

# School inspection update

July 2018 | Issue: 14

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## Message to inspectors from the National Director, Education

Welcome to the 14th edition of 'School inspection update' (SIU).

In April, we held our spring conferences for around 1,600 school inspectors. Along with our autumn conferences, these events form part of our ongoing training to ensure the consistency, quality and reliability of our inspection practice. I shall share some of the topics covered this time in this edition.

Inspection is above all about human judgement. Therefore, the quality of Ofsted's work and our value as a force for improvement depend absolutely on the knowledge and expertise of our inspectors.

Sometimes, the public debate gets stuck at the level of inspection grades, especially the overall effectiveness judgement. But the professional conversations between inspectors and school leaders are where the greatest value in our work lies. When we get this right - and we usually do - our work is acknowledged as constructive, helpful and, occasionally, even enjoyable by those on the other side of the process.

With all this in mind, the single most important thing Ofsted can do is to make sure that all our inspectors are supported and well equipped – intellectually and practically – for the work we have to do. Our autumn and spring conferences are a central part of this preparation.

This year's conferences mainly focused on curriculum, what we've been finding out from our research work over the last 14 months or so, and specifically how a deeper understanding of what we mean by curriculum can inform our inspection practice. We also held sessions on all the different ways in which children fall out of mainstream education, and on careers education.

Our overall aim was to help inspectors evaluate how well a school's curriculum is designed and implemented, both within the context of the current Ofsted framework and school inspection handbook and, as we develop an even sharper focus on the curriculum, for the education inspection framework 2019 (EIF2019).

Most people are aware that we've been carrying out this curriculum research work. The next phase is well under way and we'll publish the findings from that in due course. Ultimately, all of this work is helping to shape the EIF2019, to be applied

from September 2019. Until then, there is no change to the weighting given to the curriculum or how we reach our judgements.

In view of the revised framework for 2019, there will be no major changes to our section 5 and section 8 handbooks for September 2018.

In line with the recent speeches on reducing workload by the Secretary of State<sup>1</sup> and Her Majesty's Chief Inspector (HMCI)<sup>2</sup> at the Association of School and College Leaders (ASCL) Annual Conference, we have been reviewing our 'clarification for schools' topics with professional associations and the Department for Education (DfE) to ensure schools are clear on what we look at, and do not look at, on inspection.

In this edition of SIU, we provide:

- information on the revised inspection timings for good, requires improvement and inadequate schools
- guidance about what inspectors should do where they identify safeguarding concerns about children absent from school
- guidance on what should be looked at on inspection from September 2018 regarding the English Baccalaureate (EBacc) in schools
- information on the DfE's newly published guidance on gender separation in mixed schools
- guidance on focusing on groups of pupils on inspection
- clarification on inspecting religious education (RE) and collective worship
- clarification on assessing achievement in foundation subjects in primary schools
- guidance on informing governors about an inspection
- school performance data systems – third party suppliers
- guidance on changes to statutory assessment for key stages 1 and 2.

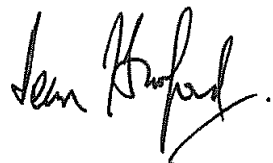
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<sup>1</sup> [www.gov.uk/government/news/damian-hinds-sets-out-plans-to-help-tackle-teacher-workload](http://www.gov.uk/government/news/damian-hinds-sets-out-plans-to-help-tackle-teacher-workload)

<sup>2</sup> [www.gov.uk/government/speeches/amanda-spielmanns-speech-at-the-ascl-annual-conference-2018](http://www.gov.uk/government/speeches/amanda-spielmanns-speech-at-the-ascl-annual-conference-2018)

Finally, as the end of the academic year is fast approaching, I would like to thank you for all the work you have done this year for Ofsted on behalf of Her Majesty's Chief Inspector and I hope you have a relaxing summer break when it comes.

Best wishes

A handwritten signature in black ink, which appears to read "Sean Harford". The signature is fluid and cursive, with a prominent initial "S".

**Sean Harford HMI**  
**National Director, Education**

## Inspection timings of good, requires improvement and inadequate schools

The following changes have been made to provide more flexibility in the inspection timings for schools judged as good, requires improvement or inadequate at their previous section 5 inspection:

- Schools judged as good will normally receive a one-day short inspection, carried out under section 8, approximately every **four** years, as long as the education remains good at each short inspection.<sup>3</sup>
- Schools judged as 'requires improvement' will be re-inspected under section 5 usually within 30 months after the publication of the section 5 report.
- Schools judged as inadequate and not subject to an academy order will normally be re-inspected within 30 months after the publication of their previous section 5 report. However, the ambition should still be for inadequate schools to improve and come out of a category of concern, special measures or serious weaknesses, within 24 months. Re-inspecting inadequate schools at 30 months should be the exception, but there is flexibility for giving schools longer, where appropriate, for example to improve to 'good'.

## Safeguarding concerns about children absent from school

In March 2018, City and Hackney Safeguarding Children Board published a serious case review of the tragic case of Chadrack Mbala-Mulo, a four-year-old boy who had learning difficulties and lived alone with his mother, who suffered from epilepsy. His mother died unexpectedly at home in early October 2016 and Chadrack did not know how to call for help or feed himself properly. He died a fortnight later of dehydration and starvation. The review report has important messages for schools and other local agencies about thinking safeguarding and acting promptly when a child is unexpectedly absent from school. The report is available here:

[www.chscb.org.uk/?s=chadrack](http://www.chscb.org.uk/?s=chadrack).

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<sup>3</sup> Some of these good schools will automatically receive a full section 5 inspection instead of a short inspection when risk assessment information shows that the quality of provision may have deteriorated significantly, or where the school has undergone a significant change, such as changing its age range.

As a result of this review, the DfE guidance, 'Keeping children safe in education'<sup>4</sup> has been updated from September 2018 as follows:

'Where reasonably possible, schools and colleges should hold more than one emergency contact number for each pupil or student. This goes beyond the legal minimum and is good practice to give the school or college additional options to make contact with a responsible adult when a child missing education is also identified as a welfare and/or safeguarding concern.'

## Implications for inspectors

It is important that inspectors are alert to the risks that children may face when they are missing or absent from school. Children who do not attend school can become hidden, which means that agencies are less able to help and protect them. Some of these children may experience risks within their family, such as abuse and neglect.

Ofsted's inspections of schools will continue to focus strongly on children who are missing or not being educated in school as part of assessing the effectiveness of schools' safeguarding arrangements. When inspectors have concerns, these should be followed up in accordance with the guidance '[Inspecting safeguarding in early years, education and skills settings](#)'.

## Implementing the English Baccalaureate (EBacc) in schools – what inspectors will be looking at on inspection from September 2018

At the Wellington Festival of Education, the Chief Inspector outlined the importance of Ofsted inspecting and reporting on the real substance of education: the curriculum (see the full text of the speech [here](#)).

Inspectors should always discuss the curriculum with school leaders during inspection. This will help them to understand what drives the school's approach and to establish the extent to which leaders are ambitious for all pupils to succeed. As part of this conversation, it is important that inspectors continue to bear in mind that, as HMCI said at Wellington, the curriculum does not merely mean the national curriculum or a set of GCSE subjects. It also includes schools' wider provision for pupils' spiritual, moral, social and cultural development.

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<sup>4</sup> [www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2)

At the heart of an effective curriculum is a strong academic core: the English Baccalaureate (EBacc). The government's response to its EBacc consultation, published in July 2017, confirmed that the vast majority of pupils should be expected to study the EBacc (see our previous update on this topic [here](#)). It is therefore the government's ambition that 75% of Year 10 pupils, in state-funded mainstream schools, should be starting to study EBacc GCSE courses nationally by 2022 (taking their exams in 2024), rising to 90% by 2025 (taking their exams in 2027). It is important that inspectors understand what schools are doing to prepare for this ambition to be achieved. However, inspectors will not expect school leaders to have developed and to present separate plans about EBacc, or to provide additional information outside of their normal curriculum planning.

## Implications for inspectors

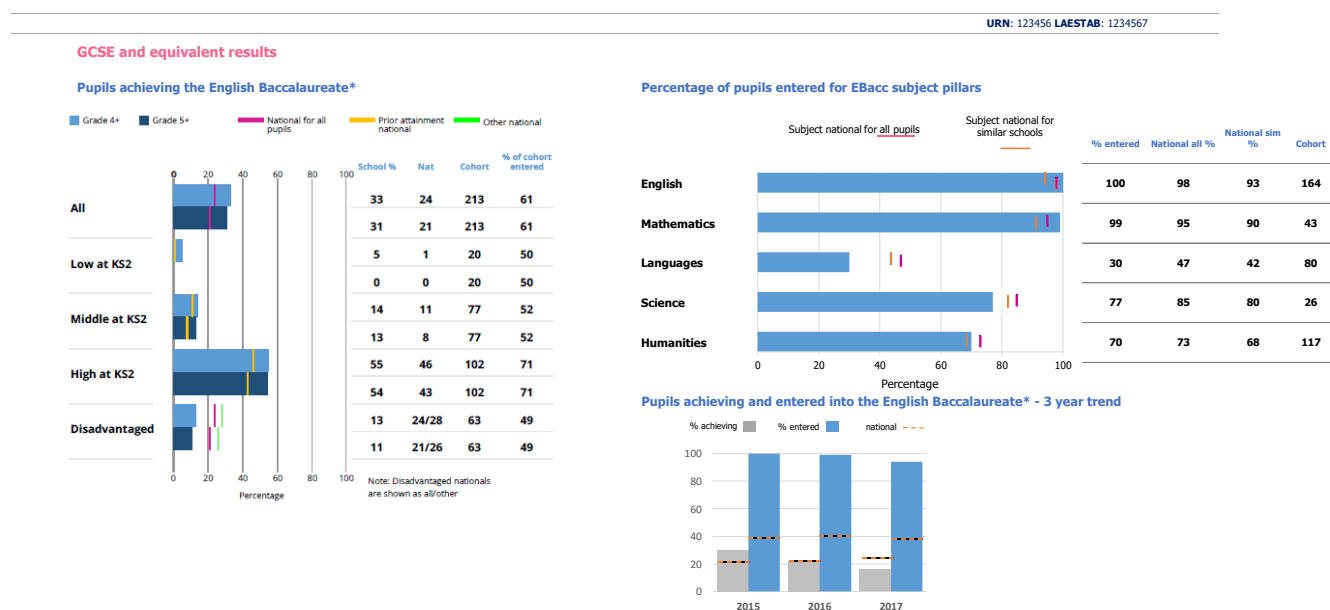
From September 2018 onwards, as part of inspectors' discussions with leaders about their curriculum vision and ambition for their pupils, inspectors must always ask school leaders whether they are aware of the government's ambition for the vast majority of pupils to study the EBacc, and what they are planning and doing to reflect the EBacc subjects and ambition in their curriculum.

Inspectors will want to explore whether consideration has been given to planned changes to the curriculum for 2018/19 and beyond. For example, does the school's vision for its curriculum facilitate a rich and ambitious programme for all pupils, including the presumption of them studying a modern foreign language and history or geography? Inspectors should bear in mind that the outcome of the EBacc consultation was published in July 2017, and so schools may not have been cognisant of the government's ambition in planning for 2017/18, but should have a plan for contributing to it from 2018/19.

Please note, under the common inspection framework, Ofsted will not be setting any particular thresholds within the government's EBacc measures to determine inspection outcomes (for example, that only schools with over a certain proportion of pupils entered for the EBacc can achieve 'good' or 'outstanding' grades). However, consideration will be given as to whether a school is providing a good quality of education, signified by the strong academic core that EBacc provides.

In addition, inspectors will not expect all schools to be at similar stages of EBacc implementation, nor under the common inspection framework will inspectors pay particular attention to where the school is currently. There is no benchmark or single route to the successful implementation of a curriculum with the EBacc at its core, although inspectors will evaluate how a school's curriculum plans contribute to the government's ambition.

In order to support inspectors in the conversation with school leaders, the inspection data summary report (IDSR) is being updated to include additional information about EBacc subjects. This will indicate whether there are particular subjects that are a barrier to the school performing well against the EBacc measures. For example, if entries for modern foreign languages are low, the IDSR will draw attention to this being one of the barriers to the school improving its EBacc performance. Similarly, in the humanities pillar, if there were low entries in history and/or geography, this will be identified. These points will be reflected in the IDSR areas to investigate. A screenshot of the core information that the IDSR is likely to include from September is shown below.



The EBacc ambition does not apply to all types of schools. Inspectors should note that university technical colleges (UTCs), studio schools, further education colleges with key stage 4 provision, special schools and alternative provision will not be included in the government's calculations of the EBacc ambition, as it would not be appropriate to expect the same rates of EBacc entry as mainstream schools.

Finally, inspectors should note that a new EBacc average point score will replace the current attainment measure (Attainment 8) for exams taken in 2018 onwards. Details of this and how attainment will be measured can be found [here](#). DfE already includes EBacc entry in the performance tables for schools and in Analyse School Performance (ASP).

## Gender separation in mixed schools

The DfE has recently published non-statutory guidance on gender separation in mixed schools [here](#). This guidance, which applies to publicly funded and independent schools, follows the Court of Appeal's judgment in the Al-Hijrah School case and will support schools on what is expected of mixed schools.

Schools should not generally separate pupils by reference to protected characteristics such as sex, race or faith while at school. Any separation by reference to a protected characteristic is likely to give rise to unlawful discrimination unless permitted by the specified exceptions in the Equality Act 2010. Details are set out in the guidance. Any school that continues to separate pupils against the guidance is in breach of the law, and this will be reported where these schools are inspected.

### Implications for inspectors

Inspectors should familiarise themselves with the DfE's guidance and be mindful of this if they come across any separation of pupils when inspecting mixed schools. If inspectors consider that a school may be operating unlawfully in separating pupils, the lead inspector should call the regional duty desk to discuss and seek advice. HMI on the regional duty desk should liaise with the Schools Policy Team.

## Focusing on groups of pupils on inspection

As set out in our September 2017 special edition, we have reviewed our approach to looking at the performance of groups in schools this year. Inspectors are reminded that over-focusing on the performance of groups, including small groups, when the data are less than robust, can result in schools taking actions with individual groups when effort would be better spent on approaches that have an impact for all pupils.

### Implications for inspectors

We will continue to inspect and report on the performance of these pupils where appropriate, but inspectors must be cautious if making any inferences about underperformance of small numbers of pupils in schools in any group, especially when there are intersections between these groups. We know that particular sub-groups can be far too small for leaders or inspectors to state with confidence that there is underperformance.

Inspectors should talk to leaders about the quality of teaching, behaviour and the design and delivery of the curriculum to examine why there may be underperformance for some pupils. It is crucial for inspectors to get to the essence



of the daily experience of pupils across the curriculum before they make judgements about the performance of pupils in sub-groups.

## Clarification on inspecting religious education (RE) and collective worship

Following publication of the March 2018 edition of this newsletter, we have been asked to clarify the position for the inspection of voluntary controlled schools designated as having a religious character.

Ofsted does not inspect the content of collective worship in voluntary controlled schools designated as having a denominational religious character. This is covered by the separate inspection that is arranged through the relevant religious authority: section 48 inspections. Ofsted Inspectors may, however, look at the content of religious education (RE). This is because voluntary controlled schools follow the Local Authority Agreed RE Syllabus of the LA in which they are located. This is different to the position for voluntary aided schools, which deliver denominational RE.

## Early years staffing ratios – a reminder

We have recently had a few queries about how schools meet the ratio requirements in the 'Statutory framework for the early years foundation stage' (EYFS) [www.gov.uk/government/publications/early-years-foundation-stage-framework--2](http://www.gov.uk/government/publications/early-years-foundation-stage-framework--2).

The Department for Education (DfE) set the staff ratio requirements in the EYFS for different types of providers, including maintained nursery classes and Reception classes. There is some **flexibility** in how a school meets the ratios for early years children due to a number of requirements, including 3.30 and 3.39.

- 3.30 explains that '*Exceptionally, and where the quality of care and safety and security of children is maintained, changes to the ratios may be made*'.
- 3.37 and 3.38 set out the requirements for maintained nurseries and nursery classes in maintained schools. These requirements refer to school legislation for definitions of 'school teacher' and 'infant class size legislation'.
- 3.35 and 3.36 set out the requirements for independent schools and academies. These refer to having a person with QTS, EYPS, EYTS or another suitable level 6 qualification.
- 3.39 explains that '*Some schools may choose to mix their reception classes with groups of younger children (nursery pupils, non-pupils or younger children from a registered provider), in which case they must determine ratios within mixed groups, **guided by all relevant ratio requirements and by the needs of individual children within the group.** In*

*exercising this discretion, the school must comply with the statutory requirements relating to the education of children of compulsory school age and infant class sizes. Schools' partner providers must meet the relevant ratio requirements for their provision'.*

The onus is on the school to demonstrate how they are '**guided by**' relevant ratios and comply with statutory requirements relating to the education of children of compulsory school age while being able to meet all children's individual needs. Overall responsibility rests with those responsible for governance of the school (for example governing body/board of trustees/proprietor).

## Implications for inspectors

At inspection, inspectors should consider whether the school's staffing arrangements meet the needs of all children. They should not make a determination on the school's arrangements but consider any adverse impact on the quality of care and education when determining judgements. For example, the arrangements may show that leaders and/or staff have a poor understanding of how to promote children's learning and development, resulting in weak teaching that is not matched to children's needs.

## Clarification on 'tracking' subjects in primary schools

Inspectors are reminded that Ofsted has no expectation about how primary schools should be carrying out assessment or recording of pupils' achievements in any subjects, including foundation subjects. Use of the word 'tracking' in inspection reports is problematic as it can suggest that some form of numerical data is required, when there is no such requirement, even in English and mathematics. Schools will not be marked down because they are not 'tracking' science and foundation subjects in the same ways they may be doing so in English and mathematics. This clarification will be added to our 'Clarification for schools' section of the 'School inspection handbook', effective from September 2018.

## Informing governors about an inspection

It has been brought to our attention that some schools have not informed all of their governors/trustees about the inspection of their school, nor invited them to meet inspectors during the inspection.

Inspectors should make clear to the headteacher, at the start of the inspection, that all governors/trustees must be informed of the inspection and that arrangements should be made for inspectors to meet the chair of governors/chair of the board of trustees and as many governors/trustees as possible during the inspection, and that as many governors/trustees as possible should also be invited to attend the final feedback meeting.

## School performance data systems - third party suppliers

Schools and multi-academy trusts often have their own systems, beyond the inspection data summary report (IDSR) and Analyse School Performance (ASP), for analysing their performance data in detail. There are also a number of companies who provide systems to which schools can subscribe.

The September 2017 edition of 'School inspection update' highlighted that there are eight suppliers accredited by the DfE to receive school performance data. These are listed at:

[www.contractsfinder.service.gov.uk/Notice/0af29078-7e1d-4d53-8b72-1c6f2889b431](http://www.contractsfinder.service.gov.uk/Notice/0af29078-7e1d-4d53-8b72-1c6f2889b431)

In addition, there are other companies who provide information such as estimates of Progress 8, estimates of progress between key stage 3 and key stage 4, and destinations data.

### Implications for inspectors

Inspectors are often presented with progress and assessment data during inspection. We think it will be helpful to inspectors to have a familiarity with the strengths, weaknesses and how to interpret the common outputs of those systems. Training and guidance will be made available to inspectors during the autumn about the information these systems provide, and how Ofsted's analysts in Data & Insight can help support their understanding of external data systems.

## Changes to statutory assessment for key stage 1 and key stage 2

Following a public consultation last year, the DfE has published new pre-key-stage standards for pupils who have special educational needs and who are following a subject-based curriculum. These will replace the previous 'P scales' from 2018/19 onwards.

For pupils who are not following a subject-based curriculum, schools will continue to use the 'P scales' in 2018/19. The DfE is currently piloting a new approach for this group, recommended by the Rochford review. The new arrangements will be implemented from 2019/20 onwards.

The pre-key stage standards have been developed with teachers and a range of other education experts and will help ensure these pupils are better supported to transition onto the national curriculum, when and if they are ready to do so. This will also give schools the information they need to make sure that these children are

realising their full potential, giving them the freedom to develop their own curriculum and assessments to meet the needs of their pupils.

For more information, see the [key stage 1](#) and [key stage 2](#) pre-key-stage standards.

## **Recent useful publications/announcements relevant to inspections**

### **Keeping children safe in education: for schools and colleges**

In March 2018, the DfE published a revised version of its guidance, 'Keeping children safe in education' (KCSIE), to come into effect from September 2018. The DfE is also reviewing its guidance, 'Working together to safeguard children', following a consultation in April, which may involve further revisions to KCSIE.

The guidance is available at the following link:

[www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2).

### **Sexual violence and sexual harassment between children in schools**

Advice for schools and colleges on how to prevent and respond to reports of sexual violence and harassment between children was published in December 2017.

The advice is available at the following link:

[www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges](http://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges).

### **Update to the DfE's guidance on what maintained schools must publish online**

The DfE's guidance on information that schools maintained by their local authorities must publish on their websites was updated in May 2018.

The guidance is available at the following link:

[www.gov.uk/guidance/what-maintained-schools-must-publish-online](http://www.gov.uk/guidance/what-maintained-schools-must-publish-online).

## **Update to the DfE's guidance on what academies, free schools and colleges must publish online**

The DfE's guidance on information that academies, including 16 to 19 colleges and any educational institution that has academy arrangements, should publish on their websites was updated in May 2018.

The guidance is available at the following link: [www.gov.uk/guidance/what-academies-free-schools-and-colleges-should-publish-online](http://www.gov.uk/guidance/what-academies-free-schools-and-colleges-should-publish-online).

## **Approaches to preventing and tackling bullying**

The DfE commissioned a qualitative research report, produced by CooperGibson Research, which explores current anti-bullying practice in 15 educational institutions in England.

The report provides details of common strategies that schools reported to be effective for combating bullying along with more detailed case studies that outline practical actions taken by the schools.

The report is available on the following link: [www.gov.uk/government/publications/approaches-to-preventing-and-tackling-bullying](http://www.gov.uk/government/publications/approaches-to-preventing-and-tackling-bullying).

## **Longitudinal study of young people in England: cohort 2, wave 3 – bullying research brief**

The DfE has produced a new research brief which examines the prevalence and nature of bullying. It followed a cohort of young people through school and compared their responses to those given by an earlier cohort at the same stage of education.

The research is based on data from the second Longitudinal Study of Young People in England (LSYPE2) and shows:

- statistics on different types of reported bullying
- the results for pupils with different characteristics

The research brief is available on the following link: [www.gov.uk/government/publications/longitudinal-study-of-young-people-in-england-cohort-2-wave-3](http://www.gov.uk/government/publications/longitudinal-study-of-young-people-in-england-cohort-2-wave-3).

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