In autumn 2013, the Minister for Childcare, Liz Truss, consulted with the sector on proposed changes to the registration and inspection of childcare, publishing her response in February 2014.

The response proposed a new register for those providing services for children in reception class and those 5-7 years old – the Child Safety Register – removing the requirement for those services to meet the learning and development requirements of the EYFS, along with the requirement for staff to hold a recognised qualification. The staff:child ratios that had been a requirement were also to be relaxed, to ‘not less than 1 adult for every 30 children’…and …‘sufficient staff present at all times to ensure the safety and welfare of the children.’ It was proposed to introduce this from September 2014.

At a meeting with Ofsted on Friday 4th July, I discovered that the Compulsory Childcare Register will not change its name (i.e. it won’t be called the Child Safety Register). A new inspection report which will be applied to early years settings in schools will come into effect in September 2015, and is being developed now. Further registration and inspection templates, and guidance, will be produced in time.

Questions submitted for Ofsted:

- For clubs opening in September (but registering now in preparation) do we need to go through full registration process, or can we use the new simplified process?  
  Register in the usual way for the childcare register. The registration team will be briefed on the new requirements (quals, ratios etc) so will be simpler as a result.

- Do Ofsted have a view on ratios, and can they clarify what this means in practice: ….  
  “there must be a sufficient number of staff present at all times to ensure the safety and welfare of the children. The number of staff must not be less than one person for every 30 children”  
  It is not in Ofsted’s remit to have a view. Ofsted just applies the process and standards which the minister / government produces. What the statement means in practice is, no more than 30 children with any one adult, but the number of children per adult should be reduced if the safety and welfare of children is likely to be put at risk. Employers must make their own judgement

- We run multiple settings; please can Ofsted confirm that in order to meet the new requirement for providers to ‘designate a lead practitioner who has particular responsibility for ensuring the welfare and safety of children’ that designating one senior manager is appropriate and it does not have to be one person who is in the club every day
There is no change in the ‘nominated person’ requirement. It could be the same nominated person for each setting, but the person who is responsible for ensuring welfare and safety should be a member of staff and present at all times.

- What does ‘sufficient’ mean in this context - is there a qualification level that we should be aiming for? : “ensure that staff have sufficient command of the English language to ensure the welfare and safety of children”.

There is no requirement to hold a qualification in English, but staff should be able to make a phone call (e.g.999), explain an incident to parents, be understood by the children. This is purely a need for them to understand what is said to them and for others to understand them.

- Can Ofsted confirm in black and white that Out of School providers do not have to follow the Learning and Development requirements (I think this is clear, but I have met people who have read it differently)

DfE (March 2014) Statutory Framework for the Early Years Foundation Stage Effective Sept 2014, page 7 footnote and page 24, para 3.40. Please note, though, if 4 year olds are not in a reception or nursery class, it seems EYFS applies

- Do Ofsted believe that these changes will help to Safeguard children; do they have any reservations about removing the qualification and ratio requirements

Ofsted does not express opinions – they exist to do what the government tells them.

- How does Ofsted think the changes will affect the overall outcome of inspections, will it be easier or harder to be judged ‘outstanding’?

Ofsted does not make comment on government policy

- Is there any chance of getting a separate framework for out of school providers instead of incorporating into Early Years

No because the requirements are largely the same except for learning and development, qualifications and ratios

- How do Ofsted intend to train their team on the changes (at an inspection in February 2014 our inspector had no idea changes were imminent)

The government produced their report in February 2014 which is why the Ofsted inspector would not have known about it, although s/he might have expected some changes to be imminent, given the consultation the previous autumn.

- We have heard that there are moves for Ofsted to move to a single inspection framework, so that out of school clubs are inspected at the same time as schools and form part of the overall judgement – is this true? If so, how involved would Ofsted expect the head to be in the day to day running of the After School club. Would the inspectors, who are currently (mostly) trained to recognise a good educational provision be able to recognise a good After School Cub. Where would this leave holiday provision?
Ofsted is moving to a single inspection framework for early years and schools, and is currently developing the report forms. This will be introduced in September 2015, when the timing of the inspection cycles makes it possible. The move to a single inspection framework incorporating out of school provision has not been addressed yet, but will be considered in the coming months. I have offered to help, outside of our regular meetings, by commenting on draft guidance and forms, and this offer has been accepted.

**Additional information:**
The National College for Teaching and Leadership (an ‘agency’ within the DfE) maintains the Qualifications List of full and relevant qualifications for practice in early years registered settings. If your setting is registered for the EYFS (i.e. it is not solely out of school provision for children in reception class and older) and you employ playwork-qualified staff, the playwork qualifications that are currently accepted will continue to be accepted post Sept 2014. If a member of staff is looking to gain a level 3 qualification, however, Ofsted will expect that staff member to gain an early years educator qualification for work in an EY registered setting. Qualifications can be checked at [https://www.education.gov.uk/eypqd/qualification-search](https://www.education.gov.uk/eypqd/qualification-search)

Lesli Godfrey 7 July 2014