

# Guidance on the inspection of educational provision for children before compulsory school age in settings

September 2008



**BUDDSODDWR MEWN POBL**  
**INVESTOR IN PEOPLE**



**The purpose of Estyn is to inspect quality and standards in education and training in Wales. Estyn is responsible for inspecting:**

- ▲ nursery schools and settings that are maintained by, or receive funding from, local authorities (LAs);
- ▲ primary schools;
- ▲ secondary schools;
- ▲ special schools;
- ▲ pupil referral units;
- ▲ independent schools;
- ▲ further education;
- ▲ adult community-based learning;
- ▲ youth support services;
- ▲ youth and community work training;
- ▲ LAs;
- ▲ teacher education and training;
- ▲ work-based learning;
- ▲ careers companies;
- ▲ offender learning; and
- ▲ the education, guidance and training elements of The Department for Work and Pensions funded training programmes.

Estyn also:

- ▲ provides advice on quality and standards in education and training in Wales to the National Assembly for Wales and others; and
- ▲ makes public good practice based on inspection evidence.

Every possible care has been taken to ensure that the information in this document is accurate at the time of going to press. Any enquiries or comments regarding this document/publication should be addressed to:

Publication Section

Estyn

Anchor Court

Keen Road

Cardiff

CF24 5JW or by email to [publications@estyn.gsi.gov.uk](mailto:publications@estyn.gsi.gov.uk)

This and other Estyn publications are available on our website: [www.estyn.gov.uk](http://www.estyn.gov.uk)

**This document has been translated by Trosol (English to Welsh)**

**© Crown Copyright 2008: This report may be re-used free of charge in any format or medium provided that it is re-used accurately and not used in a misleading context. The material must be acknowledged as Crown copyright and the title of the report specified.**

<b>Contents</b>	<b>Page</b>
<b>Section 1: Introduction</b>	<b>1</b>
Why does Estyn inspect provision in settings?	1
What is the legal basis for inspecting settings?	1
Information about Estyn	2
Disclosure of information	2
How should inspectors behave?	4
<b>Section 2: Guidance</b>	<b>6</b>
Who makes up the inspection team and how long does the inspection last?	6
What do inspectors do before the inspection?	6
What do inspectors do during the inspection?	7
What do inspectors do after the inspection?	9
How does Estyn monitor the quality of the inspection?	10
How should practitioners prepare for inspection and what should they do afterwards?	10
How can parents/carers contribute to the inspection process?	11
What will the inspection report tell us?	12
What do Foundation Phase Inspectors inspect and report on?	12
What will the report look like?	13
<b>Appendix 1: Setting information form</b>	
<b>Appendix 2: Setting parent/carer questionnaire</b>	
<b>Appendix 3: Setting post-inspection questionnaire</b>	
<b>Appendix 4: Protocol for setting requiring focused improvement</b>	
<b>Appendix 5: Good practice in areas of learning</b>	
<b>Appendix 6: Good practice in inspection areas</b>	
<b>Appendix 7: Documentary evidence required before and during inspection</b>	



## **Section 1: Introduction**

This guidance explains how inspectors will inspect settings<sup>1</sup> which are funded by the Children's Partnership to provide good quality education on a part-time basis for children before compulsory school age.

### **Why does Estyn inspect provision in settings?**

The aim of the inspection is to identify the good features and the shortcomings in the provision, which will help settings to improve the quality of education they offer. This will help children to progress in their learning and achieve high standards.

The report produced after the inspection will inform all major stakeholders, such as parents/carers, Early Years and Childcare Partnerships (EYDCP), Children and Young People's Partnerships (CYYP), the local authority (LA) and the community, of the quality of provision within the setting.

The inspection findings also contribute to Her Majesty's Chief Inspector of Education and Training in Wales' annual report and form the basis of advice given to the Welsh Assembly Government.

### **What is the legal basis for inspecting settings?**

The inspection of settings which are eligible for funding to provide education for children before compulsory school age is governed by Schedule 26 of the Schools Standards and Framework Act 1998 as amended by the Education Act 2005.

The Act requires Her Majesty's Chief Inspector to keep the Welsh Assembly Government informed about:

- the quality and standards of education for children before compulsory school age;
- the quality of leadership and management of the setting;
- how far the education provided meets the needs of a range of children;
- the spiritual, moral, social and cultural development of children for whom education is provided; and
- the contribution that education makes to children's wellbeing.

Settings eligible for funding to provide education for children before compulsory school age have to:

- work towards agreed educational outcomes, namely ensuring that children are making progress towards the Foundation Phase outcomes; and
- be inspected at such intervals as may be prescribed<sup>2</sup>.

---

<sup>1</sup> The term setting is used to be consistent with terminology used by Welsh Assembly Government in referring to non-maintained providers of education.

<sup>2</sup> At present, settings are inspected in a six-year cycle.

## **Information about Estyn**

Her Majesty's Chief Inspector for Education and Training in Wales (Estyn) is responsible for:

- producing a framework for the inspection of education in settings eligible for funding for children before compulsory school age and keeping the framework under review;
- registering and training Foundation Phase inspectors (FPIs);
- monitoring the quality of inspections; and
- corroborating judgements, where the quality of provision is judged to be below that which is required.

In undertaking these roles, Estyn is committed to working with providers and FPIs to improve the quality of education in settings eligible for funding.

## **Disclosure of information**

Estyn is committed to making its business as open as possible. It responds to any requests for information made by the public unless there are clear legal reasons for not doing so or it can clearly be shown that it is not in the public interest.

Individuals already have the statutory right of access to their personal information under the Data Protection Act 1998. Personal data includes any expression of opinion about an individual and any indication of the intentions of any person in respect of the individual. As far as inspections are concerned, this means that information about a teacher is personal data even before his or her identity is established because it is likely that the inspection will produce other identifying information.

From January 2005, the Freedom of Information Act 2000 extends the right to allow access to all types of information held, whether personal or non-personal, by public authorities. Anyone, wherever in the world, can exercise their right to access information held by public authorities. The Act applies to public authorities and those providing services to them.

The basic requirement under the Freedom of Information Act 2000 is for the right of access to recorded information held by public authorities. This gives 'retrospective effect' and Estyn will have to make available information it is holding, not necessarily information created after the bringing into force of the Freedom of Information Act 2000.

As the original material obtained during inspection is the property of Estyn, it will deal with any requests under the Acts and decide what information should be disclosed. Subject to the exemptions in the Freedom of Information Act 2000, Estyn must inform any person who makes a request for information whether the information is held, and if so, must supply that information. Information can be protected by an exemption if absolutely necessary. These exemptions are not automatic and may only be used once the substantial harm test and, in some cases, the public interest test have been considered.

You should be aware that requests for disclosure of information under the Data Protection Act 1998 and Freedom of Information Act 2000 may be made for details contained in inspection evidence, letters and emails. Any comment made may become open to wider scrutiny if someone requests access to that information. FPIs must therefore ensure that all information is documented in an objective manner and that all comments can be supported should they need to be disclosed.

### **Who can request information?**

Anyone, of any age, nationality or from any location. This includes journalists, interest groups, parents, teachers, governors, and pupils.

### **What information can be requested?**

Any information can be requested (subject to exemptions), including, background work for inspections and surveys, notes of visits, finances and accounts.

### **Retrieving the information**

FPIs will need to maintain inspection documentation so that information can be retrieved easily. You will be required to comply with any request that Estyn may make for documentation within specified timescales.

### **Reminders**

The FPI should:

- only use information in a lawful manner;
- use information only for the purposes defined; and
- express and record professional opinion in an objective manner.

Any requests received for access to information under the **Freedom of Information Act 2000** should be referred to:

Information Officer  
Estyn  
Anchor Court  
Keen Road  
Cardiff  
CF24 5JW

Further information and guidance on the **Freedom of Information Act 2000** can be obtained from the **Department of Constitutional Affairs (DCA)** website [www.foi.gov.uk](http://www.foi.gov.uk)

## How should inspectors behave?

Inspectors' right of entry to the setting carries important responsibilities. Inspectors should carry out their work professionally. They should:

### **work with integrity, courtesy and sensitivity:**

- carry out the inspection effectively and efficiently;
- be fully prepared;
- treat all staff with courtesy, respect and sensitivity;
- minimise disruption and stress; and
- ensure positive working relationships throughout the inspection;

### **evaluate the work of the setting objectively:**

- carry out the work with independence and objectivity;
- undertake inspections without bias or preconceptions;
- keep demands for information and documentation to a realistic minimum;
- collect sound evidence from a range of sources and weigh it carefully; and
- evaluate against the criteria in the inspection framework and the guidance provided in this handbook;

### **report honestly, fairly and impartially:**

- be impartial;
- report findings without fear or favour identifying good features and shortcomings;
- identify and report the shortcomings that need to be resolved so that the setting can improve;
- make sure the final report is fair and reflects the work of the setting; and
- make sure that the oral feedback is consistent with the final report;

### **communicate clearly and openly:**

- be open and transparent when dealing with all involved in the inspection;
- keep leaders informed about emerging issues and findings;
- make sure that all communication is effective; and
- make sure that judgements are clearly expressed;

**act in the best interest and wellbeing of the children:**

- do nothing that will cause the children distress and anxiety;
- do nothing that would call into question their relationship with a child;
- report any concerns about the wellbeing of a child to the appropriate authority;  
and
- refrain from intervening personally if bad behaviour is observed, unless  
someone's safety or welfare is in danger; and

**respect the confidentiality of all information received during the inspection:**

- ensure the confidentiality of all information received during the inspection;
- make sure the findings of the inspection are confidential to the team and the  
setting until the report is published; and
- do not seek confidential staff appraisal information.

## Section 2: Guidance

### Who makes up the inspection team and how long does the inspection last?

Normally, the inspection of a setting eligible for funding for education is undertaken by one FPI. Occasionally, in large settings, there may be two FPIs.

Inspections of settings last for one day, or two half days, if the setting is only open for half a day. When larger settings are inspected, a further day may be added to ensure appropriate coverage of all the aspects which will be inspected.

### What do inspectors do before the inspection?

Estyn will contact the setting about one term (10 – 12 weeks) before the inspection to inform the setting that it is to be inspected. Estyn will request the setting to complete and return a pre-inspection setting information form (see **Appendix 1**).

Estyn will invite tenders from FPIs to undertake the inspection and will award a contract to the successful FPI.

Once the FPI has been informed that they have been awarded the inspection contract he/she must:

- contact the setting as soon as possible to introduce him/herself and begin to create a good working relationship with managers and staff of the setting to set the tone of the inspection;
- agree on the date of the inspection;
- record any particularly notable issues for inspection in the inspection notebook and share these with the setting before the inspection begins;
- discuss the arrangements for the collection of parents'/carers' views about the setting (see **Appendix 2**);
- agree on the documentation that will be required before the inspection and how this will be obtained;
- agree on the documents that will be required during the inspection; and
- contact the setting's CSSIW inspector and link advisory teacher to seek their views on the quality of the setting.

### Contacting local authority support staff and CSSIW

FPIs should telephone the setting's advisory teacher and the relevant CSSIW inspector to invite their views on the setting. If time allows, meetings may be arranged. FPIs should also make sure that they have a copy of the setting's last CSSIW report and use this information in preparing for the inspection.

The setting may be prepared to share any written reports that they may have from the LA advisory team and their latest CSSIW self-assessment review form. However, this is a matter for the setting and cannot be insisted upon.

The FPI should also agree the arrangements for providing feedback to the setting on the inspection outcomes. This meeting should be attended by senior staff, the chair of the local EYDCP or CYPP and/or a representative from the LA. If possible the chair of the management panel should also attend. This meeting should usually take place at the end of the last day/half day of the inspection and should last for no more than one hour. If this is not possible, the meeting should be arranged within four to five days of the last day of the inspection.

The FPI must inform Estyn immediately once agreement has been reached on the date of the inspection and the date and time of the feedback to staff.

### **What do inspectors do during the inspection?**

During the inspection the FPI should:

- ensure an appropriate balance between the time spent observing teaching and learning, discussing issues with staff, talking to children, scrutinising children's work and studying documentation;
- ensure that there is appropriate coverage of the work and life of the setting, including the seven areas of learning, and activities undertaken inside and outdoors;
- ensure the effective collection, recording and evaluation of evidence;
- use the evidence as a basis for discussion;
- keep the senior practitioner informed of the emerging issues;
- encourage practitioners to provide any additional evidence which they feel is important; and
- ensure that any difficulties and problems are identified early and resolved effectively.

### **Gathering evidence**

FPIs should spend most of the time that they are in the setting observing and talking to children.

### **Talking to children**

Talking with the children at work and at play can help inspectors to form judgements about their progress. Discussion can reveal how well they understand what has been taught and whether the activities and tasks provided for them are too difficult, too easy or about right. However, it is important to remember that young children may have a different agenda and interest from those of the adult talking to them and may not always respond in the way that we wish<sup>3</sup>.

---

<sup>3</sup> Please refer to Estyn's guidance on Listening to Learners.

## **Examples of children's work**

The main source of evidence for making judgements during the inspection visit will be listening to and observing children as they respond to the activities taking place. However, account should also be taken of any examples of children's writing, painting, drawing, model making or pattern work on display, in photographs or in portfolios kept by the staff. These pieces of work provide evidence of the sorts of opportunities that the setting is providing. In some instances this second-hand evidence may help to determine whether, for instance, children's writing skills are emerging through opportunities to make marks or form letters or numerals.

## **Reviewing documentary evidence**

Documents such as planning sheets and records should be evaluated carefully in terms of how helpful they are in supporting the work of the staff and the children. FPIs will need to determine whether or not the intentions expressed in policies and plans are followed through into effective practice.

## **Discussions with practitioners<sup>4</sup>**

A discussion with the lead practitioner in the setting will help to establish the context for the activities observed. It may be helpful to do this prior to beginning observations. Similarly, brief exchanges with other practitioners will help to establish the purpose of the work and the reasons why it is undertaken in a particular way. Any voluntary helpers or visiting specialists are also sources of valuable information. FPIs should also ensure that time is set aside during the inspection to meet with the lead practitioner to discuss the following points:

- staff meetings, their frequency and purpose;
- how practitioners plan work for the children, including the way they achieve a balanced programme for any children who attend for fewer than five sessions;
- how the lead practitioner monitors the work of the staff, in particular the quality of teaching and the assessments they make;
- in-service training for their staff and its relevance to the work of the setting;
- how children's progress is assessed, recorded and reported to parents;
- the ways in which parents and the community are involved in the life and work of the setting;
- links with the school that the children will transfer to;
- systems for transferring information when a child moves to a new setting or to school;
- what processes the setting has in place to identify ways to improve; and
- evaluation of the progress made since the previous Estyn inspection (if applicable).

---

<sup>4</sup> Please refer to Appendix 4 for further questions.

## **Feedback at the end of the inspection**

The FPI must give senior staff at the setting a short feedback on the outcomes of the inspection. This should focus on the good features and shortcomings in standards, quality of provision and leadership and management. It is important that issues that staff do not fully understand are explained and that staff are left with a clear understanding of strengths and shortcomings. The managers must be reminded of their responsibility to provide an action plan, to rectify any shortcomings identified in the report. A copy of this action plan should be sent to the LA and chair of the CP. It is no longer a requirement to send an action plan to Estyn unless the setting is failing to provide an acceptable standard of education for the children who attend (see below). A copy of the action plan should also be displayed in a prominent place so that parents can read it. The action plan will help the setting to move forward.

## **Contacting Estyn if there are concerns about a setting's performance**

If the FPI is of the opinion that the setting is failing to provide an acceptable standard of education they must contact Estyn immediately to discuss the issues. Estyn will then arrange for one of Her Majesty's Inspectors to corroborate the inspection findings before the report is published (see **Appendix 4** for the protocol).

## **Completing the data profile**

The FPI must complete a data profile sheet at the end of the inspection. It is important that this document is completed fully and accurately as it provides the data for the Estyn data base which is used to inform Her Majesty's Chief Inspector's annual report.

## **What do inspectors do after the inspection?**

The FPI must produce a written inspection report, bilingually, where required, based on Estyn's template. This must be completed within 15 working days of the end of the inspection (20 working days if the report is to be produced bilingually). The outcome of the inspection is confidential until the report is published.

A draft of the report should be sent to the setting within one week of the inspection completion so that the senior staff can check the factual accuracy. The report must then be returned to the FPI within two working days of receiving it, with factual errors clearly indicated by the setting.

The FPI should send one copy of the report to:

- the head of the setting;
- the chairperson of the setting's management group;
- the chairperson of the local EYDCP or CYPP;
- the director of the local authority; and
- the local Care Standards and Social Service Inspectorate.

Eighteen hard copies of the report should also be sent to Estyn along with copies on disk and the inspection notebook and data collection sheet.

Copies of the parents'/carers' questionnaires, minutes of any meetings held with parents/carers and managers, feedback meetings and notes of discussions held with staff during the inspection and during feedback should be kept by the FPI for 90 days after the inspection.

### **How does Estyn monitor the quality of the inspection?**

Estyn monitors the work of inspectors regularly, by sampling inspections in progress and by examining inspection reports. Currently, around 15% of inspections of settings eligible for funding are monitored and 15% of the inspection reports are examined.

From time to time Estyn arranges training for all FPIs to update them on the inspection process, to ensure consistency of approach and to continually raise the quality of inspections.

Estyn has a complaints and appeals procedure which settings may use if they have an issue about any aspect of the inspection. Information about this process can be accessed via Estyn's website [www.estyn.gov.uk](http://www.estyn.gov.uk)

Settings will receive a post-inspection questionnaire which managers and staff are asked to complete after the inspection. The returned questionnaires are closely scrutinised and the findings are used to inform the inspection process and the training of inspectors (**Appendix 3**).

### **How should practitioners prepare for inspection and what should they do afterwards?**

Settings which are eligible for funding are inspected every six years. Estyn will contact the setting about one term before the inspection to begin the inspection process.

Practitioners should ensure that they are reviewing the quality of their provision and the standards achieved by their children as a normal part of their monitoring and evaluation process.

Settings should have a range of written policies, many of which are a statutory requirement, which explain the way the settings work. These policies should be reviewed regularly and should be available to all parents/carers and prospective parents/carers of the setting. Policies should be readily available during an inspection and will help the inspectors to make judgements about the quality of provision available for the children.

Practitioners are also expected to provide the documents requested by the FPI and any other documents that would contribute to the evidence base of the inspection see **Appendix 7**).

Practitioners are expected to inform parents/carers, the chair of their management group, the chair of the local CP, and/or individuals from the LA, of the impending inspection. The setting should request that parents/carers complete the pre-inspection setting parent/carer questionnaire (**Appendix 2**).

During the feedback meeting with the inspectors, individuals can ask questions which will help to clarify the judgements of the inspection team. They can also provide additional evidence if they feel it would help the inspection process. However, they cannot request that the inspectors change their judgements or the grades they have, unless the new evidence is sufficiently robust for the team to review their judgements.

Settings will receive copies of the full report within 15 working days from the end of the inspection (20 working days if the report is bilingual). The setting leader/manager should ensure that a copy of the full report is made available to parents/carers.

Inspection outcomes are confidential until the setting receives the final version of the written report. However, the setting and the management group can use the information to begin the process of drawing up an action plan which will show how they propose to address the recommendations and shortcomings identified in the report. It is the responsibility of the setting leader/manager to produce an action plan within 40 working days or 45 working days if the plan is to be produced bilingually in English and Welsh. A copy of the action plan should be sent to the LA, the chairperson of the C P and to all parents/carers.

#### **How can parents/carers contribute to the inspection process?**

Parents/carers play an important part in the inspection process as users of the service provided by the setting. It is important, therefore, that every effort is made to encourage parents and carers to complete and return the parents'/carers' questionnaire to the FPI. The completion of the questionnaire is particularly important if the parents/carers are unable to visit the setting during the inspection. The questionnaires are confidential and should be placed in a sealed envelope addressed to the FPI or parents/carers may post them directly to the FPI.

#### **Discussions with parents/carers and using the questionnaires**

These discussions are generally informal and take place at the beginning/end of sessions. FPIs should use this time to make enquiries about how well informed parents/carers are about:

- their child's progress;
- what experiences and activities the setting offers on a regular basis;
- how well parents are consulted about what happens in the setting;
- the setting's policies and practices, for example, whether parents/carers know what to do if they are unhappy about something; and
- the quality and quantity of information they receive from the setting.

As not all parent/carers bring and collect their children from the setting, the questionnaire is an important way of ascertaining the views of as wide a range of parents as possible. The FPI should arrange for copies of the questionnaire to be left with the setting approximately two weeks before the inspection. The FPI should analyse the questionnaires and share general points with the lead practitioner in the setting.

### **What will the inspection report tell us?**

The inspection report will provide information about the strengths and shortcomings in the standards achieved by the children and the quality of provision. The report will include recommendations which will help the setting to rectify the shortcomings identified.

Each of the sections will be given a grade which represents the inspectors' judgements. The five-point grading system used is as follows:

<b>Grade 1</b>	good with outstanding features
<b>Grade 2</b>	good features and no important shortcomings
<b>Grade 3</b>	good features outweigh shortcomings
<b>Grade 4</b>	some good features but shortcomings in important areas
<b>Grade 5</b>	many important shortcomings

### **What do Foundation Phase Inspectors inspect and report on?**

The FPI will gather evidence to show children's progress across all areas of learning. In addition he/she will seek information about the life and work of the setting such as how the practitioners plan the work, assess children's understanding and use this information to help children improve. The main focus in looking at provision is in the seven areas of learning.

#### **Areas of learning**

The areas of learning are based on the Framework for Children's Learning for 3 to 7 year-olds in Wales. The Framework sets out the experiences that children should be given across seven areas of learning in order to reach appropriate outcomes by the time they are 7<sup>5</sup>. FPIs will judge what the children know, can do and understand in each area of learning in relation to their ability and their starting point.

#### **Inspection areas**

In addition to reporting on standards, FPIs must report on the following:

- quality of provision for children's spiritual, moral, social and cultural development;
- quality of planning for children's learning;
- quality of teaching;
- quality of assessment and recording of children's progress, and reports to parents and carers;
- relationships with parents/carers and the community;
- the contribution made by the setting to children's wellbeing;

---

<sup>5</sup> Welsh-medium and bilingual settings should continue to implement and follow the educational programme for the Language Literacy and Communication Skills Area of Learning.

- quality of leadership and management; and
- progress made by the setting in implementing the key issues for action identified in the last inspection (if applicable).

### **What will the report look like?**

The report will contain headings that reflect the aspects listed above that inspectors must report on. In addition, the report will contain a context section and recommendations.

#### **Context**

This is a concise, factual statement about the nature of the setting, its children and those features of the area that it serves which influence the work of the setting. The context should be agreed with the setting during the inspection.

#### **Recommendations**

These are the most important areas for development for the setting to address. Where shortcomings are identified in the standards that children achieve in the areas of learning, then these should be given priority in the list of recommendations<sup>6</sup>.

---

<sup>6</sup> FPIs are discouraged from recommending actions that are beyond the means of the setting to achieve, such as providing a new outside play area.

## Appendix 1: Setting information form

### SETTING PRE-INSPECTION FORM

Please complete the following details and return, using the pre-paid envelope enclosed, by (date will be inserted by Estyn's Contracts team)

#### Section A:

Name of setting:

Address of setting:

Postcode:

Telephone number of setting:

Name of setting leader:

Contact address:

Postcode:

Contact telephone number:

Time of session:

#### Section B:

**Please tick the appropriate box in answer to the following:**

- 1 Main language spoken in setting:  
English  Welsh
- 2 Is the setting bilingual?  
YES  NO
- 3 Does the inspection report need to be produced bilingually?  
YES  NO
- 4 Will there be 3 to 4 year-olds present during the **autumn term**?  
YES  NO
- 5 Number of 3 year-olds at the setting during the **autumn term**?
- 6 Number of 4 year-olds at the setting during the **autumn term**?
- 7 Number of 3 year-olds funded at the setting during the **autumn term**?
- 8 Number of 4 year-olds funded at the setting during the **autumn term**?

## Appendix 2: Setting parent/carer questionnaire

**Name of the setting:** .....

This short questionnaire is being sent out to all parents/carers with a child at the above setting. Please fill it in so that the FPI carrying out the inspection of this setting can use the information that you provide.

All your answers and comments will be totally confidential and practitioners at the setting will not see them. The inspector(s) will take your comments into account. Estyn may also use the questionnaire responses to make general statistical analyses of parents' and carers' views about setting and/or education. These analyses will not identify individuals in any way.

For each of the statements below, please tick the box which best reflects your views in relation to this setting.

	Strongly agree	Agree	Disagree	Strongly disagree
<b>1 My child is happy at the setting.</b>				
<b>2 I am pleased with my child's progress.</b>				
<b>3 The setting keeps me well informed about my child's achievement.</b>				
<b>4 The setting achieves high standards of good behaviour.</b>				
<b>5 The values and attitudes that the setting promotes have a good effect on my child.</b>				
<b>6 I am satisfied with the quality of education provided by the setting.</b>				
<b>7 The setting gives me a clear understanding of what is taught/experienced by the children.</b>				
<b>8 I am satisfied with the help and support my child receives.</b>				
<b>9 The setting effectively promotes equal opportunities.</b>				
<b>10 The setting encourages parents/carers and the community to play an active part in the life of the setting.</b>				
<b>11 I would find it easy to approach the staff with questions or problems to do with my child.</b>				

If you wish to make a comment on any of the above areas or if you wish to note anything else about the setting, either its strengths or its weaknesses, please write on the back of this questionnaire. Please return the questionnaire, in a sealed envelope if possible, to the FPI either c/o the setting or directly to: (address of inspector)

Please sign .....

Thank you for your help.

## Appendix 3: Setting post-inspection questionnaire

Name of setting .....

Inspection number .....

Address of setting .....

Date of inspection .....

Name of FPI.....

	Strongly agree	Agree	Neither agree or disagree	Disagree	Strongly disagree	Comment (if required)
1 The framework and guidance helped us to prepare for the inspection.						
2 The inspector provided appropriate information before the inspection – we knew what to expect.						
3 The inspection was undertaken professionally and according to the set protocol.						
4 No unnecessary demands were made for additional documentation and information.						
5 All meetings were well organised and handled professionally.						
6 The inspector was approachable during the inspection and kept us fully informed.						
7 The inspector provided an informative feedback at the end of the inspection.						
8 The report was clearly presented and reflected the oral feedback.						
9 The outcome of the inspection will help the setting to move forward.						
10 Where required, translation facilities were provided and a bilingual report produced.						

*Please make every effort to complete this questionnaire and return it to the Feedback and Complaints Manager, Estyn, Anchor Court, Keen Road, Cardiff CF24 5JW. We don't know how well things are going or otherwise if you don't tell us.*

**Signed** ..... **Date** .....

**Position held in the setting** .....

## Appendix 4: Protocol for setting requiring focused improvement

### Introduction

These protocols apply to settings that are eligible for funding to provide education and are inspected under the framework for 'The Inspection of Educational Provision for Children before Compulsory School Age in Settings'.

### Background

Estyn's corporate plan sets out our mission, which is: **'the achievement of excellence for all in education and training in Wales'** and our aim, which is: **'to raise standards and quality in education and training in Wales through inspection and advice'**.

In this context, these protocols have been devised to inform and guide our work in:

- corroborating judgements when a setting is judged to be in need of focused improvement;
- monitoring and reporting on the progress of settings in need of focused improvement; and
- responding to issues raised by the quality monitoring of inspections and written reports of non-maintained settings.

### Protocols for funded settings causing concern

**These procedures apply from September 2008 and place a requirement on Estyn to:**

- advise the relevant local authority (LA), Early Years and Childcare Partnership (EYDCP) or Children and Young People's Partnership (CYPP) and CSSIW when FPIs have identified a setting as in need of focused improvement;
- carry out a corroboration of inspectors' judgements;
- inform the FPI, the setting's manager/management committee, the LA, EYDCP or CYPP and CSSIW that HMCI agrees/disagrees with the opinion that the setting requires focused improvement;
- scrutinise and comment on the manager/management committee's action plan when a setting is in need of focused improvement;
- carry out a visit to the setting, to monitor the progress that staff are making in implementing the action plan;
- inform the local authority, the Early Years and Childcare Partnership or Children and Young People's Partnership and CSSIW of the progress of settings requiring focused improvement; and
- make a recommendation to the LA regarding continuing funding arrangements for settings, where concerns remain after approximately one year.

## **This protocol sets out how:**

- FPIs inform Estyn of settings identified as requiring focused improvement;
- Estyn determines the validity of the FPIs judgements and reports findings to the LA;
- Estyn undertakes the monitoring of progress of settings needing focused improvement; and
- Estyn decides that a setting no longer needs focused improvement, or recommends withdrawal of funding by the LA.

## **Settings requiring focused improvement**

### **Guidance criteria for judging whether a setting is in need of focused improvement**

#### **You must give particular consideration to identifying a setting as needing focused improvement in the following circumstances:**

- where standards or provision (in the case of small numbers) is judged to be grade 3 in: Personal and Social Development, Well-Being and Cultural Diversity, Language, Literacy and Communication Skills, and Mathematical Development;
- where grade 3 or lower is awarded for four or more of the eight grades comprising the 'Quality of Education' in section 2.3 of the inspection handbook; and
- where grade 3 or lower is awarded for two of the above three areas of learning and for three or more of the eight grades comprising section 2.3, the 'Quality of Education'.

## **1 During the inspection of the setting**

### **Initial contact**

The FPI contacts Estyn by telephone to discuss their concerns. The call should be referred to the MHMI of the Foundation and Primary Team. If this MHMI is unavailable, then an inspector from the Foundation and Primary Team should take the call and inform the MHMI.

The MHMI/HMI should ask the FPI to:

- make sure he/ she refers to Estyn's guidance on 'Protocols for Settings Causing Concern';
- complete Form 1 and send it to MHMI as soon as possible **within seven days**;
- email a copy of the draft report to MHMI as soon as possible **within two weeks** of the end of the inspection; and
- make arrangements for the inspection notebook to be available for scrutiny.

## 2 After the inspection of the setting

### Receipt of Form 1

When Form 1 is received, the MHMI arranges for a member of the team to corroborate the judgement through reviewing inspection evidence and the draft report. Occasionally, HMI may visit a setting to corroborate the judgement.

During corroboration, MHMI/inspectors may also need to:

- telephone the FPI to discuss the inspection outcome; and
- write to the FPI to make arrangements to scrutinise any additional inspection evidence.

The MHMI/designated team inspector will inform the FPI by telephone whether Estyn agrees with the FPI's judgement.

#### **If Estyn agrees with the FPIs judgement**

The following statement should be included in the written report on the setting:

*"Estyn agrees with the judgement of the FPI, that this setting is in need of focused improvement."*

**If Estyn does not agree with the judgement**, the reasons will be explained and the FPI will be given the opportunity to discuss Estyn's decision. There are then three options open to the FPI:

- 1 Amend the report by removing the opinion that the setting is in need of focused improvement.
- 2 Submit further evidence for Estyn to consider.
- 3 Publish the report and include the following statement:

*"I am of the opinion that this setting is in need of focused improvement, but Estyn does not agree."*

### **Publication of the non-maintained inspection report**

The FPI may need to contact Estyn's contract section to extend the time of publication. Otherwise, the report will be published within 15 working days of the end of the inspection.

### **Receipt of the action plan**

The setting's post-inspection action plan must be completed and received by Estyn within 45 working days from the date when the manager/management committee received the inspection report.

A designated member of Estyn's Foundation and Primary team checks the plan and contacts the setting, local authority and if improvements are necessary.

### **3 Monitoring the progress of settings in need of focused improvement**

Estyn will carry out a visit to monitor the progress of the setting approximately one term after the publication of the report.

The focus of the visit will be to inspect progress that the setting has made to meet the Recommendations in the inspection report.

At the end of this visit, there will be oral feedback to the setting, when a representative from the Local Authority/Early Years and Childcare Partnership or Children and Young People's Partnership should be present. The visit will be followed up by a short report on the progress that the setting is making in addressing the recommendations.

If necessary, Estyn will make two further termly monitoring visits to the setting to monitor progress. If, at the end of the third monitoring visit, not enough progress has been made, then Estyn will recommend that the local authority remove the setting from its list of settings eligible to receive funding to provide education.

The final report, whether after the first, second or third monitoring visit, will be placed on Estyn's website along with the original report.

**FORM 1: SETTINGS IN NEED OF FOCUSED IMPROVEMENT**

MHMI Foundation and Primary Team  
Estyn  
Anchor Court  
Keen Road  
Cardiff  
CF24 5JW

Inspection number .....

Date of inspection .....

Name of setting .....

Name of LA/EYDCP or Children and Young People’s Partnership

.....

Name of FPI .....

Date when report is due .....

I am of the opinion that this setting is in need of focused improvement. The reasons for this opinion are:

- 1
- 2
- 3
- 4
- (etcetera)

I will send you a draft of the report by .....

I confirm that I have reported back in these terms to the setting manager/management committee and a representative from the local authority/EYDCP or CYPP was present.

Yours sincerely

Foundation Phase Inspector

## **Appendix 5: Good practice in areas of learning**

This appendix contains a few examples of good practice in each area of learning. These examples are not exhaustive and should not be used as a checklist<sup>7</sup>. When coming to judgements on standards in areas of learning, FPIs must take into account the stage of development of children and how well they have progressed since starting at the setting. In most inspections, the children will be young 3 year-olds and therefore only just beginning to develop the skills and knowledge contained in the examples of good practice. Many children will be in reception class before they are able to demonstrate some of the examples given below.

### **Personal and social development, wellbeing and cultural diversity**

#### **Children:**

- show confidence and form relationships with other children and with adults;
- show care, respect and affection for other children and adults;
- begin to show sensitivity to others;
- concentrate for lengthening periods and seek help where needed;
- take risks and become confident explorers of their indoor and outdoor environment;
- develop confidence, competence and become independent thinkers and learners;
- experiment with new learning experiences, including ICT;
- begin to take responsibility for personal hygiene and safety;
- begin to understand the changes that happen to their bodies when they exercise;
- understand all living things should be treated with care, respect and concern;
- respond positively to a range of new cultural and linguistic experiences;
- develop an awareness of different cultures and treat people from all cultural backgrounds in a respectful and tolerant manner;
- develop a positive self-image and a sense of belonging;
- become aware of the traditions and celebrations of the cultures of Wales;
- recognise appropriate behaviour for different situations;
- take turns, share and begin to exercise self-control;
- respond to reason; and
- develop an understanding of what is fair/unfair.

### **Language, literacy and communication skills**

#### **Children:**

- make themselves understood;
- listen to and carry out instructions;
- listen and respond to others and to a range of stimuli, including audio-visual materials;
- listen and respond to a variety of stories, traditional and modern folk tales and poems from Wales and around the world;

---

<sup>7</sup> Please refer to the Framework for Children's Learning for 3 to 7 year-olds in Wales for further information about standards in areas of learning.

- recall songs and nursery rhymes;
- ask questions and listen to responses;
- retell their own experiences;
- discuss their play;
- express opinions and make choices;
- show an interest in books and enjoy their content;
- look at books with or without an adult, handling them as a reader;
- experiment with mark-making using a variety of media;
- enjoy mark-making and writing experiences;
- play with language, as a means of developing their interest in language; and
- understand some of the functions of writing e.g. remembering, a source of enjoyment, organising, and sharing ideas.

## **Mathematical development**

### **Children:**

- anticipate, follow, respond to and join in with familiar rhymes, stories and songs, activities and games;
- respond to and develop an interest in numbers;
- recognise that some numbers will have personal meaning/significance to them, for example, their house number;
- use mathematical language in relevant contexts and to solve practical problems;
- join in rote counting to numbers 1-10;
- recognise and name numbers 1-3;
- begin to develop an understanding of one to one correspondence;
- understand concept of 'one more' in their play;
- recognise and recreate basic patterns;
- play with shapes and recognise shapes in and around the classroom and in the environment;
- sort, match, order, sequence, compare and count familiar objects;
- begin to understand mathematical concepts; and
- begin to develop an awareness of the purpose of money.

## **Welsh language development**

### **Children:**

- show that they understand basic instructions;
- understand more words than they can speak;
- listen to familiar and unfamiliar voices;
- can repeat some familiar words and phrases;
- join in Welsh action songs and rhymes;
- use appropriate language in spontaneous and structured play activities and when conveying meaning;
- listen and respond simply to what they hear in familiar circumstances with growing attention and concentration;
- follow stories read to them and respond as appropriate;
- show an interest in the content of Welsh books;

- look at books, with or without an adult, handling them as a reader;
- differentiate between print and pictures;
- experiment with mark making using a variety of media;
- enjoy mark making and writing experiences;
- play with language; and
- understand some of the functions of writing e.g. remembering, a source of enjoyment, organising and sharing ideas.

## **Knowledge and understanding of the world**

### **Children:**

- explore and experiment indoors and outdoors;
- think about what might happen if...;
- sort objects into simple categories;
- talk about home and where they live;
- learn about where their locality is;
- begin to understand about different places;
- have a basic understanding of the seasons, their features and the effects that different seasons have on animals;
- begin to understand the idea of past and present;
- sequence events, routines and changes e.g. in a journey to the park, breakfast/bedtime routines etc.;
- recognise changes that happen to themselves over time;
- learn the names and uses of the main external parts of their bodies;
- become skilled at problem solving and decision making;
- begin to understand the use of a variety of information sources;
- begin to appreciate the importance of the environment; and
- begin to appreciate the differences in and uses of a range of materials.

## **Physical development**

### **Children:**

- develop confidence in using physical spaces both indoors and outdoors;
- use a range of small and large equipment and stimuli well;
- use and handle a range of tools confidently;
- develop an awareness of their own bodies, and how they move;
- move confidently, with increasing control, balance and co-ordination;
- understand, appreciate and enjoy the differences between running, walking, skipping, jumping, climbing and hopping;
- listen to instructions and can start and stop games/play on command;
- follow simple rules in a game; and
- begin to understand health, hygiene and safety issues associated with physical exercise such as recognising the effects that exercise has on their bodies as they move.

## **Creative development**

### **Children:**

- explore and experiment with a variety of techniques and materials both indoors and outdoors;
- make choices when using materials;
- mix, shape, arrange and combine materials to create their own images and objects;
- respond to and enjoy rhythm in music and music making with a range of instruments and with their voices;
- begin to differentiate sounds without visual clues;
- explore and express a range of moods and feelings through a variety of movements;
- respond to suggestions for dance and imitative movements;
- discuss work in progress and completed;
- enjoy role play and imaginative drama; and
- begin to enjoy and appreciate the work of others.

## **Appendix 6: Good practice in inspection areas<sup>8</sup>**

This appendix contains a list of questions that can be used by inspectors and settings to evaluate the quality of provision in the setting. The questions explore the type of good practice you would expect to see in good settings. The questions are not exhaustive and are not meant to be a checklist.

### **How well are the children progressing in their learning and what are the standards they have achieved?<sup>9</sup>**

- Are children making good progress towards meeting appropriate Foundation Phase outcomes?
- Do they show positive attitudes to learning?
- Do they co-operate and work well together?
- Do children engage enthusiastically in challenging activities that strengthen and develop their learning?
- Are children questioning learners, looking for answers, making decisions and solving problems?
- Are children prepared to risk making mistakes because they understand that they learn from them?
- Do most children make good progress across all areas of learning in line with their ability and level of maturity?
- What standards have the children achieved in relation to the seven areas of learning?
- Are the children making good progress?

### **The quality of provision for children's spiritual, moral, social and cultural development**

- Does the setting have clear aims, values and principles?
- Does the setting effectively promote respect for the diversity of beliefs, attitudes, social and cultural traditions found in Wales?
- How effective is the setting in developing children's personal and social skills?
- How well does the setting promote the Welsh language, culture and traditions of Wales?
- Is there support to develop children's spiritual, moral, social and cultural development and wellbeing?

### **The quality of planning for children's learning**

- Is planning based on the Framework for Children's Learning for 3 to 7 year-olds in Wales?
- Does planning ensure a broad, balanced and relevant curriculum that meets the needs of the children?
- Does the curriculum provide continuity and progression in children's learning?

---

<sup>8</sup> Questions marked with an asterisk are only suitable for group settings and would not be applicable to childminders.

<sup>9</sup> Please refer to Appendix 5 and the Framework for Children's Learning for 3 to 7 year-olds in Wales for further information about standards.

- Does the planning allow all children including those with additional needs to access the curriculum?
- Is there planning for Y Cwricwlwm Cymreig and cultural diversity?
- Is planning based on a whole-setting approach and does it involve all practitioners?\*
- Is planning purposeful and not over bureaucratic?
- Does planning indicate opportunities for continuous provision, enhanced provision and focused tasks?
- How are practitioners planning for child-led as well as adult-led activities? What is the rationale for this?

### **The quality of teaching**

- Does the quality of teaching contribute to children's progress, achievement and wellbeing?
- Do practitioners work well together as a team to effectively support children's progress and achievement?\*
- Do practitioners develop good relationships with the children and their families?
- Do practitioners have a good understanding of the seven areas of learning?
- Are plenty of opportunities provided for children to learn through play and active involvement?
- Do practitioners provide a stimulating, challenging and exciting environment both inside and outside which encourages children's involvement, participation and enjoyment?
- How well do practitioners develop a positive learning environment where children are safe and secure?
- How effective is planning? Is there a good balance between child-selected and practitioner directed/led activities?
- Is questioning purposeful?
- Do practitioners know when to intervene and when not to intervene in children's activities/play?

### **The quality of assessment and recording of children's progress and reports to parents and carers**

- Is assessment based on a whole-setting strategy?\*
- Are assessments of children regular, reliable and comprehensive?
- Are children observed during their daily activities?
- Do practitioners regularly discuss what children are doing with them?
- Are discussions and observations regularly recorded to measure children's progress?
- Are the outcomes of assessment used to plan future activities which meet children's needs and interests?
- Do practitioners meet parents/carers regularly and ensure that they are well aware of their children's progress and what they can do to help them improve?<sup>10</sup>

---

<sup>10</sup> The Department of Children, Education and Lifelong Learning and Skills (DCELLS) is currently considering new legal arrangements on reporting and assessment, which may require settings to produce written reports in the future.

- Do practitioners diagnose children's additional learning needs well and if necessary work with a range of partners to support these children?
- Are children encouraged to assess their own strengths and weaknesses so that they gradually understand what they need to do to improve?
- Are parents/carers fully involved in their children's assessment?

### **The quality of the relationships with parents, carers and the community:**

- Do practitioners visit parent and toddler groups etc and/or children's homes, to introduce themselves to parents/carers and discuss the types of activities they offer?\*
- Does the setting invite parents/carers to visit, before children are admitted?
- Does the setting hold a meeting for new parents/carers and children to meet each other?
- Does the setting arrange for children to spend short periods of time in the setting before admission?
- Does the setting stagger the entry so that practitioners can work on a one-to-one basis with the children for a short while?
- In the first few weeks, does the setting keep the sessions short so that children do not become overtired?\*
- Is the length of sessions gradually increased?\*
- Does the setting have a handbook for parents to explain the educational provision it makes, or an information notice board for parents that is readily accessible?
- Do parents know who to approach if they have a concern?
- Does the setting keep parents well informed through regular newsletters or notices placed on the setting notice board?
- Does the setting have a formal complaints procedure that is known to parents/carers?
- Does the setting make use of visitors from the local community to talk to children and parents, such as the community nurse, police etc?
- Does the setting regularly plan activities for the children using the local environment?

### **The contribution made by the setting to children's wellbeing:**

- Does the setting have clear policies and procedures to safeguard children?
- Is there a designated co-ordinator?
- Do all practitioners receive training on safeguarding children?
- Does the setting have appropriate security arrangements that are known to all to prevent children leaving unaccompanied or adults gaining entry unannounced?
- Are children well supervised at all times?
- Does the setting have an anti-bullying policy to promote wellbeing?
- Are there clearly laid out procedures for safe conduct on outings, with appropriate risk assessments, undertaken prior to visits?
- Are parent helpers well briefed if assisting with a visit?\*
- Are there clear procedures for dealing with accidents that are known to all practitioners?
- Does the setting have a trained first aider?

- Are the snacks that are provided for children, healthy and nutritious?
- Do children have plenty of opportunities for strenuous physical activity both indoors and outdoors?

### **The quality of leadership and management of the setting**

- Does the setting have clear, written aims for improvement with timescales and success criteria?
- Have these been agreed by all practitioners in the setting?\*
- Is there an effective system of practitioners' appraisal that leads to agreed targets?\*
- Do practitioners know who is responsible for doing what and when?\*
- Is there provision for practitioners' training and what impact does this have on standards and provision?
- How well do practitioners in the setting know its strengths and areas for development? How do they know? Have they consulted parents/carers?
- Is self-evaluation ongoing and what is the impact of this?
- Do practitioners have good working relationships with the management group and in the case of childminders with the local Network Co-ordinator?
- Do practitioners have good working relationships with local partnerships?
- Is the best use made of resources and accommodation, including making use of the local environment?

### **The progress made by practitioners in the setting in implementing the key issues for inspection identified in the last inspection report:**

- How well have practitioners addressed key issues from the previous inspection?
- Are the previous key issues still areas of concern? If so, why have these not been properly addressed?

A lack of progress in addressing previous key issues will impact on the grade awarded for leadership and management.

Estyn does not require inspectors to report separately on accommodation, the learning environment and resources, because these areas are reported on within the relevant inspection areas. For instance, under leadership and management, inspectors will comment upon the lack of resources if they are impacting negatively on standards. To further assist inspectors and settings, we have included below a set of questions specifically related to accommodation, the learning environment and resources.

### **The accommodation, learning environment and resources**

- Is the setting attractive to the children, parent/carers and the local community?
- Are some activities set out ready when the children arrive at the beginning of a session so that parents/carers can be encouraged to settle children at an activity?
- Are children involved in setting out activities and tidying away at the end of a session?
- Are equipment and resources easily accessible to the children to encourage independent learning?

- Are cloak areas easily accessible? Are children encouraged to identify their own coats, caps etc, dress themselves and put them away independently after use?
- Is children's work displayed and well labelled around the setting?
- Does the accommodation provide children with adequate space to move around, dance, create large models etc?
- Does the setting have a range of good equipment and resources available to stimulate children's play, the acquisition of skills and learning strategies?
- Does the setting have a range of recycled materials alongside purchased equipment and resources such as empty boxes, bed sheets, curtains etc to develop children's imagination and creativity?
- Does the setting use 'real' objects e.g. pebbles, shells, plants for the nature table, telephone, posters, builders' hats for role-play, and pipes, tubes and measuring containers for the water play etc?
- Do the children have opportunities to dig, plant and grow their own flowers and vegetables? Do they have opportunities to study the birds, plants and animals first-hand?
- Does the setting make good use of all its available space?
- Are areas well defined so that children are encouraged to use certain resources/activities to develop specific skills?
- What use does the setting make of outdoors to develop all areas of learning? If the setting has no outdoor area, how is it compensating for this?

Below are some examples of the types of demarcated areas that are found in settings:

- I music areas;
- II painting and creative areas;
- III large and small block building areas;
- IV table top area for jigsaws and interlocking equipment etc;
- V mark-making area<sup>11</sup> with a variety of markers and papers;
- VI quiet reading area with a range of fiction and non-fiction books in Welsh and English and books from different cultures;
- VII technology area with programmable toys, CD player etc;
- VIII maths area with threading, matching, sorting activities;
- IX investigation area with clocks, wheels, boxes etc;
- X role-play areas; and
- XI sand play and water play areas.

These areas may be inside and or outside. Where space is limited, settings often plan a rolling programme of such activities over a period of time or, alternatively, settings may use play boxes containing resources that are regularly rotated to offer variety.

---

<sup>11</sup> Markers and books should also be appropriately placed alongside other activities as well in set areas.

## Appendix 7: Documentary evidence required before and during inspection

Documentary evidence required before inspection is as follows:

- a form to be completed by the lead practitioner in the setting, giving basic information about the setting (see **Appendix 1**);
- information that the setting publishes for parents giving details of its staffing, admission arrangements, educational programme etc;
- policy and arrangements for children with special educational needs;
- any other policy documents or guidelines that are available, such as risk assessment guidelines for taking children on visits outside the setting;
- any documents that the setting may have that relates to self-evaluation and planning for improvement;
- a programme or timetable of the work that the setting will be doing during the week of the inspection and, in particular, during the time of the inspection visit/visits;
- a copy of the setting's latest CSSIW report;
- where applicable a copy of the setting's latest Estyn report and action plan; and
- any other information that the setting wishes to be considered.

It is very important that settings do not feel that extra documents must be produced specially for the inspection.

Documentary evidence required during inspection is as follows:

- samples of planning;
- samples of children's work;
- evidence of work that illustrates the range of the setting's educational programme, such as photographs;
- assessment information, particularly assessments undertaken when children enter or leave the setting;
- notes or records of children's progress;
- registers of attendance;
- information about how parents/carers are kept well informed about their children's progress;
- any information that shows how the setting makes good use of links with the community; and
- any other information that the setting wishes to be considered.