

North West Ofsted Big Conversation

12th March 2022

Please be aware that all questions answered by Ofsted reflected the current guidance and regulation as published at the time of this event.

#ofsted
BIG
Conversation

Question

Can Ofsted talk about the 6 year inspection window and when it starts?

Why can't Ofsted inspectors give childminders a day? It's leaving many childminders 'physically and mentally ill'. Nurseries and pre-schools know the inspector is coming tomorrow - why can't Ofsted do the same for childminders?

Can Ofsted consider asking the bulk of the safeguarding questions on the phone with childminders? Yes if there's something to ask during inspection then ask but questions about subjects like sexual abuse and FGM are not appropriate in front of older children.

My inspector told me I wasn't going to get outstanding again before she arrived because it's harder to get now. It totally deflated me and I wondered if Ofsted could explain why this is happening.

Will the negative covid testing still apply after April?

Is there a timeframe to complete the inspection from the previous cycle (Nov 16)?

Why do some childminder inspections last for 2.5 hours and some inspections 6 hours?

If Ofsted inspectors can't ask safeguarding questions during the introduction call why can't they do it in a separate call - so the questions aren't being asked in front of the children?

Answer

Yes the inspection window is your window from your last inspection so the inspection will be up to 6 years from the date of your last inspection

This decision to inspect and the notice period for childminders is agreed between Ofsted and the DfE there are no plans to change it at the moment.

The notification call isn't the time to start the inspection. The handbook is clear that inspectors should not use this conversation to start inspecting. Inspectors should be sensitive to discussions such as these.

This isn't the case. All inspections are judged on the evidence gathered at the inspection using the grade descriptors in the handbook. The handbook is clear that inspectors shouldn't use the notification call to start inspecting. If you aren't happy with the inspection you can follow Ofsted's complaints procedure.

Please note I did say that 97% of EY inspections continue to judge settings as good or outstanding the grade profile has not changed. we are still making provisions outstanding. We do appreciate that, particularly where you have been outstanding previously it is disappointing if you have not received another outstanding. this is an exacting judgment and our EIF inspections are focused on evidence that all children make consistently good outcomes equally to achieve as much as they can. Sometimes intent and implementation might be good but the impact is not as effective a setting believe.

This will be a decision for the DfE and any changes will be communicated to providers through the usual social media channels and on the Ofsted website.

Due to the pandemic and pause in inspections, we understand that some providers will be inspected later than planned we are trying to prioritise these as much as we can in our return to routine inspections

The time in the handbook of 'normally 3 hours' for a childminder is a guide. The length of time will vary depending on the number of children present, the time it takes to gather the evidence to be secure in determining the judgement in line with the grade descriptors, whether assistants are present etc.

The notification call isn't the time to start the inspection. The handbook is clear that inspectors should not use this conversation to start inspecting. Nor can we not complete the inspection at the visit and make calls separately. Inspectors should be sensitive to discussions such as these.

Question

Can inspectors all call with the main Ofsted phone number showing for childminders? I understand why it's withheld sometimes but we don't answer withheld numbers when we are working and then we get a letter saying we are avoiding inspection.

When looking how at GLD within the local authority that we sit in is used as a benchmark for where our children are achieving, Where does this now fit in within these covid years?

If Ofsted is going to be focusing on early years for 5 years can something be done about raising standards and sorting out the situation with unregistered 'babysitters' and 'nannies'?

Do inspector do joint observation in all rooms/ age groups?

How often would you recommend DBS to be updated if a member of staff is not on the update system? I have just taken over a setting with many staff, yet no staff members are on the update system. However, the team have been established for many years and conduct regular suitability documents yearly and daily

Is the EYFS inspection handbook used for settings the same for Year R inspections?

Can we turn down an inspector due to their poor reputation and to be known to upset staff?

Answer

Unfortunately, contracted Ofsted inspectors do not have access to Ofsted's telephone systems. If you get a letter from us and you explain your reasons and haven't avoided inspection, that is the end of the matter and the inspection takes place.

The inspector will look at the context of the setting and the geographical environment we do not expect all settings to benchmark GLD. However, we will ask settings to tell us about how they support all children including the most disadvantaged and you do need to know who your disadvantaged cohort is to be able to do this. You need to know what progress children with EAL or SEND need and ensure high expectations for all children. We also ask about how settings are involved in local transition arrangement in preparing their children for the reception so that you as a setting can support early learning, writing communication and language.

The 5 year strategy also takes account of the DfE expectation of what they want Ofsted to prioritise. If they feel unregistered babysitters are a concern it will be for them to tell us what they want us to do and some changes might take primary legislation. In the meantime, if you have any concerns about unregistered care -or care that should be registered and is not, please tell Ofsted and we will make further enquiries. I know the DfE are keen to balance regulation and safeguarding with supporting parental choice

Inspectors complete at least one joint observation to gather the evidence they need.

Please take advice on the frequency of DBS checks from the DBS. We regulate to the EYFS 3.10 Registered providers other than childminders and childcare on domestic premises must obtain an enhanced criminal records check in respect of every person aged 16 and over (including for unsupervised volunteers, and supervised volunteers who provide personal care) who:

- Works directly with children
- Lives on the premises on which the childcare is provided (unless there is no access to the part of the premises when and where children are cared for) and/or works on the premises on which the childcare is provided (unless they do not work on the part of the premises where the childcare takes place, or do not work there at times when children are present)

The EYFS applies for children up to 31 August following their fifth birthday. School inspections have a different handbook. These are all accessible online.

All inspectors are from the EY sector. They must demonstrate that they can establish and build effective relationships with providers. We go out regularly with inspectors to confirm their practice. All inspectors must declare any conflicts of interest previous involvement or knowledge of a setting or staff. We also consider all complaints and concerns about the inspector's conduct and should an inspector fail to meet our professional expectations we can, of course, use our performance framework with staff. We would not expect a provider to turn down an inspector. It is important we inspect without fear or favour and not judge inspectors based on rumour or what others think is their grade profile

Question

I was downgraded because a parent didn't know her child's 'next steps'. The parent does know but I don't call them 'next steps' I just say 'what we are working on'. Do we need to start teaching parents the language Ofsted might use?

When carrying out the learning walk, if this is detailed enough will it reduce the time of the leadership and management discussion with the inspector?

I have dyslexia and I struggle with the new framework where inspectors won't look at my paperwork. Will Ofsted make reasonable adjustments as required by the equality act to support me?

What kind of joint activity/ observation would be a good "selling point" to an inspector?

If you are a large setting of 120 would 2 inspectors come to do the inspection?

There is currently across the country a struggle to find staff and lots of people leaving the sector. What is going to be done to help providers who cannot get staff to cover ratios because there is a recruitment crisis and how do we keep our business viable if we cannot take children due to staffing problems?

During a recent LA Safeguarding meeting, it was reported that Ofsted is conducting 4 inspections per month. Can you please clarify the frequency of inspections?

Answer

We apologise if this was your experience but inspectors are trained to use simple language that everyone can understand. We would expect inspectors to ensure they ask everyone questions that can easily be understood. We would expect inspectors to re-phrase their questions to help get the answers they need. For example talking to parents about what providers/staff are working on with a child, what they want them to learn next.

Yes, it does - all inspection activities are used to gather a broad range of evidence for all judgements. Used well this reduces the time we need to spend in a separate leadership and management meeting

Firstly, it is important that you share any important information such as this with the inspector for them to be aware and take account of such matters. Inspectors are guided not to focus on paperwork and to have discussions with providers, observe the children and your interactions with children, talk to parents instead. This is because there is no requirement to keep lots of written documents. You know your children well and will be able to talk to the inspector about what you know they know and can do, and what you want them to learn next. You are welcome to look at documents you have to help you do this.

Joint observations are about inspectors understanding the effectiveness of professional development for staff, learn the provider's views of quality, see the quality of the curriculum being implemented and how effective staff are supported to promote learning and development of all children. So think about this when considering what might make a good joint observation. Inspectors can do more than one too.

There's no hard and fast rule, but the handbook does acknowledge that although most inspections are carried out by one inspector, depending on the size, an inspection may be carried out by more than one inspector.

Whilst we appreciate the current situation with staffing, you as a provider have a legal duty to ensure that staffing arrangements meet the needs of all children and ensure their safety. Dissapplications no longer apply, but the EYFS does allow at 3.31 for exceptions to ratios to be made as long as the quality of care and safety and security of children is maintained.

EY providers, stakeholders and LAs and inspectors tell us about the impact of COVID on staffing and recruitment. I know the DfE are aware of these matters, and they might form part of the wider EY strategy but providers can apply exceptions but need to ensure they have sufficient good quality staff, leaders and managers to ensure good quality care and early education. LA should also be involved in insufficiency and sustainability in their LAs and they are telling me they are holding these discussions

We do not have a limit to the number of inspections we complete. Some of our inspectors inspect full time and we have high number of inspectors. Simply put, our inspection workforce completes as many inspections as possible subject to their availability

Question

Can you change your current registration from a committee to an individual easily? Committee members are very difficult to find and none of the parents wants to get involved. Will not having a complete committee affect my inspection grading? How many people on a committee is an acceptable amount? And where can I find out what my setting is registered for (the finer details). We have a nominated individual who is ultimately responsible for the setting but I'm unsure what needs to be going on in the background. Thanks

Can an apprentice be counted in ratio if they are working with a level 3 practitioner?

My deputy manager has been on long term sickness since October 2021, and is awaiting an operation which could be another six months away. I can't afford to employ another Deputy as she is still being paid her full wage, do I have to have a named Deputy Manager?

If qualified practitioners are not left unsupervised and do not provide personal care, can they be counted in ratio in a nursery whilst waiting for their DBS?

Are you allowed to ask what an inspectors background is? Have they worked in early years?

Answer

Re-registration is a common occurrence and we fully appreciate that committees are difficult to come by these days for a variety of reasons. Check your certificate of registration, as the name of the registered person is recorded there. For example, 'St John's pre-school playgroup committee'. Ofsted does not dictate the number of persons that must make up a committee; however, the EYFS does state at 3.78 that where the childcare is provided by a partnership, body corporate or unincorporated association whose sole or main purpose is the provision of childcare, any change to the individuals who are partners in, or a director, secretary or other officer or members of its governing body, must be notified to Ofsted.

If you have notified Ofsted of changes to the committee members, and you now find that you would be better placed to operate as an individual, you need to apply to Ofsted to re-register. Any further questions, please contact our Applications team who will be happy to assist.

Yes. The EYFS is clear at 3.30 that staff working as apprentices in early education (aged 16 or over) may be included in the ratios if the provider is satisfied that they are competent and responsible.

This is a common occurrence in Early Years, usually for maternity leave. You must ensure that you cover that post by having a named deputy who in your judgement is capable and qualified to take charge in the manager's absence.

No. The EYFS changed on September 2021. Please see 3.30 which signposts you to 3.9 and 3.11. Practitioners can only be counted in ratio if they have been deemed suitable.

All inspectors must have EY qualifications, EY knowledge such as child development, and high quality leadership and sound management experience and must have led or managed a setting. Their oversight of a setting must show management of EY 'good' or 'outstanding' provision. If they are serving practitioners and their setting is judged less than good at an inspection we will stop them inspecting until such time as their setting grade profile improves. All inspectors are interviewed formally and must pass their interview and assessment. They must attend mandatory training and conduct several shadow inspections and then we see them practise first before we badge them as suitable.