**Appendix 2**

**Ofsted Inadequate Protocol (or two or more RI)**

**September 2018**

Oldham wants to create a 0 -19 education and skills system that is underpinned by a collective vision for the borough of high quality teaching, a dynamic and relevant curriculum and outstanding leadership. The council is clear and consistent in its expectations of continuous quality improvement to ensure the free Early Education Entitlement (EEE) for 2, 3 and 4 year olds has maximum impact. We will continue to concentrate free education funding wherever possible on those providers judged by Ofsted to be delivering the highest quality provision whilst prioritising support to others.

This protocol outlines the actions that will be taken by Oldham Council where a setting receives an Ofsted grade of *inadequate* or two consecutive grades of *requires improvement*.

The protocol applies to full daycare provision, pre-schools, childminders and out of school (OOS) settings. However, OOS settings should note that the sections relating to funding do not apply.

1. Following notification of an inadequate judgement by Ofsted at inspection the Early Years provider must contact the council to inform them of the outcome of inspection on [familyinfo@oldham.gov.uk](mailto:familyinfo@oldham.gov.uk).
2. Settings receiving a second consecutive requires improvement judgement will be contacted by the council to inform them they now fall into category C of Oldham’s quality improvement programme.
3. At this point the council will discuss the inspection outcome with the manager/owner of the provision and explain the process of the Category C Protocol and that on publication of the report will be informed:

* **Inadequate judgement**. Funding will not be available for any **new[[1]](#endnote-1)** 2, 3 and 4 year olds at the provision until the setting receives an improved judgement at re inspection by Ofsted.
* **2nd Requires Improvement.** Funding will not be available for any new 2 year old children at the provision until they receive a ‘good’ or better judgement at re inspection by Ofsted

1. Once the inspection report is published by Ofsted the setting will fall into **Category C** in the council’s Support and Challenge Framework (Appendix 1) and the Intervention Programme support package is initiated. A setting with an inadequate Ofsted judgement no longer meets the criteria to be an approved provider on the Oldham Council’s Directory of Providers for receiving the EEE funding and will therefore be removed from the list of approved providers. Parents/carers **MUST** be informed formally by the provider of the inadequate judgement and the inspection report made available.
2. The Local Authority Early Years team and the Children’s Centre Right Start team will be informed of the inspection outcome and that the category C protocol has been initiated.
3. Following the publication of the Ofsted report, a *focused intervention meeting (FIM)* will take place between the owner/manager of the setting and the council to discuss implications of the inadequate or two RI Ofsted judgements on EEE funding and the requirement to submit a *focused improvement plan* (FIP) – *Appendix 4*. The plan must clearly demonstrate how the owner/manager will address the actions and recommendations of the Ofsted inspection (including timelines and strategies for sustaining improvements) **(Stage 1)**.
4. At this point the councilwill initiate plans to:

* **Inadequate judgement** - withdraw funding for those existing 2, 3 and 4 year olds at the end of the next funding block or three month transition phase. The council may continue to fund those existing 2, 3 and 4 year olds at the end of this period if there is clear evidence from Ofsted monitoring visit reports showing good progress/improvement and/or the provider is actively engaging with the council to improve the quality of provision by addressing the Ofsted actions within timescales set out in the FIP.
* **2nd Requires Improvement** - withdraw funding for those existing 2 year olds at the end of the next funding block or 3 month transition phase. The council may continue to fund those existing 2 year olds at the end of this period if there is clear evidence the provider is actively engaging with the Council to improve the quality of provision by addressing the Ofsted actions within the timescales set out in the FIP

1. During this period of improvement, information, advice and guidance will be available through the councils *universal* early years offer*.*
2. The council, or commissioned consultant, will undertake two formal progress review meetings during the 6 - 12 month period until re-inspection by Ofsted. Monitoring reports will be completed and progress reported to the Head of Learning.
3. Once all actions on the FIP are completed, with clear evidence of how the improvements will be monitored and sustained, the setting submits the FIP to the council for evidence of improvement **(Stage 4)**.
4. Following the publication of the Ofsted re inspection report the following actions will be taken by the council:

* **‘Good’** – Process for the reinstatement of EEE funding initiated. The setting will be placed in Category A of the Support and Challenge Framework
* **‘Requires improvement’** – A previously inadequate setting is placed in Category B of the Support and Challenge Framework and the owner/committee/manager of the setting must formally sign up to take part in the council’s Prevention Process prior to re instatement of EEE funding for 3 and 4 year olds

A setting receiving a third, consecutive ‘RI’ judgement will remain in category C

* **2nd ‘Inadequate’** – The settings remains in Category C of the Support and Challenge Framework and the owner/committee and manager must formally sign up to taking part in the council’s Intervention Process.

***NB:*** ***Where there are deemed to be serious safeguarding concerns i.e. Ofsted suspension of registration, the safeguarding /welfare of children is put at risk, EEE funding for all children may be withdrawn with immediate effect.***

1. On publication of the report, consideration will be given to families of children eligible for EEE, who have already been registered for a place, whose paperwork has been submitted to the council and for whom induction visits have begun. Parents will be informed of the ‘inadequate or consecutive ‘requires improvement’ judgements, what this means and that if no progress has been made within three months or the start of the next funding block, they will no longer be able to access a funded place at that provision. They will also be advised of good or outstanding provision and what to look for when visiting potential early year’s settings for their child. [↑](#endnote-ref-1)