contact the duty desk. Advise the setting of your decision. If they have any questions or unresolved concerns following this discussion, refer them to the provider contact helpline.

Consider making other adaptations to the inspection process where those with other protected characteristics may otherwise be put at a disadvantage.

Confirming key information about the setting

Confirm that, immediately following the notification call, an email will be sent to the NI. It will ask the NI to gather factual information about the setting before the planning call. You will need this information by the end of the inspection. The email will also include guidance about the inspection. If speaking to the NI, check that the provider's email address is correct and that they agree to electronic communication, including routine correspondence and any legal notices. At the end of the inspection, note any changes or updates to the information held about the setting.

If the leader on the call is not the NI and is unable to access the email before the planning call, they can provide a temporary contact email address. You should record this so this can be (temporarily) added to our system. The notification email will then be sent to both the NI and the temporary contact at the setting.

At this early stage in the process, explain that during the inspection, you may need to access policies required by the EYFS, as well as other relevant information. Settings can find the [list of documents](#) in the inspection information for early years.

Requests for deferral

Familiarise yourself with our guidance on [deferring, pausing and gathering additional evidence](#).

You must contact the duty desk if you receive a request for a deferral.

Planning call

Call the setting at the time agreed in the notification call. This is normally a video conference call, unless technology does not allow this. Ask leaders not to record this call or any further calls. In exceptional circumstances, you may permit the setting to record the call where this is required to respond to a request for reasonable adjustments. Similarly, tell leaders we do not normally record the call, unless we have agreed this beforehand with them. Let leaders know that they are welcome to take notes.

Remember that the aim of this call is to have a meaningful and professional conversation about the setting, its context, and leaders' views about its strengths and priorities for improvement. It is an important discussion that will help you to form a top-level view of the setting.

Explain that the call will be in 3 parts:

- introduction and discussing practicalities
- understanding the setting's context
- planning the timetable

Part 1: introduction and discussing practicalities

Record the role/s of all the setting's leaders who are on the call.

At this point, remind leaders that:

- we have a [code of conduct](#) that sets out our expectations for leaders and staff at the setting
- these expectations include asking the setting to be open, transparent and honest with inspectors so that the inspection can be carried out with integrity and in line with the requirements of the provider's registration

You should cover the following points.

Leaders' wellbeing

Check on the leader's and any other leaders' wellbeing.

Establish who is responsible, day to day, for the wellbeing of the NI/person in charge. Record how to contact them.

Reasonable adjustments and adaptations

Check that any reasonable adjustments agreed during the notification call have been put in place. Make sure you have considered any other requested adaptations appropriate to the inspection process where those with other protected characteristics may otherwise be put at a disadvantage.

Remind leaders that they can ask for any further reasonable adjustments or adaptations during the rest of the inspection process. See the [Responding to requests for reasonable adjustments and/or adaptations](#) section for further information.

Record any requests and their outcome in the evidence base, along with any other adaptations that may have been requested.

Ensuring that leaders have what they need

Establish whether leaders have the practical information they need, for example, the provider contact helpline number.

Encourage leaders to inform parents and carers (who we will refer to as 'parents' throughout, for ease of reading) of the inspection, including by displaying the notice

of inspection poster.

Ask leaders if they have any requests that are specific to the setting's context.

Make sure leaders understand the process of inspection and the toolkit that you will use to guide evaluation and indicative or provisional grading – let them know where they can access the latest inspection documents.

Ask leaders if they have any issues or concerns that they would like to raise or if there is anything they want to clarify before the inspection. Explain that they will also be able to raise any matters during the inspection itself.

If the inspection is taking place because of a risk assessment of concerns or complaints, explain that the inspection will focus on the wider issues the concerns and/or complaints have raised and that these will form part of the areas of inspection focus.

Explain how you will use your mobile phone during the inspection. This will include having access to your phone should you need it, while being respectful of the setting's mobile phone use policy. More information is available in the [inspection information for early years](#).

Part 2: understanding the setting's context and leaders' priorities for improvement

It is crucial that, as part of the planning call, you develop an accurate understanding of the setting's context, including the demographics of the children and their needs. This will help you to reflect on the impact of leaders' actions on the children, particularly disadvantaged children, those with SEND, those who are known (or were previously known) to children's social care and those who face barriers to their learning and/or wellbeing.

Remember to apply the [3 key principles](#) throughout the planning call.

Contextual information, leaders' successes and leadership priorities

To deepen your understanding of the setting, and in collaboration with leaders, use this part of the call to discuss:

- the setting's context, including any changes since the previous inspection and details of (and responses to) any recent tensions in, or pressures from, the

community

- relevant safeguarding issues, as identified by leaders – this includes any safeguarding concerns, or allegations made about adults
- leaders' recent and ongoing priorities and challenges, the actions they have taken to maintain or improve standards and how they have assessed the impact of their actions
- the information asked for as part of the notification email to identify disadvantaged children, those with SEND, those who are known (or were previously known) to children's social care and those who face other barriers to their learning and/or wellbeing
- leaders' evaluation of the setting's strengths and successes, and their priorities for improvement, including where they believe they currently sit in terms of the 5-point grading scale for each evaluation area
- what leaders want all children to know and achieve as part of the setting's curriculum ambition

Leaders' approach to inclusion

Explore:

- leaders' approach to ensuring that staff are able to identify and support disadvantaged children, those with SEND, those known (or previously known) to children's social care, and those who face other barriers to their learning and/or wellbeing; you need to consider this even if leaders have not identified any children on roll who fall into these groups – this is to ensure leaders are identifying and addressing children's needs effectively
- how the setting supports these children
- the impact of the support given to children and if and how that impact is monitored and reviewed
- steps the setting has taken to meet the duty to make reasonable adjustments for disabled children
- how the daily routines and curriculum are organised to meet the needs of all children, especially those listed above
- how the setting works with external professionals and agencies to support children effectively – this is particularly important in settings caring for children with more complex needs
- how the setting ensures continuity of care and information-sharing for any children who attend shared care or split placements

If leaders have not identified any children on roll who are disadvantaged, have SEND, or are known (or were previously known), to children's social care, reflect on why this may be the case. Take into account any contextual information about the setting.

Part 3: planning the timetable

The purpose of this part of the call is to shape the plan for the inspection. Make sure leaders understand the plan and know what practical arrangements they need to make to support it.

Consider and plan with leaders what inspection activities you need to carry out to gather the necessary evidence to:

- celebrate what leaders have identified as strengths
- validate the priorities that leaders have identified for improvement, and whether they have an effective plan to bring about the desired impact
- highlight where there is more to do to ensure that all children achieve, belong and thrive

Leaders may invite you to meet all available staff at the start of the on-site inspection. Similarly, they may invite you to be introduced to the children. You should agree to this wherever possible, so that you can develop positive relationships with those involved with the inspection.

When planning the timetable:

- plan to check paediatric first-aid arrangements
- arrange to meet with the practitioner designated to take lead responsibility for safeguarding
- arrange to speak with the person acting as special educational needs coordinator (SENCo) and also consider speaking with other relevant leaders who have an inclusion role supporting those who are disadvantaged, those with SEND, those known (or previously known) to children's social care, or those who face other barriers to their learning and/or wellbeing, as appropriate
- arrange to meet those responsible for leadership
- discuss the arrangements to speak with parents to gather their views

- gather evidence about what EYPP funding the setting has received and consider leaders' rationale for how it has been spent

Also arrange to review the Disclosure and Barring Service (DBS) records and consider the setting's safer recruitment procedures. Aim to do this as early as possible in the inspection so that any minor administrative omissions can be addressed before the conclusion of on-site activity. However, inspectors do not need to see the DBS checks for those providing childcare on domestic premises, childminders (including childminders without domestic premises) and any known assistants and/or household members. This is because these will already have been seen as part of the registration process. Explain that you will be looking at the culture of safeguarding across the setting throughout the inspection.

Briefly explain [case sampling](#) to leaders. Ask them to help to identify children who:

- are disadvantaged (including those in receipt of EYPP)
- have SEND
- are known, or were previously known, to children's social care
- face other barriers to their learning and/or wellbeing

Make sure that you select a representative sample, always including (where relevant):

- children with an EHC plan, and, where possible, a disabled child
- children known (or previously known) to children's social care including, where possible, a looked-after child
- children who receive EYPP
- children from any other groups that leaders have identified as significant to the context in which they work

Tell leaders that you will agree on the children for case sampling when you arrive on site. Explain that, during the inspection, you may identify other children that you will need to include in the sample following any emerging evidence.

Remember that the timings of inspection activities will vary, depending on the length of the inspection, the provision type and any relevant context. The following structure should be explained to leaders on this planning call.

Initial inspection activities

Initially, you will focus on gathering first-hand evidence of children's experiences

through:

- shared observations of children with leaders
- discussions with children
- considering, in detail, the experiences of children identified for case sampling

Advise leaders that, where possible, they will accompany you on many of these activities. This will enable you to connect the top-level view with the first-hand evidence they gather about children's experiences. These activities will allow leaders the opportunity to show inspectors their setting, discuss the context in which they work and exemplify the impact of their actions.

Explain that, if any managers are included in the child-to-adult ratios, you will factor this in when planning the inspection activities to make sure they can be involved in reflective discussions. It is important to be adaptable and to focus on what matters most, guided by early evidence, professional dialogue and the themes in the toolkit.

Additional inspection activities

Explain to leaders that, about half-way through the inspection day, you will meet with them and the nominee (if one has been appointed) to reflect on the evidence gathered so far.

Tell leaders that, during this discussion, you will check the emerging evidence. You will reference the toolkit evaluation areas and focus on whether the expected standard is being met.

You will also discuss with leaders how the emerging evidence aligns with their self-evaluation.

Explain to leaders that additional inspection activities will usually include a discussion with leaders about a particular area of focus and then explore further what it is like 'on the ground' for children in that evaluation area. Typical activities are:

- focused leadership discussions with those responsible for particular areas – already mapped on to the schedule
- further shared observations
- meetings with staff
- further informal or planned discussions with children
- further activities relating to case sampling, such as discussions with parents and/or the key persons of the children selected

Focused leadership discussions and shared observations

Focused leadership discussions might include talking about the initial areas of inspection focus or emerging evidence gathered during early inspection activities.

During the planning call, discuss with leaders which evaluation areas you are likely to want to explore in more detail through focused leadership discussions and shared observations. This will help them to plan and organise these at a suitable time during the afternoon. Bear in mind that in small settings, and particularly with childminders, one person may be responsible for many/all different areas. Discuss with leaders who would be the most appropriate person for you to talk with, and their availability.

It is important that time is scheduled for these discussions, so that you can understand leaders' rationale for the strengths and areas of focus they have identified, and their actions to date. Together, where possible, you and the leader may then carry out further inspection activities to see the impact on the ground through shared observations. This will help to validate the leaders' self-evaluation. Explain to leaders that shared observations are an important opportunity for them to show you their setting's context.

Other points to discuss with leaders on the call

Nominee

If leaders have chosen to have a nominee, agree with them how the nominee will support the inspection. In larger group settings this may include facilitating logistics, gathering contextual information, and coordinating access to evidence and inspection activities.

The nominee can accompany you throughout the inspection, except when their presence could limit evidence-gathering or discourage open communication. For example, the nominee should not attend confidential meetings with staff, children or parents. Be clear about this and agree which activities it applies to.

Write-up time

Make sure leaders understand that you will require short amounts of time between inspection activities to write up your evaluations.

Ongoing reflective discussions

Inform leaders that there will be regular reflective discussions with them throughout the inspection. Agree with leaders who may attend these discussions. Explain that we can be flexible about who attends throughout the inspection.

Explain that these discussions are an opportunity to review the emerging evidence in relation to the toolkit evaluation areas covered so far. It is important leaders understand that sharing your thinking enables open, professional and transparent dialogue with them. You can also discuss whether any inspection activity needs to be adapted in light of emerging evidence.

The discussions also allow leaders to identify any evidence they feel is pertinent in reaching a well-rounded and typical understanding of how the setting normally operates.

These reflective discussions will be rooted in an ongoing review of the toolkit evaluation areas covered in the inspection activities so far.

Use the grading standards in the toolkit to consider the emerging picture, starting with the 'expected standard' for each evaluation area. The toolkit focuses on the quality and impact of leaders' choices and actions on children, rather than compliance alone.

If you have identified reliable evidence indicating a 'secure fit' around an evaluation area, and leaders agree, you may decide to give an indicative grade and not to gather any further direct evidence in this evaluation area. This is likely to be the case where the emerging evidence aligns with the leaders' self-evaluation against the grading standards.

Grading discussion

Explain to leaders that towards the end of the inspection there will be a grading discussion to which leaders and the nominee (if there is one) will be invited. This is when you review all toolkit evaluation areas and evaluate the evidence gathered, including that already shared at ongoing reflective discussions. Provisional grades will be determined based on a 'secure fit'.

Agree which leaders will attend the discussion and the expectations for this. Explain that it is flexible who attends, as long as they agree with you who is attending before the discussion takes place.

The grading discussion may be combined with the final feedback in some cases.

Final feedback

Ask leaders to invite the appropriate people to the final feedback at the end of the inspection (see the inspection information for early years for [who may attend](#)).

After the call(s): when there is a team of inspectors

When there is more than one inspector, you (as the lead inspector) should inform team members of any relevant information, including the specific context of the setting. Record this information in the evidence base. Inform any team inspector of the planned activities.

Make sure any team members are aware of the outcome of any requested reasonable adjustments, and any other adaptations to the inspection process that are to be made where those with other protected characteristics may otherwise be put at a disadvantage.

Core requirements throughout the inspection

On the day of the inspection, arrive at the time arranged with leaders. This should not normally be before 8am. If you have any issues accessing the premises, you should call the duty desk.

If the inspection is being carried out without notice, talk with leaders about any concerns that have led to this. Be mindful of the need to maintain confidentiality, and to protect sensitive information and the identities of any complainants.

If there is more than one inspector, you (as the lead inspector) are responsible for assuring the quality of the evidence gathered, managing the conduct of the inspection team and ensuring the smooth running of the inspection with leaders, including the nominee.

Check with leaders on their wellbeing and the wellbeing of other staff before the inspection activities begin, and throughout the day.

With the nominee (if there is one), review and adjust inspection activities as needed, to accommodate the setting's routines.

During each reflective discussion, reflect with leaders and the nominee (if there is one) on the wellbeing of staff and how effective any reasonable adjustments and/or adaptations have been. Ask whether they want to change the

arrangements/adaptations or make any additional requests. (Refer to the [Responding to requests for reasonable adjustments and/or adaptations](#) section for further information.) Continue to anticipate and consider any further reasonable adjustments and/or adaptations you may need to put in place.

The time you leave the setting will depend on its usual routines, the time the inspection started and the length of time it should take. However, you should leave by 5pm, other than in exceptional circumstances or when the setting, such as after-school provision, operates routinely after that time.

Evaluating safeguarding in practice

When determining whether safeguarding is 'met', it is important to go beyond reviewing documents and ensuring that the setting meets statutory requirements.

You must connect all the evidence gathered during the inspection to evaluate the effectiveness of the setting's safeguarding culture over time. This includes how safeguarding practice is embedded in its day-to-day work. Consider information received from notifications and/or concerns that have informed your areas of inspection focus. Throughout inspection activities, speak with staff, and children where appropriate, and observe how the setting models and maintains safe practice.

To evaluate safeguarding culture, you must:

- meet with the practitioner designated to take lead responsibility for safeguarding children or their representative; this would typically take place early in the inspection
- probe further than just the information a setting presents to you
- take account of a range of evidence to evaluate the effectiveness of safeguarding arrangements over time
- through sampling the experience of children, review decisions made by the setting, any incidents that have occurred since the previous inspection, and whether the setting has taken appropriate action to deal with safeguarding concerns and to safeguard the children affected; consider the effectiveness of the setting's referral systems and its work with relevant professional agencies
- review, with the leader, any allegations or concerns about adults, and the steps the setting has taken in response to them
- discuss how the setting manages processes in relation to safeguarding concerns

or allegations about the leader; this may include speaking with the NI and/or committee

- consider proportionately the views of children, parents and staff, using complaints or local intelligence
- speak with staff and look for evidence of effective safeguarding training and practice and the impact of this on all children
- examine how effectively the setting is implementing its safeguarding policies and processes, and how it keeps them up to date and under review
- check early in the inspection that recruitment is managed safely, ensuring that practitioners have the relevant checks and training required for their roles
- take into account [Working together to safeguard children](#), the statutory guidance on safeguarding
- consider the impact of care practices on the setting's ability to safeguard babies and children

Throughout the inspection, adapt the above activities to the setting's context and agree this with leaders where possible.

Recording evidence

You must make sure that the evidence base:

- is a clear and accurate evaluative record of relevant evidence (rather than a verbatim record of discussion or inspection activities)
- explains how you arrived at your decisions and findings, including how you weighed the evidence in reaching these – this includes findings relating to indicative or provisional grades, as well as other relevant decisions, such as the focus of inspection activities or responses to requests by leaders and the nominee
- complies with any relevant legal requirements, thresholds and Ofsted policies appropriately (justifying any departures from policies) and reflects our guidelines (including this operating guide for early years and the [toolkit for early years](#))

If leaders have accompanied you on activities, briefly review your findings with them. Record and evaluate evidence in a proportionate way. It should provide enough detail to clearly explain the indicative or provisional gradings you made. Recorded

evidence should be more detailed in cases where decisions are more complex, or potentially have greater consequences. This is so that you can record accurately and clearly how the decisions were reached and how you took account of relevant policies and guidance in doing so.

There will be times during the inspection when not using a laptop may be helpful – for example, in conversations with children. Avoid making handwritten notes to upload to your laptop later where possible; instead block out time following inspection activities to add your reflections to the evidence base at the earliest opportunity.

Meeting standards and determining grades

Evaluating against the toolkit evaluation areas and grading standards

When you have gathered reliable evidence in an evaluation area to support an indicative grade, as set out in the ‘gathering evidence about’ sections of the toolkit, consider whether all the expected standards are reached (a secure fit). If this is the case, consider whether all the strong grading standards have also been reached securely. At this point, you might have enough evidence to consider the ‘exceptional’ grade. This is summarised in the following table. You should call the duty desk when an ‘exceptional’ grade is likely.

When grading, consider the following steps:

Step	Question	Resulting grade
1. ‘Expected standard’	Does the setting reach all expected grading standards for this area?	If no, go to the ‘Where the evaluation standards are not reached’ section.
		If yes, go to Step 2.
2. ‘Strong	Does the setting also reach all	If no, grade as ‘expected

standard'	the strong grading standards?	standard'.
		If yes, go to Step 3
3.	Is there clear evidence of the	If yes, grade as 'exceptional'.
'Exceptional'	standards that define 'exceptional' practice?	If no, grade as 'strong standard'.

Some minor inconsistencies may lead to priorities for improvement but do not lower the grade. This means that 'next steps' may be identified, even if the provisional grade is 'expected standard' or above. Where one or more standards have not been met for a particular grade, then that grade cannot be given and you should refer to the guidance below.

Breaches to the statutory requirements of the EYFS

Check that the EYFS requirements relating to the areas of inspection focus are met. In planning the inspection, inspectors will use any information from concerns received to form their areas of inspection focus. You are not expected to check that the setting meets every statutory requirement set out in the EYFS. However, if you find that a particular requirement is not met when you gather evidence, consider the impact of this on children's learning and development, and their safety and welfare, and take this into account when deciding what action to take and how to grade the relevant evaluation area(s).

In some circumstances, a setting could commit a series of minor breaches of the EYFS requirements that, taken individually, do not have a significant impact on children's health, safety or welfare, or their learning and development. However, if the setting has a history of previous non-compliance in any of the evaluation areas, this most likely indicates that it either lacks knowledge of the requirements or is unwilling to comply with them. In such cases, grade leadership and governance as less than the 'expected standard', because the setting does not meet the statutory requirements.

If you are a contracted Ofsted Inspector, you must consult the duty desk if:

- there is evidence of any immediate risk to children or failure to meet any of the conditions placed on the registration
- previous concerns about the provision have not been dealt with satisfactorily,

including actions and/or welfare requirements set at a previous visit

- you consider that you may need to serve a welfare requirements notice or take other enforcement action, such as suspension, cancellation or prosecution
- the setting is not meeting the safeguarding and welfare and/or learning and development requirements of the EYFS in a responsible way

The [early years and childcare enforcement policy](#) provides more information about enforcement options and the arrangements for following up enforcement activity. Discussions with the duty desk will determine what the inspection report card will say about the enforcement action.

Where the evaluation standards are not reached

If the 'expected standard' is not met in any evaluation area, this means that there are breaches of the EYFS requirements that need to be addressed as a priority.

Needs attention

If the breaches of the EYFS requirements do not have a significant impact on children's safety, wellbeing and/or learning and development, and you do not have concerns about the provider's suitability, the evaluation area should be provisionally graded as 'needs attention'.

You must set actions for the provider to meet the relevant statutory requirements relating to the root cause of the breaches.

In addition to this, an evaluation area is likely to be provisionally graded as 'needs attention' when:

- the 'expected standard' grade has not been reached, and
- no 'urgent improvement' indicators apply

Use the indicators for 'needs attention' to explain the indicative or provisional grading and outline the next steps. These should be based on the expected standards that have not been evidenced during the inspection, and the associated prompts in the 'gathering evidence' section of the relevant evaluation area.

Urgent improvement

If breaches to the EYFS requirements do have a significant impact on children's safety, wellbeing and/or learning and development, and/or you have concerns about

the provider's suitability, the evaluation area is provisionally graded 'urgent improvement'.

If you find breaches of the EYFS requirements that pose significant risks to children's safety and/or welfare, you will need to explore enforcement action. The type of enforcement action we can take is set out in the [early years enforcement policy](#).

In addition to this, if any of the 'urgent improvement' indicators apply, the evaluation area is likely to be provisionally graded as 'urgent improvement'. You should call the duty desk when an 'urgent improvement' grade is likely.

Inspectors should use the relevant expected standards to help craft the setting's next steps, including the associated prompts in the 'gathering evidence' section of the relevant evaluation area.

If safeguarding is 'met'

Safeguarding will be provisionally graded as 'met' overall if all the individual safeguarding standards are 'met' and none of the 'not met' standards apply.

If safeguarding needs minor improvements

During the inspection, you may identify minor improvements that the setting needs to make to its safeguarding practices, such as correcting small administrative errors in paperwork or updating policies. If these do not have a direct impact on children's safety and/or wellbeing, and leaders can make these minor improvements easily before the end of the on-site inspection, give them every chance to do so by discussing this constructively with them. This includes instances when the provision does not meet statutory requirements at the time of the inspection. You must also consider any previous non-compliance.

Sometimes, leaders cannot finish making the required minor improvements before the end of the on-site inspection. When this is the case, you can still grade safeguarding as 'met' if they have taken the necessary steps to resolve the issues, for example where training has been booked, but will not take place for a number of weeks.

Importantly, the minor improvements should be such that, if they were not made straight away, leaving them undone would not have an immediate and/or significant impact on children's safety.

If safeguarding is likely to be graded as 'not met'

Contracted Ofsted Inspectors must call the duty desk to discuss any concerns where safeguarding is likely to be provisionally graded as 'not met'.

A 'not met' grade for the safeguarding evaluation area does not automatically mean the setting will be provisionally graded 'urgent improvement' in other evaluation areas. Evaluate the impact of the breaches to establish the appropriate indicative or provisional grade for other evaluation areas.

The setting will likely be reinspected within 6 months if safeguarding is 'not met', but there can be enforcement activity in between if required.

Ofsted is likely to take [enforcement action](#), for example serve a welfare requirements notice, when a provider is failing to meet one or more of the safeguarding and welfare requirements that has a significant impact on children's health, safety and wellbeing.

This is normally where one or more of the following apply:

- the setting does not have the capacity to improve without support through monitoring, following the serving of a welfare requirements notice
- leaders and managers do not demonstrate their understanding of how to meet the safeguarding and welfare requirements of the EYFS
- there have been previous occasions of non-compliance in relation to the same or different requirement(s)
- the setting has not completed actions relating to existing failures to meet safeguarding and welfare requirements satisfactorily
- the failure to meet the requirement is so serious that the inspector judges that a welfare requirements notice is appropriate

Steps to take if there is a failure to notify Ofsted or to

meet other conditions

We cannot set actions for failures to meet conditions or failures to notify us about a significant event. However, you must consider the impact of such breaches on children in assessing the relevant evaluation areas. Record any such failure(s) in the relevant section in the report.

Refer to the [early years and childcare enforcement policy](#) and contact the duty desk if necessary.

Where the evidence indicates a particular grade is likely to be reached

During a reflective discussion, if you have reliable evidence indicating a particular grade for any evaluation areas, let leaders know. If the evidence is reliable enough for an indicative grading decision, discuss and agree this with leaders. Record the indicative grade and leaders' comments in the evidence base.

Remember – you need to be very clear with leaders that any grading throughout the inspection is indicative/provisional. The final grading process will be carried out at the end of the inspection and will be subject to Ofsted's quality assurance and consistency checking process.

What to do on site during the inspection

If you are carrying out an inspection without notice, you must share and obtain the same information from leaders upon arrival that you would have done during the [notification call](#) and [planning call](#).

When you arrive on site, you should:

- ask the setting to display the notice of inspection
- check on the wellbeing of the leader and staff and find out whether any issues

have arisen since the planning call

- meet with leaders and/or the nominee (if there is one) to review the planned timetable and the areas of inspection focus you discussed during the planning call
- confirm with leaders the children selected for case sampling, as discussed in the planning call
- check that you have all the documents detailed in the [inspection information for early years](#)
- familiarise yourself with the setting, and greet staff and children
- make sure that any team inspector (where there is one) understands the setting's context and leaders' priorities and actions
- check whether anyone involved in the inspection requires or has requested any reasonable adjustments because of a disability
- consider whether you need to make any other adaptations to the inspection process where those with other protected characteristics may otherwise be put at a disadvantage (refer to the [Responding to requests for reasonable adjustments and/or adaptations](#) section for further information)
- if there have been any requests, record them in the evidence base along with their outcome and any other adaptations that have been requested

Follow the timetable and organisation for the inspection as discussed in the [planning call](#)

Structure of the inspection

Remember to apply the [3 key principles](#) throughout the inspection. You should also refer to [additional guidance to support inspection](#) and [additional guidance to support evidence-gathering](#) to support you throughout the inspection.

Initial activities must include:

- reviewing DBS records as a priority
- discussing the arrangements for recruitment and paediatric first aid
- meeting the practitioner designated to take lead responsibility for safeguarding
- carrying out inspection activities, focusing on children's experiences and the extent to which leaders' actions are effective in supporting children to achieve,

belong and thrive

- checking that statutory guidance for safe sleeping arrangements, weaning and safer eating is well understood and implemented effectively

Follow-up activities should include:

- focused leadership discussions
- shared observations
- case sampling
- any other appropriate follow-up inspection activities discussed with leaders, including your areas of inspection focus

Prioritise activities that are useful for highlighting areas you might need to explore further, such as:

- the outcomes and experiences of disadvantaged children, those with SEND, those who are known (or were previously known) to children's social care, and those who face other barriers to their learning and/or wellbeing
- the difference the setting makes for its children
- leaders' priorities and actions, and their impact
- leaders' capacity to sustain or improve standards

Be flexible and responsive – If new issues emerge, discuss them with leaders and adjust the inspection activities as necessary. Use the toolkit to adapt what you focus on as you go. Leaders will be aware of the need for this flexibility from the planning call.

Inspection activities

Observing children in the setting

Observations should be carried out with leaders where possible. This is an opportunity to gather a range of evidence across all toolkit evaluation areas, and for leaders to show you their context. Each observation may have an agreed specific focus on one of the following areas:

A focus on inclusion helps you gather evidence about the outcomes and experiences of disadvantaged children, those with SEND, those known (or previously known) to children's social care, and those who face other barriers to their learning and/or wellbeing. This focus typically includes a discussion with, or observations with, the person acting as SENCo and, as appropriate, other relevant leaders with an inclusion role supporting these children.

A focus on children's welfare and wellbeing helps you gather evidence about the impact of children's care routines and contributes to your evaluation of the culture of safeguarding. This includes checking that statutory guidance for safe sleeping arrangements, weaning and safer eating is well understood and implemented effectively.

A focus on curriculum, teaching and achievement (this does not apply to before-and after-school or holiday settings) gives you the opportunity to evaluate how well children make progress from their starting points across the 7 areas of learning and development.

A focus on behaviour and routines allows leaders to discuss how they implement and apply their approach consistently and the impact it has on children.

A focus on leadership gives leaders the opportunity to demonstrate how their priorities and actions are being realised. You should connect the evidence from the range of inspection activities to discuss and understand the impact of leaders' work. This will provide important evidence for leadership and governance in particular, as well as other evaluation areas.

During shared observations, or soon after as part of ongoing discussions with leaders, share a summary of your evaluations so that leaders have the opportunity to

reflect on whether the emerging picture of the setting is typical and one that they recognise. Where leaders do not feel this is the case, explore with them what other inspection activities may be useful and practicable.

Case sampling

The sample should include children who have specific needs or face particular barriers to learning. This must include a representative sample of children of different ages, including babies, particularly those who are disadvantaged, those with SEND, those known (or previously known) to children's social care and those who face other barriers to their learning and/or wellbeing.

During the on-site inspection, carry out activities that help you to understand these children's experiences, the support they receive and the progress they are making from their starting points.

Observe these children in the setting and discuss with leaders what they intend for these children to learn, based on what the children already know and can do.

The evidence gathered must refer to:

- each key person's knowledge of each baby/child, how they decide what to teach them, and how they ensure their individual needs are met – this will include a focus on children's care needs, including adherence to statutory guidance for safe sleeping arrangements, weaning and safer eating, as well as their learning and development
- the progress check for children aged 2
- the impact of any additional funding for eligible children on their development, including the EYPP
- the quality of support for children with SEND
- how well children are learning and developing in readiness for their next stage of development and education, including school
- whether children who are disadvantaged and those with SEND are receiving their full entitlement to early education, and the impact this has on them; if they are not receiving this, clearly explain why, and the impact on the children
- the setting's values and policies and whether the day-to-day experiences of those most in need of support reflect these in practice

Where possible, speak with the parents of children who are part of the case sample. This will help you to evaluate how well the setting supports these parents to make sure their children take up their full entitlement to early education, claim any

additional funding the children might be entitled to, and continue their child's learning at home. Speaking with parents can also help you in evaluating how well the setting works with parents and professionals.

You may also speak with any virtual school head(s) or their delegate(s) who have responsibilities for looked-after or previously looked-after children, children who have or previously had a social worker, and those in kinship care arrangements. How the setting works with any virtual school(s) will partly depend on local area practice and the cohort of children known (or previously known) to social care in the setting.

If leaders have not identified any children on roll who are disadvantaged, have SEND, or are known (or were previously known) to children's social care, consider how well staff are supported and trained to be able to accurately identify these children's needs and to help them, should there be any on roll in future.

At the end of each period of shared observation, take time to reflect on and evaluate the information you have gathered so far before discussing it with leaders.

Reflective discussions

Meet leaders and the nominee (where appropriate) to reflect on the emerging evidence. You should:

- check on leaders' and staff wellbeing, and allow leaders and/or the nominee to raise any issues or concerns, or to seek clarification, including about the conduct of the inspection or of individual inspectors
- ensure you have applied the [3 key principles](#) when evaluating the first-hand evidence you have gathered
- evaluate to what extent the evidence supports a 'secure fit' in any of the evaluation areas, starting with the 'expected standard' for each evaluation area in the toolkit
- consider which areas are emerging as strengths in the setting's work, and areas where they may have more to do – this will support you in having a transparent dialogue with leaders about the emerging evidence, give leaders and the nominee an opportunity to suggest further evidence, and help you to identify further areas to explore
- let leaders and the nominee know if you have emerging evidence that any evaluation area is likely to be provisionally graded as 'needs attention' or 'urgent improvement', or if safeguarding is likely to be provisionally graded as 'not met'

(see the section [Meeting standards and determining grades](#))

- identify the most appropriate inspection activities to gather further evidence required

It may sometimes be necessary to change planned activities to make sure that they enable you to form a clear picture across the toolkit evaluation areas by the end of the inspection. You should have explained the flexible, responsive nature of the inspection process to leaders in the planning call; keep them informed in a timely way of any changes that are required.

Grading discussion

Once you have finished collecting evidence, you are ready to reflect on the evidence before formally confirming provisional grades for each evaluation area.

Invite leaders and the nominee (where relevant) to the end-of-day grading discussion, where you will reflect with leaders on the evidence and advise them of the provisional grades.

In some cases, it may be necessary to combine the grading discussion and the final feedback. In this case, ensure that the points set out in the [final feedback](#) are covered, in addition to the following.

At the beginning of the discussion:

- check on leaders' and staff wellbeing, and allow leaders and/or the nominee to raise any issues or concerns, or to seek clarification, including about the conduct of the inspection or of individual inspectors
- reflect with leaders and the nominee on how effective any reasonable adjustments and/or adaptations were; ask them whether they want to change the existing arrangements or make any additional requests for the final feedback meeting

Following this, for each evaluation area:

- consider the additional evidence collected since you last held a reflective discussion with leaders
- evaluate how this evidence builds on that gathered earlier in the inspection
- agree with the team inspector (if there is one) the provisional grade for each evaluation area following the grading process, typically in the following order (you,

or the lead inspector if there is more than one inspector, are responsible for detailed oversight of leadership and governance):

- safeguarding
- inclusion
- curriculum and teaching
- achievement
- behaviour, attitudes and establishing routines
- children's welfare and wellbeing
- leadership and governance
- if required, identify priorities for improvement

Final feedback

Record the main points for feedback to the setting in the evidence base during the inspection.

Your feedback must be clear, respectful and grounded in the evidence gathered. It should cover the points that will appear in the written report card.

The meeting should cover the following:

- Thank everyone for their contributions, engagement and involvement in the inspection.
- Explain that attendance at the final feedback is voluntary and any attendee may leave at any time.
- Outline the key findings from the inspection, and the provisional grades for each evaluation area – explain that any of these may change as a result of quality assurance and consistency checking procedures or moderation.
- Explain the rationale for each provisional grade and the key evidence supporting it, using the language of the toolkit.
- Celebrate the key strengths and validate the successes/evaluation of the setting's work.
- Highlight any priorities for improvement (including safeguarding, if relevant) and what the setting needs to do to improve, giving sufficient detail so that those

attending understand their part in improving the setting, especially the NI and those responsible for governance.

- Explain any implications of the inspection findings, including any actions raised or any need for enforcement action. Actions must refer to the requirements in the EYFS – see the information about next steps following our inspection findings in [inspection information for early years](#).
- Advise the setting to inform the local authority where any areas have not reached the expected standards, and/or if safeguarding is provisionally graded as ‘not met’.
- Ask leaders to share the inspection findings with the NI and those responsible for governance, and whoever else they consider appropriate, which may include colleagues, family members, and/or their wider support group. However, the information should not be made public or shared with parents.
- Remind them that the draft report card they receive must not be published – they must wait for the copy of the final report card.
- Explain that when they receive their draft report card and complete their factual accuracy check they do not need to check data from other published sources. However, they may want to review any data that was gathered on inspection or commented upon in the report card.
- Request that the leader complete the post-inspection survey.
- Remind them that the setting may raise any issues or concerns or seek clarification about the inspection, and can also contact us after the end of the inspection, if necessary (see [inspection information for early years](#)).
- Explain that leaders can make a formal complaint and that information on how to do this is available in our [complaints procedure](#).

Reflect the setting’s context and frame your feedback through professional dialogue, with the aim of supporting improvement. Manage the conduct of everyone who attends the meeting to make sure it is practical and constructive.

What to do after the inspection

After the end of the inspection, write the report card, following our internal writing guidance.

The text in the report card must:

- reflect the evidence gathered
- be clear, concise and focused on what matters most, as informed by the setting's context, leaders' evaluation of their provision and the toolkit
- explain the grade given for each evaluation area
- make clear what the setting should improve
- be consistent with the verbal feedback given to the setting at the end of the inspection; this includes any enforcement action to be taken following the inspection

If the setting submits comments after reviewing the report card, you are responsible for reviewing and responding to the comments and making any necessary amendments.

Quality assurance and consistency checking

You are responsible for the quality of your work. You must ensure that the inspection is carried out in accordance with the principles of inspection, in line with our [enforcement policy](#) and the [code of conduct](#).

The inspection may occasionally be carried out by more than one inspector. In those cases, you (as lead inspector) are responsible for ensuring consistency.

This may entail giving your colleague/s feedback on the quality of their work and their conduct.

Additional guidance to support inspection

As explained earlier, you must check whether anyone involved in the inspection requires (and/or has requested) any reasonable adjustments because of a disability. It is also important to continue to consider making other adaptations where those with other protected characteristics may otherwise be put at a disadvantage. Refer to the [Responding to requests for reasonable adjustments and/or adaptations](#) section

for further information. Record any requests and their outcome in the evidence base, along with any other adaptations that have been requested.

Document review

Where it is relevant, review documents to connect evidence that informs your evaluations. This may include reviewing safeguarding records and policies required by the EYFS. See the inspection information for early years for the [full list of documents](#) that settings are asked to make available.

Additional guidance to support evidence-gathering

[The toolkit](#) provides guidance on gathering evidence within each evaluation area through inspection activities, as well as the standards you will use to determine grades.



The toolkit is not a checklist.

Connect evidence across a range of activities to gather reliable evidence and determine the grades.

Always use the toolkit when you are reflecting on the quality of the provision; remember, however, that the setting may not use the toolkit in this way and may approach their evaluation of the quality of their provision differently. However, for the purpose of inspection, use the EY inspection toolkit for collaborative reflection.

Use the toolkit to guide conversations, consider evidence and ensure that grades reflect the evidence you have gathered during the inspection. Always discuss with leaders the typicality of the evidence you are gathering and the emerging evaluations. Where leaders do not believe the evidence is typical or reflective of their provision, try to gather additional evidence where appropriate within the time you have.

Engaging with leaders and practitioners

When you meet members of staff and/or leaders on their own, offer them the opportunity to be accompanied by a colleague. However, it is important that staff can express their views freely to inspectors.

Remind staff that you do not expect them to bring documents with them, but they may do so if they wish.

You should take careful account of the wellbeing of leaders and staff and make suitable adjustments as necessary. For example, staff may need a break, or a later opportunity to follow up discussions, so that they can carry out their usual daily routines and responsibilities. If you see or suspect that a leader or staff member is upset or distressed at any point, you should respond sensitively. Where appropriate, consider suitable adjustments to enable the leader or staff member to continue. If you have serious concerns, you must inform those responsible for the person's wellbeing, other than in exceptional circumstances, and you must contact the national duty desk.

In exceptional circumstances, you may need to consider [pausing the inspection](#).

Discuss with practitioners:

- what children are learning from their curriculum activities and experiences
- their assessment of what children know and can do and how they are building on it
- what they understand about the EYFS curriculum and how they ensure the best possible outcomes for children
- individual care routines for the youngest children, including adherence to statutory guidance for safe sleeping arrangements, weaning and safer eating
- how well leaders support their wellbeing and professional development
- their experience of working at the setting
- the impact of leaders' actions
- the culture of safeguarding

Where relevant, speak with committee members who are responsible for the oversight of the setting and/or the NI. Discuss the leadership and governance of the setting, and their roles and responsibilities in terms of oversight of it.

Be proportionate in considering the views of staff. Connect evidence from their

views to the wider evidence base.

For settings that provide care exclusively for children at the beginning and end of the school day or in holiday periods, talk with practitioners about how they:

- gather children's views in planning activities
- make decisions about the learning environment

Also ask them how well leaders support their wellbeing and professional development.

Use this evidence to evaluate the setting's culture and inclusive nature.

Engaging with apprentices and/or any trainees

When reviewing the list of current staff, you must check whether it includes any apprentices and/or trainees on placement.

Where possible, meet the apprentices and/or trainees to gather their views on how the setting is supporting their development and to evaluate the support, mentoring and induction they have received.

Engaging with parents

You may gather evidence from parents in person through informal discussions at the start and/or end of the day. In some circumstances, such as in childminder settings, you may wish to telephone parents to seek their views.

Discussions with parents should take place without leaders or staff being present, other than in exceptional circumstances.

Talk with parents to find out:

- how well they are kept informed about the setting's curriculum, activities and routines
- the quality of support for any children who are disadvantaged, have SEND, are known (or were previously known) to children's social care or face other barriers to

their learning and/or wellbeing

- what children are learning to keep themselves safe and healthy and how parents are supported to continue this learning at home
- how the setting gathers children's views and considers them in planning curriculum activities and routines
- to what extent their children are included and engaged in the setting's community
- any other information that is relevant to the areas of inspection focus

If individual parents raise serious concerns, follow these up with leaders and record their response. If the complainant has requested confidentiality, take all practicable steps to ensure that their identity is not disclosed to the provider.

Be proportionate in considering parents' views. Connect evidence from their views to the wider evidence base.

Engaging with children

Use a range of activities to understand children's typical experiences, including through engaging with them and observing them:

- both inside and outside the setting
- during mealtimes and sleep times
- at times of transition, such as at the start or end of the day

You might play alongside children or join them in an activity that encourages them to talk with you informally.

Specific contexts to consider

Co-childminders and childminders without domestic premises

You should normally inspect co-childminders together, but you may do so separately, especially if they work at different times of the week or from different premises.

When inspecting co-childminders, determine which childminder the parents contract with, which childminder claims funding for the children, and which childminder is the key person for which children.

If a co-childminder is only assisting with the care of children who are the responsibility of another childminder, they are to be considered as an assistant for the purpose of inspection.

Co-childminders have a shared responsibility to safeguard children, as set out in the EYFS. Where they share policies, procedures and resources, you must explore how they reflect on their practice and improve what they do, separately and collectively.

If a person who provides or assists with caring for children as a childcare on domestic provision also holds a childminding registration, both registrations will be inspected. Inspectors will determine when, where and how providers and childminders operate under which registration. It is not possible to operate as a childminder and a childcare on domestic premises provider on the same premises at the same time.

This also applies to childminders without domestic premises.

Before- and after-school and holiday provision

Settings (including childminders) that are registered on the Early Years Register but only provide care exclusively for children at the beginning and end of the school day or in holiday periods do not need to meet the learning and development requirements of the EYFS. Therefore, when using the early years toolkit for these settings, you must not evaluate curriculum and teaching or achievement.

Similarly, for children younger than Reception age, the provider must have regard to, but does not have to meet, the learning and development requirements.

In both cases, therefore, these settings only have to meet the safeguarding and welfare requirements of the EYFS.

You must use the toolkit, however, to assess the setting's safeguarding and welfare

arrangements.

If the setting is registered on both the Early Years Register and either the compulsory or voluntary part of the Childcare Register, you must confirm that it meets the requirements of all registers. Record this in the inspection report card.

Use your professional judgement to interpret and apply the standards within the evaluation areas to the before- and after-school or holiday setting. If children at these settings receive their main EYFS experience elsewhere, and have not yet started in Reception Year, explore how leaders are guided by the EYFS learning and development requirements to complement the EYFS experience children receive beyond this setting.

To support this, discuss with leaders what they intend the children to gain from the activities they provide. The evidence gathered must refer to:

- key persons' knowledge of each child and how they decide on activities and routines to support the children
- the quality of support for any children with SEND
- how well the children are learning to keep themselves safe and healthy
- how the children's views are sought and considered in planning activities and routines
- how included and engaged these children are in the setting's community

No children are on roll or no children are present

If no children are on roll or no children are present and the inspection must take place, you must evaluate only the leadership and governance of the setting. This is to determine if the provider is meeting the requirements of the EYFS and the Childcare Register (if applicable).

You will grade leadership and governance only as 'expected standard', 'needs attention' or 'urgent improvement'.

See the [notification section](#) for guidance about rearranging inspections when providers have no children present or on roll.

The early years provision is on a school site

A registered early years setting that is run by a school should be inspected according to the requirements of this operating guide.

When inspecting this type of provision, remember it is the quality of the provision that is inspected and not the children. Ask leaders questions to understand how the provision is organised. This will determine what you need to look at on inspection.

Where the school and the registered provision are mixed, for example during wrap-around care, factor this into your evidence collection and grades.

If you have any questions about this type of inspection, contact the duty desk.

School-based early years provision that does not need to be registered with Ofsted should be inspected in accordance with the requirements of the [school inspection operating guide](#).

The early years provision is on the site of a school inspected by the Independent Schools Inspectorate

Information about our work with the Independent Schools Inspectorate (ISI) is available in our guidance [Regulating and inspecting association independent schools with an early years registration](#).

If you are carrying out the post-registration inspection of one of these settings, follow the usual arrangements for confirming, planning and carrying out the inspection.

After you have completed the post-registration inspection of the registered early years provision, you must follow the guidance about recording this correctly on our inspection database and about the next steps for informing the ISI.

When inspecting this type of provision, you will use the toolkit in the same way as you would for other registered school-based early years provision.

Other matters

Responding to requests for reasonable adjustments and/or adaptations

On all inspections, you must ask whether anyone requires any reasonable adjustments due to a disability. Contact the duty desk for all requests. Those on the duty desk may seek further advice from relevant policy and legal teams as needed.

What is considered reasonable is an objective test that depends on all of the circumstances of the particular case. This includes the needs of the individual concerned, how effective the change will be in avoiding the disadvantage the disabled person would otherwise experience, what impact providing the adjustment will have on the inspection, and the circumstances in respect of the relevant inspection or visit.

To understand the request, you must enter into an open dialogue with the individual about it. Ask what steps the individual thinks Ofsted should take to address the anticipated disadvantage. In the light of this, consider what adjustments might be reasonable in the circumstances of the inspection or visit. You can consider adjustments not proposed by the individual.

When considering whether the request is reasonable, take into account:

- how effective the reasonable adjustment would be in overcoming the disadvantage
- how practicable it is for Ofsted to make the adjustment
- the costs of making the adjustment
- the disruption that making the adjustment would cause
- the resources available to the inspector and to Ofsted
- the amount of resources already spent on making adjustments
- any health and safety risks, including the effect the arrangements will have on others

There is a 'positive' duty to make such adjustments if they are considered to be reasonable, as set out here. A failure to comply with the duty to make reasonable adjustments is a form of discrimination under the Equality Act 2010 and is an 'anticipatory' duty. You can treat disabled people better or 'more favourably' than non-disabled people and sometimes this may be an appropriate response to a request for reasonable adjustments.

It may also be appropriate to consider other adaptations that are requested where those with other protected characteristics may otherwise be put at a disadvantage. Where you are being asked to make such an adaptation to avoid potential discrimination, consider the reason for the policy, criterion or practice that you are being asked to adapt (the objective justification), and what the impact would be of both making and not making the adaptation.

The [Equality Act 2010](#) protects people from unlawful discrimination, harassment or victimisation on the ground of a protected characteristic. This may include taking steps to avoid indirectly discriminating against someone on the ground of a protected characteristic. However, you should also consider the effect the proposed adaptation would have on others. Ensure that, in making the adaptation, you are not directly discriminating against anyone else on the ground of a protected characteristic.

If you agree to the request(s), agree a plan for reasonable adjustments or adaptations with the individual and leaders as appropriate. You must discuss and agree the plan with the inspection team.

You must record in the evidence base that you have asked leaders if they need to request any reasonable adjustments and/or adaptations. You must also record the outcome of any decisions. It is essential that this information is recorded factually and accurately, and assures that the anonymity of the individual is maintained.

Specific circumstances where equality must be considered in education settings

If you identify that a provider has not followed the relevant [statutory or non-statutory guidance](#), or is not teaching about the protected characteristics in an impartial and age-appropriate way or fostering respect for them, you should contact the duty desk.

If the setting has concerns/complaints

Record any concerns raised, and actions taken, in the inspection evidence. Try to resolve any issues with leaders during the inspection. If this is not possible, the setting can follow the steps set out in the [complaints procedure](#).

If you identify evidence or allegations of abuse on inspection

You must familiarise yourself with our [guidance on safeguarding concerns](#).

If you come across evidence or allegations of child abuse, stop all other activity immediately and focus on ensuring that the child receives the help they need. Do not attempt to investigate this yourself, but make sure the appropriate authority is informed, in line with the setting's safeguarding policy. You must call the duty desk, be satisfied that the correct referral has been made, and record this in the evidence base. In some cases, you may be the one to make the referral to the appropriate authority.

If you need to consider pausing inspections

There may be exceptional occasions when you need to consider pausing an inspection, including in response to concerns raised by the nominee. Contact the duty desk for advice. We will consider requests on a case-by-case basis according to our published [guidance on pausing inspections](#).

If the setting uses artificial intelligence

You do not need to ask if artificial intelligence (AI) is used or actively search for it. If you come across instances where a setting uses AI, record how leaders have chosen to implement it, its impact (for example, on tackling absence), and the setting's checks and balances to make sure it is accurate, safe and used in the best interests of children. If you have any concerns about the setting's use of AI, contact the duty desk.

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