

Office for Standards in Education, Children’s Service and Skills (OFSTED)

Department for Education (DfE)

Non-qualifying regulatory provision assurance statement: confirmed

Under the Better Regulation framework, regulators need not submit NQRP summaries for measures being introduced during the 2017-22 Parliament for Regulatory Policy Committee (RPC) scrutiny. The RPC welcomes the voluntary submission of the 2018/19 NQRP summary by the Office for Standards in Education, Children’s Service and Skills (OFSTED’s).

The Regulatory Policy Committee (RPC) is content that, based on the summary information provided by the regulator, none of the measures or activities covered in the summary document should be considered as a qualifying regulatory provision for the purposes of the business impact target (BIT). This confirmation by the RPC does not provide a detailed view of any specific activity in the regulator’s summary document. Nor does it comment on any activities not covered in the summary. Some activities might, however, have been the subject of separate assessments of qualifying regulatory provisions.

Comments on the non-qualifying regulatory provision summary

The regulator’s statement includes measures that fall within the following excluded categories: *de minimis* measures; education & communication; policy development; and changes to the management of the regulator.

The summary would benefit from a positive statement that the other exclusions are not applicable to show that the regulator has considered the full range of exclusions.

The RPC is nevertheless content with the regulator’s assessment of the measures against the exclusion categories in the present BIT framework, and confirms that they are non-qualifying regulatory provisions.

Regulatory Policy Committee

Annex A

Non-qualifying Regulatory Provisions Summary

Regulator / inspectorate : Office for Standards in Education, Children’s Service and Skills (OFSTED)

Business Impact Target Reporting Period covered : 21 June 2018 – 20 June 2019

Exclusion category*	Summary of measures
Measures certified as being below <i>de minimis</i> (measures with an Equivalent Annual Net Direct Cost to Business (EANDCB) below +/- £5 million)	Limited clarifications/updates to the following guidance: <ul style="list-style-type: none"> ▪ Early years compliance handbook (Ma rch 2019) Relevant change that took place during this period : <ul style="list-style-type: none"> ▪ stopping routine health checks for group care providers (March 2019)
Education, communications and promotion	Ofsted provides information to enquirers via its general helpline. Information is also available through the Ofsted website: www.gov.uk/government/ofsted .
Activity related to policy development	We regularly speak to representatives from across the early years sector through our early years national consultative forum (NCF). We consulted on changes to the inspection framework between January and April 2019 to take effect from September 2019.
Changes to organisation or management	Early years inspection and regulation has been reorganised within Ofsted so that it is now managed through regional directors with effect from January 2019.

* For detailed guidance on the exclusion categories, please see <https://www.gov.uk/government/publications/better-regulation-framework>