

Inspection and regulation from
September 2012



This presentation covers the arrangements for changes to the regulation and inspection of those on the Early Years Register from September 2012.

It does not cover the changes to school inspections that took place in January 2012 or changes to the inspections of children's centres due in January 2013.

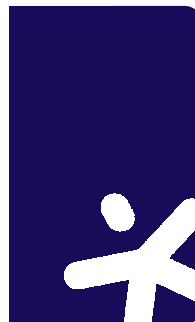
Overview



The government's vision for early years with a revised Early Years Foundation Stage provides the timetable for change.

The revised Early Years Foundation Stage and a number of amended regulations and orders will take effect on 1 September 2012.

New frameworks for registration, inspection and enforcement will be introduced on this date to take account of the changes.



The recent review of the Early Years Foundation Stage and the government response sets the timetable for changes to inspection and regulation. A revised Early Years Foundation Stage and accompanying regulations are due to take effect in September 2012. Ofsted's current inspection cycle for those providers registered on the Early Years Register finishes at the end of July 2012 and new frameworks for registration, inspection and enforcement will be introduced in September.

Why are changes needed?

The changes to the Early Years Foundation Stage are the driver for changes to frameworks alongside government support for less regulation. Alongside that, Ofsted needs to operate more efficiently in the current financial climate.

The priorities for change must not be driven only by the need to make savings, but also to make sure children are safe and well cared for.

The evidence underpinning the Tickell review, alongside other reports such as the Frank Field report on child poverty and the Graham Allan report on early intervention, together with Ofsted's own evidence from regulation has enhanced the knowledge about children in their early years.

Any changes to inspection and regulation must take account of improved knowledge so that the changes made are the right ones, and Ofsted continues to make sure improvements in the care and education of young children remain at the heart of inspection.

Timetable

- Consultation launched January 2012
- Pilot inspections January – April 2012
- Pilot evaluation and consultation response agreed and published May 2012
- Guidance and frameworks published end June 2012
- Dissemination conferences and training June/July 2012
- Implementation September 2012



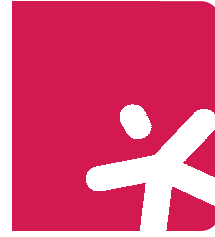
Ofsted intends to keep its development aligned with the government timetable so that it minimises the impact on the sector.

The proposed timetable set out on this slide allows everyone affected by the changes to have sight of the necessary information and guidance before the summer break in preparation for delivery in September 2012.

Importance of early years



- It is crucial to their future success that children's earliest experiences help to build a secure foundation for learning and give them the best start in life.
- A high quality early years experience provides a firm foundation on which to build future academic, social and emotional success.
- Through inspection and regulation, Ofsted will continue to improve outcomes for children through promoting high quality care, learning and development.

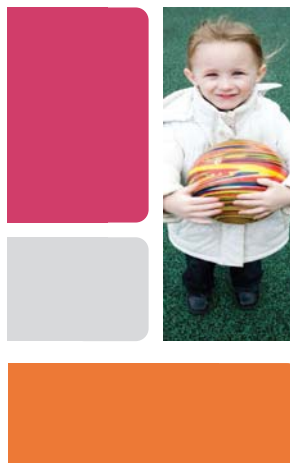


What we intend to achieve



From September 2012 regulation will:

- minimise risks to children so that they thrive in a safe environment when in registered early years provision
- allow more autonomy to providers to manage their own service alongside robust registration arrangements and continued rigorous enforcement for those who cannot or will not comply with requirements



Safeguarding children continues to be the main focus of regulation – this starts with a robust registration process. Registration is very important in preventing those who are unsuitable to work or be in contact with children from having access to them.

However, Ofsted wants not only to focus on the suitability of those connected with registration to have access to children, but to have greater assurance that those applying for registration are ready to provide children with the good quality experiences they need. Ofsted intends to do this by making sure applicants have a secure knowledge of the of the Early Years Foundation Stage and how children learn and develop. The Department for Education (DfE) has included in the revised Early Years Foundation Stage a requirement for childminding training to take place before rather than after registration. This will help applicants develop the knowledge they need ahead of the interview that takes place as part of the registration process.

Ofsted intends to place the responsibility for meeting the Early Years Foundation Stage requirements firmly with registered providers. This will allow them the opportunity to operate their services flexibly within the limits of those requirements. Ofsted no longer intends to use standard conditions of registration that restrict what providers can do. Typically, Ofsted has used these to set the number and ages of children that providers may care for. However, this is not necessary because the Early Years Foundation Stage sets these out. Currently, each time a provider wishes to change their conditions of registration, they must request this in writing, and Ofsted must agree and issue a new certificate of registration before providers can implement the change. This is time consuming and prevents childminders in particular from responding quickly to changes in their circumstances. Ofsted intends to draw parents' and providers' attention to the relevant requirements in the Early Years Foundation Stage on certificates of registration and through the poster and the leaflet it produces for parents. Ofsted will still use conditions where it needs to enforce a particular restriction or action on a provider, and this is not in the requirements of the Early Years Foundation Stage (for example, if someone has a restrictive medical condition).

Ofsted also wishes to give the decision for suitability about managers to employers. The Early Years Foundation Stage makes it clear that providers are responsible for ensuring that everyone they employ is suitable to work and be in regular contact with children. The DfE intends to change regulations to give this responsibility to employers. Ofsted will also cease to carry out suitable person interviews on both managers and people that registered providers choose to represent them in their dealing with us, known as nominated persons, whenever a new nominated person is appointed.

Providers must be able to demonstrate to Ofsted that they know and understand the requirements placed on them. Ofsted is looking at a variety of ways to help providers keep their legal responsibilities at the forefront of their mind through provision of more information on letters, guidance and certificates, and through more structured interviews at inspection. Failure to demonstrate sufficient knowledge will lead to consideration of an inspection judgement of inadequate.

What we intend to achieve (2)

Bring about improvement through inspection by:

- focusing inspection on children's personal and emotional development and the progress that children make in their learning
- improving information for parents by making inspection reports more user-friendly
- carrying out full inspections where we receive concerns, so that parents receive a more holistic report on the quality of the provision
- judging how well provision is enabling early intervention to support children's identified needs



Ofsted intends to raise the bar in inspections through a strong focus on children's experiences and the progress they make – not just in their learning but in their whole development, including how they develop the emotional security that is so important in helping them feel happy and settled. We intend to focus more on how partnerships with parents and good care practices contribute to these aspects and set the scene for children's successful learning both in the present and the future.

Ofsted also intends to carry out full inspections instead of investigation visits where it receives concerns from parents and others that suggest providers are not complying with the requirements of the Early Years Foundation Stage. The rationale is that a more holistic look at provision through a full inspection with a published report helps to set the information in the context of the overall quality of provision and will give parents more information.

Proposed inspection judgements

- Outcomes for children in the Early Years Foundation Stage
- The quality and standards of the early years provision including:
 - the role of the practitioner in supporting children's learning and development
 - the effectiveness of care practices in helping children feel emotionally secure and develop independence
- The leadership and management of the early years provision
- The overall effectiveness of provision in meeting the needs of children who attend.



This slide sets out the proposed inspection judgements Ofsted is using in its pilot inspections. These are much fewer in number than the current framework but many of the aspects that have separate grades in the current framework, such as safeguarding and partnerships with parents, will continue to be taken into account when coming to the judgment on leadership and management, for example.

The underpinning aspects are set out in Ofsted's consultation document.

Consultation



- This will run from 9 January to 6 April
- It includes:
 - an online consultation questionnaire
 - seeking the views of parents through the Ofsted parents' panel, a short parents' survey and some parents' forums
 - pilot inspections of some early years settings
 - an evaluation conference, to include the pilot settings and their local authorities
 - other meetings, presentations and conferences.



Ofsted's consultation asks the public for their views on some key aspects of the new arrangements. It will run from 9 January until 6 April.

There are a number of elements to the consultation, including the following.

- An online questionnaire for anyone to complete on the Ofsted website; Ofsted is keen to have as broad as possible a range of views to inform its framework development.
- We will seek the views of parents and carers through a number of routes:
 - using the existing Ofsted parents' panel to respond to a number of questions that are similar to those in the online questionnaire
 - a short survey that we have commissioned of other parents who use early years settings
 - making use of some parents' forums already in place through key national organisations, such as Barnardos and Action for Children.
- Ofsted will be running a range of pilot inspections between January and April 2012; these will involve around 40 settings who have agreed to be part of the pilots to test out the revised inspection framework. The pilots will be in two phases; one from January to March and one in April. These will include some short meetings and feedback from parents as well as providers.
- Once Ofsted has completed the pilots, it will hold an evaluation conference to bring together the views of those involved about the effectiveness of the new arrangements. Ofsted will invite both pilot settings and their local authorities to this event.
- Ofsted will also use the normal schedule of planned meetings, presentations and conferences to tell people about the consultation, the proposed arrangements and to seek their views.

Consultation questions

These cover six main issues:

- whether providers, not Ofsted, should look into minor concerns
- retaining the current arrangements for notice of inspections
- continuing to make available an online self-evaluation form
- a short summary report for small-scale providers
- whether the proposed inspection criteria cover all the things inspectors should take account of
- using electronic communication as the main way of communicating with applicants and providers.



- This slide sets out the main questions in the consultation. Some of the bigger decisions – for example not routinely imposing conditions – have already been made in the context of Ofsted's spending review. There is still much we can consult on in terms of the detail of our revised frameworks.
- The first question relates to what Ofsted should do when it is notified of a minor matter that might not warrant a full inspection. The proposal is that instead of doing a full inspection in these cases, Ofsted will give this information to the provider for them to deal with. This will only be the case where the information does not suggest any risk to children. Ofsted will ask the provider to record the matter in their record of complaints and it will follow up the information at the next inspection.
- In terms of inspection notice periods, Ofsted is aware that the apparent disparity in inspection notice between early years provision in schools and the private and voluntary sector has caused concern. Sir Michael Wilshaw has just announced that schools should be subject to no notice inspections and this will go a long way towards addressing the sector's concerns. This proposal is that notice periods for early years inspections should remain as now, with no notice for group provision and a telephone call a week in advance to childminders and holiday playschemes.
- Completion of the early years self-evaluation form is, of course, not mandatory, but many providers have found it helpful in focusing their reflective practice and many have chosen to fill it in. Given this, Ofsted proposes to continue to make the online self-evaluation tool available to those providers who choose to use it.
- One of Ofsted's aims is to make inspection reports more user-friendly for parents. We intend to include a user-friendly summary as part of all our reports. For small-scale providers, such as childminders or group providers who operate from one room, Ofsted wants to know if this short summary will be sufficient.
- Inspection is at the heart of Ofsted and the judgements are of huge interest to parents and providers alike. The consultation sets out Ofsted's proposals for new judgements and Ofsted wants to know whether the criteria that underpin these judgements are right; whether they cover the right things and whether they will enable inspectors to make the proposed judgements.
- In line with all government departments, Ofsted is required to improve the number of transactions that can be carried out online. Ofsted already makes its application forms for registration available online. However, there are many other ways in which providers could manage their registration electronically and Ofsted is interested in whether these are people's preference.

Consultation exercise



- Think about key consultation questions
- Identify issues
- To what extent do you agree?
- General discussion
- Any questions?



Now there is an opportunity for some further discussion and debate.

Please think about the consultation questions, identify what you think the key issues are and consider to what extent you agree or disagree with the proposals set out in these questions.

Please have a discussion (in groups if appropriate, with each group starting with a different question) about the consultation questions and note down any key points you would like to feed back.

To help inform your thinking, you might want to focus on the following questions:

- From the proposals you've heard about today, what issues have you identified as being important to you if the proposals go ahead as planned?
- What might you need to do differently to what you do now in terms of planning for your registration/inspection?
- What else do you need to know in order to respond to the consultation questions?
- To what extent do you agree with the proposals in the consultation, and why?
- Are there any other comments you would like to make/questions you would like to ask Ofsted?

Conclusion



Through inspection and regulation, Ofsted will continue to:

- protect children
- ensure that registered providers meet legal requirements
- improve outcomes for children through the actions and recommendations made at inspection
- promote high quality care, learning and development
- provide reassurance for parents.

In conclusion, Ofsted's aims, set out on this slide, remain much the same as at present. Inspection and regulation are intended to keep children safe but also to promote improvement in their outcomes.

As a maturing sector, those involved in early years know much more about how children learn and develop than they did 10 years ago when Ofsted first took over the regulation of early years. Research projects, improved qualifications, the knowledge of professionals in the sector and the sharing of best practice all contribute to improvement for children. We have all come a long way but there is still a way to go before we can say that all children get the chances they deserve.

Ofsted has its part to play in continuing to secure improvement in the year ahead. There are challenges ahead for us all in these stringent economic times, but we must all continue to be steadfast in doing our best for the young children who form our future.