

<b>Report to:</b>	Overview and Scrutiny Committee (Children's Services)	<b>Date of Meeting:</b>	31 March 2015
<b>Subject:</b>	Ofsted Inspection - Early Years Provision and Day Nursery Provision	<b>Wards Affected:</b>	All
<b>Report of:</b>	Director of Young People and Families		
<b>Is this a Key Decision?</b>	No	<b>Is it included in the Forward Plan?</b>	No
<b>Exempt/Confidential</b>	No		

### Purpose/Summary

The purpose of this report is to provide an overview of Early Years Inspection outcomes within Sefton and to make National and North West comparisons.

### Recommendation

The Overview and Scrutiny Committee is requested to receive the report and note the content.

### How does the decision contribute to the Council's Corporate Objectives?

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	✓		
2	Jobs and Prosperity	✓		
3	Environmental Sustainability		✓	
4	Health and Well-Being	✓		
5	Children and Young People	✓		
6	Creating Safe Communities		✓	
7	Creating Inclusive Communities	✓		
8	Improving the Quality of Council Services and Strengthening Local Democracy		✓	

**Reasons for the Recommendation:**

Members requested the report as an update on Inspection outcomes.

**What will it cost and how will it be financed?**

**(A) Revenue Costs**

There are no financial consequences as a direct result of this report. However, Early Years settings are supported by the Council through the payment of Early Years Dedicated Schools Grant, to provide for up to 15 hours per week free entitlement to nursery provision for eligible 2 year olds and all 3-4 year olds. Any providers receiving a final judgement of 'inadequate' from Ofsted, are not technically obliged to receive this funding from the Local Authority subject to them making any necessary improvements.

**(B) Capital Costs**

No capital costs are currently associated with this programme.

**Implications:**

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Financial</b>		
<b>Legal</b>		
<b>Human Resources</b>		
<b>Equality</b>		
1.	No Equality Implication	<input checked="" type="checkbox"/>
2.	Equality Implications identified and mitigated	<input type="checkbox"/>
3.	Equality Implication identified and risk remains	<input type="checkbox"/>

**Impact of the Proposals on Service Delivery:**

An element of the School Readiness Service is to improve delivery and standards of childcare provision across Sefton. There is significant research which shows a direct correlation between young children accessing quality early years provision and improved outcomes in future life.

“If the race is already halfway run even before children begin school, then we clearly need to examine what happens in the earliest years.” (Esping-Andersen, 2005)

**What consultations have taken place on the proposals and when?**

The Head of Corporate Finance and ICT has been consulted (FD3490/15) and comments have been incorporated into the report.

The Head of Corporate Legal Services has been consulted and comments have been incorporated into the report (LD 2782/15)

### **Implementation Date for the Decision**

Immediately following the Committee meeting.

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### **Background Papers:**

- Conducting Early Years Inspections from September 2014, Ofsted 2014
- The framework for the regulation and inspection of provision on the Early Years register from September 2014, Ofsted 2014
- Evaluation schedule for inspections of registered Early Years provision from September 2014, Ofsted 2014
- Statutory framework for EYFS, setting the standard for learning, development and care for early education and childcare, DfE March 2014
- Early Education and childcare, statutory guidance for local authorities, DfE September 2014
- Sefton Council Childcare Sufficiency Audit 2014

## **1. Introduction/Background**

1.1 The Childcare Act 2006 places a duty on the Local Authority to secure sufficient childcare places (so far as is reasonably practical) to enable parents to take up or remain in work, or to undertake education and training leading to work. All registered childcare providers are subject to an Ofsted inspection under sections 49 and 50 of the Childcare Act 2006.

1.2 Provision which has been registered on the Early Years Register is subject to inspection. This includes: childminders and group provision; nurseries; pre-schools; private nursery schools; before and after school care and holiday playschemes for children in the early years age group; and school provision where children under three attend and/or where no child attending is a pupil of the school and/or it is not part of the school's activities.

1.3 The size and complexity of provision determines the amount of time spent on inspection and the number of inspectors that are deployed. When inspecting a childminder, the inspector will normally be on the premises for about three hours. For group provision which operates restricted hours, it is likely the inspector will be present for around four hours. Where provision is open for longer than this, the inspection usually takes at least six hours and sometimes longer if the provision is very large.

1.4 Group providers normally receive no notice of the inspection. Childminders or group providers that do not operate regularly, such as summer play schemes, will usually receive a call no more than five days before the inspection to check which days they are operating and whether there are children on roll.

1.5 In addition to meeting the Early Years Foundation Stage requirements, Early Years Childcare providers must also comply with other relevant legislation. This includes safeguarding legislation and legislation relating to employment, anti-discrimination, health and safety and data collection.

1.6 Within the current Ofsted framework, all providers will be inspected at least once every three years and will be awarded one of four judgements: Outstanding, Good, Requires Improvement and Inadequate.

1.7 The current Ofsted framework came into operation in September 2012. Prior to this the "Requires Improvement" was "Satisfactory". For the purposes of this report, the two judgements of "satisfactory" and "requires improvement" will be captured under "requires improvement".

1.8 Provision judged as requires improvement is likely to have actions because it does not meet in full, one or more of the legal requirements of the Early Years Foundation Stage.

1.9 Nurseries and pre-schools judged as requires improvement will normally be re-inspected within 12 months. They will have two years to get to "good". A nursery or pre-school that has been judged as requires improvement at two consecutive inspections and is still not good at its third inspection is likely to be judged inadequate. This does not apply to childminders, before and after school care, holiday schemes or crèches.

1.10 If there is an unacceptable standard of care and learning, its overall effectiveness will be judged inadequate. At this point, 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 other enforcement action. Once judged inadequate, the Local Authority has no obligation to continue funding the provider for the 15 hours of free entitlement to nursery provision for eligible two year olds and 3-4 year olds in their care, unless and until improvements have been made. The Local Authority would, however, be mindful of the children in the setting, before making any decision to withdraw funding completely and the level of improvements required.

1.11 All provision judged inadequate will be re-inspected after six months.

## **2. An overview of Early Years Childcare provision within Sefton**

2.1 One element under the remit of the School Readiness Service, is to provide support and challenge to all Registered Early Years providers, to ensure they meet the statutory duties laid down in the Early Years Foundation Stage, to focus on raising outcomes for young children and to narrow the achievement gap.

2.2 This is achieved through a menu of support which includes a robust training plan, observation visits to provision, joint observations of practice, safeguarding audits, support for leadership and management and targeted interventions and projects.

2.3 As of December 2014, Registered Early Years Provision across Sefton equates to the following:

Childminders	Group providers	Out of school	Holiday care	2 year old provision in schools
125	89	38	28	5

2.4 Further information and detail, as to where these providers are located and whether there is sufficient childcare in particular wards, along with average costs and an overview of quality, can be found in the annual childcare sufficiency report. A relatively new addition to the childcare market has been the addition of two year old provision in schools. Currently, any school wishing to provide early learning for two year olds is required to register separately with Ofsted as a childcare provider and as such undergo an additional inspection. It is expected that later this year, an amendment will be made to existing legislation which will, in the future, allow schools to just take two year olds without any additional registration process.

### 3. Outcomes of Early Years Inspections – the Sefton picture (as of December 2014)

	Outstanding	Good	Requires Improvement	Inadequate
PVI (private, voluntary & independent nurseries)	33%	50%	17%	
Childminders	12%	38%	25%	25%
Two year old provision in school	60%	40%		
ALL PROVISION	35%	43%	14%	8%

3.1 The most recent Early Years inspection outcome data, available for Sefton, reveals a very positive picture, with the exception of childminders.

3.2 The vast majority of children accessing childcare are within a private, voluntary or independent nursery setting and as such 83% of these are in good or outstanding provision.

3.3 Overall, taking all types of provision into account (including childminders), 78% of children across Sefton attend a childcare setting that is good or outstanding.

3.4 The declining standards in childminder outcomes can be associated with lack of engagement from the sector. As a direct result, we have altered the delivery model, so that we now deliver support through Children Centre hubs, where more childminders access support. A proportion of childminders who “Require Improvement” or are “Inadequate” are still failing to engage with their local Children Centre to access support .

3.5 A clear process and protocol is in place for any provider failing to achieve good or outstanding at inspection and providers we may have concerns about. This follows the schools causing concern model and ensures intense targeted intervention for leadership and management, all staff within the setting and enhanced training opportunities. (See Appendix 1 for more information on the process.)

#### 4. Outcomes for Early Years Inspections – Comparisons with National and North West

When considering National and North West comparisons, data Ofsted’s analytical reporting function - Data View - only captures more historical data, in broader categories. Therefore, analysis against regional and National data follows a slightly different footprint.

##### 4.1 Overall Effectiveness for all Providers

	Outstanding		Good		Requires Improvement		Inadequate	
	Aug 2013	Aug 2012	Aug 2013	Aug 2012	Aug 2013	Aug 2012	Aug 2013	Aug 2012
<b>National</b>	12	12	65	62	21	25	1	1
<b>North West</b>	10	10	63	60	25	29	2	1
<b>Sefton</b>	17	17	64	63	19	20	0	0

Trend data across National, North West and Sefton show very little year on year movement.

When considering all providers, data for 2013 reveals that Sefton is performing above National and North West averages. The proportion of children accessing good or outstanding childcare is 8ppt above the North West average and 3ppt above National.

Also in Sefton, during this time frame, we had no providers judged to be inadequate.

#### 4.2 Overall Effectiveness for all Private, Voluntary and Independent providers

	Outstanding		Good		Requires Improvement		Inadequate	
	Aug 2013	Aug 2012	Aug 2013	Aug 2012	Aug 2013	Aug 2012	Aug 2013	Aug 2012
<b>National</b>	15	14	67	64	16	21	2	1
<b>North West</b>	13	12	66	64	20	24	2	1
<b>Sefton</b>	14	15	70	68	14	16	1	0

When considering data for private, voluntary and independent nursery providers, the trend data shows slight differences. In all cases the number of good and outstanding providers has improved.

Once again, data from 2013 reveals that Sefton continues to be the best performing compared to National and North West Averages, with 84% of children accessing good or outstanding provision.

#### 4.3 Overall Effectiveness for Childminders

	Outstanding		Good		Requires Improvement		Inadequate	
	Aug 2013	Aug 2012	Aug 2013	Aug 2012	Aug 2013	Aug 2012	Aug 2013	Aug 2012
<b>National</b>	10	10	65	61	24	28	1	1
<b>North West</b>	9	9	62	59	28	32	1	1
<b>Sefton</b>	18	18	58	58	23	23	1	1

Trend data for childminders remains fairly consistent. However, there are significant variations between the National, Local and North West picture.

For both 2012 and 2013 data, the proportion of outstanding childminders in Sefton far exceeds other averages. When considering the proportion of childminders that are good or outstanding, then the averages are more in line with National and North West data, though remain slightly ahead.

## 5. Conclusions

*“There is overwhelming evidence that tells us that the first few years in children’s lives shape their future development, and influence how well children do at school, their ongoing health and wellbeing and their achievements later in life. In addition, it is widely acknowledged that a strong focus on the first few years of children’s lives leads to huge economic, social and emotional benefits later on, both for individuals and for society as a whole.”* Supporting Families in the Foundation Years, Department for Education & Department of Health, 2011.

As can be seen from the evidence presented, Early Years Outcomes are at a very high standard, in most cases out-performing National and Local averages. These consistently impressive results do not just occur. The School Readiness team who support and train childcare providers have themselves undertaken significant continued professional development. As a team, we are proactive in seeking and following new opportunities which we can share with providers to enhance provision further.

There is a very real expectation that with continued intervention, support and training, the trajectory of young children attending good or outstanding provision will continue to improve. A number of new initiatives including a closer alignment with Children’s Centres, the adoption of a research- based model ‘Five to Thrive’ and an emphasis on speech and language development will enhance provision further and ultimately raise outcomes for young children across Sefton.



## **Appendix 1 – Protocol Processes**

### **Levels of concern within Protocol**

#### **Watching Brief**

This category of settings may include settings who have a current Good or Outstanding judgement from OFSTED. However, due to quality issues (with Leadership and Management or Safeguarding for example) the School Readiness team have reason to believe that they may not achieve the good judgement if inspected by OFSTED.

#### **Minor Concerns**

Settings receiving the Minor Concerns categorisation may have a Requires Improvement judgement from OFSTED but have made significant progress in terms of their action plan and they have capacity to improve further without significant support. Additionally, this categorisation could apply to settings judged by OFSTED to be Good or Outstanding if there was a significant concern regarding Leadership and Management or Safeguarding held by the School Readiness team. Settings in this category will be able to access funding for vulnerable two year olds.

#### **Level 1**

Settings receiving the Level 1 categorisation may have either a Requires Improvement or Inadequate judgement from OFSTED. Some positive steps have been taken by the setting to achieve some of the objectives on the action plan and the setting has the capacity to continue to improve – with regular and sustained support from the School Readiness Team. Settings in this category will not be able to access funding for two year olds.

#### **Level 2**

Settings receiving the Level 2 categorisation may have either a Requires Improvement or Inadequate judgement from OFSTED. There has been limited (if any) progress made on the action plan and it is unlikely that the setting will make improvements without significant support from the School Readiness Team. Settings in this category will not be able to access funding for two year olds.

**Protocol for provision recently judged to be Requiring Improvement or Inadequate over a 3 month period**

**Provision judged to be Requiring Improvement**

- Full review
- Detailed action plan drawn up
- Minimum of 6 visits from Quality Improvement Officer (combination of unannounced and announced visits)
- 2 In-house training sessions
- Unlimited training credits

**Provision judged to be Inadequate**

- Full review
- Detailed action plan drawn up
- Weekly visits unless outlined in plan (combination of unannounced and announced visits)
- 3 In-house training sessions
- Unlimited training credits
- 6 week monitoring visit by School Ready Officer