



**Vicky Ford MP**

Parliamentary Under-Secretary of State for Children and Families

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Amanda Spielman  
Her Majesty's Chief Inspector  
Ofsted  
Clive House  
70 Petty France  
London SW1H 9EX

3<sup>rd</sup> November 2020

Dear Amanda,

## **REQUIREMENTS FOR EARLY EDUCATION AND CHILDCARE INSPECTIONS**

I am writing on behalf of the Secretary of State to set out the necessary inspection requirements for early education and childcare inspections.

As you will be aware, in July 2012, the government revoked the regulations relating to the inspection of provision registered on Ofsted's early years register within The Childcare (Inspections) Regulations 2008. This removed a number of requirements placed on Ofsted as part of the government's plans to remove unnecessary regulation and burdens. Subsequently, on 12 July 2012, the then Secretary of State wrote to the then Chief Inspector setting out the necessary inspection requirements for early education and childcare inspections from 1 August 2012.

Following the Coronavirus (Covid-19) outbreak, the Secretary of State wrote to you on 25 March 2020 to suspend the requirement for Ofsted to undertake routine inspections of provision registered with Ofsted. In September, the Secretary of State wrote to you again setting out the autumn arrangements for registered provision and childminder agencies from September 2020, and he plans to write to you again in due course about arrangements for the resumption of Ofsted's routine inspections.

In the meantime, I am writing to you to set out the necessary inspection requirements for provision registered on the early years register from the date that Ofsted resumes its full routine early years inspections. The inspection requirements are in the annex below and apply to all providers registered on the early years register (including existing providers who registered before or after Ofsted resumes its full routine inspections post Covid-19).

The key change from the current arrangements, which are set out in the remit letter of 12 July 2012, is the requirement for you to inspect settings registered on the early years register within an inspection window of up to six years from the date of their

last inspection. Under the current arrangements – where providers on the early years register are inspected within a four-year inspection cycle – the gap between inspections for settings judged as Good or Outstanding can vary significantly. For example, in some cases, the gap between inspections could be up to 8 years apart where the provider is inspected at the beginning of one inspection cycle and towards the end of the next inspection cycle. Therefore, moving to a window-based inspection timetable will enable Ofsted to inspect providers judged as Good or Outstanding at more regular intervals. This change will also align inspections of settings on the early years register with the inspection arrangements for other Ofsted education remits.

It is also important that Ofsted continues to undertake robust registration visits to check the suitability of any new prospective childcare providers before approving them to register on the early years register, and to make sure they are ready to provide childcare at the point their registration is approved. I understand that, since 2015, Ofsted has made changes to its registration process to reassure itself further about the quality and readiness of new providers. I trust the arrangements below will continue to give you the operational flexibility you need to ensure that registration and inspection remains a key part of our shared aspiration to continue driving up quality in the early years sector.

Your officials and mine have worked together closely on these changes and I look forward to continued close co-operation on this work in the future.

It would be helpful if you could please confirm your acceptance of the arrangements set out in this letter by 17<sup>th</sup> November 2020.

Yours sincerely,

A handwritten signature in black ink that reads "Vicky Ford". The signature is written in a cursive, flowing style with a long, sweeping underline that extends to the left.

**Vicky Ford MP**  
**Parliamentary Under-Secretary of State for Children and Families**

## **Annex: Requirements for early education and childcare inspections**

### ***Inspection timetable***

Under section 49(2)(b) of the Childcare Act 2006, the Secretary of State requires you to inspect providers on the early years register – whether they registered before or after Ofsted resumes its full routine inspections post Covid-19 – within six years from the date of their last inspection.

Under section 49(2)(b) of the Childcare Act 2006, the Secretary of State requires you to prioritise the first inspection of providers on the early years register – whether they registered before or after Ofsted resumes its full routine inspections post Covid-19.

### ***Independent Schools***

You are not required to inspect early years provision at an independent school if:

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

### ***Copies of early years reports to local authorities***

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

### ***Copies of later years reports to local authorities***

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