

Early years inspection handbook

Handbook for inspecting early years in England under sections 49 and 50 of the
Childcare Act 2006

This handbook is for use from September 2015 and remains in draft until that point.
Minor amendments may be made to the text prior to September.

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Introduction

1. This handbook describes the main activities inspectors undertake when they conduct inspections of early years providers in England under sections 49 and 50 of the Childcare Act 2006. The handbook also sets out the judgements inspectors will make and on which they will report.
2. The handbook has two parts:
 - Part 1: How early years providers will be inspected.
This contains instructions and guidance for inspectors on preparing for and conducting early years registered inspections.
 - Part 2: The evaluation schedule.
This contains guidance for inspectors on judging the quality and standards of early years settings and indicates the main types of evidence used.
3. This handbook is available to providers and other organisations to make sure that they are informed about inspection processes and procedures. It balances the need for consistent inspection with the flexibility needed to respond to each provider's individual circumstances. It should not be regarded as inflexible, but simply as an account of normal procedures. This handbook applies from September 2015.

Part 1. How early years providers will be inspected

How providers are selected for inspection

4. Once a provider is registered on the Early Years Register, Ofsted carries out regular inspections to evaluate the overall quality and standards of the early years provision in line with the principles and requirements of the 'Statutory framework for the Early Years Foundation Stage'.¹ The current inspection cycle runs from **1 September 2012 to 31 July 2016**. All providers listed on the Early Years Register before 1 September 2012 will normally have their setting inspected at least once within this four-year cycle. Providers **not** on the Early Years Register on 1 September 2012 and registered after this date will normally have their setting inspected within 30 months of their registration date.
5. Ofsted prioritises inspections and/or inspects more frequently when it receives a concern about a setting and risk assessment concludes that inspection is needed.
6. All provision judged as inadequate will be re-inspected within six months. Only provision judged as inadequate with enforcement² will be monitored. During the

¹ *Statutory framework for the Early Years Foundation Stage*, Department for Education, 2014; www.gov.uk/government/publications/early-years-foundation-stage-framework--2014.

² Enforcement requires the provider to take actions in order to remain compliant with the requirements of the *Statutory framework for the Early Years Foundation Stage*. Our enforcement

monitoring process, Ofsted may take further enforcement action if there is no improvement. If the provider has had two consecutive inspections that have judged it as inadequate and judged inadequate at a subsequent third inspection Ofsted will consider taking steps to cancel their registration.

7. All pre-school and nursery provision judged as requires improvement will be re-inspected within 12 months.

Priority inspections

8. A priority inspection is a full inspection of all the matters set out in Parts 1 and 2 of this document. These inspections are conducted in exactly the same way as scheduled inspections, but will normally be carried out with no notice.
9. The inspection will not be an investigation of any concerns that might have been raised with Ofsted. However, inspectors must note in their evidence base that they have analysed any concerns and followed up lines of enquiry.
10. As in all inspections, in reaching a judgement, inspectors must take into account what they know about the provider as well as what they see on the day. Full preparation for a priority inspection should include all the evidence provided in the provider information portal or the pre-inspection pack.
11. Most concerns fall into one of two main categories. The first relates to a matter of fact that the provider does not dispute. In these cases, the provider may have notified Ofsted of an incident in accordance with regulations or, where they have not done so, they accept that an incident occurred. In these cases, the inspector should focus on what happened and discuss with the provider whether the incident was preventable and what lessons have been learned.
12. The second relates to a situation where a parent or another person alleges that something happened and the provider denies it. In these instances, the inspector should not try to prove or disprove the concern, but should focus on observations during the inspection and whether these lead to any concerns about compliance. For example, if the concerns related to excessive crying in the baby room, the inspector should make sure they visit the baby room during an introductory tour; they should plan to observe the room and hold a discussion with the staff and parents who use it.
13. Inspectors must gather evidence that follows their lines of enquiry and relates back to the concern that caused the inspection to be prioritised. They should plan activities – including the interview with the provider – and observations that enable them to gather sufficient evidence.

actions are set out in our *Early childhood compliance handbook*, Ofsted, June 2015;
www.gov.uk/government/publications/compliance-investigation-and-enforcement-handbook-childcare.

14. When an incident is confirmed as having occurred, the inspector should consider:
 - the provider's attitude to the incident
 - the provider's compliance with requirements, such as notifying Ofsted
 - whether it was a one-off incident or whether there are other examples of non-compliance recently associated with the setting
 - the provider's willingness to learn lessons from any incident and any improvements they have made between the time of the incident and the inspection, supported by clear evidence
 - compliance and the quality of risk assessments, staff induction and professional development.
15. The provision may be judged good or outstanding where the evidence supports this, even if the inspection is taking place because of possible non-compliance. Judgements are not pre-determined; there are no limiting judgements. The fact that a provider notifies Ofsted of an incident and uses the learning from it to improve the quality of the provision is generally considered to be the sign of a responsible provider.
16. When the inspection follows an investigation, the inspector should check that the provider is compliant with any actions or other enforcement measures that result from the investigation.

No children on roll or present on the day of inspection

17. Some childcare providers and childminders may have no children on roll at the time the inspection is due, either because they are not operating fully or because children are not actually present, even though they are on roll.
18. In either circumstance, the inspection must not be deferred. However, if it becomes clear during the initial telephone call that the provider cares for children only on certain days or part-days, the inspection should be scheduled on one of those days.
19. Where there are no children on roll, the inspector must make it clear at the start of the inspection (or during the initial telephone call) that the inspection will not be a full inspection but a check that the provider continues to be suitable to remain registered. As a result, no grades will be given against the four key judgements. The inspector will make a judgement only on the 'Overall quality and standards of the early years provision' with one of three possible outcomes:

- met
 - not met with actions
 - not met with enforcement.
20. Where a judgement is 'met', the inspector will not make recommendations.
21. In instances where the provider does not meet one or more of the learning and development requirements and/or safeguarding and welfare requirements, the inspector must consider a judgement of 'not met' and either issue a notice to improve or consider enforcement action. In these cases, the inspector must follow the guidance for inadequate judgements.
22. The majority of inspections affected will be of childminders; a small number may be childcare providers. The main purpose of the inspection is to fulfil Ofsted's legal duty to inspect registered providers within a defined period and to report in writing on certain matters. The inspection will report on whether the provider continues to demonstrate suitability to remain on the Early Years Register (and, if applicable, the Childcare Register).
23. For these inspections, the inspector must assess whether the provider:
- has premises suitable to educate and care for children
 - is able to demonstrate sufficient understanding of the Early Years Foundation Stage requirements
 - is able to meet the care, learning and development needs of children.
24. Providers must confirm that they meet the requirements of the Childcare Register, if applicable.
25. The provider must demonstrate how they will:
- meet the learning and development requirements
 - meet the safeguarding and welfare requirements
 - develop and deliver the educational programmes
 - identify children's starting points and ensure that children make progress in their learning through effective planning, observation and assessment
 - safeguard children
 - work in partnership with parents, carers and others
 - offer an inclusive service
 - evaluate their service and strive for continuous improvement.

26. The provider should tell the inspector how they have addressed any actions and/or recommendations from the last inspection and how this will improve the provision for children's care and learning.
27. If, during the inspection, the provider decides to resign from the Early Years Register and remain registered only on the Childcare Register, the inspector must collect sufficient evidence of compliance with the Childcare Register requirements by referring to the 'Childcare Register Requirements: childcare providers on non-domestic or domestic premises' factsheet.³

Before the inspection

Inspectors' planning and preparation

28. The inspector must prepare for the inspection by gaining a broad overview of the setting and its history. Their planning must include an analysis of the information in the pre-inspection pack. Lines of enquiry from this analysis must be summarised briefly in the inspection evidence base.
29. As part of their preparation, inspectors **must** check:
 - which register/s the provider is on and confirm the registration details. If there is any uncertainty about the registration, the inspector must contact the Applications, Regulatory and Contact (ARC) team and try to resolve the issue promptly. If this is not possible, the inspector may delay carrying out the inspection until the matter is resolved
 - the accuracy of the information about individuals connected with the registration
 - all the information provided on the provider information portal or through the pre-inspection pack, recording any likely lines of inspection enquiry in their evidence base
 - details of any concerns received and specifically those they have been asked to follow up
 - previous inspection reports
 - any published information, such as outcome summaries and monitoring letters
 - the progress the provider has made, with any actions or recommendations raised at the last inspection or visit
 - the self-evaluation form, if the provider has submitted one
 - the provider's website, if they have one

³ *Childcare Register Requirements: childcare providers on non-domestic or domestic premises: a childcare factsheet*, Ofsted, 2014; www.gov.uk/government/publications/childcare-register-requirements-childcare-providers-on-non-domestic-or-domestic-premises.

- the internet, to see whether any safeguarding or other issues relating to the provider may need to be followed up during the inspection
 - any other information held about the provider.
30. Inspectors **must** update the information about the setting in their evidence base and agree it with the provider as soon as possible during the inspection.

Notification of inspection

31. The setting will normally receive a telephone call at or just after midday on the working day before the start of the inspection.
32. In group provision, if the provider or their representative is unavailable when the call is made to the setting, the inspector should ask to speak to the most senior member of staff available.
33. The telephone call is the first opportunity to initiate a professional relationship between the inspector and the provider or their representative. It should be short and focused on practical issues. Inspectors should not use this conversation to probe or start inspecting.
34. The purpose of the notification call is to:
- inform the setting of the inspection
 - confirm the setting's registration status and clarify any issues relating to the registration
 - make the setting aware of its statutory duty to inform parents of the inspection
 - make arrangements for the inspection; this includes an invitation to the provider or their representative (normally the manager) to participate in joint observations
 - make arrangements for discussions with key staff, including the manager or the named deputy in the manager's absence
 - make arrangements for a meeting with the nominated person, where appropriate, to give them the opportunity to be present at the feedback meeting
 - ask that relevant documents are made available as soon as possible from the start of the inspection (see list below)
 - provide an opportunity for the setting to ask questions about the inspection
 - establish the age range of children, numbers on roll and the times at which the setting is open
 - find out whether the setting provides any funded places and/or receives early years pupil premium funding

- find out about any additional support/arrangements for children with special educational needs or care needs.
35. Inspectors should tell the provider that the relevant documentation and information they are likely to need access to includes:
- current staff list and staff qualifications, including paediatric first aid
 - register/list showing the date of birth of all children on roll and routine staffing arrangements
 - list of children present at the setting during the inspection (if not shown on the register)
 - any information about pre-planned interruptions to normal routines during the inspection, such as off-site visits
 - the Disclosure and Barring Service (DBS) records and any other documents summarising the checks on, and the vetting and employment arrangements of all staff working at the setting
 - all logs that record accidents, exclusions, children taken off roll and incidents of poor behaviour
 - all logs of incidents of discrimination including racist incidents
 - complaint log and/or evidence of any complaints and resolutions
 - safeguarding and child protection policies
 - risk assessment, fire safety, and other policies relating to health and safety
 - a list of any referrals made to the designated person for safeguarding, with brief details of the resolutions
 - a list of all children who are an open case to social care/children's services and for whom there is a multi-agency plan
 - information about the supervision of staff (in group provision)
 - information about training and/or career professional development of staff
 - any reports of external evaluation of the setting
 - the self-evaluation document if the provider has not already submitted it.
36. Childminders are not required to provide inspectors with written policies but must be able to explain their procedures in relation to the above.

Inspection without prior notification

37. Ofsted may conduct inspections without notice. This normally, but not exclusively, happens when inspections are prioritised because of concerns that have been expressed about the setting.

39. When the inspection is conducted without notice the inspector will:
- introduce themselves and show the provider their identification; the inspector must allow the provider time to look at the identification and to contact Ofsted or the inspection service provider to confirm the identity of the inspector should they wish to do so
 - ask the provider to display the **notice of inspection** so that parents are aware that an inspection is taking place
 - make arrangements to talk to parents; this may be almost immediately if parents are present
 - confirm the accuracy of, or any changes to, the information about the setting
 - agree a timetable for inspection activities, to include joint observations if these have been agreed
 - conduct a tour of the premises to follow up any issues that arise
 - check staff qualifications, including paediatric first aid, and record them in their evidence base
 - arrange meetings with the provider and/or their representative at a mutually convenient time during the inspection
 - refer to any concerns that have led to the inspection being prioritised, remaining mindful of the need to maintain confidentiality and to protect sensitive information and the identities of any complainants
 - arrange meetings with staff.

Requests for deferral or rescheduled inspection

40. If a setting requests a deferral of its inspection, the inspector must immediately make Ofsted aware. Ofsted will decide whether the request should be granted in line with its deferral policy. The absence of the provider/manager or having no children on roll are not normally valid reasons for deferral. A decision will be made case by case.
41. A setting that has no children present on the planned day of inspection but is operating at other times during the week should have its inspection rescheduled for one of those days.
42. Priority inspections will not be deferred, even if there are no children on roll or present at the time of the visit.

Safeguarding

43. Inspectors will always have regard for how well children are helped and protected so that they are kept safe. Although inspectors will not provide a separate numerical grade for this key aspect of a provider's work, they will

always make a written judgement in the leadership and management about whether or not the arrangements for safeguarding children and learners are effective.

44. Ofsted has published a document that sets out the approach inspectors should take to inspecting safeguarding in all the settings covered by the framework. It should be read alongside the framework and handbooks:
 - 'Inspecting safeguarding in early years, education and skills settings', June 2015; www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015.
45. It is also essential that inspectors are familiar with the statutory guidance in relation to safeguarding:
 - 'Working together to safeguard children', March 2015; www.gov.uk/government/publications/working-together-to-safeguard-children--2.

During the inspection

Days allocated to inspection and inspection team members

46. The time spent on inspection normally depends on the size of the provision. Most inspections are carried out by one inspector.
47. When inspecting:
 - a childminder, the inspector will normally be on site for about three hours
 - group provision that operates sessional restricted hours, the inspector will normally be present for about four hours
 - group provision open for a full day, the inspector will normally be on site for at least six hours
 - large provision, the inspection may be carried out by more than one inspector or be carried out over more than one day.

The start of the on-site inspection

48. On entering the setting, inspectors must introduce themselves and show the provider their identification. The inspector must allow the provider time to check the identification and to contact Ofsted or the inspection service provider to confirm it, should they wish to do so. In group settings, the inspector must ensure that the provider has been informed of their arrival.

50. The inspector should meet the provider or their representative briefly at the beginning of the inspection to:
- confirm the accuracy of, or any changes to, the information about the setting
 - ask for information about staff absences, children on roll and other practical matters
 - ask the provider to display the notice of inspection, if this has not already been done, so that parents are aware an inspection is taking place
 - agree a timetable for inspection activities, to include joint observations; inspectors must offer the provider or their representative the opportunity to take part in joint observations and the response must be recorded
 - tour the premises in order to follow up any issues that arise during the inspection
 - make arrangements for a longer meeting at a convenient time with the provider or their representative to discuss the setting's self-evaluation and other matters relating to leadership and management
 - confirm arrangements for providing feedback at the end of the inspection and, for group provision, to request that the nominated person or their representative is invited
 - make arrangements to talk to parents – this may be almost immediately if parents are present – and to check that the provider has informed them about the inspection
 - check staff qualifications and record them in the evidence base.
51. If the inspection is being conducted without notice, the inspector should refer to any concerns that have led to the inspection being prioritised. The inspector should be aware of the need to maintain confidentiality and to protect fully any sensitive information relating to complainants.
52. If there is more than one inspector, a short team meeting should clarify inspection activities, the areas to be explored initially and individual roles and responsibilities.

Gathering and recording evidence

53. Inspectors must spend as much time as possible gathering evidence about the quality of teaching and learning by:
- observing the children at play
 - talking to the children and practitioners about the activities provided
 - observing the interactions between practitioners and children
 - gauging children's levels of understanding and their engagement in learning

- talking to practitioners about their assessment of children’s knowledge, skills and abilities and how they are extending them
 - observing care routines and how they are used to support children’s personal development
 - evaluating the practitioners’ knowledge of the early years curriculum.
54. In **group provision**, the inspector **must** track the experiences and development levels of a representative sample of children. The inspector must track at least two children. The inspector should discuss with the provider the relevant children’s starting points, looking at any assessment evidence the setting provides and the children’s progress. The evidence collected **must** refer to:
- the quality of the practitioner’s assessment knowledge of each child
 - the progress check for any children aged two
 - the impact of any early years pupil premium funding on the children’s progress
 - the discussions held with each child’s key person and information about progress
 - any records the provision keeps that show how they have tracked the progress children make, including recording any concerns about the children’s development in the prime or specific areas of learning or both
 - whether children are developing skills in the prime areas that help them to be ready for their next stage of education, including school.
55. If any of the children are eligible for the early years pupil premium, at least one of them must be included in the sample of those tracked.
56. As childminders have only a small number of children, inspectors are not able to track a sample of children in the same way. Nevertheless, the same principles apply in terms of collecting evidence and evaluating the childminder’s practice and its impact on children’s learning, development and well-being.
57. Inspectors must record their evidence clearly and succinctly. All sections of the evidence base must be completed before the end of the inspection. Inspectors may make handwritten notes, but these must be transferred to the electronic evidence as soon as possible after the end of the inspection. It is essential that the evidence accurately reflects discussions with staff and managers. Individuals can be named in inspection evidence if it is necessary to identify them and to avoid confusion. Inspectors should identify clearly information that was provided ‘in confidence’.
58. The evidence underpinning the key judgements and areas for improvement must be used to summarise the main points for feedback and to write the report.

59. The electronic evidence and any handwritten notes may be scrutinised for the purposes of retrieval or quality assurance monitoring or as a source of evidence in the event of a complaint or a Freedom of Information request.

Using the setting's self-evaluation during the inspection

60. Leaders and managers of settings should have an accurate view of the quality of their provision and know what to improve. This view should be summarised in their self-evaluation. Inspectors will use the self-evaluation to evaluate how well a setting knows its own strengths and weaknesses and how it can improve or maintain its high standards.
61. The inspector must meet the provider or their representative to discuss the self-evaluation if they have one. Normally, the discussion should be at a point in the inspection that gives the inspector sufficient time to follow up any matters discussed. To test the accuracy of self-evaluation, the inspector will observe children learning, staff caring and teaching, and the safety and suitability of the premises. The inspector will discuss how the provider evaluates the quality of the provision, checking whether the setting takes account of the views of parents and the progress made by the children, to determine what it needs to improve. Providers do not need to produce a written self-evaluation, but must be prepared to discuss the quality of the environment and activities they provide, and how well they meet the learning needs of the children, with the inspector.
62. During the inspection, inspectors will use the information provided through self-evaluation to test whether the provider's view of the quality of the setting is realistic and to gauge what needs to improve.

Observation and discussion

63. Inspectors must not advocate a particular method of planning, teaching or assessment. They must not look for a preferred methodology but must record aspects of teaching and learning that they consider are effective and identify ways in which it can be improved.
64. Inspectors will not expect practitioners to prepare documentation for the inspection. They will use the evidence gathered from observations to help judge the overall quality of the curriculum provided for children.
65. Inspectors must spend most of the inspection time gathering first-hand evidence by observing the quality of the daily routines and activities of children and staff. These observations enable inspectors to judge the contribution practitioners make to children's learning, progress, safety and well-being. They should enable them to collect sufficient evidence to support detailed and specific recommendations about improvements needed to teaching and learning, personal development, behaviour and welfare, and leadership and management.

66. In group settings, inspectors should observe as many staff members as possible to ensure that an accurate picture of the overall quality of interactions between practitioners and children can be gained.
67. When observing interactions between staff and children, inspectors should consider how well staff:
- engage in dialogue with children
 - watch, listen and respond to children
 - model language well
 - encourage children to express their thoughts and use new words
 - support independence and confidence
 - encourage children to speculate and test ideas through trial and error
 - enable children to explore and solve problems
 - behave as an excellent role model for children to copy
 - support children to recognise and respond to their own physical needs
 - attend to children's personal needs
 - deal with children's care arrangements, including intimate care, the levels of privacy afforded to children, and supervision arrangements when undertaking personal hygiene tasks.
68. Inspectors will also discuss children's development with staff as part of the inspection. Much of this will be through incidental conversations, prompted by observing the children at play and the interactions between them and adults.
69. Where the quality of practice is weak, the inspector must talk to the provider about what has been observed. The inspector should also ask about action the provider is taking, if any, to bring about improvement.
70. The inspector should always invite the provider or a nominated senior member of staff, such as the manager or early years professional, to participate in one or more **joint observations** of activities, care routines and/or scrutiny of the progress children make. The provider is at liberty to choose whether or not to accept such opportunities. If the provider declines the opportunity, this should be recorded in the evidence base along with the reason given.
71. Joint observations should enable the inspector to:
- gain an insight into the effectiveness of the provision's professional development programme for practitioners
 - assess the quality of the provider's monitoring and evaluation of staff's practice
 - check the provider's view of staff's interactions with children

- assess how effectively the manager supports staff to promote the learning and development of all children.
- 72. If the provider offers a written record of the observation, the inspector should look at this. Any differences in the analysis of practice should be discussed. Following a joint observation, the inspector should record evidence in the usual way, including any comments about the quality of the provider's evaluation. The provider's notes should not be taken away or included in the evidence base.
- 73. When childminders work alone, it is not possible to carry out joint observations in the same way. However, it is possible for the inspector and childminder to observe individual children together and discuss their learning, progress and behaviour as part of the activities that the children are engaged in. The inspector should observe a specific activity planned by the childminder and discuss the aims of the activity and the learning intentions with her or him. The inspector should follow this up with a further discussion about what the child has learnt and what the childminder might do next to help the child make progress. If childminders have assistants, a joint observation of one assistant may be possible.

Evaluating policies and procedures

- 74. Childcare providers are required to have written policies and procedures, as set out in the 'Statutory framework for the Early Years Foundation Stage'. Childminders are not required to have these in writing, but they must make sure that any assistants are aware of the policies and procedures and can define them for parents and others when requested.
- 75. All providers, including childminders, are expected to keep their written records in English.
- 76. If, during an inspection, providers ask whether they may keep documents off the premises, the inspector may agree to this as long as the documents can be made easily available by the end of any visit or inspection. The inspector should record such agreements.
- 77. In addition to meeting the Early Years Foundation Stage requirements, providers must comply with other legislation. This includes legislation relating to **safeguarding**, employment, anti-discrimination, health and safety, and data collection. If the inspector identifies concerns that may relate to other legislation, they must notify the regulatory team. That team will decide what action should be taken and whether there should be liaison with the other agencies.
- 78. The inspector does not need to check all the setting's policies, procedures and documentation. However, the inspector **must** check all DBS records and

paediatric first aid certificates and record in the evidence base that they have done so.

79. In addition, inspectors should consider:

- a sample of planning and assessment documents
- a sample of induction, training and professional development records
- the provision's self-evaluation
- recruitment records
- staff qualifications and deployment
- staff training for safeguarding practice and procedures
- records of complaints.

80. The inspector may also check a small sample of other policies, procedures and documentation if potential non-compliance is identified, especially when inspections have been prioritised. If the lines of enquiry provided as part of a priority inspection state that the inspector should review specific documents, these **must** be checked and the analysis recorded.

Meetings with parents

81. Wherever possible, the inspector must seek the views of parents during the inspection, including any parents who ask to speak to them. This will contribute to judgements about how well the provision works in partnership with parents to support children's learning and development and the promotion of their well-being.

82. If the setting has been notified in advance, parents will know that an inspection is taking place. If most children arrive at, or are collected from, the provision at one time, the inspector should set aside time to speak to parents. The inspector must make sure that opportunities for speaking to them are not missed.

83. If the timing of the inspection means it is not possible to gain parents' views directly, the inspector must check how the provider obtains and uses their views to improve its service. If there is no evidence relating to this, the inspector must consider whether the partnership with parents is good enough.

Meeting with the provider and/or their representative

84. The inspector must meet the provider or, if the provider is not present, the manager. The inspector must consider the best time to hold this meeting. Normally, it should be early in the inspection so that matters discussed can be followed up.

85. If the provision operates from one room or in the provider's home, it is expected that the meeting will take place when the children are engaged in

activities and at appropriate moments during the general observations. The inspector should be mindful that the provider still has to supervise children and continue to meet their needs.

86. If the provider is not working directly with children and the meeting takes place in a room or office, it should take no longer than one hour and in most cases will be much shorter so that the main evidence comes from direct observation.
87. If the manager or nominated person has changed since the last inspection, the inspector must ensure that the provider meets the requirements of the Early Years Foundation Stage framework. The inspector should find out whether the roles and responsibilities of the provider and manager are clear. The inspector should also make sure the provider understands that legal accountability cannot be delegated to the manager.
88. The inspector should hold brief discussions with the provider to discuss emerging inspection findings and record all these meetings in the inspection evidence.
89. Before the inspection is complete, the inspector should always check with the provider whether further evidence should be taken into account. If the evidence suggests that the provision might be inadequate, the inspector should give the provider an opportunity to offer further evidence by having early discussions about this.
90. The inspector should seek to diagnose where improvements are needed and make recommendations about how the provision might improve.

Reviewing information from registered parents and other stakeholders

91. Information Ofsted receives about registered early years provision is subject to risk assessment. If this shows that the information is sufficiently significant, it will trigger an inspection or an investigation. The inspection will be a priority inspection carried out within five days of Ofsted having received the information. Investigation visits will normally be carried out by one of Ofsted's regulatory inspectors and, depending on the urgency, may take place on the day the information is received. Information about investigation visits is available in the 'Early childhood compliance handbook' on Ofsted's website.⁴

Performance management and professional development

92. Inspectors will ask for evidence to evaluate the effectiveness of staff supervision, performance management, training and continuing professional development, and the impact of these on children's well-being, learning and development.

⁴ *Early childhood compliance handbook*, Ofsted, June 2015;
www.gov.uk/government/publications/compliance-investigation-and-enforcement-handbook-childcare.

93. The early years sector is diverse, ranging from single childminders to large day care settings. This means that inspectors must use their professional judgement to assess whether the setting is using performance targets well to improve the quality of its provision and outcomes for children.
94. Inspectors should consider how effectively senior leaders use performance management and self-evaluation (if available) to provide a focus for professional development activities.

Reaching final judgements

95. Inspection activity, including observations, should continue throughout the inspection. Inspectors should avoid giving any impression that they have reached final judgements before the inspection has finished.
96. The inspector must set aside time towards the end of the inspection to consider the evidence and make the final judgements. Final judgement grades should be recorded and key points for feedback should be identified. The inspector should also ensure that time is set aside for the final feedback meeting.
97. Part 2 of this handbook sets out the judgements that the inspector must make and the aspects they should consider when doing so. The inspector must use professional judgement to weigh up the evidence gathered for each key judgement. It should be considered against the descriptors to reach fair and reliable judgements that reflect the quality of the provision.
98. The inspector must take account of everything they have learnt about the provision when making their judgements. This includes any concerns that might still have an impact on the setting's compliance with requirements and the effectiveness of improvement plans over time, as well as what is seen in the setting during the day.
99. Actions and recommendations for improvement should make clear what the provider needs to do to improve. Actions must refer to the requirements in the Early Years Foundation Stage framework but should not simply replicate its wording. Recommendations must focus on areas that are preventing the setting from improving. Settings that are judged to be outstanding are also likely to have areas that leaders have identified themselves that can improve further.
100. The inspector is **not** expected to check that each of the statutory requirements of the Early Years Foundation Stage framework is being met. However, if in the course of collecting evidence the inspector finds that a particular requirement is not being met, they should take this into account when reaching judgements.
101. If one or more of the **statutory requirements is not being met**, this should be reflected in the judgement on leadership and management, as well as in any other judgements where it is relevant.

102. Failure to meet a statutory requirement will not always result in a judgement that the setting is inadequate. The judgement will be made in relation to the impact of the failure to meet requirements on children’s safety and well-being, their learning and development or both of these.
103. When a setting does not meet the legal requirements at the time of the inspection, the inspector must take into account any previous non-compliance. A provider may commit a series of minor breaches that, taken individually, do not have a significant impact on children. Similarly, a history of previous non-compliance in the same, or different, areas is likely to indicate either the provider’s lack of knowledge of the requirements or unwillingness to comply with them. In such cases, the inspector is likely to judge the leadership and management to be inadequate because the provider does not understand the statutory requirements sufficiently.
104. Minor administrative errors that can be put right before the inspection is over should not necessarily have a negative impact on the judgements. An example might be that the certificate of registration is not properly displayed (3.75 in the statutory framework). However, where the provider is not meeting a number of administrative requirements, the inspector will need to consider whether these failings, taken together, suggest wider weaknesses within the setting. If this is the case, it is likely to have a negative impact on the judgement on leadership and management.
105. The inspector must take account of more serious breaches when determining the judgements. If the inspector judges the provision not to have an acceptable standard of care and learning, the overall effectiveness will be judged **inadequate**. The inspector must decide whether the provider has the capacity to put things right through non-statutory actions or whether the failures are serious enough to warrant enforcement action.
106. The inspector should raise actions where:
- the provider is not meeting one or more of the learning and development requirements and/or safeguarding and welfare requirements (and the inspection report must show the significant impact on children’s learning and development and/or well-being and safety)
 - leaders and managers demonstrate an understanding of the requirements and show they have the ability to make the necessary improvements without the need for statutory enforcement action and this is the first occasion on which the specific requirement(s) has not been met; following an inspection, the actions will be listed in the inspection report.
107. The inspector will recommend, and Ofsted will issue, a welfare requirements notice where there has been a breach of one or more of the safeguarding and welfare requirements that has a significant impact on children and where one or more of the following apply:

- leaders and managers do not demonstrate their understanding of how to meet the safeguarding and welfare requirements of the Early Years Foundation Stage
- there have been previous occasions of non-compliance in relation to the same or different requirement(s)
- actions relating to existing breaches of safeguarding and welfare requirements have not been completed satisfactorily
- the breach is so serious that the inspector judges that the higher tariff of a welfare requirements notice is appropriate.

108. On making the judgement that the provision is inadequate, the inspector must consult the ARC team where:

- there is evidence of any immediate risk to children or breach of any conditions placed on the registration
- previous concerns about the registered provision have not been dealt with in a satisfactory way by the provider, including the failure to take satisfactory action to meet actions and/or welfare requirements set at a previous visit
- application of the enforcement tariff shows that a welfare requirements notice is required
- the inspector considers that Ofsted may need to take other legal action, such as a cancellation or prosecution
- the provider shows insufficient understanding of the responsibility to meet the safeguarding and welfare and/or learning and development requirements of the Early Years Foundation Stage
- the last inspection resulted in a judgement that overall effectiveness was inadequate.

109. The purpose of consulting the ARC team is to allow a professional exchange about whether and what type of enforcement action should be taken and the kind of monitoring that will be required. The 'Early childhood compliance handbook' has more information about enforcement options and the arrangements for following up enforcement activity. The discussion between the inspector and compliance teams in each region will determine what the inspection report will say about the enforcement action.

Failure to notify Ofsted and/or meet conditions

110. It is an offence to fail to notify Ofsted of a significant event or fail to comply with a condition of registration. Where the inspector finds such non-compliance, they must refer to the compliance handbook and liaise with the regulatory team in the region. The inspector must also refer to any such failure in the leadership and management section of the report.

Providing feedback

111. Towards the end of the inspection, depending on the size or layout of the provision, the inspector should talk to the provider to:
- discuss any inadequate or outstanding practice that has been seen
 - ensure that the provider understands how the evidence substantiates the judgements
 - allow the provider to raise any concerns, including those related to the conduct of the inspection or the inspector
 - alert the provider to any serious concerns that may lead to the provision being judged inadequate.
112. At the end of the inspection, there must be a feedback meeting that should include the provider or their representative. If the provider is not able to be present, the inspector should give feedback to the manager as the provider's representative. The inspector must not defer feedback to another day.
113. The inspector should allow sufficient time for preparation, making sure their evidence is clear and fully supports the judgements. They should be ready to provide examples that illustrate the provision's strengths and weaknesses.
114. The inspector should contact Ofsted's helpdesk or the regional regulatory team before giving feedback if they have concerns about any of their judgements. They must always do this before judging that the provision is inadequate.
115. At the feedback meeting, the inspector should explain that its purpose is to share the main findings of the inspection and any actions and/or recommendations for improvement. The inspector must make it clear that the findings are restricted and confidential to the relevant senior personnel and that they must remain so until the provider receives the final report. If the provision is judged to be inadequate, however, the provider must inform the local authority immediately after the inspection.
116. The inspector should ensure that the provider understands any actions and/or recommendations for improvement and that s/he has the opportunity to comment on the draft wording of these. Recommendations may also focus on ways in which provision might maintain and further develop areas of good and outstanding performance.
117. Feedback notes must be consistent with the evidence discussed with the provider and the content of the report and should cover the strengths and areas for improvement about:
- effectiveness of leadership and management
 - quality of teaching, learning and assessment

- personal development, behaviour and welfare
 - outcomes for children
 - actions and/or recommendations for improvement.
118. The inspector must ensure that the provider or their representative is clear about the grades awarded for each key judgement. The inspector should:
- refer to specific evidence where any judgements differ from the setting's self-evaluation
 - state clearly if any areas are judged as inadequate and the reasons for this
 - explain the areas for improvement and be prepared to discuss these with the provider so they understand what should or must be improved and the reasons why
 - state that the grades may be subject to change because of quality assurance checks and should, therefore, be treated as confidential until the provider receives a copy of the inspection report (except in the case of an inadequate judgement where the provider should inform the local authority)
 - where relevant, set out the next steps for provision judged as requires improvement or inadequate
 - provide information about Ofsted's complaints procedure.
119. The inspector should summarise in the evidence base the key points raised at the feedback meeting and the responses to these.
120. If the setting is judged to require improvement, the inspector should draw the provider's attention to Ofsted's report 'Getting it right first time: achieving and maintaining high-quality early years provision', including the case studies contained in the report, which they might read in order to improve.⁵ Ofsted also holds seminars to help providers to improve before the next inspection.

Before/after school care and holiday provision

121. Providers offering care exclusively before and after school or during the school holidays for children who normally attend Reception (or older) class during the school day are not required to meet the learning and development requirements for those children.
122. When inspecting such settings, inspectors should not seek evidence that relates to the learning and development requirements and should not make a judgement on outcomes.

⁵ *Getting it right first time: achieving and maintaining high-quality early years provision*, Ofsted, 2013; www.gov.uk/government/publications/achieving-and-maintaining-high-quality-early-years-provision-getting-it-right-first-time.

123. Where providers choose to promote the learning and development of children in their care, this should be recognised and reported. However, inspectors must be mindful that delivery of the learning and development requirements is not mandatory. They should not set any actions requiring the provider to meet any part of the learning and development requirements.

Provision that primarily educates children in their home language

124. Childminders and group provision that educate children primarily through the medium of their home language must show inspectors that they and any assistants or staff members have a sufficient grasp of English to ensure the children's well-being. For example, providers must demonstrate that, where necessary, they could summon help in English in an emergency or keep records required by the Early Years Foundation Stage in English and share them with inspectors. They must also be able to read and understand safety instructions, other instructions, information about the administration of medication and information about food allergies.
125. As part of the learning and development requirements, providers must also ensure that children have sufficient opportunities to learn and reach a good standard of English during the Early Years Foundation Stage. Practitioners must assess children's communication and language skills and their early literacy skills in English. If children are not developing a good standard of spoken English or in their early writing and literacy skills in English, inspectors should consider the impact on their progress and whether this might lead to a judgement that the overall quality of the provision is inadequate.

Educational and philosophical approaches

126. The choice of teaching methods is a decision for providers. The inspector will judge the quality of the provision in relation to the impact it has on children's learning, development and well-being.
127. Some provision will be exempt⁶ from some or all aspects of the learning and development requirements of the Early Years Foundation Stage. The exemptions may modify or fully exempt providers from meeting the educational programmes, individual learning goals and the assessment arrangements. During the inspection, inspectors should find out if this is the case after reviewing the associated paperwork. Inspectors should use their professional judgement in applying the grade descriptors in these cases and report accordingly. They should expect to gather evidence for the parts of the learning and development requirements that are not exempt.

⁶ The Early Years Foundation Stage (Exemptions from Learning and Development Requirements) Regulations 2008; www.legislation.gov.uk/uksi/2008/1743/contents/made and The Early Years Foundation Stage (Exemptions from Learning and Development Requirements) (Amendment) Regulations 2012; www.legislation.gov.uk/uksi/2012/2463/contents/made.

128. Where provision follows an approach such as Steiner, Montessori or High/Scope or reflects a particular faith, inspectors must familiarise themselves with it. Where relevant, inspectors should note the provision's educational or philosophical approach in the report section 'Information about the setting'.

After the inspection

Arrangements for publishing the report

129. The inspector must write the report immediately after the inspection. The text, balance and tone of the report should reflect the judgements made, based on the evidence gathered, and be aligned with the feedback given. Guidance on the structure and content of the report is available in 'Reporting requirements for early years inspections'.⁷
130. When writing a report relating to a priority inspection, inspectors should ensure that it explains why the inspection took place and should report accordingly.
131. Where no children are on roll or present at the time of the inspection, inspectors must include a grade only for overall effectiveness. Although there are no separate supporting judgements, the summary of key findings for parents on the front page must include at least one bullet point for each judgement in the evaluation schedule. The summary must also describe clearly any weaknesses that led to a 'not met' judgement and from which actions have been raised.

Other information to be completed following an inspection

132. As well as submitting the report and evidence, the inspector must provide Ofsted with the following information:
- the number of places the registered provider offers and the ages of children attending
 - the level and number of qualifications, including paediatric first aid, held by staff at the setting
 - any previous actions that are complete and need to be closed
 - any new actions or recommendations
 - any changes to the people connected with the registration, including a note of any failure to notify Ofsted of changes
 - any errors in the registration details, including those relating to the registered person and the register(s) on which the provider is placed.

⁷ *Reporting requirements for early years inspections*, Ofsted, March 2014;
www.gov.uk/government/publications/report-template-for-early-years-inspections-with-guidance.

The inspection evidence base

133. The evidence base must be retained for the time specified in Ofsted's guidance.⁸ This is normally six months from when the report is published. Inspection evidence must be kept for longer than six months when:

- an action relates to safeguarding
- the provision is being monitored or an investigation is linked to the inspection
- there is a potential or current litigation claim against Ofsted, such as a judicial review
- there is an appeal against enforcement action, or an ongoing complaint.

Quality assurance and complaints

Quality assurance

134. The inspector must ensure that all judgements are supported by the evidence gathered and recorded. Some inspections are quality-assured by Her Majesty's Inspectors (HMI). The purpose of such visits will be explained to the provider at the start of the inspection.

Handling concerns and complaints during the inspection

135. The great majority of our work is carried out smoothly and without incident. If concerns do arise during an inspection visit, they should be raised with the lead inspectors as soon as possible while the inspection is taking place. This provides the opportunity to resolve issues before the inspection is completed.

136. If a provider raises a concern, the lead inspector should seek to resolve it whenever possible, obtaining advice where necessary. Any concerns raised and actions taken to redress any problems should be recorded in the inspection evidence.

137. If it has not been possible to resolve concerns during the inspection, the provider may wish to lodge a formal complaint. The lead inspector should ensure that the provider is informed that the procedure for submitting a complaint is available on the Ofsted website.

138. Complaints must be submitted no more than 10 working days after the publication of any inspection report or letter. Ofsted does not normally withhold or withdraw publication of an inspection report or letter while complaints are investigated.

⁸ *Handling and retention of inspection evidence*, Ofsted, 2010;
www.gov.uk/government/publications/handling-and-retention-of-ofsted-inspection-evidence.

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

Background to the evaluation schedule

139. In line with the common inspection framework, inspectors will make the following judgements:

- overall effectiveness
- effectiveness of leadership and management
- quality of teaching, learning and assessment
- personal development, behaviour and welfare
- outcomes for children.

140. Inspectors use a four-point scale to make all judgements.

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

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

- a childminder who has only a very small number of children
- settings in which only babies and very young children are present
- settings that provide for funded two-year-olds or groups who may be disadvantaged
- settings that have children who receive their main Early Years Foundation Stage experience elsewhere.

142. Where there is a mixed age-range, inspectors must note any differences in the provision or outcomes for children of different ages and make a 'best fit' judgement, taking into account all their evidence and the reasons for their judgements.

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

143. Inspectors must use all their evidence to evaluate what it is like to be a child in the provision. In making their judgements about a provider's overall effectiveness, inspectors will consider whether the standard of education and care is good or whether it exceeds good and is therefore outstanding. If it is

not good, inspectors will consider whether it requires improvement or is inadequate.

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

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

- the progress all children make in their learning and development relative to their starting points and their readiness for the next stage of their education including, where appropriate, readiness for school
- the extent to which the learning and care that the setting provides meet the needs of the range of children who attend, including disabled children and those who have special educational needs
- children’s personal and emotional development, including whether they feel safe and are secure and happy
- whether the requirements for children’s safeguarding and welfare have been fully met and there is a shared understanding of and responsibility for protecting children
- the effectiveness of leadership and management in evaluating practice and securing continuous improvement that improves children’s life chances.

Outstanding (1)

- The quality of teaching, learning and assessment is outstanding.
- All other key judgements are likely to be outstanding. In exceptional circumstances, one of the key judgements may be good as long as there is convincing evidence that this area is improving rapidly and securely towards outstanding.
- Safeguarding is effective. There are no breaches of statutory requirements.

Good (2)

- The quality of teaching, learning and assessment is at least good.
- All other key judgements are likely to be good or outstanding. In exceptional circumstances, one of the key judgement areas may require improvement as long as there is convincing evidence that it is improving rapidly and securely towards good.
- Safeguarding is effective.

Requires improvement (3)

- Where one or more aspects of the setting’s work requires improvement, the setting’s overall effectiveness is likely to require improvement.
- Safeguarding is effective.
- Where there are any breaches of the safeguarding and welfare and/or the learning and development requirements, they do not have a significant impact on children’s safety, well-being or learning and development.

Inadequate (4)

The setting's overall effectiveness is likely to be inadequate if:

- any one of the key judgements is inadequate and/or
- safeguarding is ineffective
- breaches of statutory requirements have a significant impact on the safety and well-being and/or the learning and development of children
- it is a nursery or pre-school that has been judged as requires improvement at two consecutive inspections and is still not judged to be good at its third inspection.

The evaluation schedule and grade characteristics

Effectiveness of leadership and management

146. Inspectors will make a judgement on the effectiveness of leadership and management by evaluating the extent to which leaders, managers and governors:

- demonstrate an ambitious vision, have high expectations for what all children can achieve and ensure high standards of provision and care for children
- improve staff practice, teaching and learning through effective systems for supervision, rigorous performance management and appropriate professional development
- evaluate the quality of the provision and outcomes through robust self-evaluation, taking account of the views of parents and children, and use the findings to develop capacity for sustainable improvement
- provide learning programmes and a curriculum that has suitable breadth, depth and relevance so that it meets any relevant statutory requirements, as well as the needs and interests of children
- successfully plan and manage the curriculum and learning programmes so that all children get a good start and are well prepared for the next stage in their learning, especially being ready for school
- actively promote equality and diversity, tackle poor behaviour towards others, including bullying and discrimination, and narrow any gaps in outcomes between different groups of children
- actively promote British values
- make sure that arrangements to protect children meet all statutory and other government requirements, promote their welfare and prevent radicalisation and extremism.

147. Inspectors will always report on whether or not arrangements for safeguarding children are effective.

Sources of evidence

148. The main evidence comes from interviews with the manager and/or registered provider or their nominee, supplemented by discussion with staff, parents and children, and through sampling policies and procedures.⁹

149. Inspectors should obtain evidence of:

- how well practitioners and any trainees or students are monitored, coached, mentored and supported, and how under-performance is tackled
- qualification levels and the effectiveness of a programme of professional development, arising from identifying staff needs and improving qualifications
- the deployment of staff, taking account of their qualifications, skills and experience to work with children of different ages, including babies and toddlers
- the extent and range of completed training, including child protection, first aid and safeguarding training that fully meets statutory requirements, and its impact on improving children's well-being
- how well the physical environment is organised to meet the needs of individual children of different ages, including for babies and toddlers where appropriate
- the effectiveness of the staff's monitoring and revision of the learning programmes to ensure that they have sufficient depth, breadth and challenge and reflect the needs, aptitudes, ages and interests of children
- the effectiveness of the monitoring of children's progress, and interventions where needed, to ensure that gaps are narrowing for groups of children or individual children identified as being in need of support
- how effectively leaders use additional funding, including the early years pupil premium, and measure its impact on narrowing gaps in children's outcomes
- the effectiveness of arrangements for safeguarding, including recruitment practices, and how well safe practices and a culture of safety are promoted and understood
- how well training enables staff to identify possible signs of abuse and neglect at the earliest possible opportunity and to respond in a timely and appropriate way
- how well statutory policies and procedures are implemented
- the effectiveness of self-evaluation, including contributions from parents, carers and other stakeholders

⁹ Part 1 lists the policies and procedures that must be checked.

- whether leaders have implemented well-focused improvement plans through engagement with staff, children, parents and carers
 - the effectiveness of arrangements for sharing information and working in partnership with other providers, schools and professionals to identify all children’s needs and help them to make good progress.
150. Inspectors must use their professional judgement to interpret and apply the grade descriptors for leadership and management for childminders.
151. Inspectors must consider which set of descriptors best fits all the evidence available and the reasons why.

Grade descriptors for the effectiveness of leadership and management

Outstanding (1)

- The pursuit of excellence in all of the setting’s activities is demonstrated by an uncompromising, highly successful drive to improve achievement or maintain the highest levels of achievement for all children.
- Incisive evaluation of the impact of staff’s practice leads to rigorous performance management, supervision and highly focused professional development. As a result, teaching is highly effective or improving rapidly.
- Leaders and managers actively seek, evaluate and act on the views of parents, staff and children to drive continual improvement.
- Highly effective monitoring identifies where children may be slow to develop key skills so that specific programmes of support are implemented to help them catch up. Gaps in achievement between different groups of children, especially those for whom the setting receives additional funding, are negligible or closing.
- The provider has an excellent knowledge of the requirements of the Early Years Foundation Stage, and implements them highly effectively.
- Leaders’ deep understanding of the curriculum and how to apply it to meet the needs and interests of children results in all staff planning highly effective activities. As a result, children are exceptionally well prepared to move on, including, where appropriate, to school.
- Leaders set high standards for children’s behaviour at all times. Exemplary relationships between staff provide an excellent model for children’s behaviour towards each other.
- Highly effective partnership working leads to improvement in provision and outcomes for children and their families.
- The promotion of equality, diversity and British values is at the heart of the setting’s work. It is demonstrated through all its practices, including tackling any instances of discrimination and being alert to potential risks from radicalisation and extremism.
- Safeguarding and welfare meet statutory requirements. Leaders and managers have created a culture of vigilance where children’s welfare is actively promoted. Children are listened to and feel safe. Staff are trained to identify and support children who may be at risk of neglect or abuse and they report any concerns. Work with partner agencies to safeguard children’s welfare is effective.

Good (2)

- Leaders and managers are ambitious and communicate high expectations to all. Self-evaluation is accurate and includes the views of parents, staff and children. Actions taken by leaders to improve the quality of provision, as required by the Early Years Foundation Stage, are carefully planned, concerted and effective.
- An effective and well-established programme of professional development helps practitioners to improve their knowledge, understanding and practice. Through effective systems for supervision and performance management, practitioners are monitored regularly and under-performance is tackled swiftly. As a result, teaching is consistently strong or improving steadily.
- Leaders ensure that the curriculum provides a broad range of interesting and demanding experiences that help children to make progress towards reaching the early learning goals. As a result, children are well prepared to move on, including, where appropriate, to school.
- Monitoring ensures that individual children or groups of children who have identified needs are targeted and appropriate interventions are secured so that children receive the support they need, including through effective partnerships with external agencies and other providers.
- Relationships between staff provide a good model from which children learn about how to behave towards others. Leaders have high expectations for consistently good behaviour.
- Additional funding for disadvantaged children is used effectively to narrow gaps in outcomes. Partnerships with local providers are leading to improvements in provision and outcomes for children in the setting.
- Leaders and managers actively promote equality, diversity and British values through all policies and practice. They tackle instances of discrimination effectively.
- Safeguarding is effective and the setting meets statutory welfare requirements. The provider ensures that staff have a good understanding of how to manage, and minimise, risks for children without limiting opportunities for their development. Safeguarding and child protection policies and procedures, including safer recruitment, are implemented consistently; practice is reviewed regularly and clearly evaluated.

Requires improvement (3)

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

Inadequate (4)

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

- Leaders do not identify weaknesses in practice or understand how to improve practice or any actions taken to tackle areas of identified weakness have been insufficient or ineffective. Training for staff is ineffective.
- Monitoring of teaching and/or of educational programmes is ineffective. As a result, provision is inadequate and children fail to thrive.
- Leaders' poor understanding of the learning and development requirements results in breaches that have a significant impact on children's progress,

particularly for disadvantaged children.

- Links with parents, other settings or professionals involved in supporting children's care and education are not strong enough to ensure that individual needs are identified and met.
- Leaders fail to recognise and/or tackle instances of discrimination. Equality, diversity and British values are not actively promoted in practice.
- Safeguarding and welfare requirements are not met. Breaches have a significant impact on the safety and well-being of children.

Quality of teaching, learning and assessment

152. Inspectors will make a judgement on the effectiveness of teaching,¹⁰ learning and assessment by evaluating the extent to which:

- teachers, practitioners and other staff have consistently high expectations of what each child can achieve, including the most able and the most disadvantaged
- teachers, practitioners and other staff have a secure understanding of the age group they are working with and have relevant subject knowledge that is detailed and communicated well to children
- assessment information is gathered from looking at what children already know, understand and can do, and is informed by their parents and previous providers as appropriate
- assessment information is used to plan appropriate teaching and learning strategies, including to identify children who are falling behind in their learning or who need additional support, enabling children to make good progress and achieve well
- children understand how to develop as a result of regular interaction and encouragement from staff, and parents understand how their children should progress and how they can contribute to this
- information for parents helps them to understand how children are doing in relation to their age and what they need to do to progress; engagement with parents supports their child's learning
- equality of opportunity and recognition of diversity are promoted through teaching and learning

¹⁰ Teaching should not be taken to imply a 'top down' or formal way of working. It is a broad term that covers the many different ways in which adults help young children learn. It includes their interactions with children during planned and child-initiated play and activities: communicating and modelling language, showing, explaining, demonstrating, exploring ideas, encouraging, questioning, recalling, providing a narrative for what they are doing, facilitating and setting challenges. It takes account of the equipment adults provide and the attention given to the physical environment, as well as the structure and routines of the day that establish expectations. Integral to teaching is how practitioners assess what children know, understand and can do, as well as taking account of their interests and dispositions to learn (characteristics of effective learning), and how practitioners use this information to plan children's next steps in learning and monitor their progress.

- teaching supports children to acquire the skills and capacity to develop and learn effectively, and to be ready for the next stages in their learning, especially school where applicable.

Sources of evidence

153. The main evidence comes from inspectors' direct observations of the way in which children demonstrate the key characteristics of effective learning:

- playing and exploring
- active learning
- creating and thinking critically¹¹

and their evaluation of how practitioners' teaching supports the learning of children of different ages.

154. Direct observation should be supplemented by a range of other evidence to enable inspectors to evaluate the impact that practitioners have on the progress children make in their learning. Such additional evidence should include:

- evidence of assessment that includes the progress of different groups of children:
 - assessment on entry, including parental contributions
 - progress checks of two-year-olds (where applicable)
 - formative assessments, including any parental contributions
 - the Early Years Foundation Stage Profile (where applicable) or any other summative assessment when children leave
- evidence of planning for children's next stages of learning, based on staff assessment and a secure knowledge of the key characteristics of learning and children's development. Inspectors should consider the impact of staff knowledge, qualifications, training and expertise on their practice and on children's learning and development. Inspectors should also consider the quality of activities and choices for babies and toddlers
- evidence from observations, including:
 - the inspector's own observations of children's responses to the range of activities they take part in
 - joint observations with managers or early years professionals
 - any evidence of practitioners' observations

¹¹ *Statutory framework for the Early Years Foundation Stage*, Department for Education, 2014; www.gov.uk/government/publications/early-years-foundation-stage-framework--2.

- ways in which communication and language are developed and literacy taught
- the quality and timeliness of adults’ interventions and how well any learning that children demonstrate is built on by the adults working with them
- the inspector’s tracking of selected children, including children of different ages, funded two-year-olds and other children whose circumstances may suggest they need particular intervention or support
- discussions with practitioners, key persons and managers to establish:
 - how well the provider and practitioners know and understand the learning and development requirements of the Early Years Foundation Stage
 - their plans for reviewing children’s progress at age two
 - how changes are made to activities, resources, routines and/or the environment as a result of observations, and how the impact of those changes is evaluated
 - whether practitioners accurately and reliably identify children whose learning and development are not at a typical level for their age and what actions they have taken to ensure that those children make sufficient progress
 - the impact of the involvement of the special educational needs coordinator (SENCO) and/or other partners where there are concerns about a child’s development and learning
- discussions with parents about:
 - how often practitioners share a good-quality summary of their observations of children with the children’s parents
 - how and when parents are asked for information about their child’s development.

155. Inspectors must use their professional judgement to interpret and apply the grade descriptors. Where there is a mixed age-range, inspectors must note any differences in provision for children of different ages and make a ‘best fit’ judgement.

Grade descriptors for teaching, learning and assessment

Outstanding (1)

- All practitioners have very high expectations of what each child can achieve, including the most able and the most disadvantaged.
- Teaching is consistently of a very high quality, inspirational and worthy of dissemination to others; it is highly responsive to children’s needs.
- Practitioners use their expert knowledge of the areas of learning and deep understanding of how children learn to provide rich, varied and imaginative

experiences that enthuse, engage and motivate children to learn.

- Accurate assessment, including through high quality observations, is rigorous and sharply focused and includes all those involved in the child's learning and development. Where appropriate, children are involved in the process. Information from assessment is used to secure timely interventions and support, based on a comprehensive knowledge of the child and their family.
- Provision across all areas of learning is planned meticulously and based on regular and precise assessments of children's achievement so that every child undertakes highly challenging activities.
- Highly successful strategies engage parents, including those from different groups, in their children's learning, both in the setting and at home.
- Practitioners provide an exceptional range of resources and activities that reflect and value the diversity of children's experiences. They actively challenge gender, cultural and racial stereotyping and help children gain an understanding of people, families and communities beyond their immediate experience.
- The extremely sharp focus on helping children to acquire communication and language skills, and on supporting their physical, personal, social and emotional development, gives children the foundations for future learning.

Good (2)

- Practitioners have high expectations of all children based on accurate assessment of children's skills, knowledge and understanding when they join the setting.
- The quality of teaching is consistently strong. Practitioners have a secure knowledge and understanding of how to promote the learning and development of young children and what they can achieve.
- Practitioners make regular and precise assessments of children's learning that they use effectively to plan suitably challenging activities. They observe carefully, question skilfully and listen perceptively to children during activities in order to re-shape activities and give children explanations that improve their learning.
- Practitioners teach the basics well and support children to learn the communication and language skills and develop the physical, personal, social and emotional skills they need for the next steps in their learning. Where appropriate, early literacy skills and mathematical development are promoted effectively to ensure that children are ready for school.
- The key person system works effectively to engage parents, including those who may be more reluctant to contribute, in their children's learning. Parents contribute to initial assessments of children's starting points on entry and they are kept well informed about their children's progress. Parents are encouraged to support and share information about their children's learning and development at home.
- Practitioners provide a wide range of opportunities for children to learn about people and communities beyond their immediate experience. Resources and activities reflect and value the diversity of children's backgrounds and experiences.

Requires improvement (3)

- The provision is not yet good.

- Any breaches of the statutory requirements do not have a significant impact on children’s learning and development.¹²

Inadequate (4)

Provision is likely to be inadequate if one or more of the following apply:

- Expectations are not high enough and so children are not well prepared for school or the next stage of their learning.
- Some practitioners have a poor understanding of the prime and/or specific areas of learning and/or knowledge of how to promote children’s learning and development. This results in ineffective teaching that is not matched to children’s needs.
- Breaches of the statutory requirements have a significant impact on children’s learning and development.
- Information from assessment is not accurate and not well used to enable children to make the progress they should.
- Practitioners do not promote equality and diversity or extend children’s understanding of communities beyond their immediate environment.
- Strategies for engaging parents in their child’s learning and development are weak and focus too much on care practices. As a result, parents do not know what their child is learning or how they can help them improve.

Personal development, behaviour and welfare

156. Inspectors will make a judgement on the personal development, behaviour and welfare of children by evaluating the extent to which the provision is successfully promoting and supporting children’s:

- sense of achievement and commitment to learning through a positive culture that is evident across the whole setting
- self-confidence, self-awareness and understanding of how to be a successful learner
- enjoyment of learning and the development of their independence and ability to explore their surroundings and use their imagination
- social and emotional preparation for their transition within the setting, into other early years settings, and into maintained nursery provision and/or Reception class
- emotional security, through emotional attachments with practitioners and carers, and their physical and emotional health
- prompt and regular attendance
- following of any guidelines for behaviour and conduct, including management of their own feelings and behaviour, and how they relate to others

¹² *Statutory framework for the Early Years Foundation Stage*, Department for Education, 2014; www.gov.uk/government/publications/early-years-foundation-stage-framework--2.

- understanding of how to keep themselves safe from relevant risks, including when using the internet and social media
- knowledge of how to keep themselves healthy, including through exercising and eating healthily
- personal development, so that they are well prepared to respect others and contribute to wider society and life in Britain.

Sources of evidence

157. The main evidence comes from inspectors' direct observations of children's behaviour and their interactions with practitioners and each other. Inspectors will consider the quality of care practices, including how well routines are adapted for babies and toddlers.
158. Direct observation should be supplemented by a range of other evidence to enable inspectors to evaluate the impact that practitioners have on children's well-being. This additional evidence is likely to include:
- evidence of planning for the prime areas of learning and especially for children's personal, social and emotional development
 - evidence of assessment of children's well-being
 - discussions with practitioners, children and parents and with managers about the key person system
 - inspectors' tracking of children's care arrangements
 - records of accidents, incidents and children's attendance at the setting.
159. Although attendance at the setting is not mandatory, providers should be alert to patterns of absence that may indicate wider safeguarding concerns. Inspectors will explore how well providers work with parents to promote children's good attendance, especially the attendance of children for whom the provider receives the early years pupil premium.
160. To reach an overall judgement about how the provision promotes children's personal development, behaviour and welfare, inspectors must use their professional judgement to consider the impact of the provision on children's all-round development.
161. Inspectors must consider which set of descriptors best fit all the evidence available and the reasons why. In doing so, inspectors must be mindful of the ages and stages of development of the children in the setting.

Grade descriptors for personal development, behaviour and welfare

Outstanding (1)

- The highly stimulating environment and wide range of activities ensure that children are highly motivated and very eager to join in. They consistently show the characteristics of effective learning. They show high levels of curiosity, imagination and concentration. Older children listen intently and are highly responsive to adults and each other.
- Children's health, welfare and well-being are significantly enhanced by the vigilant and highly consistent implementation of robust policies, procedures and practice. High standards of care and hygiene practice support the personal care needs of babies and toddlers.
- Practitioners are highly skilled and sensitive in helping children of all ages form secure emotional attachments. This gives children a strong base for developing their independence to explore their world and increases their confidence in their own abilities.
- Children increasingly show high levels of confidence in social situations. They develop a positive sense of themselves and their place in the world. They develop a very good understanding of how to keep themselves safe and how to manage risks and challenges.
- The strong skills of all key persons ensure that all children are emotionally well prepared for the next stages in their learning. Practitioners skilfully support children's transitions both within the setting and to other settings and prepare them for the move to school.
- Children demonstrate exceptionally positive behaviour and high levels of self-control, cooperation and respect for others that are appropriate for their age. They do not distract others or become distracted themselves.
- Children's welfare and personal development are central to everything practitioners do. They are very effective in supporting children's growing understanding of how to keep themselves safe and healthy.
- Practitioners give children a wide range of experiences that promote understanding of people, families and communities beyond their own. They teach children the language of feelings and give them opportunities to reflect on their differences.

Good (2)

- Practitioners provide a stimulating, welcoming environment, both indoors and out, that keeps children motivated and interested in a broad range of activities. Children are keen learners who regularly display the characteristics of effective learning. They listen carefully to adults and each other.
- A well-established key person system helps children form secure attachments and promotes their well-being and independence. Relationships between staff and babies are sensitive, stimulating and responsive.
- Practitioners adhere consistently to agreed strategies to promote good behaviour and regular attendance. They provide clear guidance for children about what is and is not acceptable behaviour.
- Practitioners help children to become independent in managing their own personal needs.
- Key persons ensure children are emotionally well prepared for the next

<p>stages in their learning.</p> <ul style="list-style-type: none"> ■ Children’s good behaviour shows that they feel safe. They gain an understanding of risk through activities that encourage them to explore their environment. ■ Practitioners give clear messages to children about why it is important to have a healthy diet and the need for physical exercise while providing these things within the setting. ■ Children are learning to respect and celebrate each other’s differences. They develop an understanding of diversity beyond their immediate family experience through a range of activities that teach them effectively about people in the wider world.
<p>Requires improvement (3)</p> <ul style="list-style-type: none"> ■ Provision to support children’s personal development, behaviour and welfare is not yet good. ■ Any breaches of the statutory requirements for safeguarding and welfare and/or learning and development do not have a significant impact on children’s safety, well-being and personal development.
<p>Inadequate (4) Personal development, behaviour and welfare are likely to be inadequate if one or more of the following apply:</p> <ul style="list-style-type: none"> ■ Breaches of the statutory requirements for safeguarding and welfare and/or learning and development have a significant impact on children’s safety, well-being and personal development. ■ Practitioners do not support children’s social and emotional well-being and prepare them for transitions within the setting and/or to other settings and school. ■ The key person system does not work effectively to support children’s emotional well-being and so some children fail to form secure attachments with their carers. Babies are not stimulated. ■ Children’s behaviour is not managed consistently. As a result, more than occasionally, their lack of engagement in activities and/or poor behaviour leads to a disorderly environment that hinders children’s learning and/or puts them and others at risk. ■ Not all practitioners have sufficient knowledge and/or they are not vigilant enough to ensure that children are kept safe and that their health and welfare are promoted. This means children do not know, relative to their ages, how to keep themselves safe and healthy. ■ Children have a narrow experience that does not promote their understanding of people and communities beyond their own or help them to recognise and accept each other’s differences.

Outcomes for children

162. Inspectors will take account of current levels of development and progress and make a relevant judgement on learning outcomes for children by evaluating the extent to which:

- all children progress well from their different starting points

- children meet or exceed the level of development that is typical for their age so that they can move on to the next stage of their education.

Sources of evidence

163. The main evidence should come from direct observation of children’s learning and outcomes. This should be supplemented by the setting’s records and assessment information, which inspectors should sample.
164. Any evaluation of children’s progress towards the early learning goals must be judged in relation to their starting points, their individual needs, how long they have been at the provision and how often they attend.
165. The inspector should examine the information that the provision gathers about what children know, can do and enjoy when they start to attend. Evidence of starting points can also be gained by talking to staff and parents about the level of children’s social, communication and physical skills on entry and, importantly, by observing children who are new to the provision.
166. The inspector must use the evidence to evaluate how well the provider and practitioners know about, and understand, the progress children are making towards the early learning goals. The inspector must judge whether adults’ expectations for children are high enough.
167. The inspector must evaluate:¹³
- whether children are working at typical levels of development for their age, including whether they are exceeding or reaching or are likely to reach typical levels of development for their age
 - whether children who are disadvantaged or under-performing are catching up quickly
 - children’s progress at age two
 - whether outcomes are consistent across areas of learning
 - whether children are developing skills in the prime and specific areas of learning that help them to be ready for school
 - how well disabled children and those with special educational needs are supported to make progress
 - how quickly children who speak English as an additional language gain the skills they need to communicate effectively.

¹³ Inspectors may find it helpful to refer to *Early years outcomes*, Department for Education, 2013: a non-statutory guide for practitioners and inspectors to help inform understanding of child development through the early years; www.gov.uk/government/publications/early-years-outcomes.

168. Evaluation of children's outcomes should take account of the proportions of children who have made typical progress or more from their starting points. An example of typical progress for a child would be that she or he consistently displays the knowledge, skills and understanding that are typical for her or his age. She or he would be moving steadily towards the early learning goals. Children who start at a lower level of development than would be typical for their age should catch up quickly. A child joining the setting at a higher level of development than would be typical must be given challenges to deepen and extend their learning.
169. Where there is a mixed age range, inspectors must note any differences in progress for children of different ages and make a 'best fit' judgement.

Grade descriptors for children's outcomes

<p>Outstanding (1)</p> <ul style="list-style-type: none"> ■ Children make consistently high rates of progress in relation to their starting points and are extremely well prepared for the next stage of their education. ■ Almost all children in the provision, including disabled children, those who have special educational needs, those for whom the setting receives additional funding and the most able, are making substantial and sustained progress that leads to outstanding achievement. ■ Gaps between the attainment of groups of children in the setting, including those for whom the setting receives additional funding, have closed or are closing rapidly. Any differences between outcomes in different areas of learning are closing. ■ Children are highly motivated and very eager to join in. They consistently demonstrate the characteristics of effective learning.
<p>Good (2)</p> <ul style="list-style-type: none"> ■ Children make at least typical progress and most children make progress that is better than typical from their starting points. This includes disabled children, those who have special educational needs, those for whom the setting receives additional funding and the most able. ■ Where children's starting points are below those of other children of their age, assessment shows they are improving consistently over a sustained period and the gap is closing. Any gaps between the attainment of groups, including those for whom the setting receives additional funding, are closing. ■ Children are working comfortably within the range of development typical for their age, taking account of any whose starting points are higher or any disabled children and those with special educational needs. ■ Children develop the key skills needed for the next steps in their learning, including, where appropriate, for starting school.
<p>Requires improvement (3)</p> <ul style="list-style-type: none"> ■ Outcomes are not good.

Inadequate (4)

Outcomes are likely to be inadequate if one or more of the following apply:

- The learning and progress of individual or specific groups of children, including disabled children and those who have special educational needs and/or those for whom the setting receives additional funding, do not match the levels of progress made by most children.
- Gaps between different groups show little sign of closing or may be widening.
- Children are not well prepared for school or their next stage of learning.
- Not enough children are working within the range of development that is typical for their age, given their starting points.