**Sefton Early Years Protocol October 2022**

**Protocol process for settings receiving a judgement of RI and Inadequate, and support for those settings who may require it, regardless of their OFSTED judgement.**

Sefton Local Authority are required to support settings who may be judged as Inadequate or Requires Improvement during an OFSTED inspection. Settings which find themselves in this position will be classed as either a Level 1 or Level 2 setting, which will have funding and support implications. Additionally, if the setting requires additional support and they have particular support needs (despite being judged as Good or Outstanding) to improve, are newly registered or have a change of ownership they may be classed as a ‘Developing’ setting and receive support from the LA Education Service.

The following information is taken from ‘Early Education and childcare statutory guidance for local authorities’ March 2017, and it forms our policy and procedure for supporting settings in Sefton.

***Outcome:*** *all children are able to take up their free hours in a high quality setting. Evidence shows that higher quality provision has greater developmental benefits for children, particularly for the most disadvantaged children leading to better outcomes. The evidence also shows that high quality provision at age two brings benefits to children’s development. This guidance reflects the Government’s intention that, as far as possible, free places are delivered by providers who have achieved an overall rating of ‘outstanding’ or ‘good’ in their most recent Ofsted inspection report.*

*The Local Authority should:*

*A3.3 Fund places for three- and four-year-old children at any provider judged ‘satisfactory’ (prior to 2014) or ‘requires improvement’ by Ofsted or at any childminder registered with a childminder agency judged ‘effective’ by Ofsted if a parent wants their child to take up their free place at that provider and the provider is willing to accept the local authority funding and any other local authority requirements (see also A4.9).*

*A3.10 Only fund places for two-year-old children in ‘satisfactory’ or ‘requires improvement’ providers where there is not sufficient, accessible ‘good’ or ‘outstanding’ provision.*

Sefton Early Years Service believes that high quality settings are key to children’s learning and development in the Early Years. When a setting receives a Requires Improvement or Inadequate grading from OFSTED it is our responsibility as an Early Years’ Service to ensure that the settings receive the correct support and challenge to improve. In addition it is important that children, especially our most vulnerable children, attend high quality settings with excellent staff who are sensitive to the needs of young children and can provide the best possible environment in which they thrive.

With the above in mind, it is sometimes necessary to withdraw the funding available to settings for children aged two and three. This is not a decision taken lightly and will only be applied when it is in the best interests of the children attending the setting.

Funding Panel Group

Settings will be reviewed following their OFSTED by the Funding Panel Group, which will meet each month. The Funding panel group will consist of:

* Early Years’ Service Manager
* Early Years Team Leader and/or Early Years SEND Team Leader
* Quality Improvement Officers (2)

**Settings who have been graded as Inadequate**

***Funding for new 2, 3 and 4 year olds will be withdrawn unless there are extenuating circumstances taking into consideration continuity of care which will be explored at the funding group meeting, this will be done on a case by case basis.***

In the case of an **inadequate judgement** from OFSTED from the point of notification to the LA, the local authority requires the Provider to take account of the points below:

* Provider must notify the Early Years Funding Team of the outcome from the OFSTED visit.
* Provider must engage with the ‘Quality Improvement Team’ on an agreed improvement action plan.
* Once the provider receives the Ofsted report, the provider should write to parents attending the setting giving notification on the outcomes of the inspection.
* Provider to write to families awaiting to commence a funded place to advise that the setting cannot provide funding to new 2YO or 3YO offer children until a subsequent Ofsted inspection has taken place and must have attained Good or Outstanding.
* The provider will receive a letter to clarify how they should proceed with their funding claims. Provider can continue to offer funded place to existing children but cannot offer places to new 2YO or 3YO offer children.

The local authority will ensure:

* The funding team will liaise with the Quality Improvement Officer with regards to the Providers engagement and improvement.
* If the provider has failed to adhere to the funding action plan within 6 weeks and there is no evidence of improvement or capacity to improve, a letter will be sent to the provider outlining the intention to withdraw funding for all children and instructing parents to be advised of this action so that they can make alternative arrangements to transfer to another funded setting.
* A member of the Early Years Team will contact the setting to support the brokerage of places for those families wanting to move provider.
* A final letter will be sent to the provider confirming that funding has been withdrawn and they have been withdrawn from Sefton’s register. Any financial settlements will be made where they have been unable to demonstrate their ability to improve quality.
* If the provider receives a consecutive Ofsted Inadequate judgement, funding will be withdrawn immediately.
* The provider will receive a letter to note that full funding has been reinstated if their next inspection judgement is Good or Outstanding. If the setting is regraded as requires improvement the protocol for RI will be followed.

**Settings have been graded as Requiring Improvement**

The OFSTED document ‘Early Education and childcare – Statutory guidance for local authorities’ states:

* ‘**Only fund** places **for two year old** children in satisfactory or requires improvement providers where there is **not sufficient**, accessible, ‘good’ or ‘outstanding’ provision
* **Fund place for three-and four-year-old** children at any provider judged ‘satisfactory’ (prior to 2014) or ‘requires improvement’ by Ofsted or at any childminder registered with a childminder agency judged ‘effective’ by Ofsted if a **parent wants their child** to take up their free place at the provider and the provider is willing to accept the Local Authority funding and any other Local Authority requirements.

***New 2 year olds accessing the 2YO offer will not be funded unless there are extenuating circumstances for example sufficiency of places, taking into consideration continuity of care which will be explored at the funding group meeting, this will be done on a case by case basis.***

In the case of an **Requires Improvement judgement** from Ofsted from the point of notification to the LA, the local authority requires the Provider to to take account of the points below:

* Provider must engage with the Quality Improvement Team on an agreed improvement action plan.
* Once the provider receives the Ofsted report, the provider should write to parents attending the setting giving notification on the outcome of the inspection.
* The provider will receive a letter to clarify how they should proceed with their funding claims.
* The provider can continue to offer new places to 3 and 4 year olds but cannot offer places to new funded 2YOs.
* The provider to write to families of 2YOs awaiting to commence a funded place to advise that the setting cannot provide funding to new 2YO children until a subsequent Ofsted inspection has taken place and must have attained either Good or Outstanding.

The local authority will ensure:

* The funding team will liaise with the Quality Improvement Officer with regards to the providers engagement and improvement.
* The provider will receive a letter to notify them that full funding has been reinstated if their next inspection judgement is Good or Outstanding

**Quality Improvement Team - Levels of support: Level 1 and Level 2.**

**Good/Outstanding settings with concerns over quality, capacity to improve and settings who are newly registered or have a change of ownership (Developing settings):**

This category 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 setting and the LA officer assigned to them (QIO) agree they may not achieve the good judgement if inspected by OFSTED. Additionally the setting may opened recently, or changed ownership and may need additional support in the period of time where the setting establishes itself. **Settings in this category will be able to access funding for vulnerable two year olds.**

**Inadequate or Requires Improvement settings:**

Following an OFSTED inspection outcome of Inadequate or Requires Improvement, Sefton LA Early Years’ Service will contact the setting to arrange a meeting with Senior leadership from the setting within 4 weeks of the OFSTED inspection date.

The Sefton Local Authority Lead and/or Quality Improvement Officer will identify to the setting which level of support will be offered. The amount of support offered will be appropriate to the need of the setting, however there will be a minimum of support offered that will be altered if necessary, depending on need and capacity.

**Level 1: High priority support – Settings with an Ofsted judgment of Inadequate or other Ofsted grade with concerns arising for deterioration or risk of change in grade.**

Settings receiving the Level 1 categorisation will receive as a minimum:

* Six half-day visits across the year, or until due an Ofsted inspection
* Provider engagement with Improvement Action Plan
* Attendance at core universal training offer and forums

Any additional support needs identified by the local authority officer or the setting will be considered, taking into account capacity of Quality Improvement Officers.

**Level 2: Medium priority Support – Settings with an Ofsted judgment of Inadequate or other Ofsted grade with concerns arising for deterioration or risk of change in grade.**

Settings receiving level 2 categorisation will receive as a minimum:

* Four half-day visits or twilights across the year- flexible to meet needs of setting at discretion of QIO officer.
* Provider engagement with Improvement Action Plan
* Attendance at core universal training sessions and forums
* Completion of QIT/Safeguarding tool

Any additional support needs identified by the local authority office or the setting will be considered, taking into account capacity of Quality Improvement Officers.

**Level 3: Low priority Support – Settings with an Ofsted judgment of good or outstanding Ofsted grade.**

Settings receiving level 3 categorisation will receive as a minimum:

* Two visits per year- 3 hours each – flexible to meet the needs of the setting but at the discretion of QIO officer.
* Attendance at core Universal training sessions and forums
* Completion of QIT/Safeguarding tool
* Provider engagement with Improvement Action Plan, where necessary

Any support needs identified by low priority setting will be communicated to the local authority and will require the use of the additional support request form.

***Any additional support needs identified by the local authority officer or the school/setting will be considered and delivery will be based on capacity.***