

DRAFT FOR CONSULTATION – January 2019

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On 14 May 2019 Ofsted launched a new [education inspection framework](#) for September 2019.

Non-association independent school inspection handbook

Handbook for inspecting non-association independent schools in England under section 109(1) and (2) of the Education and Skills Act 2008

Draft for January 2019 consultation

DRAFT

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Corporate member of
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Committed to clearer communication

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Introduction

1. This handbook describes the main activities undertaken during inspections of non-association independent schools in England under section 109(1) and (2) of the Education and Skills Act 2008.¹ It sets out the evaluation criteria that inspectors use to make their judgements and on which they report. These include the extent to which the school meets the requirements of the Education (Independent School Standards) Regulations 2014 (referred to as the independent school standards).²
2. This handbook is primarily a guide for inspectors on how to carry out school inspections. However, it is made available to schools and other organisations to ensure that they are informed about the processes and procedures of inspection. It attempts to balance the need for consistency in inspections with the flexibility needed to respond to the individual circumstances of each school. This handbook should not be regarded as a set of inflexible rules, but as an account of the procedures of inspection. Inspectors will apply their professional judgement when using this handbook. It applies to school inspections to be carried out from September 2019 under the EIF.³
3. The handbook has three parts:
 - Part 1. How non-association independent schools (referred to as schools) will be inspected.
This contains information about the process before, during and after the inspection.
 - Part 2. The evaluation schedule.
This contains the evaluation criteria inspectors use to make the graded judgements about schools. It includes the kinds of evidence used and activities carried out by inspectors to make their judgements.
 - Part 3. Applying the 'Education inspection framework' (EIF) in different contexts. This contains guidance on how to apply the EIF in specific contexts and provisions.
4. This handbook applies to standard inspections. It does not cover the range of additional inspections that Ofsted undertakes of independent schools: emergency, progress monitoring, pre-registration and material change

¹ Education and Skills Act 2008; www.legislation.gov.uk/ukpga/2008/25/contents.

² The Education (Independent School Standards) Regulations 2014; www.legislation.gov.uk/uksi/2014/3283/contents/made as amended by the Independent Educational Provision in England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018; <http://www.legislation.gov.uk/uksi/2018/901/contents/made>.

³ 'Education inspection framework', Ofsted, 2019; www.gov.uk/government/publications/education-inspection-framework-draft-for-consultation.

inspections. Guidance on these inspections is available in the 'Handbook for additional inspections of non-association independent schools'.⁴

Privacy notice

5. During inspection, inspectors will collect information about staff and children at the school by looking at school records, responses to the pupil survey and responses to the staff survey where appropriate, and by observing the everyday life of the school. Ofsted uses this information to prepare its report and for the purposes set out in its privacy policy.⁵ Ofsted will not record any names or publish any information that identifies an individual in the report, but it may be possible for individuals to be identified from the information we publish. We may name the headteacher and the proprietor.
6. Paragraph 32(1)(g) of the independent school standards sets out the requirements on proprietors for the provision of information: 'any information reasonably requested in connection with an inspection under section 109 of the 2008 Act which is required for the purposes of the inspection is provided to the body conducting the inspection and that body is given access to the school's admission and attendance registers'.
7. In the vast majority of settings, Ofsted will gather evidence electronically using a range of devices, including laptops, mobile telephones and tablets. All evidence is securely transferred to Ofsted's systems. Ofsted inspectors may take photographs of pupils' work. These will be stored as evidence but not retained by the inspector personally.

⁴ 'Handbook for additional inspections of independent schools', Ofsted, 2019;

www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools.

⁵ 'Schools: Ofsted privacy notice', Ofsted, June 2018;

www.gov.uk/government/publications/ofsted-privacy-notice/schools-ofsted-privacy-notice.

Part 1. How schools will be inspected

What are the legal requirements for the inspection of schools?

How schools are selected for inspection

8. All independent schools are inspected at the direction of the Department for Education (DfE), which is the registration authority for independent schools. Therefore, Ofsted may be asked to inspect an independent school at any time. This might occur, for example, where the DfE has particular concerns about a school.
9. The EIF and this handbook set out the arrangements for standard inspections of independent schools carried out from September 2019.
10. These inspections are carried out under section 109(1) and (2) of the Education and Skills Act 2008.
11. All schools have a unique reference number (URN). Any institution with its own URN that Ofsted inspects will receive an inspection report after each inspection.

Frequency of inspections

12. All schools received a standard inspection within three years from September 2015. A new three-year cycle of standard inspections began in September 2018.
13. Schools that are judged as requires improvement or inadequate will normally have a standard inspection within two years of the previous standard inspection.⁶
14. The DfE may commission Ofsted to carry out a progress monitoring inspection when a school has failed to meet all of the independent school standards. Therefore:
 - all schools that are judged to be inadequate normally receive a progress monitoring inspection before their next standard inspection
 - schools that are judged as requires improvement following a standard inspection may also receive a progress monitoring inspection before their next standard inspection.⁷

⁶ This applies to all schools judged as requires improvement or inadequate in inspections since January 2015.

⁷ Ibid.

15. The purpose of the progress monitoring inspection is for inspectors to judge whether the school has addressed any un-met independent school standards and the issues identified at the previous standard inspection.
16. On a progress monitoring inspection of a school that was judged as requires improvement but met all the independent school standards, inspectors will judge whether the school continues to comply with the standards relating to the issues identified at the previous standard inspection.
17. Guidance on progress monitoring inspections is available in the 'Handbook for additional inspections of independent schools'.⁸

Carrying out additional inspections as part of a standard inspection

18. The DfE may commission Ofsted to conduct an additional inspection as part of a standard inspection. It may commission Ofsted to consider a school's application to make a material change to its registration, a school's progress in implementing its action plan and in meeting un-met independent school standards, or issues raised by a complaint or other issue about a school, as part of a standard inspection. The DfE will request this in an inspection commissioning form.
19. Similarly, if the DfE commissions Ofsted to carry out an additional inspection and a standard inspection is already scheduled to take place in the same or next term, Ofsted may recommend to the DfE that the additional inspection be carried out as part of the standard inspection.
20. In both cases, the 'additional matters' will normally be considered as part of the standard inspection in a single inspection. Ofsted will typically report on the 'additional matters' to the DfE in the report for the standard inspection and complete one independent school standards compliance record. The report will clearly set out the legislative basis for both inspection types and the reason for the additional inspection. The report will be published on the Ofsted website.⁹ However, there may be occasions – such as when a progress monitoring inspection is commissioned with a standard inspection – when two reports are written and published on the Ofsted website. This is in order to ensure that the progress against previously unmet standards is reported clearly to the DfE.

New schools

21. Proprietors who want to open a new school must apply to the DfE for registration. They are asked to supply the information set out in section 98 of the Education and Skills Act 2008 and The Independent Educational Provision in

⁸ 'Handbook for additional inspections of independent schools', Ofsted, 2019;

www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools.

⁹ <http://reports.ofsted.gov.uk>.

England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018.¹⁰

22. The Education and Skills Act 2008 requires Ofsted to carry out a pre-registration inspection of a prospective school before it opens, when commissioned to do so by the DfE. Inspectors consider the written evidence supplied in the school's application to the DfE before the pre-registration inspection is made to the school to advise the Secretary of State about the school's readiness for registration. Schools must not begin operating until they are registered.¹¹ Following a pre-registration inspection, the inspector reports to the DfE about the extent to which the independent school standards are likely to be met. From the summer term 2018, these reports have been published on the Ofsted website and made available to the school. The decision on whether or not to register the school lies with the DfE.
23. Once registered, new schools receive their first standard inspection in their first year of operation. These reports are also published on the Ofsted website.¹²

Schools requesting an inspection

24. Unlike other schools inspected under the EIF, independent schools are not able to request an inspection outside of the usual inspection cycle, as set out above.

Inspection fees

25. Schools are charged a fee for standard, pre-registration and progress monitoring inspections. The fees are set out in The Independent Educational Provision in England (Inspection Fees) and Independent School Standards (Amendment) Regulations 2018, which came into force on 1 April 2018.¹³

Using evidence from standard inspections

26. Ofsted may collect evidence on other aspects of provision through standard inspections and use it for national reporting.

¹⁰ The Independent Educational Provision in England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018; www.legislation.gov.uk/uksi/2018/901/contents/made.

¹¹ 'Registration of independent schools', DfE, 2016; www.gov.uk/government/publications/independent-school-registration.

¹² <http://reports.ofsted.gov.uk>.

¹³ The Independent Educational Provision in England (Inspection Fees) and Independent School Standards (Amendment) Regulations 2018; www.legislation.gov.uk/uksi/2018/205/regulation/1/made.

Boarding or residential provision

27. Where boarding provision in boarding schools has been judged inadequate or requires improvement, it is inspected again within two years. Where the boarding provision has been judged good or outstanding, it will be inspected within three years. Residential provision in residential special schools is inspected annually. We may inspect the boarding or residential provision sooner, for instance if we have a cause for concern, or at the request of the DfE.
28. An inspection of boarding or residential provision in a boarding or residential special school will be integrated with the school inspection, where possible.¹⁴ Integrated inspections cannot be carried out when inspection cycles do not coincide. In such cases, we will only inspect the boarding or residential provision.¹⁵

Separately registered childcare provision

29. Early years or childcare provision of more than two hours a day that is not managed by the school's proprietor/governing body must normally be registered with Ofsted. If provision managed directly by the school's proprietor/governing body includes care for children under two years old, or if no child attending is a pupil of the school, it must be registered with Ofsted. Provision registered in this way is not inspected as part of an inspection of the school.

When can an inspection take place?

30. Inspection can take place at any point from five school days after the first day pupils attend that term. For example, if pupils return to school on a Wednesday, inspection can take place as early as the following Wednesday.

Before the inspection

Clarification for schools

31. The information below confirms facts about Ofsted's requirements. This is to dispel myths about inspection that can result in unnecessary workload in schools. It is intended to highlight specific practices that Ofsted does not require.

¹⁴ See the 'Evaluating the quality of boarding and residential provision in schools' section in this handbook for further information.

¹⁵ The boarding/residential provision will be inspected under the Children Act 1989, as amended by the Care Standards Act 2000, having regard to the appropriate national minimum standards. The inspection will follow 'Social care common inspection framework (SCCIF): boarding schools and residential special schools', Ofsted, March 2018; www.gov.uk/guidance/social-care-common-inspection-framework-sccif-boarding-schools.

32. Ofsted **will**:

- take a range of evidence, including that held in electronic form, into account when making judgements. This will include official national data, discussions with leaders, staff and pupils, questionnaire responses and work in pupils' books and folders
- judge all schools fairly, irrespective of their approach to the curriculum. They will assess a school's curriculum favourably when leaders have built a curriculum with appropriate coverage, content, structure and sequencing and implemented it effectively
- expect the school to provide the policies and all other documents required by the independent school standards in English
- report on any failure to comply with the independent school standards
- encourage the school to invite as many governors and as many members of the proprietorial body as possible to meet inspectors during an inspection
- expect the proprietor(s) and the person(s) responsible for the day-to-day operation of the school to be present during the inspection. Without meeting these individuals, inspectors may not be able to gather sufficient evidence in order to judge whether the school meets paragraph 34(1) of the independent school standards, which concerns the quality of leadership and management.

33. Ofsted **will not**:

- grade individual lessons
- provide evidence from any lesson observation that should be used in capability/disciplinary proceedings or for the purposes of performance management
- create unnecessary workload for teachers through its recommendations
- routinely check personnel files, although it may look at a small sample
- advocate a particular method of planning, teaching or assessment; it is up to schools themselves to determine their practices and it is up to leadership teams to justify these on their own merits rather than by referring to this handbook.

34. Ofsted **does not** require schools to provide:

- evidence in any specific format, as long as it is easily accessible for inspectors
- evidence for inspection beyond that set out in this handbook
- photographic evidence of pupils' work (although inspectors may request to take photographs of pupils' work)
- any written record of teachers' oral feedback to pupils

- individual lesson plans
- previous lesson plans
- predictions of attainment and progress scores
- assessment or self-evaluation, other than that which is already part of the school's business processes
- performance and pupil-tracking information
- monitoring of teaching and learning and its link to teachers' professional development and the teachers' standards, other than that which is already part the school's normal activity
- specific details of the pay grade of individual teachers who are observed during inspection
- anonymised lists of teachers who meet or do not meet performance thresholds for pay progression
- processes for the performance management arrangements for school leaders and staff.

35. Ofsted **does not** require schools to:

- do additional work or to ask pupils to do work specifically for the inspection
- carry out a specified amount of lesson observation
- use the Ofsted evaluation schedule to grade teaching or individual lessons
- ensure a particular frequency or quantity of work in pupils' books or folders
- include targets relating to the proportion of good or better teaching in the headteacher's objectives
- set teachers' performance targets based on commercially produced predictions of pupils' achievement, or any other data set, from which it would then hold teachers to account
- retrospectively apply for references for staff appointed before and continuously employed since the introduction of the Disclosure and Barring Service requirements
- take any specific set of steps with regard to site security; in particular, inspectors do not have a view about the need for perimeter fences
- carry out assessment or record pupils' achievements in any subject in a specific way, format or time
- use any particular format for policies relating to staff behaviour or have a separate code of conduct document
- produce a self-evaluation document or summary in a particular format. Any assessment that is provided should be part of the school's business processes and not be generated solely for inspection purposes.

36. Ofsted **does not** specify:

- how planning should be set out, the length of time it should take or the amount of detail it should contain
- that tutor groups/form time must include literacy, numeracy or other learning sessions
- the frequency, type or volume of marking and feedback
- the content of, or approach to, headteacher and staff performance management
- the format in which staff records should be maintained, beyond existing legal requirements.

Inspectors' planning and preparation

37. The lead inspector, and in the case of integrated inspections the lead social care regulatory inspector, will prepare for the inspection by gaining an overview of the school's recent performance and any changes since the previous inspection. They will check compliance with aspects of the independent school standards where that is possible before an inspection (such as in relation to provision of information).¹⁶ They carry out this activity before they arrive at the school on the first day of the inspection. The lead inspector will use all available evidence to develop an initial picture of the school's performance. Their planning will be informed by analysis of:

- all relevant information held by Ofsted, including:¹⁷
 - inspection reports on the school, which may include boarding and early years inspection reports
 - any reports resulting from additional inspections carried out since the last standard inspection, in particular emergency inspections¹⁸
 - the findings of any recent Ofsted survey
 - any complaints made about the school¹⁹
 - replies to questionnaires

¹⁶ All planning activity will be recorded on evidence forms and will contribute to the summary evaluation form for the inspection.

¹⁷ Inspectors should refer to the case records which are uploaded to the pre-inspection documents for use during preparation. These provide a comprehensive summary of Ofsted's knowledge of, and interaction with, an independent provider.

¹⁸ Information on additional inspections is contained in the 'Handbook for additional inspections of independent schools', Ofsted, 2019; www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools.

¹⁹ All complaints received by Ofsted in regards to independent schools are referred on to DfE in a timely manner, 'Memorandum of understanding between Ofsted and DfE: independent schools', Ofsted, 2016; www.gov.uk/government/publications/memorandum-of-understanding-independent-schools.

- information on our provider information portal
 - information on the school's website, including:
 - the presence of the safeguarding policy, as required by the independent school standards
 - the suitability of the safeguarding policy, taking into account current government requirements
 - curriculum information (so the lead inspector can start to assess the breadth and balance of the school's curriculum and whether it is likely to promote preparation for, and an appreciation of, life in modern Britain)
 - information provided by the DfE, in particular any specific focus for the inspection, in the inspection commissioning form, where the DfE has commissioned:
 - the inspection to be brought forward
 - an additional inspection that will form part of the standard inspection
 - any complaints from parents or members of the public that the DfE has asked Ofsted to consider as part of the inspection
 - the school's census returns
 - information on the school's registration status as recorded on the DfE's register 'Get information about schools',²⁰ such as the number and age range of pupils that the school is registered to take, the name of the proprietor and whether the school is 'section 41 approved'²¹
 - the Tier 4 register of licensed sponsors²²
 - information from any other connected providers (which will be triangulated with evidence gathered during the inspection): this may include registered early years provision or, if the proposed school is part of a chain of independent schools, any relevant information from recent inspections of these schools, such as any reported evidence about the suitability and capability of the proprietor
 - any other information publicly available or available from relevant stakeholders such as local authorities and the police.
38. The lead inspector will also check compliance with aspects of the independent school standards where that is possible before an inspection (such as in relation to part 6 of the standards, 'provision of information').

²⁰ <https://get-information-schools.service.gov.uk/> [https://get-information-schools.service.gov.uk.](https://get-information-schools.service.gov.uk/)

²¹ A registered independent school can be approved by the Secretary of State under section 41(1) of the Children and Families Act 2014 to enable the school 'to be the subject of a request for it to be named in an EHC plan'; www.legislation.gov.uk/ukpga/2014/6/section/41.

²² <https://www.gov.uk/government/publications/register-of-licensed-sponsors-students>
www.gov.uk/government/publications/register-of-licensed-sponsors-students.

39. The lead inspector must find out the identity of the school's proprietor before the inspection starts. This can be confirmed by looking at the previous inspection report, the current 'Get information about schools' record for the school, the school's last census returns and the school's website, if one exists (this may have a section that describes governance arrangements). Any discrepancies between 'Get information about schools' and other sources will be recorded in the evidence base and followed up on inspection.
40. If a registered school has relocated its main or sole site into a different local authority area, the DfE's policy position is that the school will not be treated as a new entity. However, the DfE will change the school's registration number, and consequently the school's URN. Therefore, the lead inspector will refer to the inspection history relating to the school's previous registration.
41. There may be other relevant information that is in the public domain and reported in the press. Inspectors will therefore conduct a brief internet search as part of their pre-inspection planning to see whether there are any safeguarding or other issues – for example a change of governance – that may need to be followed up during inspection.²³
42. The lead inspector will prepare and distribute brief joining instructions for the inspection team. These will include factual information and a brief analysis of the pre-inspection information.

Notification and introduction

43. Ofsted will normally contact the school by telephone to announce the inspection around lunchtime on the day before the inspection is due to start.
44. If the headteacher is unavailable when the notification call is made, Ofsted will ask to speak to the most senior member of staff available. Once Ofsted has informed the school by telephone that the inspection will take place, it will send confirmation to the school by email.
45. During the initial notification phone call, Ofsted will check the number of pupils on roll at the school, the governance arrangements for the school and whether the school has any special educational needs or additional resource provision.
46. Ofsted will also make clear that the inspectors will expect the proprietor(s) and the person(s) responsible for the day-to-day operation of the school to be present during the inspection. This is because inspectors will expect to interview them to judge their ability to promote and implement the relevant policies and procedures.

²³ A change in proprietor constitutes a material change to the school's registration, which must be agreed with the DfE before being implemented.

47. Where it appears that a school is no longer operating, Ofsted will check whether the DfE requires an inspection to be carried out to ascertain whether or not the school is still operating. If the DfE requires such an inspection, the standard inspection will be changed to an emergency inspection. The emergency inspection will be carried out in line with the guidance in the 'Handbook for additional inspections of independent schools'.²⁴

Requests for deferral or cancellation

48. A school may request a deferral of its inspection. It may make a request to the inspection support administrator when it is notified of the inspection.
49. The inspection support administrator must immediately make Ofsted aware of this by contacting the Ofsted regional duty desk. Ofsted will consult the DfE and then decide whether to grant a deferral in accordance with its deferral policy.²⁵
50. In exceptional circumstances, an inspection might be cancelled or deferred after the school has been notified, following a request made by the school. Normally, however, if pupils are receiving education in the school, an inspection will go ahead.
51. The deferral policy makes clear that where the inspection of a school has been deferred previously on two consecutive occasions because there were no pupils on roll, the inspection will not be deferred for a third time (see section 'Inspecting schools where there are no pupils on roll' on page 79).
52. The deferral policy also makes clear that the absence of the headteacher and/or proprietor is not normally a reason for deferring an inspection. If a school is within six months of confirmed closure, but the headteacher does not request a cancellation when the inspection support administrator makes contact, the inspection support administrator should call the duty desk to highlight this. The duty desk will seek a decision from the DfE about whether the inspection should still be carried out. Decisions will be made on a case-by-case basis.
53. In the case of unannounced inspections, any requests for a deferral will be passed to the Ofsted regional director, who will decide whether the request can be granted.

²⁴ 'Handbook for additional inspections of independent schools', Ofsted, 2019; www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools.

²⁵ 'Deferring Ofsted inspections', Ofsted, 2016; www.gov.uk/government/publications/deferring-ofsted-inspections.

No-notice inspections

54. Ofsted may conduct inspections without notice.²⁶ Where this is the case, there will not be a telephone call prior to the inspection.

The lead inspector's initial telephone call

55. In announced inspections, the lead inspector will contact the school and ask to speak to the headteacher. This will be after Ofsted's initial notification telephone call, and is normally on the morning of the inspection. The call will be short and focused on practical issues. The lead inspector will arrange a time during the afternoon to start the inspection.
56. The purpose of the lead inspector's initial call is to:
- make the school aware of the need to inform parents of the inspection, and that Parent View is the main method for gathering the views of parents at the point of inspection; inspectors should remind the school that Ofsted's letter to parents containing the link to Parent View may be sent electronically, or as a paper copy via pupils
 - discuss the nature of the special educational needs resource base, where applicable
 - establish whether the school has any pupils who attend off-site alternative provision, either on a full-time or part-time basis. Inspectors must ask the school about the registration status of any alternative providers that it uses. Any provider of alternative provision must be registered as an independent school if it caters full time for five or more pupils of compulsory school age, or one such pupil who is looked after or has an education, health and care (EHC) plan
 - discuss any off-site units that cater for pupils with behaviour or attendance difficulties, run either by the school or in partnership with other schools
 - establish whether the school operates from more than one site, for example if it offers early years or sixth-form provision on separate premises. Inspectors must establish the full address of each of the premises, record this in their evidence base and report it to the relevant Senior HMI
 - make arrangements for the inspection; these include an invitation to the headteacher to participate in observations of teaching and learning and to observe the main inspection team meetings
 - make arrangements for meetings with relevant staff

²⁶ Inspection without notice will be considered where there are serious concerns about one or more of the following: the breadth and balance of the curriculum; rapidly declining standards; safeguarding, including a decline in standards of pupils' behaviour and the ability of staff to maintain discipline; and standards of leadership or governance.

- confirm the identity of the individual proprietor or proprietor body of the school, arrange an appropriate time to speak to them during the inspection, and invite as many members of the proprietorial body as possible to attend the final feedback meeting
 - establish what the governance structure of the school is, and make arrangements for a meeting with the chair of governors and as many governors as possible (and/or representatives of those responsible for governance). Inspectors will request that as many governors as possible are also present at the final feedback meeting
 - establish whether the school has received support from other schools or services
 - request that relevant school documents are made available as soon as possible from the start of the inspection (see paragraph 58)
 - establish how the school will give the lead inspector access to its policy documents and records so that inspectors can check the school's compliance with the independent school standards. Ofsted expects all documents to be provided in English
 - make the school aware of Ofsted's privacy notice
 - inform the school that the inspectors will be using a range of technology to gather evidence electronically, including mobile devices, tablets and laptops
 - inform the school that inspectors may request to take photographic evidence, for example pupils' work and displays (inspectors will not take photographs of pupils)
 - provide an opportunity for the school to ask any questions or to raise any concerns, such as perceived conflicts of interest.
57. The lead inspector will confirm arrangements for meetings with the school, the proprietor and others responsible for the governance of the school and anyone else they think relevant. If any issues arise, the lead inspector may also need further clarification from the school, for example where information is not available on the school's website or there are anomalies with the single central record that may be resolved during the inspection.
58. Inspectors will also request that the following information is available at the start of the inspection. This includes the information required to comply with the independent school standards:
- a summary of any school self-evaluation or equivalent
 - any current school improvement plan, including any planning that sets out the longer-term vision for the school such as the school's strategy
 - the school timetable, current staff list and times for the school day
 - any information about pre-planned interruptions to normal school routines during the inspection

- records and analysis of exclusions, pupils taken off roll, incidents of poor behaviour and any use of internal isolation
- records and analysis of bullying, discriminatory and prejudiced behaviour, either directly or indirectly, including racist, disability and homophobic/biphobic/transphobic bullying, use of derogatory language and racist incidents
- a list of referrals made to the designated person for safeguarding in the school and those that were subsequently referred to the local authority, along with brief details of the resolution
- a list of all pupils who have open cases with children's services/social care and for whom there is a multi-agency plan
- up-to-date attendance analysis for all groups of pupils
- documented evidence of the work of the proprietor and/or those responsible for governance and their impact
- any reports from external evaluation of the school, including any review of governance.

Seeking the views of registered parents and other stakeholders

59. When a school is notified of a standard inspection, it is asked to notify all registered parents of registered pupils at the school, including those who have been excluded, are placed in alternative provision, or are away from school.
60. Ofsted's email confirming the inspection includes a letter that formally notifies parents. It also explains how to use Parent View and how parents can contact inspectors. Schools should encourage parents to complete Parent View by placing a link on their website to the Parent View website.²⁷ In addition, inspectors should encourage the school to notify parents using its own electronic systems (such as SMS messages), where these are available.
61. Inspectors will review the evidence from Parent View throughout the inspection to ensure that all online responses received during the inspection are taken into account. If the response rate for Parent View is low, inspectors may take steps during the inspection to gather further evidence of parents' views.
62. Inspectors will also take into account any other evidence from parents, including the results of any past surveys the school has carried out or commissioned. If individual parents raise serious issues, inspectors should follow these up with the school and record its response.
63. During integrated inspections of boarding or residential special schools, social care regulatory inspectors will take account of the views that parents have given on Parent View about the school's boarding or residential provision. Views

²⁷ <https://parentview.ofsted.gov.uk>.

of children and young people who are boarders or residential pupils, and those of boarding staff, will have been gathered through Ofsted's annual point-in-time surveys.

Pupils and staff questionnaires

64. The views of pupils and staff in schools are gathered through online questionnaires. The inspection coordinator sends online links to the school with the formal notification of inspection. The school is asked to encourage staff and pupils to complete the online questionnaires, apart from those pupils in any boarding provision, whose views will have already been sought through the point-in-time survey.²⁸ Pupils and staff should complete their questionnaire by midday on the final on-site day of the inspection.
65. As well as through online questionnaires, inspectors may gather evidence from pupils, parents (or other stakeholders) in person. This may include informal meetings at the start and/or end of the day. These meetings must take place without the presence of the headteacher or senior staff. In drawing on evidence from such meetings, every attempt must be made to protect the identity of individuals. There may be circumstances, however, in which it is not possible to guarantee the anonymity of the interviewee. Inspectors have a duty to pass on disclosures that raise child protection or safeguarding issues and/or where there are concerns about serious misconduct, bullying of staff or criminal activity.

The inspection

Days allocated to inspection and inspection team members

66. Standard inspections do not normally last longer than three days. The size of the inspection team will vary according to the size and nature of the school.
67. There is no requirement to deploy inspectors of a particular faith to inspect a school of the same faith. It would be unusual for an inspection team of a faith school to consist entirely of inspectors of that faith.
68. Where Ofsted understands that a proportion of the school's curriculum is delivered through a language other than English, we may deploy interpreter(s). Any interpreter is not part of the inspection team and does not make qualitative judgements about the information they interpret or translate.

²⁸ www.gov.uk/guidance/social-care-common-inspection-framework-sccif-boarding-schools/11-preparing-for-an-inspection#questionnaires.

The start of the on-site inspection

69. The lead inspector will meet briefly with the headteacher and/or senior leadership team at the beginning of the inspection and request certain information from the school. This will include:
- the single central record of the checks and vetting of all staff working with pupils
 - a list of staff and whether any relevant staff are absent
 - whether any teachers cannot be observed for any reason (for example where they are subject to capability procedures)
 - maps and other practical information
 - access to the provider's Wi-Fi, where it exists, so that inspectors can connect to the internet.
70. At this meeting, the lead inspector will also
- introduce any team inspectors
 - make arrangements for a longer meeting at a convenient time with the headteacher to discuss the school's self-evaluation or equivalent and other relevant matters
 - confirm arrangements for meeting with the proprietor or representatives of the proprietorial body
 - confirm arrangements for meetings with representatives of those responsible for the governance of the school and with key staff
 - confirm arrangements for providing feedback following teaching and learning observations in lessons
 - ensure that the headteacher is aware that Ofsted's evidence from observations of teaching and learning, whether joint or otherwise, must not be used as evidence in capability/disciplinary proceedings or for the purposes of performance management
 - establish how the school will give the lead inspector access to its policy documents and records so that inspectors can check the school's compliance with the independent school standards.
71. Where there is more than one inspector, a short team meeting should take place to clarify inspection activities, the initial lines of enquiry the team should explore and individual roles and responsibilities.
72. Where there are no pupils roll, please refer to the 'Inspecting schools where there are no pupils on roll' section of this handbook.

Gathering and recording evidence

73. Although meetings with leaders are important, inspectors' first priority during inspections is to collect first-hand evidence. Inspectors will gather evidence to assess the school's compliance with the independent school standards, and to secure the inspection judgements.
74. Inspectors will observe lessons, scrutinise pupils' work, talk to pupils about their work, gauging both their understanding and their engagement in learning, and obtain pupils' perceptions of the typical quality of education in a range of subjects.
75. Inspectors will evaluate evidence relating to the impact of the curriculum, including on disadvantaged pupils²⁹ and pupils with special educational needs and/or disabilities (SEND). Inspectors will give specific attention to the acquisition of knowledge, understanding and skills in lessons and on-site separate provision and evidence of learning in off-site alternative provision.
76. Other evidence gathered by inspectors will include discussions with pupils and staff, listening to pupils read and looking at examples of pupils' work for evidence of progress in knowledge, understanding and skills towards defined endpoints. Inspectors will also scrutinise the school's records and documentation relating, for example, to the welfare and safety of pupils in alternative provision.
77. Inspectors will expect to meet with the proprietor(s) and the person(s) responsible for the day-to-day operation of the school during the inspection. Without meeting these individuals, inspectors may not be able to gather sufficient evidence in order to judge whether the school meets paragraph 34(1) of the independent school standards, which concerns the quality of leadership and management.
78. Inspectors will also use an 'independent school standards compliance record' to record whether a school complies with the requirements of all paragraphs of the independent school standards.
79. Inspectors will ask the proprietor(s) and the person(s) responsible for the day-to-day operation of the school if they intend to apply to the DfE to make a material change to the school's registration. If so, any evidence about whether the school is likely to meet the relevant independent school standards if the material change is implemented will be gathered and recorded in the independent school standards compliance record. Further information about

²⁹ In line with government policy, pupils who face educational disadvantage may include those who are Children in Need of help and protection, and are receiving statutory support from local authority social care; www.gov.uk/government/publications/review-of-children-in-need.

material changes is available in the 'Handbook for conducting additional inspections of independent schools'.³⁰

Evaluating different approaches to teaching

80. Ofsted does **not** advocate that any particular approach should be used exclusively in teaching. Different approaches to teaching can be effective. What is appropriate will depend on the aims of a particular lesson or activity and its place in the sequence of teaching a particular topic. Nevertheless, any approach used has features that must be present to ensure that it is delivered effectively. Ofsted has published a research commentary alongside this handbook, and that document sets out our understanding of these factors.³¹

Joint observations of lessons

81. The lead inspector will invite the proprietor, headteacher, curriculum leaders and other leaders to take part in joint observations of lessons.
82. Inspectors will **not** take a random sample of lesson observations. Instead, they will connect lesson observation to other evidence: discussions with curriculum leaders, teachers and pupils, and work scrutiny. Inspectors will select subjects that are relevant to the focus of the inspection (including checking compliance with the independent school standards) and observe lessons in which this subject is being taught. Where a school offers a specialist curriculum, inspectors will normally carry out observations in both the specialist and the non-specialist aspects of the school's provision (see the section 'Schools with a specialist curriculum' in Part 2 of this document).
83. Lesson observation is **not** about evaluating individual teachers; there will be no grading of the teaching observed by inspectors. Instead, inspectors will view lessons across a faculty, department, subject, key stage or year group and aggregate insights from those observations to provide part of the evidence for an overall view of quality of education or behaviour and attitudes.
84. Lesson observation is primarily useful for gathering evidence about '**implementation**' and how lessons contribute to the quality of education. Inspectors can use observations to gather evidence about how well the curriculum is implemented by looking at teaching of one or more subjects, and by triangulating observations with evidence collected through discussions with staff and pupils, and through work scrutiny.
85. Lesson observation is also useful for gathering evidence that contributes to the behaviour and attitudes judgement by providing direct evidence about how

³⁰ 'Handbook for conducting additional inspections of independent schools' Ofsted, 2019; www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools.

³¹ 'Education inspection framework: overview of research', Ofsted, January 2019, www.gov.uk/government/publications/education-inspection-framework-overview-of-research.

behaviour is managed within individual classrooms and how pupils respond to this management. This evidence will complement the other evidence that inspectors gather about behaviour during inspection.

86. Alongside other evidence, inspectors will also use evidence gathered from lesson observations to inform their judgements about whether the school meets the independent school standards. These include the standard about teaching (paragraph 3), the requirement to effectively implement a policy that promotes good behaviour among pupils (paragraph 9(b)) and the standard about the spiritual, moral, social and cultural development of pupils (paragraph 5).³²

Work scrutiny

87. The lead inspector will invite curriculum leaders and teachers to take part in joint scrutiny of pupils' work.
88. Inspectors will **not** take a random sample of books. Instead, they will scrutinise pupils' books and other work across a faculty, department, subject, key stage or year group and aggregate insights to provide part of the evidence for an overall view of the quality of education, primarily around the **'impact'** of the education provided. Inspectors will **not** evaluate individual workbooks or teachers. Inspectors will connect work scrutiny to lesson observation and, where possible, conversations with pupils and staff.
89. Work scrutiny is useful primarily for gathering evidence about the **'impact'** of the quality of education. Inspectors can use work scrutiny to evaluate pupils' progression through the curriculum. Work scrutiny will show whether pupils know more and can do more, and whether the knowledge and skills they have learned are well sequenced and have developed incrementally. Inspectors will synthesise what they find in order to contribute to their overall assessment of the quality of education across a faculty, department, subject, key stage or year group.

Talking to and observing pupils outside lessons

90. Inspectors must ensure that they observe pupils in a range of situations outside normal lessons to evaluate other aspects of personal development, for example:
- at the start and finish of the school day
 - during lunchtime, including in the dining hall, and breaktimes or playtimes
 - during assemblies and tutor periods
 - when moving between lessons

³² The Education (Independent School Standards) Regulations 2014; www.legislation.gov.uk/uksi/2014/3283/schedule/made.

- during enrichment activities (including clubs and activities outside of the normal timetabled curriculum).

Meetings with pupils

91. Inspectors must take advantage of opportunities to gather evidence from a wide range of pupils, both formally and informally. During informal conversations with pupils, inspectors must ask them about their experiences of teaching, learning and behaviour in the school, including the prevention of bullying and how the school deals with discrimination and prejudiced behaviour, if they happen. Inspectors will ensure that all questions are appropriate. Ofsted would not expect any school staff to be present.
92. Inspectors must speak with pupils in order to assess aspects of the school's provision. For instance, inspectors need to seek pupils' views to assess: how effective the school's bullying and behaviour policies are; how the school promotes fundamental British values and respect for others; and how the school ensures that safeguarding arrangements meet requirements. If it is not possible to speak to pupils, it is unlikely that the school will be able to provide inspectors with the evidence they need to be able to conclude that these aspects of the school's provision meet the requirements of the independent school standards.

Meeting the proprietor and those responsible for governance

93. Inspectors will always seek to speak to the proprietor during the inspection. The purpose of this is to evaluate the effectiveness of the proprietor's work in monitoring how leaders at the school ensure that all the independent school standards are met.
94. Inspectors will also always seek to meet with governors (if the school has them) during the course of the inspection.
95. The role that proprietors and governors play in the school's performance is evaluated as part of the judgement on the effectiveness of leadership and management, and each report will contain a separate paragraph that addresses the governance of the school.
96. As with meetings between inspectors and pupils, parents and staff, meetings or telephone discussions with those responsible for governance should take place without the headteacher or other senior staff being present.

Meeting leaders

97. The lead inspector will meet the headteacher regularly throughout the inspection to:

- provide an update on emerging issues, including initial general findings about teaching, learning and assessment, and enable further evidence to be provided
 - allow the headteacher to raise concerns, including any related to the conduct of the inspection or of individual inspectors
 - alert the headteacher to any serious concerns.
98. The inspection team will meet briefly at different points during the course of the inspection. In particular, the team should:
- meet briefly in the morning on day two
 - meet at the end of day two to discuss and record emerging findings; the proprietor and headteacher should be invited
 - meet at the end of day three to finalise judgements and identify areas for improvement³³
 - draw together the key inspection findings and write up the evaluation for team meetings.
99. The lead inspector will invite the headteacher and proprietor to the final team meeting. It is important that the lead inspector makes it clear that observers who are invited to attend the final team meeting are there to listen to the scrutiny of evidence and agreed judgements made by the inspection team. As appropriate, the lead inspector may request that observers clarify key points during the meeting.
100. If there is evidence that the school may be judged inadequate or requires improvement, the lead inspector will alert the headteacher and proprietor to this possibility. It must be emphasised that final provisional judgements are not made until the final team meeting at the end of the last on-site day.

Reaching final judgements

101. Inspection activity, including lesson observations, should continue during the second and third day. The team should also ensure that time is set aside to complete any feedback to staff and to prepare for the final team meeting and the final feedback meeting. At the final team meeting on the final day of the inspection, an electronic summary evaluation form may be completed. The main points for feedback to the school will be recorded as the meeting progresses.

³³ This meeting will be at the end of day two in the case of inspections of small schools, which are those with up to four pupils on the school's roll.

Providing feedback

102. The on-site inspection concludes with a final feedback meeting with the school. Those connected with the school who are likely to attend include (please note, due to the diverse nature of school governance, in some schools a single individual may have more than one of the following roles):

- the proprietor or, where there is a proprietorial body, as many members as possible
- the headteacher and other senior leaders, agreed by the lead inspector and headteacher
- if the school has a governing body, the chair and as many representatives as possible from the governing body.

103. In an aligned or integrated inspection, social care regulatory inspectors and education inspectors will feed back together to both education and residential staff.

104. During this meeting to the school, the lead inspector will ensure that all those attending are clear:

- about the independent school standards that are met and those that are not met
- that the DfE will decide any action to take in respect of any standards that are not met³⁴
- about the provisional grades awarded for each key judgement. Sufficient detail must be given by the lead inspector to enable all attendees to understand how judgements have been reached and for those responsible for the governance of the school to play a part in beginning to plan how to tackle any areas for improvement
- that the grades are provisional and so may change as a result of quality assurance procedures or moderation and must, therefore, be treated as restricted and confidential to the relevant senior personnel (as determined by the school). They may also be shared with school staff and all of those responsible for the governance of the school, so long as they are clearly marked as provisional and subject to quality assurance. Information about the inspection outcomes should be shared more widely only when the school receives a copy of the final inspection report
- that the main findings of the inspection and the main points provided orally in the feedback meeting, subject to any change, will be referred to in the text of the report, although the text of the report may differ slightly from the oral feedback

³⁴ 'Regulating independent schools', DfE, 2018; www.gov.uk/government/publications/regulating-independent-schools.

- about any recommendations for improvement
- that where the school has failed to comply with the independent school standards and has been judged requires improvement or inadequate, it is likely to receive a progress monitoring inspection
- that, on receipt of the draft report, they must ensure that the report is not shared with any third party or published under any circumstances
- that the headteacher or proprietor is invited and encouraged to complete the post-inspection survey
- about the procedure for making a complaint about the inspection.

Inadequate schools

105. If inspectors reach the conclusion that the school is not complying with all of the independent school standards and that the impact of this is that the school's overall effectiveness is inadequate, the lead inspector will complete 'Form A – initial advice to the registration authority that an independent school is not complying with the independent school standards'. Ofsted will normally provide the Form A to the DfE soon after the inspection and before the report is finalised and published.
106. The purpose of Form A is to alert the registration authority – the DfE – to the judgement that the school is not meeting all the independent school standards. The DfE will use the information to determine whether to take regulatory action and to prioritise those schools that require most urgent attention.

After the inspection

Arrangements for publishing the report³⁵

107. The lead inspector is responsible for writing the inspection report and completing the independent school standards compliance record, and for submitting the evidence to Ofsted shortly after the inspection ends. The text of the report should explain the judgements and reflect the evidence. Where an additional inspection has formed part of the standard inspection, the outcomes will normally be included in the report and independent school standards compliance record for the standard inspection.
108. Inspection reports will be quality-assured before Ofsted sends a draft copy to the provider. The draft report is restricted and confidential to the relevant personnel (as determined by the school), including those responsible for governance, and should not be shared more widely or published. Ofsted may share a draft of the inspection report with the DfE, as necessary.

³⁵ The term 'report' is used to describe the formal written outcome from the inspection.

109. The school will be invited to comment on the factual accuracy of the draft report and informed of the timescales in which to do so. Ofsted will notify the school of the lead inspector's response.
110. Typically, schools will receive an electronic version of the final report within 14 working days of the end of the inspection. In most circumstances, the final report will be published on Ofsted's website within 19 working days.
111. If Ofsted decides that a report will be subject to further quality assurance, the school will usually receive an electronic version of the final report within 23 working days. In these circumstances, the final report will usually be published within 28 working days.
112. Paragraph 32(1)(d) of the schedule to the Education (Independent School Standards) Regulations 2014 requires the proprietor to:
 - ensure that a copy of the inspection report is published and maintained on the school's website
 - provide a copy of the report to the registered parents of every registered pupil at the school by the date specified by Ofsted, which is five working days from receipt.

The proprietor may send or give a copy of the report to parents. Alternatively, if parents have provided an email address, the school may either email an electronic copy of the report to them, or email a link to where the report is available to download from the internet.³⁶

113. The report will normally be published on Ofsted's reports website after the five working days that are allocated for the proprietor to provide the report to parents. However, Ofsted may publish the report at any time after the report has been received by the school.
114. Her Majesty's Chief Inspector also expects schools to ensure that all pupils are made aware of the findings of the inspection. The proprietor may also wish to make any local authorities that have placed pupils in the school aware of the report.
115. Ofsted will send the final version of the report to the DfE before publication. In all cases, the inspection process should not be treated as complete until all inspection activity has been undertaken and the final version of the inspection report has been sent to the provider.

³⁶ The Education (Independent School Standards) Regulations 2014; www.legislation.gov.uk/uksi/2014/3283/contents/made.

Suitability of the proprietor and other managers – reporting concerns to the registration authority

116. If inspectors identify any concerns about the suitability of the proprietor or any other member of staff employed at the school in a management capacity, these will be recorded in the independent school standards compliance record and reported to the DfE, as the appropriate authority. This information is particularly relevant when it may have any bearing on the suitability of a person to participate in the management of an independent school. This includes when the person's conduct undermines British values or child safety, or where the inspector has concluded that the person's conduct is so inappropriate that it may make them unsuitable to take part in the management of an independent school.

The inspection evidence base

117. The evidence base for the inspection must be retained in line with Ofsted's retention and disposal policy. This is normally for six years from when the report is published. Ofsted may decide that retaining it for longer is warranted for research purposes.

Quality assurance and complaints

Quality assurance

118. All inspectors are responsible for the quality of their work. The lead inspector must ensure that inspections are carried out in accordance with the principles of inspection and the code of conduct.

119. Ofsted monitors the quality of inspections through a range of formal processes and HMI/Senior HMI visit some providers, or monitor remotely, to quality-assure inspections. Ofsted may also evaluate the quality of an inspection evidence base. The lead inspector will be responsible for giving team inspectors feedback about the quality of their work and their conduct.

120. All schools are invited to take part in a post-inspection evaluation in order to contribute to inspection development.

Handling concerns and complaints

121. The great majority of Ofsted's work is carried out smoothly and without incident. If concerns do arise during an inspection, they should be raised with the lead inspector as soon as possible, in order to resolve issues before the inspection is completed. The lead inspector should seek advice where necessary. Any concerns raised and actions taken should be recorded in the inspection evidence.

122. If it is not possible to resolve concerns during the inspection, the school may wish to lodge a formal complaint. The lead inspector should ensure that the

school is informed that they are able to make a formal complaint and that information about how to complain is available on Ofsted's website.³⁷

123. Complaints must be submitted no more than 10 working days after the publication of any inspection report. Ofsted does not normally delay publication of an inspection report while complaints are investigated. Complainants should not wait for the outcomes of any related Freedom of Information request before making a complaint.
124. Any complaints received during the moderation process will be considered as part of moderation, not as a separate process.

Part 2. The evaluation schedule – how we will judge schools

125. The evaluation schedule is not exhaustive. It does not replace the professional judgement of inspectors. Inspectors must interpret the grade descriptors (the way that grades are described) according to pupils' age, stage and phase of education.
126. Inspectors will make judgements on the following areas:
- overall effectiveness
 - and the four key judgements:
 - the quality of education
 - behaviour and attitudes
 - personal development
 - leadership and management.
127. Inspectors use the following four-point scale to make all judgements, including, where applicable, judgements on the effectiveness of the early years provision and the sixth-form provision:
- grade 1: outstanding
 - grade 2: good
 - grade 3: requires improvement
 - grade 4: inadequate.

³⁷ 'Complaints about Ofsted', Ofsted, 2018; www.gov.uk/government/publications/complaints-about-ofsted.

128. In reaching the judgements on leadership and management and overall effectiveness, inspectors take account of any of the independent school standards that are not met and give appropriate consideration to the impact on quality of these aspects of the school's work. In judging whether the standards are met, inspectors may refer to advice from the DfE.³⁸

Overall effectiveness

129. Inspectors will assess a school's entire provision, including any specialist provision offered, when reaching judgements in the following areas: overall effectiveness; behaviour and attitudes; personal development; and leadership and management.
130. Inspectors must use all their evidence to evaluate what it is like to be a pupil in the school. In making their judgements about a school's overall effectiveness, inspectors will consider the extent to which the school meets all paragraphs of all parts of the independent school standards.
131. They will also consider whether the standard of education is good or whether it exceeds good and is outstanding. If it is not good, then inspectors will consider whether it requires improvement or is inadequate.
132. In judging the overall effectiveness, inspectors will take account of the four key judgements.
133. In coming to each of these key judgements, inspectors will also draw on evidence from the inspection of any early years provision or from the sixth-form provision and consider its impact in the wider context of the school.
134. Inspectors will then judge the effectiveness of any early years provision or the sixth-form provision. For either case or both, inspectors must give a grade and write sections in the report that summarise the key findings and explain the effectiveness grading. However, inspectors may decide not to give a grade and a written section in the report on the provision in early years or in the sixth form if there is the risk that it is possible to identify individual pupils because numbers are so small. Typically, this will be when there are fewer than five pupils.
135. The grade for early years and/or the grade for the sixth-form provision may be the same as, or higher or lower than, the overall effectiveness grade. Inspectors will take into account the size of the early years and sixth-form provision in relation to the size of the school when considering the impact of these judgements on the overall effectiveness grade. Inspectors will explain any

³⁸ 'Registration of independent schools', DfE, 2015;
www.gov.uk/government/publications/independent-school-registration

difference between the early years and/or sixth-form provision and the overall effectiveness grades in the report.

136. Inspectors will always make a written judgement in the section on leadership and management about the effectiveness of the arrangements for safeguarding pupils.

137. Before making the final judgement on the overall effectiveness, inspectors must consider the spiritual, moral, social and cultural development of pupils at the school, and evaluate the extent to which the school's education provision meets different pupils' needs, including pupils with SEND.

Grade descriptors for overall effectiveness

Outstanding (1)

- All of the independent school standards (and, where relevant, statutory requirements of the early years foundation stage) are met.
- The quality of education is outstanding.
- All other key judgements are likely to be outstanding. In exceptional circumstances, one of the key judgements may be good, as long as there is convincing evidence that the school is improving this area sustainably and securely towards outstanding.
- Safeguarding is effective.

Good (2)

- All of the independent school standards (and, where relevant, statutory requirements of the early years foundation stage) are met.
- The quality of education is at least good.
- All other key judgements are likely to be good or outstanding. In exceptional circumstances, one of the key judgement areas may require improvement, as long as there is convincing evidence that the school is improving this area sustainably and securely towards good.
- Safeguarding is effective.

Requires improvement (3)

- All of the independent school standards **may** be met, but the school is not yet demonstrating the characteristics of a good judgement.
- Other than in exceptional circumstances, it is likely that, when the school is judged to require improvement in any of the key judgements, the school's overall effectiveness will require improvement.
- Safeguarding is effective. If there are any weaknesses in safeguarding, they are easily rectified and there are no serious failings that leave pupils either being harmed or at risk of harm.

Inadequate (4)

- There are one or more un-met independent school standards (or, where relevant, statutory requirements of the early years foundation stage) that are not minor or easily rectified, or which have a serious impact on pupils' welfare, health and safety, academic or personal development.
- The judgement on the overall effectiveness is likely to be inadequate when any one of the key judgements is inadequate and/or safeguarding is ineffective.

The quality of education

138. Inspectors will take a rounded view of the quality of education that a school provides to all its pupils, including disadvantaged³⁹ pupils, the most able pupils and pupils with SEND. Inspectors will consider the school's curriculum, which is the substance of what is taught with a specific plan of what pupils need to know in total, and in each subject.

139. Inspectors will consider the extent to which the school's curriculum sets out the knowledge and skills that pupils will gain at each stage (**intent**). They will also consider the way that the curriculum selected by the school is taught and assessed in order to support pupils to build their knowledge and to apply that knowledge as skills (**implementation**). Finally, inspectors will consider the outcomes that pupils achieve as a result of the education they have received (**impact**).

Schools with a specialist curriculum

140. Some non-association independent schools offer a specialist curriculum and Ofsted recognises their autonomy to do so. For example, some schools offer a specialist faith-based curriculum, while others offer a specialist education in the performing arts. Alongside any specialist education provided, it is important that pupils study a broad, rich curriculum. This is supported by Ofsted's research, and is a requirement of paragraph 2(2)(a) the independent school standards.

141. Inspectors will assess a school's entire provision, including any specialist provision offered, when assessing compliance with the independent school standards and when reaching judgements in the following areas: overall effectiveness; behaviour and attitudes; personal development; and leadership and management.

³⁹ In line with government policy, pupils who face educational disadvantage may include those who are Children in Need of help and protection, and are receiving statutory support from local authority social care; www.gov.uk/government/publications/review-of-children-in-need.

142. When reaching a judgement under the quality of education judgement area, the non-specialist curriculum will normally be inspectors' primary source of evidence.
143. However, where a school chooses to deliver a substantial amount of its curriculum through the specialist curriculum (for example through faith-based content or other forms of immersive study), or where there is insufficient evidence from the non-specialist curriculum that the quality of education criteria are met, inspectors will consider evidence from the specialist curriculum in arriving at their judgement.

Intent

144. In evaluating the school's educational intent, inspectors will primarily consider the curriculum leadership provided by school and subject leaders.
145. All pupils in independent schools are entitled to receive a broad curriculum – this is a requirement of paragraph 2(2)(a) of the independent school standards. Schools should therefore provide inspectors with evidence that the minimum requirements for the intended coverage and ambition of an independent school's curriculum are met.
146. The judgement focuses on factors that both research and inspection evidence indicate contribute most strongly to pupils receiving an effective education that enables them to achieve highly. These factors are that:
 - the school's curriculum is rooted in the solid consensus of the school's leaders about the body of knowledge and skills that pupils need in order to take advantage of the opportunities, responsibilities and experiences of later life. In this way, it can powerfully address social disadvantage
 - it is clear what end points the curriculum is building towards, and what pupils will need to be able to know and do at those end points
 - the school's curriculum is planned and sequenced so that new knowledge and skills build on what has been taught before, and build towards those defined end points
 - the curriculum reflects the school's local context by addressing typical gaps in pupils' knowledge and skills
 - the curriculum remains as broad as possible for as long as possible, and pupils are able to study a strong academic core of subjects
 - there is high academic ambition for all pupils, and the school does not offer disadvantaged pupils or pupils with SEND an inappropriately reduced curriculum.

Curriculum flexibility

147. The curriculum sets out the aims of a programme of education. It also sets out the structure for those aims to be implemented, including the knowledge, skills and understanding to be gained at each stage. It enables the evaluation of pupils' knowledge and understanding against those expectations.
148. All schools will be judged fairly, irrespective of their approach to the curriculum. The inspectorate recognises the importance of schools' autonomy to choose their own curriculum approaches. If leaders are able to show that they have thought carefully, and built a curriculum with appropriate coverage, content, structure and sequencing, and are able to show that it has been implemented effectively, then inspectors will assess the school's curriculum favourably.

Curriculum narrowing

149. Ofsted's research into the curriculum has shown that some schools narrow the curriculum available to pupils, particularly in key stages 2 and 3. This has a disproportionately negative effect on the most disadvantaged pupils.⁴⁰ It is appropriate that, in key stage 1, teachers focus on ensuring that pupils are able to read, write and master mathematical knowledge, ideas and operations. From key stage 2 onwards and in secondary education, however, inspectors will expect to see a broad, rich curriculum. Inspectors will be particularly alert to signs of narrowing in the key stage 2 and 3 curriculums. If a school has shortened key stage 3, inspectors will look for evidence that the school has made provision to ensure that pupils still have the opportunity to study a broad range of subjects in Years 7 to 9.

Cultural capital

150. As part of making the judgement about the quality of education, inspectors will consider the extent to which schools are equipping pupils with the knowledge and cultural capital they need to succeed in life. Ofsted's understanding (or definition) of this knowledge and cultural capital matches that found in the aims of the national curriculum.⁴¹ It is the essential knowledge that pupils need to be educated citizens, introducing them to the best that has been thought and said and helping to engender an appreciation of human creativity and achievement.

Sources of evidence specific to curriculum intent

151. Inspectors will draw evidence about leaders' curriculum intent principally from discussion with senior and subject leaders. Inspectors will explore:

⁴⁰ See our curriculum commentary phase 1: www.gov.uk/government/speeches/hmcis-commentary-october-2017.

⁴¹ www.gov.uk/government/publications/national-curriculum-in-england-framework-for-key-stages-1-to-4/the-national-curriculum-in-england-framework-for-key-stages-1-to-4.

- how carefully leaders have thought about what end points the curriculum is building towards, what pupils will be able to know and do at those end points, and how they have planned the curriculum accordingly. This includes consideration of how the intended curriculum will address social disadvantage by addressing gaps in pupils' knowledge and skills
 - how leaders have sequenced the curriculum to enable pupils to build their knowledge and skills towards the agreed end points
 - how leaders have ensured that the subject curriculum areas contain content which has been identified as most useful, and ensured that this content is taught in a logical progression, systematically and sufficiently explicitly enough for all pupils to acquire the intended knowledge and skills
 - how the curriculum has been designed and delivered to lead pupils to be able to read at an age-appropriate level.
152. Inspectors will bear in mind that developing and embedding an effective curriculum takes time, and that leaders may only be partway through the process of adopting or redeveloping a curriculum. Where leaders have an accurate evaluative understanding of current curriculum practice in their school and have identified appropriate next steps to improve curriculum quality and develop curriculum expertise across the school, inspectors will evaluate 'intent' favourably when reaching the holistic quality of education judgement. They will recognise that the criteria for a judgement of good are the best fit.
153. Inspectors will also consider any documents that leaders normally use in their curriculum planning, but will not request materials to be produced or provided in any specific format for inspection.

Implementation

154. In evaluating the implementation of the curriculum, inspectors will primarily evaluate how the curriculum is taught at subject and classroom level.
155. Research and inspection evidence suggest that the most important factors in how the curriculum is taught and assessed are that:
- teachers have expert knowledge of the subjects that they teach and, where they do not, they are supported to address these gaps so that pupils are not disadvantaged by ineffective teaching
 - teachers enable pupils to understand key concepts, presenting information clearly and promoting appropriate discussion
 - teachers check pupils' understanding effectively, identifying and correcting misunderstandings
 - teachers ensure that pupils embed key concepts in their long-term memory and apply them fluently

- the subject curriculum that classes follow is designed and delivered in a way that allows pupils to transfer key knowledge to long-term memory; it is sequenced so that new knowledge and skills build on what has been taught before and towards defined end points
- teachers use assessment to check pupils' understanding in order to inform teaching
- teachers use assessment to help pupils embed and use knowledge fluently, developing understanding, and not simply memorise facts.

Developing understanding, not memorising disconnected facts

156. Learning can be defined as an alteration in long-term memory. If nothing has altered in long-term memory, nothing has been learned. However, transfer to long-term memory depends on the rich processes described above. In order to develop understanding, pupils will connect new knowledge with existing knowledge. Pupils will also need to develop fluency and unconsciously apply their knowledge as skills. **This must not be reduced to, or confused with, simply memorising facts.** Inspectors will therefore be alert to unnecessary or excessive attempts to simply prompt pupils to learn glossaries or long lists of disconnected facts.

The school's use of assessment

157. When used effectively, assessment helps pupils to embed and use knowledge and use it fluently, and assists teachers in producing clear next steps for pupils. However, assessment is too often carried out in a way that creates unnecessary burdens for both staff and pupils. It is therefore important that leaders and teachers understand its limitations and avoid misuse and overuse.
158. Inspectors will therefore evaluate how assessment is used in the school to support the teaching of the curriculum, but not substantially increase teachers' workloads by necessitating too much one-to-one teaching or overly demanding programmes that are almost impossible to deliver without lowering the expectations of some pupils.
159. The collection of data can also create an additional workload for leaders and staff. Inspectors will look at whether schools' collections of attainment or progress data are proportionate and represent an efficient use of school resources, and are sustainable for staff. The report of the Teacher Workload Advisory Group, 'Making data work',⁴² recommends that school leaders should not have more than two or three attainment data collection points a year, and that these should be used to inform clear actions.

⁴² <https://www.gov.uk/government/publications/teacher-workload-advisory-group-report-and-government-response>.

160. Schools choosing to use more than two or three attainment points a year should have clear reasoning for what interpretations and actions are informed by the frequency of collection, and the time that is taken to set assessments, collate, analyse and interpret the data created from this, and then act on the findings. If a school's system for data collection is disproportionate, inefficient or unsustainable for staff, inspectors should reflect this in their reporting on the school.⁴³

Sources of evidence specific to curriculum implementation

161. The following activities will provide inspectors with evidence about the school's implementation of its intended curriculum:

- discussions with curriculum and subject leaders and teachers about the programmes of study that classes are following for particular subjects or topics, the intended end points towards which those pupils are working, and their view of how those pupils are progressing through the curriculum
- discussions with subject specialists and leaders about the content and pedagogical content knowledge of teachers, and what is done to support them
- discussions with classroom teachers about how often they are expected to record, upload and review data
- observations of and interviews with a sample of pupils or classes who are following this curriculum in lessons, including scrutiny of the pupils' work
- reviews of schemes of work or other long-term planning (in whatever form subject leaders normally use them), usually in discussion with curriculum leaders.

162. Inspectors should refer to the 'Lesson observation and work scrutiny' section in Part 1 of the handbook for guidance about what constitutes an appropriate sample of pupils.

163. In order to allow the effective triangulation of evidence, inspectors will ensure that they gather a variety of these types of evidence in relation to the same sample of pupils. Inspectors will also ensure that the samples of pupils they choose are sufficient to allow them to reach a valid and sufficiently reliable judgement on the quality of education offered by the school overall.

Impact

164. When inspectors evaluate the impact of the education provided by the school, their focus will primarily be on what pupils have learned.

⁴³ <https://www.gov.uk/government/publications/teacher-workload-advisory-group-report-and-government-response>.

165. Inspection experience and research show that the most important factors to consider are:

- a well-constructed, well-taught curriculum will lead to good results because those results will be a reflection of what pupils have learned. There need be no conflict between teaching a broad, rich curriculum and achieving success in examinations and tests
- what the school has in place to ensure that disadvantaged pupils⁴⁴ and pupils with SEND are given the knowledge and cultural capital they need to succeed in life
- national assessments and examinations are useful indicators of the outcomes pupils achieve, but they only represent a sample of what pupils have learned. Inspectors will balance these with their assessment of the standard of pupils' work from the first-hand evidence they gather on inspection
- learning must build towards a goal. At each stage of pupils' education, they are being prepared for the next stage of education, training or employment. Inspectors will consider whether pupils are ready for the next stage by the point they leave the school or provision that they attend
- inspectors will also consider whether pupils at 16 and 18 are ready for the next stage and are going to appropriate, high-quality destinations
- if pupils are not able to read to an age-appropriate level and fluency, they will be incapable of accessing the rest of the curriculum, and they will rapidly fall behind their peers (see page 73).

Inspectors use of schools' internal assessment data as evidence

166. While they will consider the school's use of assessment (see paragraphs 151 to 154 above), inspectors may not consider schools' internal assessment data during an inspection; rather, they will want to see at first hand the quality of education as experienced by pupils and understand how well leaders know what it is like to be a pupil at the school. This is because:

- internal data has its limitations and may not be an accurate representation of the education of pupils at the school. The time pressure of inspection does not allow for inspectors to validate the accuracy of the data as presented by leaders
- inspectors will gather evidence of the quality of education in schools
- inspectors will have meaningful discussions with leaders about how they know that the curriculum is having an impact.

⁴⁴ In line with government policy, pupils who face educational disadvantage may include those who are Children in Need of help and protection, and are receiving statutory support from local authority social care; www.gov.uk/government/publications/review-of-children-in-need.

167. Inspectors will, however, ask schools to explain why they have decided to collect whatever assessment data they collect, what they are drawing from their data and how that informs their curriculum and teaching.

Sources of evidence specific to curriculum impact

168. Inspectors will gather evidence of the impact of the quality of education offered by the school from the following sources:

- first-hand evidence of how pupils are doing, drawing together the evidence from the interviews, observations, work scrutinies and documentary review described above (see 'Sources of evidence specific to curriculum implementation')
- any information provided by the school about the destinations to which their pupils progress when they leave the school
- in primary schools, listening to a range of pupils read
- discussions with pupils about what they have remembered about the content they have studied.

Reaching a single quality of education judgement, drawing together intent, implementation and impact

169. Inspectors will **not** grade intent, implementation and impact separately. Instead, inspectors will reach a single graded judgement for the quality of education, drawing on all of the evidence they have gathered, using their professional judgement.

170. In making their judgements, inspectors will take into account any exemption a school has from the learning and development requirements of the early years foundation stage.

Grade descriptors for the quality of education

171. In order for the quality of education provided by the school to be judged **outstanding**, it must meet the following criteria.

Outstanding (1)

- The school meets **all** the criteria for a good quality of education **securely and consistently**. In **addition**, the following apply:

Intent

- The school's curriculum intent is strong. Across the school, it is evident from what teachers do that they have a firm and common understanding of the school's curriculum intent and what it means for their practice.

Implementation

- The school's implementation of the curriculum is consistently strong. Across all parts of the school, series of lessons contribute well to delivering the curriculum intent.
- The work given to pupils, over time and across the school, consistently matches the aims of the curriculum in being coherently planned and sequenced towards cumulatively sufficient knowledge and skills for future learning and employment.

Impact

- The impact of the taught curriculum is strong; pupils' work across the curriculum is consistently of a high quality.
- Pupils consistently achieve highly, particularly the most disadvantaged. Pupils with SEND achieve the best possible outcomes.

172. In order to judge whether a school is **good, requires improvement** or is **inadequate**, inspectors will adopt a 'best fit' approach, relying on the professional judgement of the inspection team.

* [The sections of criteria in square brackets, below, are included in recognition that not all schools will have had the opportunity to complete the process of adopting or constructing their curriculum fully by September 2019. The bracketed sections are transitional only, and Ofsted will review the handbooks before September 2020 to identify whether they should be deleted.]

Good (2) Intent

- Leaders adopt or construct a curriculum that is ambitious and designed to give all pupils, particularly disadvantaged pupils and including pupils with SEND, the knowledge and cultural capital they need to succeed in life in British society. [If this is not yet fully the case it is clear from leaders' actions that they are in the process of bringing this about.*]
- The school's curriculum is coherently planned and sequenced towards cumulatively sufficient knowledge and skills for future learning and employment across a broad range of career options. [If this is not yet fully the case it is clear from leaders' actions that they are in the process of bringing this about.*]
- The curriculum is successfully adapted, designed or developed to be ambitious and meet the needs of pupils with SEND, developing their knowledge, skills and abilities to apply what they know and can do with increasing fluency and independence. [If this is not yet fully the case, it is clear from leaders' actions that they are in the process of bringing this about.*]
- Pupils study the full curriculum (as it is described in paragraph 2(2)(a) of the independent school standards); it is not narrowed. Where the school teaches a specialist curriculum, it also teaches the full range of subjects for as long as possible.

Implementation

- Teachers have good knowledge of the subject(s) and courses they teach. Leaders provide effective support for those teaching outside their main areas of expertise.
- Teachers present subject matter clearly, promoting appropriate discussion about the subject matter being taught. They check pupils' understanding systematically, identify misconceptions accurately and provide clear, direct feedback. In so doing, they respond and adapt their teaching as necessary without unnecessarily elaborate or individualised approaches.
- Over the course of study, teaching is designed to help pupils to remember long term the content they have been taught and to integrate new knowledge into larger ideas.
- Teachers and leaders use assessment well, for example to help pupils embed and use knowledge fluently, or to check understanding and inform teaching. Leaders understand the limitations of assessment and do not use it in a way that creates unnecessary burdens on staff or pupils.
- Teachers create an environment that allows pupils to focus on learning. The resources teachers select – in a way that does not create unnecessary workload for staff – reflect the school's ambitious intentions for the course of study and clearly support the intent of a coherently planned curriculum, sequenced towards cumulatively sufficient knowledge and skills for future learning and employment across a broad range of career options.
- The work given to pupils is demanding and matches the aims of the curriculum in being coherently planned and sequenced towards cumulatively sufficient knowledge.
- Reading is prioritised to allow pupils to access the full curriculum offer.
- A rigorous and sequential approach to the reading curriculum develops pupils' fluency, confidence and enjoyment in reading. At all stages, reading attainment is assessed and gaps are addressed quickly and effectively for all pupils. Reading books connect closely to the phonics knowledge pupils are taught when they are learning to read.
- The sharp focus on ensuring that younger children gain phonics knowledge and language comprehension necessary to read, and the skills to communicate gives them the foundations for future learning.
- Teachers ensure that their own speaking, listening, writing and reading of English support pupils in developing their own language and vocabulary well.

Impact

- Pupils develop detailed knowledge and skills across the curriculum and, as a result, achieve well. This is reflected in results from national tests and examinations, which meet government expectations, or in the qualifications obtained.
- Pupils are ready for the next stage of education, employment or training. They have the knowledge and skills they need and, where relevant, they gain qualifications that allow them to go on to destinations that meet their

interests and aspirations and the intention of their course of study. Pupils with SEND achieve the best possible outcomes.

- Pupils' work across the curriculum is of good quality.
- Pupils read widely and often, with fluency and comprehension appropriate to their age and are able to apply mathematical knowledge, concepts and procedures appropriately for their age.

Requires improvement (3)

- The quality of education provided by the school is not yet good.

Inadequate (4)

The quality of education is likely to be inadequate if any one of the following applies.

- The school's curriculum has little or no structure or coherence and leaders have not appropriately considered sequencing. Pupils experience a jumbled, disconnected series of lessons that do not build their knowledge, skills or understanding.
- Teaching is frequently of poor quality.
- The range of subjects is narrow and does not prepare pupils for the opportunities, responsibilities and experiences of life in modern Britain.
- Pupils cannot communicate, read, write or apply mathematics sufficiently well for their age and are therefore unable to succeed in the next year or stage of education, or in training or employment. (This does not apply for pupils with such complex or severe SEND that this would be impossible.)
- Pupils' progress is consistently low and shows little or no improvement, indicating that pupils are underachieving considerably.
- The progress that disadvantaged pupils make is consistently well below that of other pupils nationally and shows little or no improvement.
- Pupils with SEND do not benefit from a good-quality education. Staff's expectations of them are low and their needs are not accurately identified and/or their needs are not being met.
- Pupils have not attained the qualifications appropriate for them to progress on to their next stages of education, training or employment across a broad range of career options.

Behaviour and attitudes

173. Inspectors will assess a school's entire provision, including any specialist provision offered, when reaching a judgement about behaviour and attitudes.

174. This judgement considers how leaders and staff create a safe, calm, orderly and positive environment within the school and the impact this has on the behaviour and attitudes of pupils.

175. The judgement focuses on the factors that research and inspection evidence indicate contribute most strongly to pupils' positive behaviour and attitudes, thereby giving them the greatest possible opportunity to achieve positive outcomes.⁴⁵ These factors are:

- a calm and orderly environment in the school and the classroom as an essential factor for pupils to be able to learn
- the setting of clear routines and expectations for the behaviour of pupils across all aspects of school life, not just in the classroom
- a strong focus on attendance and punctuality so that disruption is minimised
- clear and effective behaviour and attendance policies, with clearly defined consequences that are applied consistently and fairly by all staff. Children, and particularly adolescents, often have particularly strong concepts of fairness that may be challenged by different treatment by different teachers or of different pupils
- pupil motivation and positive attitudes to learning as important predictors of attainment. Developing positive attitudes can also have a longer-term impact on how pupils approach learning tasks in later stages of education
- a positive, respectful, school culture in which staff know and care about pupils
- an environment where pupils feel safe, in which bullying and discrimination are not accepted and in which they are dealt with quickly, consistently and effectively whenever they occur.

176. Ofsted's evidence for the importance of each of these factors is drawn from its inspection experience, areas of agreement in academic research and its own research. A full note of how the criteria relate to the available research can be found here in our research commentary.⁴⁶

Pupils who have particular needs

177. The school may be working with pupils with particular needs in order to improve their behaviour or their attendance. When this is the case, 'behaviour and conduct that reflects the school's high expectations and their consistent, fair implementation' are likely to include demonstrable improvement in the attendance and behaviour of these pupils, taking account of the individual circumstances of the school.

178. Some pupils, or groups of pupils, with particular needs may have low attendance or display challenging behaviour. When this is the case, inspectors

⁴⁵ <https://www.gov.uk/government/speeches/hmci-commentary-curriculum-and-the-new-education-inspection-framework>.

⁴⁶ 'Education inspection framework: overview of research', Ofsted, January 2019, www.gov.uk/government/publications/education-inspection-framework-overview-of-research.

will evaluate the impact of schools' high expectations, the consistent, fair implementation of policies, and their impact on the demonstrable improvement of the attendance and behaviour of these pupils.

Pupils who are not in the school during the inspection

179. Inspectors will gather evidence about the typical behaviour of all the pupils who attend the school, including those who are not present on the day of inspection. If there is evidence that a school has deliberately removed pupils from the school site on the day of inspection, or has arranged for them to be absent, and inspectors reasonably believe that this was done in order to have an impact on the inspection, then inspectors are likely to judge behaviour and attitudes and leadership and management to be inadequate.

Sources of evidence specific to behaviour and attitudes

180. Inspectors will hold discussions with pupils and staff to gather evidence about school culture and practice in relation to pupils' behaviour, support for staff and other systems. In setting up discussions, inspectors will select a sample of staff who research suggests are most affected by pupils' challenging behaviour: trainees, supply staff, NQTs, administrative support staff and catering staff, as well as other members of staff. This will provide inspectors with valuable information that includes the views of those who most urgently require the school's support in managing pupils' behaviour. The interviews should be carried out with individuals, not groups, to allow those members of staff to give clear evidence without being influenced by the views or expectations of others in the group when talking about a sensitive issue.

181. Inspectors will speak to pupils from a range of different backgrounds and who have different experiences of the school's approach to behaviour. This should include pupils who have experienced sanctions under the school's behaviour policy. Inspectors will take into account the views of a varied sample of pupils, their experiences of others' behaviour and attitudes towards them, and their understanding of the importance of positive behaviour on life in school and beyond school.

182. Inspectors will evaluate the experience of particular individuals and groups, such as pupils for whom referrals have been made to the local authority (and check how the referral was made and the thoroughness of the follow-up), pupils with SEND, children looked after, those with medical needs and those with mental health needs. In order to do this, inspectors will look at the experience of a small sample of these pupils.

183. If a school uses fixed-term and internal exclusion, inspectors will evaluate its effectiveness, including the rates, patterns and reasons for exclusion, any differences between groups of pupils and whether any pupils are repeatedly

excluded. Inspectors will consider how well the school is recognising and acting to address any patterns that exist.

184. Inspectors will consider whether the school is developing the use of alternative strategies to exclusion, and inspectors will also recognise where schools are doing all that they can to support pupils at risk of exclusion, including through tenacious attempts to engage local support services.

185. The pupil and staff surveys used in inspection contain questions about safeguarding, behaviour and discipline, bullying, how respondents feel about the school and how well supported and respected they feel they are in the school. Inspectors will meet school leaders to account for the results of the pupil and staff interviews and surveys.

186. Inspectors will carry out other evidence-gathering activities that include, but are not limited to:

- observing pupils' behaviour in a range of different classes at different times of the day
- observing pupils at break times, lunchtimes and between lessons
- observing pupils' punctuality in arriving at school and at lessons
- observing pupils' respect for, courtesy and good manners towards each other and adults, and pride in themselves and their school
- evaluating the school's analysis of, and response to, pupils' behaviour over time, in whatever format the school already has these
- analysing absence and persistent absence rates for all pupils, and for different groups in relation to national averages for all pupils; this includes the extent to which low attenders are improving their attendance over time and whether attendance is consistently low
- evaluating the prevalence of permanent exclusion, the procedures surrounding this and the reasons for it, and the support given to make sure that it is a last resort
- evaluating the effectiveness of fixed-term and internal exclusion, including the rates and reasons for exclusion
- assessing the school's work to follow up and support fixed-term excluded pupils
- gathering the views of parents, staff, those with responsibility for governance and other stakeholders
- gathering evidence about the typical behaviour of pupils who are not in school during the inspection, for example whether they have had fixed-term exclusions or internal exclusions in the two years prior to inspection
- balancing evidence seen during the inspection and also evidence of trends over time

- visiting any off-site unit that the school runs (on its own or in partnership with other schools) for pupils whose behaviour is poor or with low attendance. Inspectors will assess safeguarding procedures, the quality of teaching and how effectively the unit helps to improve pupils' behaviour, learning and attendance. For more information, see the 'Inspecting off-site provision' section (page 54).

Grade descriptors for behaviour and attitudes

187. In order for the behaviour and attitudes of a school to be judged **outstanding**, it must meet the following criteria.

Outstanding (1)

- The school meets **all** the criteria for good behaviour and attitudes **securely and consistently**. In **addition**, the following apply:
- Pupils behave with consistently high levels of respect for others.
- Pupils consistently have highly positive attitudes and commitment to their education. They are persistent in the face of difficulties. Where pupils struggle with this, the school takes intelligent, swift and highly effective action to support them.
- Schools in challenging circumstances consistently take intelligent, fair and highly effective action to create a positive learning environment. Pupils are safe, feel safe, behave consistently well and have consistently positive attitudes to their education.

188. In order to judge whether a school is **good, requires improvement or is inadequate**, inspectors will use a 'best fit' approach, relying on the professional judgement of the inspection team.

Good (2)

- The school has high expectations for pupils' behaviour and conduct and applies these expectations consistently and fairly. This is reflected in pupils' behaviour and conduct. Staff make sure that pupils adopt appropriate routines.
- Bullying, aggression, discrimination and derogatory language are rare and, when they occur, they are dealt with quickly and effectively.
- Pupils' attitudes to their education are positive. They are committed to their learning, know how to study effectively, are resilient to setbacks and take pride in their achievements.
- Pupils have high attendance, come on time to school and are punctual to lessons.
- Fixed-term exclusions are used appropriately.
- Relationships among pupils and staff reflect a positive and respectful culture: pupils are safe and they feel safe.

Requires improvement (3)

- Behaviour and attitudes in the school are not good.
- Pupils are safe and they feel safe.

Inadequate (4)

Behaviour and attitudes are likely to be inadequate if any one of the following applies.

- Leaders are not taking effective steps to secure good behaviour from pupils and a consistent approach to discipline. They do not support staff adequately in managing behaviour.
- Pupils' lack of engagement and persistent low-level and/or high-level wilful disruption contribute to reduced learning and/or disorderly classrooms.
- A significant minority of pupils show a lack of respect for each other or staff and a lack of self-discipline. Pupils ignore or rebut requests from teachers to moderate their conduct. This results in poor behaviour around the school.
- Pupils show negative attitudes towards the value of good manners and behaviour as key factors in school life, adult life and work.
- Attendance is consistently low for all pupils or groups of pupils and shows little sign of sustained improvement.
- Incidents of bullying or prejudiced and discriminatory behaviour, both direct and indirect, are frequent.
- Pupils have little confidence in the school's ability to tackle bullying and/or discriminatory behaviour successfully.
- Pupils or particular groups of pupils are not safe or do not feel safe at school and/or at alternative placements.

Personal development

189. Inspectors will assess a school's entire provision, including any specialist provision offered, when reaching a judgement about personal development.

190. The curriculum provided by schools should extend beyond the purely academic, technical or vocational. Schools support pupils to develop in many diverse aspects of life. This judgement evaluates the school's intent to provide for the personal development of pupils, and the quality with which they implement this work. It recognises that the impact of the school's provision for personal development will often not be assessable during pupils' time at school.

191. At the same time as the school is working with pupils, those pupils are also being influenced by other factors in their home environment, their community and elsewhere. Schools can teach pupils how to build their confidence and resilience, for example, but they cannot determine how well young people draw on this. Similarly, schools cannot make children active, engaged citizens, but

they can help pupils understand how to engage with society and provide them with plentiful opportunities to do so. Schools are able to take effective action to prepare pupils for many aspects of life, but the impact of this work may not be seen until many years later. In this judgement, therefore, inspectors will seek to evaluate the quality and intent of what a school provides, but will not attempt to measure the impact of the school's work on the lives of individual pupils.

192. The judgement focuses on the dimensions of the personal development of pupils that our education system has agreed, either by consensus or statute, are the most significant:

- developing responsible, respectful, active citizens who are able to play their part and become actively involved in public life as adults
- developing and deepening pupils' understanding of the fundamental British values of democracy, individual liberty, the rule of law and mutual respect and tolerance
- promoting equality of opportunity so that all pupils can thrive together, understanding that difference is a positive, not a negative, and that individual characteristics make people unique
- promoting an inclusive environment that meets the needs of all pupils, irrespective of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation
- developing pupils' character, the set of positive personal traits, dispositions and virtues that informs their motivation, guides their conduct so that they reflect wisely, learn eagerly, behave with integrity and cooperate consistently well with others. This gives them the qualities they need to flourish in our society
- developing pupils' confidence, resilience and knowledge so that they can keep themselves mentally healthy
- developing pupils' understanding of how to keep physically healthy and maintain an active lifestyle, including giving ample opportunities for pupils to be active during the school day and through extra-curricular activities
- developing an age-appropriate understanding of healthy relationships through appropriate relationship and sex education
- providing an effective careers programme that offers advice, experience and contact with employers to encourage pupils to aspire, make good choices and understand what they need to do to reach and succeed in the career to which they aspire⁴⁷

⁴⁷ The government's statutory guidance on careers guidance can be found [here](#).

- supporting readiness for the next phase of education, training or employment so that pupils are equipped to make the transition to the next stage successfully.

Spiritual, moral, social and cultural development

193. Inspectors will evaluate the effectiveness of the school's provision for pupils' spiritual, moral, social and cultural education. This is a broad concept that can be seen across the school's activities, but draws together many of the areas covered by the personal development judgement.

194. Provision for the spiritual development of pupils includes developing their:

- ability to be reflective about their own beliefs, religious or otherwise, which inform their perspective on life
- interest in, and respect for, different people's faiths, feelings and values
- sense of enjoyment and fascination in learning about themselves, others and the world around them
- use of imagination and creativity in their learning
- willingness to reflect on their experiences.

195. Provision for the moral development of pupils includes developing their:

- ability to recognise the difference between right and wrong and to readily apply this understanding in their own lives, and recognise legal boundaries and, in so doing, respect the civil and criminal law of England
- understanding of the consequences of their behaviour and actions
- interest in investigating and offering reasoned views about moral and ethical issues and ability to understand and appreciate the viewpoints of others on these issues.

196. Provision for the social development of pupils includes developing their:

- use of a range of social skills in different contexts, for example working and socialising with other pupils, including those from different religious, ethnic and socio-economic backgrounds
- willingness to participate in a variety of communities and social settings, including by volunteering, cooperating well with others and being able to resolve conflicts effectively
- acceptance of and engagement with the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs. They will develop and demonstrate skills and attitudes that will allow them to participate fully in and contribute positively to life in modern Britain.

197. Provision for the cultural development of pupils includes developing their:

- understanding and appreciation of the wide range of cultural influences that have shaped their own heritage and that of others
- understanding and appreciation of the range of different cultures in the school and further afield as an essential element of their preparation for life in modern Britain
- ability to recognise, and value, the things shared in common across cultural, religious, ethnic and socio-economic communities
- knowledge of Britain's democratic parliamentary system and its central role in shaping our history and values, and in continuing to develop Britain
- willingness to participate in and respond positively to artistic, musical, sporting and cultural opportunities
- interest in exploring, improving understanding of and showing respect for different faiths and cultural diversity and the extent to which they understand, accept, respect and celebrate diversity and things we share in common. This is shown by their tolerance and attitudes towards different religious, ethnic and socio-economic groups in the local, national and global communities.

198. The DfE has published non-statutory advice to help schools understand their obligations under the independent school standards relating to a school's provision for pupils' spiritual, moral, social and cultural development:⁴⁸

- 'Improving the spiritual, moral, social and cultural (SMSC) development of pupils – Departmental advice for independent schools, academies and free schools', DfE, November 2013
- 'Improving the spiritual, moral, social and cultural (SMSC) development of pupils: supplementary information – Departmental advice for independent schools, academies and free schools', DfE, November 2014.

The advice sets out the aims of each of the standards in part 2 of the independent school standards (spiritual, moral, social and cultural development of pupils).

Sources of evidence specific to personal development

199. Inspectors will use a range of evidence to evaluate personal development, including:

⁴⁸ 'Departmental advice on improving the spiritual, moral, social and cultural development of pupils, and supplementary information', Department for Education, November 2014; www.gov.uk/government/publications/improving-the-sm-sc-development-of-pupils-in-independent-schools.

- the range, quality and take-up of extra-curricular activities offered by the school
- how curriculum areas such as personal, social, health and economic education, and relationship and sex education, contribute to pupils' personal development
- how well leaders promote British values through assemblies, wider opportunities, visits, discussions and literature
- how well leaders develop pupils' character through the quality of education that they provide
- where appropriate, the quality of debate and discussions that pupils have
- pupils' understanding of the protected characteristics and how equality is promoted, and diversity and how the things we have in common are celebrated.
- the quality of careers information, education, advice and guidance and how well it benefits pupils in choosing and deciding on their next steps.

Grade descriptors for personal development

200. In order for personal development to be judged **outstanding**, it must meet the following criteria.

Outstanding (1)

- The school meets **all** the criteria for good personal development **securely and consistently**. In **addition**, the following apply:
- The school consistently goes 'the extra mile' to promote the personal development of pupils, so that they have access to a rich set of experiences.
- The school provides these rich experiences in a coherently planned way, both in the curriculum and through extra-curricular activities, and these considerably strengthen the school's offer.
- The school ensures that participation in these activities is consistently very high, including among those from disadvantaged backgrounds, so that all can benefit from these opportunities and experiences.
- The way the school goes about developing pupils' character is exemplary and is worthy of being shared with others.

201. In order to judge whether a school is **good, requires improvement** or is **inadequate**, inspectors will adopt a 'best fit' approach, relying on the professional judgement of the inspection team.

Good (2)

- The curriculum extends beyond the academic, vocational or technical and provides for pupils' broader development, including their spiritual, moral, social and cultural development.

- The curriculum and the school's wider work support pupils to develop character.
- The curriculum and the school's wider work support pupils to develop resilience, confidence and independence, and lead a healthy and active lifestyle, helping them know how to keep physically and mentally healthy.
- The school prepares pupils for life in modern Britain by developing their understanding of the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.
- By promoting equality of opportunity and diversity, the school ensures that pupils understand, appreciate and respect difference in the world and its people, celebrating what we have in common and promoting respect for the different protected characteristics as defined in law.
- The school provides pupils with meaningful opportunities to understand how to be responsible, respectful, active citizens who contribute positively to society.
- Secondary schools prepare pupils for future success in education, employment or training by providing unbiased information to all about potential next steps and high-quality careers advice and guidance.

Requires improvement (3)

- Personal development in the school is not yet good.

Inadequate (4)

Personal development is likely to be inadequate if any one of the following applies.

- A significant minority of pupils do not understand how to and why they should live healthy, positive lives, either physically or emotionally.
- Leaders and those responsible for governance, through their words, actions or influence, directly and/or indirectly, undermine or fail to promote equality of opportunity in the school.
- Leaders and those responsible for governance are not protecting pupils from radicalisation and extremist views. Policy and practice are poor, which means that pupils are at risk.
- The school does not ensure that pupils get access to unbiased information about potential next steps and high-quality careers advice and guidance.
- Leaders and those responsible for governance are actively undermining fundamental British values and are not protecting pupils from radicalisation and extremist views.

Leadership and management

202. Inspectors will assess a school's entire provision, including any specialist provision offered, when reaching a judgement about leadership and management.

203. This judgement is about how proprietors, leaders, managers and those responsible for governance ensure that the education that the school provides has a positive impact on all its pupils. It focuses on the areas where inspection and research indicate that leaders and managers can have the strongest effect on the quality of the education provided by the school. Important factors include:

- leaders' high expectations of all pupils in the school, and the extent to which these are embodied in leaders' and staff's day-to-day interactions with pupils
- the extent to which leaders focus their attention on the education provided by the school. There are many demands on leaders, but a greater focus on this area is associated with better outcomes for pupils
- the alignment of continuing professional development for teachers and staff with the curriculum, and the extent to which it develops teachers' content knowledge and teaching content knowledge over time, so that they are able to deliver better teaching for pupils
- the extent to which leaders create coherence and consistency across the school so that pupils benefit from effective teaching and consistent expectations, wherever they are in the school
- whether leaders seek to engage parents and their community thoughtfully and positively in a way that supports pupils' education, and whether leaders are thoughtful in drawing boundaries and resisting inappropriate attempts to influence what is taught and the day-to-day life of the school
- the extent to which leaders take into account the workload and well-being of their staff in order to deliver a high-quality education while also developing and strengthening the quality of the workforce
- the extent to which leaders' and managers' high ambitions are for all pupils, including those who are harder to reach. This includes ensuring that practices such as off-rolling do not take place
- whether leaders and those responsible for governance all understand their respective roles and perform these in a way that enhances the effectiveness of the school.

204. Ofsted's evidence for the importance of each of these factors is drawn from its inspection experience, areas of consensus in academic research and Ofsted's

research. A full note of how the criteria relate to the available research can be found here in our research commentary.⁴⁹

205. Page 56 sets out the importance and place of safeguarding.

206. Inspectors will also consider:

- whether the school meets all paragraphs in all parts of the independent school standards
- whether leaders are fulfilling all of their legal responsibilities associated with the running of the school, for example in relation to any international students.

Leadership and management in the school

207. Research suggests that leadership and management can be highly effective when it is shared by different individuals and distributed across different levels in a school. Inspectors will therefore look at the work of headteachers, senior leaders, subject leaders and others with leadership and management roles when reaching this judgement.

Leadership and management in independent schools that are part of a group of schools

208. Where a school is part of a group of schools, it is important for inspectors to remember that the proprietor will be the head of this group and they are responsible for the quality of education provided in the school.

209. It is highly likely that some of the leadership functions described in the grade criteria are performed by school leaders, although the proprietor may have responsibility for local governance. It is the responsibility of school leaders to give inspectors accurate and appropriate information about those roles and responsibilities. Inspectors should always seek to speak directly with the proprietor during the inspection.

210. Leaders of these groups of schools (for example, the chief executive or an education director) may request to meet inspectors as part of the inspection, or to attend feedback meetings. These are appropriate requests and should be accommodated. These individuals, however, should abide by the same code of conduct as all others involved in the inspection.⁵⁰

⁴⁹ 'Education inspection framework: overview of research', Ofsted, January 2019,

www.gov.uk/government/publications/education-inspection-framework-overview-of-research.

⁵⁰ <https://www.gov.uk/government/publications/conduct-of-inspectors-during-ofsted-inspections>.

Governance

211. Inspectors will seek evidence of the impact of those responsible for governance. This includes the impact of the proprietor. Where there is a proprietorial body and/or governing body, inspectors will speak to as many members as possible.

212. They will consider whether those responsible for governance:

- ensure clarity of vision, ethos and strategic direction
- hold senior leaders to account for the educational performance of the organisation and its pupils, and the performance management of staff
- oversee the financial performance of the organisation and making sure its money is well spent.

213. The proprietor is responsible for ensuring that the school meets all paragraphs in all parts of the independent school standards. In addition, the proprietor and those responsible for governance are responsible for ensuring that the school fulfils its statutory duties, for example under the Equality Act 2010, and other duties, such as in relation to the 'Prevent' duty and safeguarding. Inspectors will explore how the proprietor and those responsible for governance carry out this responsibility. Please note, inspectors are **not** expected to construct or review a list of duties.

214. Inspectors will report separately and clearly on governance in the leadership and management section of the inspection report.

Evaluating the impact of external support

215. Where the school has received external support, inspectors will evaluate and report on the quality of the support and challenge and the impact on improvement in the school.

Inspecting off-site provision

216. Inspectors must evaluate how well a school continues to take responsibility for its pupils who attend alternative or off-site provision. Inspectors need to be assured that the proprietor has ensured that the alternative provision is a suitable and safe placement that will meet pupils' pastoral, academic/vocational/technical and, if appropriate, SEND needs. Inspectors must speak to a representative from the alternative provider(s).

217. Inspectors will consider:

- the reasons why the proprietor considered off-site provision to be the best option for the pupils concerned

- whether the proprietor has made the appropriate checks on the registration status of the provision
- what safeguarding checks the proprietor has made and continues to make to ensure that the provision is a safe place for their pupils to attend
- the extent to which the proprietor ensures that their pupils will benefit from a well-taught, broad and balanced curriculum
- the extent to which pupils make progress and attain
- the attendance and behaviour of the pupils who attend the provision
- how well the provision promotes the pupils' personal development.

218. If a school uses a provider that is not registered, the duty desk must be contacted so that staff can notify Ofsted's unregistered schools team and determine if action needs to be taken because there is reasonable cause to believe that the setting is operating as an unregistered school. An inspector will visit that provider to check the suitability of the provision. If this visit requires additional time or additional inspectors for it to be carried out effectively, the lead inspector will contact the regional duty desk.

219. A school is likely to be judged inadequate for leadership and management if:

- it is making ineffective or inappropriate use of alternative provision
- it is using inappropriate alternative provision
- the proprietor has not taken the necessary steps to assure themselves of the suitability of a provision
- the proprietor is not aware of how many of their pupils attend alternative provision
- the proprietor is not taking responsibility for their pupils who attend alternative provision

Gaming

220. Inspectors will challenge leaders and managers about unusual patterns of examination entry that appear to 'game the system', for example if they are entering pupils for courses that are not in their educational best interest. If inspectors uncover evidence that deliberate, substantial gaming is taking place, leadership and management are likely to be judged inadequate.

Inclusion and off-rolling

221. Schools should have an inclusive culture that facilitates arrangements to:

- identify early those pupils who may be disadvantaged or have additional needs or barriers to learning

- meet the needs of those pupils, drawing, where necessary, on more specialist support, and help those pupils to engage positively with the curriculum
- ensure pupils have a positive experience of learning, and achieve positive outcomes.

222. There is no legal definition of 'off-rolling'. However, Ofsted defines off-rolling as:

The practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil. Off-rolling in these circumstances is a form of 'gaming'.

223. When an inspection finds evidence of off-rolling taking place, by Ofsted's definition, it should always be addressed in the inspection report, and may (depending on scale and impact) need to be considered when reaching the judgement. If the off-rolling is lawful, inspectors must be careful to consider the context of the off-rolling and be clear about what impact the off-rolling has had both on pupils involved and on the school. There are many different activities that can constitute off-rolling, so there can be no hard and fast rules as to how it should be addressed. However, if inspectors determine the school to be off-rolling according to Ofsted's definition, then the leadership and management of the school are likely to be judged to be inadequate.

224. There are other reasons why a school might remove a pupil from the school roll, such as when a pupil moves house or a parent decides, without encouragement or coercion by the school, to home educate their child. This is not off-rolling. Similarly, if a school appropriately removes a pupil from the roll due to a formal permanent exclusion and follows the proper processes, this is not off-rolling. Headteachers have the right to exclude pupils and there are legitimate reasons for them to do so. Used correctly, exclusion is a vital measure for headteachers to use.

225. Inspectors will be interested in high numbers of pupils moving on- and off-roll, but this may not in itself mean that off-rolling is taking place.

Safeguarding

226. Inspectors will not grade this key aspect of a school's work. However, inspectors will always make a written judgement under 'Leadership and management' in the report about whether or not the arrangements for safeguarding children and pupils are effective.

227. Inspectors must evaluate the safeguarding culture that has been established in the school and move away quickly from simple reviews of documents beyond those statutorily required.

228. Inspectors should be familiar with the statutory guidance in relation to safeguarding:
- 'Keeping children safe in education: statutory guidance for schools and colleges'⁵¹
 - 'Working together to safeguard children'.⁵²
229. On all inspections, inspectors need to ascertain whether there have been any safeguarding incidents or allegations since the last inspection, and whether they are now resolved or are ongoing.⁵³
230. On a very small number of occasions, during an inspection, inspectors may come across evidence or allegations of child abuse. Inspectors must not attempt to investigate any incident of child abuse but will satisfy themselves that concerns about a child's safety are referred on, as appropriate, to the children's services department of the relevant local authority. The referral will normally be made by the safeguarding lead for the school.⁵⁴
231. If a child discloses to an inspector on site that they are suffering or at risk of abuse, the inspector will stop all other activity and focus on ensuring that the child receives the help they need. Specific guidance on what to do in this situation can be found in 'Safeguarding concerns: guidance for inspectors'.⁵⁵
232. The guidance 'Inspecting safeguarding in early years, education and skills settings' explains how incidents will be covered in the inspection report.
233. Safeguarding is ineffective when there are serious or widespread failures in the school's/setting's safeguarding arrangements that give cause for concern because children are not protected and statutory requirements are not being met, **or** because insufficient action is being taken to remedy weaknesses following a serious failure of safeguarding arrangements.
234. Examples of ineffective safeguarding might include:
- safeguarding allegations about staff members are not being handled appropriately

⁵¹ 'Keeping children safe in education', Department for Education, 2018;

www.gov.uk/government/publications/keeping-children-safe-in-education--2.

⁵² 'Working together to safeguard children', Department for Education, 2018;

www.gov.uk/government/publications/working-together-to-safeguard-children--2.

⁵³ Section 5.6 of 'Inspecting safeguarding in early years, education and skills settings', Ofsted, September 2018; www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015/inspecting-safeguarding-in-early-years-education-and-skills-settings.

⁵⁴ 'Safeguarding concerns: guidance for inspectors', Ofsted 2018, www.gov.uk/government/publications/safeguarding-concerns-guidance-for-inspectors.

⁵⁵ 'Safeguarding concerns: guidance for inspectors', Ofsted 2018, www.gov.uk/government/publications/safeguarding-concerns-guidance-for-inspectors.

- children/pupils/students or particular groups of children/pupils/students do not feel safe in school/the setting
- children/pupils/students have little confidence that the school/setting will address concerns about their safety, including risk of abuse
- for schools: pupils are frequently missing from school (including for part of the school day), but this is not addressed appropriately by staff
- incidents of bullying or prejudiced and discriminatory behaviour are common.

The impact of safeguarding on the leadership and management judgement

235. When safeguarding is ineffective, this is likely to lead to an inadequate leadership and management judgement. However, there may be circumstances when it is appropriate to judge a setting as requires improvement, rather than inadequate, if there are minor weaknesses in safeguarding arrangements that are easy to put right and do not leave children either being harmed or at risk of harm.

Segregation

236. It is unlawful for schools to segregate pupils on the basis of any protected characteristics such as sex, race or faith while at school, unless permitted by the Equality Act 2010 for the purposes of:

- positive action to alleviate a disadvantage associated with a certain characteristic. This could, for example, include pupils of one race or sex getting additional work experience in a sector in which they are under-represented (section 158)
- competitive sport, games or other competitive activities in which physical strength, stamina or physique are significant factors in determining success or failure. A school is allowed to organise separate events for boys and girls (section 195).

237. If an inspector believes that a school may be segregating pupils, they will contact the duty desk. If segregation is taking place, inspectors will report this in the 'Leadership and management' section of the inspection report.

- A school is unlikely to be judged as good or outstanding in leadership and management if it is segregating pupils unlawfully.
- If the school has genuine and imminent plans to reintegrate pupils, a judgement of requires improvement will normally be appropriate.
- In other cases, the grade will likely be inadequate for leadership and management.

Sources of evidence specific to leadership and management

238. Evidence used to evaluate the impact of leaders' work, both currently and over time, includes, but is not limited to:

- meetings with leaders, including the proprietor, to discuss how well they know the school and the quality of education that it provides for pupils
- meetings with the proprietor and those responsible for governance as appropriate to evaluate how well they fulfil their statutory duties, including their duties under the Equality Act 2010 and in relation to safeguarding
- documentary evidence provided by the school that demonstrates the effectiveness of the school's provision
- interviews with staff and pupils to evidence how well leaders have created a positive culture
- first-hand evidence gathered during the course of inspection
- responses to the staff and pupil questionnaires and Parent View; these will be particularly useful for judging the culture that has been established in the school by leaders and managers
- any evidence the school has from regularly surveying the staff and the way in which leaders and managers have responded to concerns raised by staff or parents, for example about how teachers are supported by senior leaders to tackle low-level disruptive behaviour.

239. Inspectors will always report on the school's activity to gather the views of staff, whether through the school's internal procedures or its use of the Ofsted questionnaire. They will do this in the 'Information about this inspection' section.

Grade descriptors for leadership and management

240. In order for the leadership and management of a school to be judged **outstanding**, it must meet the following criteria.

Outstanding (1)

- All of the independent school standards (and, where relevant, statutory requirements of the early years foundation stage) are met.
- The school meets **all** the criteria for good leadership and management **securely and consistently**. In **addition**, the following apply:
- Leaders ensure that teachers receive focused and highly effective professional development. Teachers' subject, pedagogical and pedagogical content knowledge consistently builds and develops over time, and this consistently translates into improvements in the teaching of the curriculum.
- Leaders ensure that highly effective and meaningful engagement takes place with staff at all levels and that issues are identified. When issues are

identified – in particular about workload – they are consistently dealt with appropriately and quickly.

- Staff consistently report high levels of support for well-being issues.

241. In order to judge whether a school is **good, requires improvement or is inadequate**, inspectors will use a 'best fit' approach, relying on the professional judgement of the inspection team.

Good (2)

- All of the independent school standards (and, where relevant statutory requirements of the early years foundation stage) are met.
- Leaders have a clear and ambitious vision for providing high-quality, inclusive education to all pupils. This is realised through strong, shared values, policies and practice.
- Leaders focus on improving teachers' subject, pedagogical and pedagogical content knowledge in order to enhance the teaching of the curriculum and the appropriate use of assessment. The practice and subject knowledge of staff build and improve over time.
- Leaders aim to ensure that all pupils successfully complete their programmes of study. They provide the support for staff to make this possible and do not allow gaming or off-rolling.
- Leaders engage effectively with pupils and others in their community, including, where relevant, parents/carers, employers and local services. Engagement opportunities are focused and purposive.
- Leaders engage with their staff and are aware and take account of the main pressures on them. They are realistic and constructive in the way they manage staff including their workload.
- Leaders protect staff from bullying and harassment.
- Those responsible for governance understand their role and carry this out effectively. The proprietor/those responsible for governance ensure that the school has a clear vision and strategy, that resources are managed well and that leaders are held to account for the quality of education.
- Those with responsibility for governance ensure that the school fulfils its other statutory duties, for example under the Equality Act 2010, and other duties, for example in relation to the 'Prevent' strategy and safeguarding.
- The school has a culture of safeguarding that facilitates effective arrangements to: **identify** pupils who may need early help or who are at risk of neglect, abuse, grooming or exploitation; **help** pupils reduce their risk of harm by securing the support they need, or referring them in a timely way to those who have the expertise to help; and **manage** safe recruitment and allegations about adults who may be a risk to pupils.

Requires improvement (3)

- All of the independent school standards **may** be met, but the school is not yet demonstrating the characteristics of a good judgement.
- Leadership and management are not good.
- Safeguarding is effective, or there are minor weaknesses in safeguarding arrangements that are easy to put right and do not leave children either being harmed or at risk of harm.

Inadequate (4)

Leadership and management are likely to be inadequate if one or more of the following applies.

- There are one or more un-met independent school standards (or, where relevant, statutory requirements of the early years foundation stage) that are not minor or easily rectified, or that have a serious impact on pupils' welfare, health and safety, academic or personal development.
- The capacity for improving the quality of education, or for improving the personal development and behaviour/attitudes of pupils is poor or leaders are overly dependent on external support.
- Leaders are not doing enough to tackle weaknesses in the school.
- The improvements that leaders and those responsible for governance have made are unsustainable or have been implemented too slowly.
- The school is systematically gaming its results, entering pupils for courses that are not in their educational best interest.
- There is evidence that pupils have been removed from the school roll without a formal, permanent exclusion or by the school encouraging a parent to remove their child from the school roll, and leaders have taken insufficient action to address this.
- Leaders are not aware of, or are not taking effective action to stem, the decline in the attainment or progress of disadvantaged pupils.
- There is a clear breach of one or more of the other legal responsibilities of the proprietor/those responsible for governance, and that breach is serious because of the extent of its actual or potential negative impact on pupils. The proprietor/governing body either is unaware of the breach, or has taken insufficient action to correct it and/or to remedy the negative or potential negative impact on pupils and/or to ensure that a suitable system is in place to prevent a similar breach in the future.
- Safeguarding is ineffective. The school's arrangements for safeguarding pupils do not meet statutory requirements, or they give serious cause for concern, or insufficient action has been taken to remedy weaknesses following a serious incident.

Evaluating early years education in schools

242. Inspectors are required to grade the standards of education and care in the early years provision and write a section in the inspection report that summarises its effectiveness.
243. Inspectors must use all their evidence to evaluate what it is like to be a child in the early years provision, taking account of the ages of the children and whether they attend part time or full time.
244. The effectiveness of the arrangements for safeguarding children is reflected in the main judgement for the school.
245. Inspectors should take account of all the judgements made across the evaluation schedule. In particular, they should consider:
- the extent to which leaders and providers plan, design and implement the curriculum
 - how effectively leaders use additional funding, including the early years pupil premium where applicable, and measure its impact on disadvantaged children's outcomes
 - the extent to which the curriculum and care practices meet the needs of the range of children who attend, particularly any children with SEND
 - the progress all children make in their learning and development relative to their starting points and their readiness for the next stage of their education
 - children's personal and emotional development, including whether they feel safe and are secure and happy.

Sources of evidence

246. Inspectors will particularly consider the intent, implementation and impact of the school's early years curriculum. They will evaluate the impact that the quality of education has on children, particularly the most disadvantaged and those with SEND.
247. Inspectors will look at the achievement of children at the end of Reception over time, by the proportions reaching a good level of development. However, inspectors need to get beyond the data as quickly as possible to ascertain how well the curriculum is meeting children's needs. This will be evident in how well children know and remember more. Inspectors need to make careful inferences about children's current progress by triangulating evidence from a range of sources.
248. Taking into account any exemption from the learning and development requirements (see paragraph 254), inspectors will consider how well:

- leaders assure themselves that the aims of the early years curriculum (educational programmes) intentions are met and that it is sufficiently challenging for the children it serves
- staff ensure that the content, sequencing and progression in the areas of learning, particularly in the specific areas of reading, writing and number and shape, space and measure, are secured
- staff teach children to read systematically, by using synthetic phonics⁵⁶ and books that match the children’s phonics knowledge
- staff develop children’s love of reading, through reading aloud and telling stories and rhymes
- children develop, consolidate and deepen their knowledge, understanding and skills across the areas of learning
- children demonstrate their attitudes and behaviours through the key characteristics of effective learning:
 - playing and exploring
 - active learning
 - creating thinking and thinking critically
- the content of the curriculum is taught in a logical progression, systematically and in a way that is explained effectively, so that it gives children the necessary foundations for the rest of their schooling.

Inspecting provision for two- and three-year-olds

249. Schools that take two- and three-year-olds as part of their early years provision do not need to register that provision with Ofsted. The provision for two- and three-year-olds will be inspected as part of the school inspection. Inspectors should ensure that the written judgement on the effectiveness of early years provision includes evaluation of the provision for two- and three-year-olds. Inspectors should also note whether they are in receipt of funding.

250. When observing provision for two- and three-year-olds, inspectors will assess whether staff are:

- knowledgeable about the typical development and characteristics of learning for two- and three-year-olds, including their emotional and physical dependence on adults
- aware of the large difference in development between children who are ‘just two’ and those approaching their fourth birthday

⁵⁶ Synthetic phonics teaches children to recognise the sounds that individual letters and combinations of letters make. Pupils learn to blend these sounds together to read words. They go on to use this knowledge when writing. A systematic approach starts with the easiest sounds, progressing to the most complex.

- aware when children need comforting and respond in an appropriate way that provides that comfort
- focused on teaching children through the three prime areas of learning (taking into account of any exemption from the learning and development requirements)
- attentive to children's care needs and use times caring for them as an opportunity to help children's learning
- giving children time to be in familiar, small groups and opportunities to be in smaller, quieter areas for play
- patient and attentive, and allow two- and three-year-olds to express their ideas
- listening to children and responding to children's verbal and non-verbal communication rather than interrupting children
- gently talkative with children and are not put off when there is no response
- not reactive when children display a tantrum.

251. Inspectors will be aware that two-year-olds typically:

- continue to develop the language to communicate verbally. They may often use single words, string single words together or use language that is hard for adults to discern
- show interest in others and are learning to play cooperatively. Children may play 'side by side', although they may be less willing to share resources
- watch others and copy others as ways of learning
- have conflict with other two-year-olds
- ask 'what?' and 'where?'
- begin to develop their independence; children may often state 'me do it' and 'no'
- use physical means to express themselves.

Grade descriptors

Outstanding (1)

The effectiveness of the early years provision meets **all** the criteria for good **securely and consistently**. In addition, the following apply:

- The curriculum provides no limits or barriers to the children's achievements, regardless of their backgrounds, circumstances or needs. The high ambition it embodies is shared by all staff.
- The sharp focus on ensuring that children acquire a wide vocabulary, communicate effectively and acquire a knowledge of phonics gives them the

foundations for future learning, especially in preparation for them to become confident and fluent readers.

- Over time, children consistently achieve highly, particularly those children from disadvantaged backgrounds. Those with SEND also achieve their full potential. Children successfully acquire the necessary foundations for the rest of their schooling.
- Children are highly motivated, and the vast majority are eager to join in. They share and cooperate well, demonstrating high levels of self-control and respect for others. Children consistently keep on trying hard, particularly if they encounter difficulties.

Good (2)

Intent

- Leaders adopt or construct a curriculum that is ambitious and designed to give children, particularly the most disadvantaged, the knowledge, self-belief and cultural capital they need to succeed in life.
- The curriculum is coherently planned and sequenced towards cumulatively sufficient knowledge for the necessary foundations for the rest of their schooling.
- The school's approach to teaching early reading and phonics is systematic and effective in ensuring that all children learn to read words and sentences accurately.
- The same academic/vocational/technical ambitions for almost all children are held by all staff. Where this is not practical, for example for some children with high levels of SEND, their curriculum is designed to be ambitious and to meet their needs.

Implementation⁵⁷

- Children have the opportunity for meaningful learning across the intended curriculum.
- Staff are knowledgeable about how to teach systematic synthetic phonics and ensure that children practise their reading from books that match their phonics knowledge. They provide information to parents about how to help their children to read.

⁵⁷ Teaching should not be taken to imply a 'top down' or formal way of working. It is a broad term that covers the many different ways in which adults help young children learn. It includes their interactions with children during planned and child-initiated play and activities, communicating and modelling language, showing, explaining, demonstrating, exploring ideas, encouraging, questioning, recalling, providing a narrative for what they are doing, facilitating and setting challenges. It takes account of the equipment adults provide and the attention given to the physical environment, as well as the structure and routines of the day that establish expectations. Integral to teaching is how practitioners assess what children know, understand and can do, as well as taking account of their interests and readiness to learn (characteristics of effective learning), and how practitioners use this information to plan children's next steps in learning and to monitor their progress.

- Staff read to children in a way that excites and engages them, introducing new ideas, concepts and vocabulary.
- Staff are knowledgeable about the teaching of mathematics and ensure that children have sufficient practice to gain fluency in using and understanding numbers. The mathematics curriculum provides a strong basis for more complex learning later on.
- Leaders provide effective support for less experienced or skilled staff.
- Over the early years foundation stage (EYFS), teaching is designed to help children remember long term what they have been taught and to integrate new knowledge into larger concepts. This is checked well by staff and leaders. Leaders understand the limitations of assessment and avoid unnecessary burdens on staff or children.
- Staff create an environment that supports an ambitious, coherently planned curriculum, sequenced towards cumulatively sufficient knowledge for future learning. The available resources meet the children's learning needs and promote their focus and opportunities to learn.
- Staff give clear messages to children about why it is important to eat, drink, rest, exercise and be kind to each other. They ensure that the youngest (two-year-olds) children's needs are met.

Impact

- Children use their knowledge of phonics to read accurately. They read with increasing speed and fluency.
- Most children achieve the early learning goals, particularly in mathematics and literacy.
- Children develop their vocabulary and understanding of language across the seven areas of learning. They achieve well, particularly those children with lower starting points.
- Children demonstrate their positive attitudes to learning through high levels of curiosity, concentration and enjoyment. They are beginning to manage their own feelings and behaviour, and understand how these have an impact on others.
- Children have the necessary foundations for the rest of their schooling.

Requires improvement (3)

- The effectiveness of the early years is not yet good.

Inadequate (4)

The effectiveness of the early years is likely to be inadequate if one or more of the following applies.

- A poorly designed and implemented curriculum does not meet children's needs or provide the necessary foundations for the rest of their schooling.
- Leaders and/or staff have a poor understanding of the areas of learning they teach and the way in which young children learn.

- Assessment is overly burdensome. It is unhelpful in determining what children know, understand and can do.
- Children cannot communicate, read, or spell phonically decodable words as well as they should, and they do not have basic fluency in number and shape, space and measure.
- The attainment and progress of children, particularly those children who are disadvantaged, are consistently low and show little or no improvement, indicating that children are underachieving considerably.

Independent schools with exemptions from the learning and development requirements of the EYFS

252. Section 46 of the Childcare Act 2006 gives the Secretary of State the power to confer exemptions from the learning and development requirements of the EYFS in prescribed circumstances.^{58,59}

253. All independent schools that have early years provision must deliver the EYFS in full, unless they have an exemption or have applied for an exemption through the independent schools route and meet the quality threshold.

254. There are two routes for applying for an exemption: the independent schools route and the established principles route.

Independent schools route

255. Registered independent schools that meet the four conditions below can take an exemption from all of the learning and development requirements.

- Quality threshold. In the most recent standard inspection report:
 - a separate judgement of good or outstanding for the early years provision, or
 - the school must have met all the requirements in the standard in part 2, and the requirement in paragraph 2(2)(f) in part 1 of the independent school standards.⁶⁰
- The other three conditions (seeking the views of parents, informing the local authority and notifying the DfE) are set out in the DfE's guidance 'The early

⁵⁸ The Early Years Foundation Stage (Exemptions from Learning and Development Requirements) Regulations 2008; www.legislation.gov.uk/ukxi/2008/1743/contents/made.

⁵⁹ The Early Years Foundation Stage (Exemptions from Learning and Development Requirements) (Amendment) Regulations 2012; www.legislation.gov.uk/ukxi/2012/2463/contents/made.

⁶⁰ Paragraph 2(2)(f) is the requirements for the curriculum to provide: 'where the school has pupils below compulsory school age, a programme of activities which is appropriate to their educational needs in relation to personal, social, emotional and physical development and communication and language skills'.

years foundation stage (EYFS) learning and development requirements: guidance on exemptions for early years providers'.⁶¹

256. Exemptions will only be granted for pupils aged three and upwards; however, pupils who are 'rising 3' (that is, children who will turn three within the first term that they attend the school) should be treated in the same way as three-year-olds.
257. An exemption via the independent schools route is 'taken up' on the date that the school notifies the DfE, provided that it has met all the conditions. The DfE will send an acknowledgement to confirm receipt of the notification.

Established principles route

258. Some independent schools are governed by 'established principles' which cannot be reconciled with some or all of the EYFS learning and development requirements. Such schools can be granted exemption from some or all of the EYFS learning and development requirements via the established principles route, if they meet the following conditions.
- In their application to the DfE, the school must explain why its established principles cannot be reconciled with one or more of the learning and development requirements. The school must set out how the early learning goals, educational programmes, or aspects of the EYFS profile assessment conflict with its established principles.
 - The other three conditions (seeking the views of parents, informing the local authority and notifying the DfE) are set out in the DfE's guidance 'The early years foundation stage (EYFS) learning and development requirements: guidance on exemptions for early years providers'.⁶²
259. Under the established principles route, exemptions can be granted, and modifications can be made, against the learning and development requirements. These in turn may be classified as educational programmes, early learning goals and assessment arrangements.
260. If an exemption is granted under the established principles route, it will take effect from the date of the letter from the DfE granting the provider exemption. During the period between applying and receiving the response, the school is **not** exempt from the EYFS learning and development requirements.

⁶¹ 'The EYFS learning and development requirements: guidance on exemptions for early years providers', Department for Education, 2017; www.gov.uk/government/publications/the-early-years-foundation-stage-eyfs-learning-and-development-requirements-guidance-on-exemptions-for-early-years-providers.

⁶² 'The EYFS learning and development requirements: guidance on exemptions for early years providers', Department for Education, 2017; www.gov.uk/government/publications/the-early-years-foundation-stage-eyfs-learning-and-development-requirements-guidance-on-exemptions-for-early-years-providers.

What happens after exemption?

261. Schools that have taken up an exemption must continue to meet the conditions. They must notify the DfE and the local authority if, after taking up an exemption, they cease to meet the conditions and therefore are no longer eligible for an exemption. Any school that is no longer eligible for an exemption will be required to re-introduce and meet the learning and development requirements of the EYFS.
262. Independent schools that take up full exemption from the EYFS learning and development requirements are still able to practise in a way that meets the EYFS learning and development requirements but they will be classified officially as exempt and will not be subject to local authority moderation.

Before an inspection

263. During the on-site preparation, the lead inspector will ask the headteacher whether the school has or has applied for an exemption from the learning and development requirements of the EYFS, and if so, whether the exemption is via the independent schools route, or the established principles route and, if the latter, whether the exemption covers all or part of the EYFS learning and development requirements.
264. If the school has applied for an exemption under the independent schools route, and meets the quality threshold, the inspection will proceed as if the exemption has been granted.
265. However, if the school has applied through the established principles route, and has not yet received a letter from the DfE granting the exemption, the school is not exempt from the EYFS learning and development requirements, and will therefore be inspected against them.

On-site inspection activity

266. Where an independent school has an exemption (or has applied through the independent schools route and meets the quality threshold), EYFS provision for children aged three and over will only be inspected against the independent school standards, rather than the learning and development requirements of the EYFS.
267. Exempted independent schools must continue to comply with the independent school standards for children aged three and over and the EYFS safeguarding and welfare requirements. The Childcare Act 2006 does not allow for any exemptions from the safeguarding and welfare requirements of the EYFS.
268. Inspectors are likely to ask to see copies of letters granting exemptions via the established principles route.

Evaluating sixth-form provision

269. Inspectors are required to grade the quality of education in the sixth form and write a section in the inspection report that summarises its effectiveness. Inspectors must use all their evidence to evaluate what it is like to be a young person in the sixth form.
270. The effectiveness of the arrangements for safeguarding young people is reflected in the main judgement for the school.
271. Inspectors should take account of all the judgements made across the evaluation schedule. In particular, they should consider:
- how well leaders and teachers promote high expectations for achievement and progress through the systems they use to monitor and develop the quality of sixth-form provision for all young people, including the most disadvantaged and young people with high needs
 - how leaders and teachers develop or adopt a curriculum that provides progression, stretch, mathematics and English for those young people without GCSE grades 9 to 4 (or legacy grades A* to C), as well as work experience or industry placements and non-qualification activities
 - how high-quality impartial careers guidance enables all young people to make progress and move on to a higher level of qualification, employment or further training when they are ready to do so.
272. Through observations of teaching and training activities, and in discussions with students, teachers, support staff and employers, inspectors will consider how well:
- students develop personal, social and independent learning skills
 - students achieve high levels of punctuality and attendance
 - students' conduct and attitudes, including in non-qualification or enrichment activities and/or work experience, prepare them for employment or progress to higher levels of study.

Provision for students aged 19 and over

273. An independent school may have students aged 19 and over on roll. Inspectors will only inspect and take account of provision for these students if they commenced their studies before the age of 18. However, as these students are essentially adults studying alongside children, inspectors will **always** report on whether or not safeguarding is effective.

Grade descriptors

| |
|------------------------|
| Outstanding (1) |
|------------------------|

The school meets **all** the criteria for good **quality of education in the** sixth form **securely and consistently**. In addition, the following apply:

- The school's curriculum intent is strong. Throughout the school, teachers have a firm and common understanding of the intended curriculum and what it means for their practice.
- The school's implementation of the curriculum is consistently strong. Across all parts of the school, teaching and training are of a high quality and training activities contribute well to delivering the aims of the curriculum.
- The work that students do over time reflects consistently demanding curriculum goals and matches the aims of the curriculum in being coherently planned and sequenced towards building sufficient knowledge and skills for future learning and employment.
- The impact of the taught curriculum is strong: students acquire and develop high-quality skills and produce work of a consistently high standard.
- Students demonstrate consistently highly positive attitudes and commitment to their education and/or training. They have consistently high levels of respect for others.
- The school consistently goes out of its way to promote the personal development of students, so that teachers have access to a rich set of experiences that teach students why it is important to contribute actively to society. This is achieved through activities that strengthen considerably the school's offer.

Good (2)

- Leaders adopt or construct a curriculum that is ambitious, appropriately relevant to local and regional employment and training priorities, and designed to give students, particularly the most disadvantaged, the knowledge and skills they need to succeed in life.
- The curriculum is coherently planned and sequenced towards cumulatively sufficient knowledge and skills for future learning and employment.
- The school is ambitious for all its students, including those with special educational needs, and this is reflected in the curriculum. The curriculum remains ambitious and is tailored where necessary to meet individual needs.
- Students study the intended curriculum. Schools ensure this by teaching all components of the full programmes of study.
- Teachers have expert knowledge of the subject(s) and courses they teach. Leaders provide effective support for those teaching outside their main areas of expertise. Where relevant, teachers have extensive and up-to-date vocational experience.
- Teachers present information and/or demonstrate skills clearly, promoting appropriate consideration of the subject matter being taught. They check students' understanding systematically, identify misconceptions and provide clear, direct feedback. In doing this, they respond and adapt their teaching as

necessary without recourse to unnecessary, time-consuming, individualised approaches to presenting content.

- The work that teachers give to students is demanding and ensures that students build knowledge and acquire skills, improving what they already know and can do.
- Teachers encourage students to use subject-specific, professional and technical vocabulary well.
- Over the course of study, teachers design and use activities to help students to remember long term the content they have been taught, to integrate new knowledge into larger concepts and to apply skills fluently and independently.
- Teachers and leaders use assessment well, for example to help students embed and use knowledge fluently and flexibly, to evaluate the application of skills, or to check understanding and inform teaching. Leaders understand the limitations of assessment and do not use it in a way that creates unnecessary burdens on staff or students.
- Teachers create an environment that promotes a focus on the student. The resources and materials that teachers and trainers select and produce – in a way that does not create unnecessary workload for staff – reflect the school's ambitious intentions for the course of study and clearly support the intent of a coherently planned curriculum, sequenced towards cumulatively sufficient knowledge and skills for future learning and employment.
- Students develop detailed knowledge across the curriculum and, as a result, achieve well across all areas of their study. Students make substantial and sustained progress from their identified and recorded starting points in each of their courses and, where applicable, across the curriculum. Where appropriate, this is reflected in results from national examinations that meet government expectations, or in the qualifications obtained.
- Students are ready for the next stage of education, employment or training. They have gained qualifications or met the standards that allow them to go on to destinations that meet their interests and aspirations and the intention of their course of study. Students with high needs have greater independence in making decisions about their lives.
- Students have high attendance and are punctual. Their attitudes to their education or training are positive. They improve their attitudes over time.
- The school prepares students for future success in education, employment or training by providing: unbiased information to all about potential next steps; high-quality, up-to-date and locally relevant careers guidance.

Requires improvement (3)

- The quality of education is not yet good.

Inadequate (4)

The quality of education is likely to be inadequate if any one of the following applies:

- The design, coverage or teaching of the curriculum does not provide adequately for all students.
- The curriculum does not prepare students for the opportunities, responsibilities and experiences of life in modern Britain.
- Weak assessment practice means that teaching fails to meet students' needs.
- Students do not develop or improve the English and mathematical skills they need to succeed in the next year or stage of education, or in training or employment.
- The attainment and progress of students are consistently low and show little or no improvement over time, indicating that students are underachieving considerably.
- Students have not attained the qualifications, skills or behaviours appropriate for them to progress on to their next stage of education, training or employment.
- Students' attendance is consistently low and shows little sign of sustained improvement. Their lack of engagement, motivation or enthusiasm inhibits their progress and development.
- The school does not ensure that students get access to unbiased information about potential next steps, and high-quality careers advice and guidance.

Part 3. Applying the EIF in different contexts

Applying the EIF to the teaching of early reading in schools with pupils up to Year 3 (or up to Years 5 to 6 for schools where early reading is delayed for reasons associated with an EY exemption)

274. During all inspections of schools with pupils up to key stage 3, inspectors will focus on how well pupils are taught to read as a main inspection activity. They will pay particular attention to pupils who are reading below age-related expectations (the lowest 20%) to assess how well the school is teaching phonics and supporting all children to become confident, fluent readers.

275. Inspectors will listen to several low-attaining pupils in Year 1 to Year 3 read⁶³ from unseen books appropriate to their stage of progress. They should also draw on information from the school's policy for teaching reading, phonics assessments, phonics screening check results and lesson observations.

⁶³ Wherever possible, inspectors should listen to children read within a classroom or in an open area with which pupils are familiar. The length of time a pupil has attended the school should be taken into consideration.

276. In reaching an evaluation against the 'Quality of education' judgement, and taking account of any exemption from the learning and development requirements of the EYFS, inspectors will consider whether:

Intent

- the school is determined that every pupil will learn to read, regardless of their background, needs or abilities
- the school's phonics programme matches or exceeds the expectations of the English national curriculum and early learning goals
- the school has clear expectations of pupils' phonics progress term-by-term, from Reception to Year 2, and the school's phonics programme aligns with these expectations
- the sequence of reading books shows a cumulative progression in phonics knowledge that is matched closely to the school's phonics programme

Implementation

- the school has developed sufficient expertise in the teaching of phonics and reading to ensure consistency from one year to the next
- the assessment of pupils' phonics progress is sufficiently frequent and detailed to identify any pupil who is falling behind with the programme's pace, so that targeted support can be given immediately
- reading, including the teaching of systematic synthetic phonics, is taught from the beginning of Reception
- teachers have a clear understanding of how pupils learn to read
- teachers give pupils sufficient practice in reading and re-reading books that match the grapheme-phoneme correspondences they know, both at school and at home
- staff read aloud stories, poems, rhymes and non-fiction that develop pupils' vocabulary, language comprehension and love of reading.

Impact

- all pupils, including the weakest readers, make sufficient progress to meet or exceed age-related expectations
- pupils are familiar with and enjoy listening to a wide range of stories, poems, rhymes and non-fiction.

Applying the EIF to the teaching of mathematics

277. Inspectors will evaluate the quality of a school's mathematics education through lesson observations, discussions with pupils and scrutiny of their work,

reviewing curriculum plans, discussions with curriculum leaders and examining any published data.

278. Inspectors will consider what steps the school has taken to ensure that:

- pupils understand and remember the mathematical knowledge, concepts and procedures, including knowledge of efficient algorithms, that are appropriate for their starting points and ensure readiness for the next stage, whether that is the next lesson, unit of work, year or key stage, including into post-16 mathematics
- the school's curriculum planning for mathematics carefully sequences knowledge, concepts and procedures to build mathematical knowledge and skills systematically and, over time, the curriculum draws connections across different ways of looking at mathematical ideas
- the curriculum divides new material into manageable steps lesson by lesson
- the school's curriculum identifies opportunities when mathematical reasoning and solving problems will allow pupils to make useful connections between identified mathematical ideas or anticipate practical problems they are likely to encounter in adult life. Pupils have sufficient understanding of and unconscious competence in prerequisite mathematical knowledge, concepts and procedures that are necessary to succeed in the specific tasks set
- within the curriculum, there are planned opportunities for sufficient revisiting of previously learned knowledge, concepts and procedures to ensure that, once learned, mathematical knowledge becomes deeply embedded in pupils' memories. This allows rapid and accurate recall and frees pupils' attention so they can work with increasing independence, considering the application of their mathematical knowledge to more complex concepts and procedures and gain enjoyment through a growing confidence in their ability
- there is flexibility in curriculum planning so that the school can address identified gaps in pupils' mathematical knowledge that hinder their capacity to learn and apply new content. Those pupils who are behind age-related expectations are provided with the opportunities to learn the mathematical knowledge and skills necessary to catch up with their peers
- there are objective assessments that can identify when all pupils have gained the intended understanding and unconscious competence in knowledge, concepts and procedures necessary before they should move on to new or more complex content
- teaching models new procedures and uses resources and approaches that enable pupils to understand the mathematics they are learning
- the school has taken steps to ensure that all teachers of mathematics, including non-specialist teachers of mathematics, have sufficient

mathematical and teaching content knowledge to deliver effectively the topics they teach effectively

- pupils' mathematical knowledge is developed and used, where appropriate, across the curriculum.

Evaluating special schools and SEND provision

Section 41 approval

279. Independent schools that are organised specifically to cater for pupils with SEND are normally registered with the DfE as an 'independent special school'; however, there is no legal definition of this term.
280. Under section 41 of the Children and Families Act 2014, the DfE can approve independent schools that are organised specifically to cater for pupils with SEND for the purpose of enabling the school 'to be the subject of a request for it to be named in an EHC plan'.^{64,65}
281. Independent schools that are not approved under section 41 can still admit pupils with SEND.
282. If an approved independent special school is named in an EHC plan, the local authority must comply with the request to place the pupil at the school, and the school must admit the pupil. If a school is not approved under section 41, and is named on an EHC plan, there is no duty for the local authority to place the pupil in the school.

Applying the EIF in independent special schools and SEND provision in mainstream independent schools

283. Pupils with SEND have a range of different needs and starting points. Some pupils have severe, complex or profound needs that impact significantly on their cognitive development, especially the way that they are able to make alterations to their long-term memory. Other pupils have starting points as high as other pupils of their age, such as pupils with sensory impairments.
284. All parts of the EIF apply to independent special schools, and to SEND provision in mainstream independent schools. However, as with all provision, SEND provision has some specific factors that should be taken into account. Inspectors will gather and evaluate evidence about:
- how well leaders identify, assess and meet the needs of pupils with SEND

⁶⁴ www.legislation.gov.uk/ukpga/2014/6/section/41.

⁶⁵ The list of schools approved under section 41 is published here: www.gov.uk/government/publications/independent-special-schools-and-colleges.

- how well leaders develop and adapt the curriculum so it is coherently sequenced to meet all pupils' needs, starting points and aspirations for the future
- how successfully leaders involve parents, carers and, as necessary, other professionals/specialist services in deciding how best to support pupils
- whether leaders are ambitious for all pupils with SEND
- how well leaders include pupils with SEND in all aspects of school life and will give particular emphasis to how well they are prepared for their next steps in education, employment and training, and adult lives
- how well the learning and development of pupils with SEND are assessed and whether pupils' outcomes are improving as a result of the different or additional provision being made for them, including outcomes in:
 - communication and interaction
 - cognition and learning
 - physical health and development.

285. Because of the often vastly different types of pupils' needs, inspectors will not compare the outcomes achieved by pupils with SEND with those achieved by other pupils with SEND in the school, locally or nationally.

Evaluating alternative provision

286. All parts of the EIF apply to alternative provision that is registered as an independent school or that is used by registered independent schools. However, in the same way that all school contexts are different, so are providers of alternative provision.

287. Pupils in alternative provision often have significant, complex vulnerabilities. In the same way as other schools, inspectors will evaluate the ways in which leaders have made appropriate and effective safeguarding arrangements for its pupils in the light of their higher vulnerability to safeguarding risks.

288. Where pupils in registered independent schools attend off-site alternative provision, inspectors will evaluate the extent to which these placements are safe and effective in promoting pupils' progress. Inspectors may visit a sample of the alternative providers used by the school.

289. Alternative providers may have different objectives in their work, related to the reasons a child is placed in alternative provision, the needs of the pupil, the duration of placements and the proportion of time that pupils stay with the provider each week. For instance, in alternative provision that provides short-term placements for excluded pupils or those at risk of exclusion, the core work may emphasise specific improvements in pupils' attitudes, behaviour and/or attendance alongside their academic/vocational/technical achievement or be aiming to reintegrate pupils into mainstream independent schools. Providers of

alternative provision may also offer services to registered independent schools to help them support children with additional needs in their settings. Inspectors will evaluate schools' success in this area while bearing in mind that Ofsted expects high academic/vocational/technical aspirations for all pupils.

290. Often, pupils attending alternative provision have had poor attendance in the past. Inspectors will evaluate the improvement in pupils' attendance from their starting points where this is relevant. Inspectors will also evaluate the ways in which leaders take account of pupils' weak attendance in their safeguarding systems and the clarity of their attendance recording. Where schools use part-time timetables, and pupils are not attending other provision or placements in addition to their school, inspectors will evaluate the extent to which they are well monitored, aspirational and effective in getting the pupil into the school full time, quickly, in line with the DfE guidance. These timetables should not be open-ended and should result in swift full-time education for the pupil.
291. Transitions into alternative provision are often complex, involving dual registration, periods of non-attendance and meetings with a range of services and families. When evaluating pupils' attainment and progress, inspectors will consider the ways in which leaders have identified, assessed and met the needs of pupils. They will evaluate the progress that pupils have made since they began to attend the alternative provision. Where pupils have left the alternative provision, inspectors will consider how well the progress they made at the alternative provision enabled them to move on to suitable destinations and, post-16, to take courses at an appropriately demanding level. They will also look closely at the effectiveness of liaison with other schools to ensure that there are appropriately high expectations and, as far as reasonably possible, continuity in pupils' educational programmes. Inspectors will also look at whether the provider works closely with families and schools to ensure a smooth transition to and from alternative provision, and sets expectations that reintegration back into mainstream education is a key component of a placement.

Evaluating the quality of boarding and residential provision in schools

292. When the full inspection of a school's education provision and the full residential inspection are both due at the same time, they are usually combined into one inspection of the whole school. These are integrated inspections and are undertaken by one team, leading to one published report.
293. Integrated inspections take place:
- in a boarding or residential special school when the education and boarding/residential inspections are due in the same year
 - when Ofsted carries out an emergency or monitoring inspection of both the boarding/residential and education provision.

294. In integrated inspections, lead inspectors will consider the timing of team meetings so that the social care regulatory inspector is available to join them. It is important that the findings of the social care regulatory inspector contribute to judgements about the school.
295. Inspectors must work closely together to plan sufficient time to discuss their findings throughout the inspection. The lead education inspector will join the social care regulatory inspector on some inspection activities so that they can gain a full picture of provision at the school. This is particularly important in assessing personal development, behaviour and attitudes and the strength of the links between the day school and boarding provision.
296. The inspection of education in a school that is also registered as a children's home may take place as a stand-alone inspection of the education provision or be aligned with the full inspection of the children's home.⁶⁶ When possible, Ofsted will attempt to align both inspections so that inspectors may work together and share evidence.
297. When the education inspection takes place as a stand-alone event, inspectors must read the most recent education and children's home reports on the preparation day. They must make themselves aware of any current issues concerning children's welfare that may affect aspects of the school inspection and ensure that they take these into consideration during the inspection.
298. When the education and children's homes inspections are aligned, the education and social care regulatory inspectors will work together to share evidence.
299. If the school provides boarding or residential provision, inspectors will make the three key judgements on that provision. These judgements are made in accordance with the guidance and grade descriptors in the 'Social care common inspection framework (SCCIF): boarding schools and residential special schools'.⁶⁷
300. If the provision does not meet one or more of the national minimum standards, the following standard phrase must appear as one of the recommendations in the report:

⁶⁶ All registered children's homes will have at least two inspections in a year. At least one of these will be a full inspection and the children's homes may also be subject to an interim inspection. All inspections are carried out in line with the 'Social care common inspection framework (SCCIF): children's homes, including secure children's homes' Ofsted, May 2018; www.gov.uk/government/publications/inspecting-childrens-homes-framework.

⁶⁷ 'Social care common inspection framework (SCCIF): boarding schools and residential special', Ofsted, April 2018; www.gov.uk/government/publications/the-framework-for-inspecting-boarding-and-residential-provision-in-schools.

‘The school must ensure that it meets the national minimum standards for boarding schools that have not been met’

or

‘The school must ensure that it meets the national minimum standards for residential special schools that have not been met.’

301. The national minimum standards not met should be listed in the annex of the report.
302. Inspectors must consider the impact that the judgements on the boarding/residential provision have on the judgements for the whole school. In order to do this, they will need to take account of the proportion of boarders/residential pupils in the school and the seriousness of the issues found.
303. For the effectiveness of leadership and management, the grades for the school and boarding should either be the same as or be within one grade of each other. The report will clearly state the reasons for any differences.

Inspections of schools that appear to have closed

304. Occasionally it transpires during the notification telephone call (or for unannounced inspections when the inspector arrives at a school to carry out the inspection) that a school appears to have closed.⁶⁸
305. The inspector will consider taking the following action, as part of pre-inspection activity or while they are on site. This is a general guide, not a definitive list of actions.
 - Consider arriving at a time when pupils would be arriving at the start of the school day and observe if any pupils enter the building or appear to be inside the premises.
 - Check whether the school’s website suggests that the school is still operating.
 - Contact the local authority in which the school is located, or any local authorities that are known to have placed and funded pupils at the school, to check their knowledge as to whether the school no longer admits pupils.
 - Check whether there is a sign to identify the school’s premises.
 - Attempt to gain access to the premises.
 - Talk to any persons present, particularly in the case of a school that is registered with Ofsted as a children’s home. It might be the case that the

⁶⁸ The DfE may also commission Ofsted to carry out an emergency inspection to find out whether a school is still operating.

children who were previously educated at the school now attend a nearby school.

- Ask if any pupils at the school are educated at a site other than at the main registered premises, for example early years or post-16 provision that operates on separate premises. Inspectors must establish the full address of each of the premises, record this in their evidence base and report this to the relevant regional Senior HMI.
- Ask to see the attendance and admissions registers to check that no children have attended the school in recent days.
- Ask to be shown around the premises in order to check for evidence that might suggest that education is taking place.
- If access cannot be gained, ask anyone available in adjacent buildings whether they are aware of children coming to a school on the premises.

306. The inspection findings will be reported to the DfE in a short factual report for an emergency inspection.

Inspecting schools where there are no pupils on roll

307. Where the inspection of a school has been deferred previously on two consecutive occasions because there were no pupils on roll, the inspection will not be deferred for a third time. The inspection will go ahead even though there will be no pupils present.

308. The purpose of the inspection will be to check the school's compliance with the independent school standards, which is required for continued registration. Inspectors will still make qualitative judgements about the school, and will comment on the extent to which it is ready to educate and safeguard pupils.

309. It may not be possible for inspectors to check compliance with the following paragraphs of the independent school standards:

- paragraphs 2(1)–2(1)(a), 2(1)(b)(i)–2(1)(b)(ii), 2(2)(a), 2(2)(b), 2(2)(d)–2(2)(d)(ii), 2(2)(h), 2(2)(i), 3(a)–(j) in part 1
- any of the paragraphs in part 2
- any of the paragraphs in part 3.

310. If not, inspectors will record 'insufficient evidence' in the independent school standards compliance record. All other paragraphs of the standards must be checked. This is the only situation where the above-mentioned paragraphs can be recorded as 'insufficient evidence'. Compliance with these paragraphs must always be checked where there are pupils on roll.

311. Where there are no pupils on roll, it may not be possible for inspectors to gather sufficient evidence to make secure inspection judgements.

312. However, inspectors must carry out the following inspection activities and consider the following evidence. A judgement must be made if there is sufficient evidence to secure it.

- Check compliance with the standards by carrying out a systematic trawl of documents to determine whether policies are in place.
- Check whether all schemes of work are in place.
- Gather evidence of assessment for achievement, if pupils have attended the school within the last three years.
- Check lesson plans from previous teaching, where available.
- Check whether curriculum plans are in place and are suitable for the age range of pupils that the school is registered to take.
- Check provision for and achievement of past pupils of the school who have SEND, including careers advice and links to trainers and providers for students aged 16 and over.
- In the case of schools that are also registered as children's homes, check how well the care and teaching staff work together in terms of plans for communication between 'home and school' and homework arrangements.
- Discuss with the proprietor, leaders and managers how the school is prepared to take on any pupils.
- Talk to the proprietor, leaders and managers about methods for monitoring teaching.

313. These matters will be reported in the inspection report, under the appropriate headings.

314. Where it is not possible to make a judgement, inspectors will clearly state that no judgement has been made as there is insufficient evidence. Inspectors will report on the extent to which the school is prepared to educate and safeguard pupils. If there is no evidence of pupils attending in last three years, this will be reported. Similarly, if the school has no tangible plans to have pupils on roll in the next 12 months, this will be reported so that the DfE can consider removing the school's registration.

315. The report will reflect that there were no pupils on roll, but the inspection went ahead as it had already been deferred twice. It will also state that the purpose of the inspection was to check the school's compliance with the independent school standards required for continued registration and to report on the extent to which the school is ready to educate and safeguard pupils.

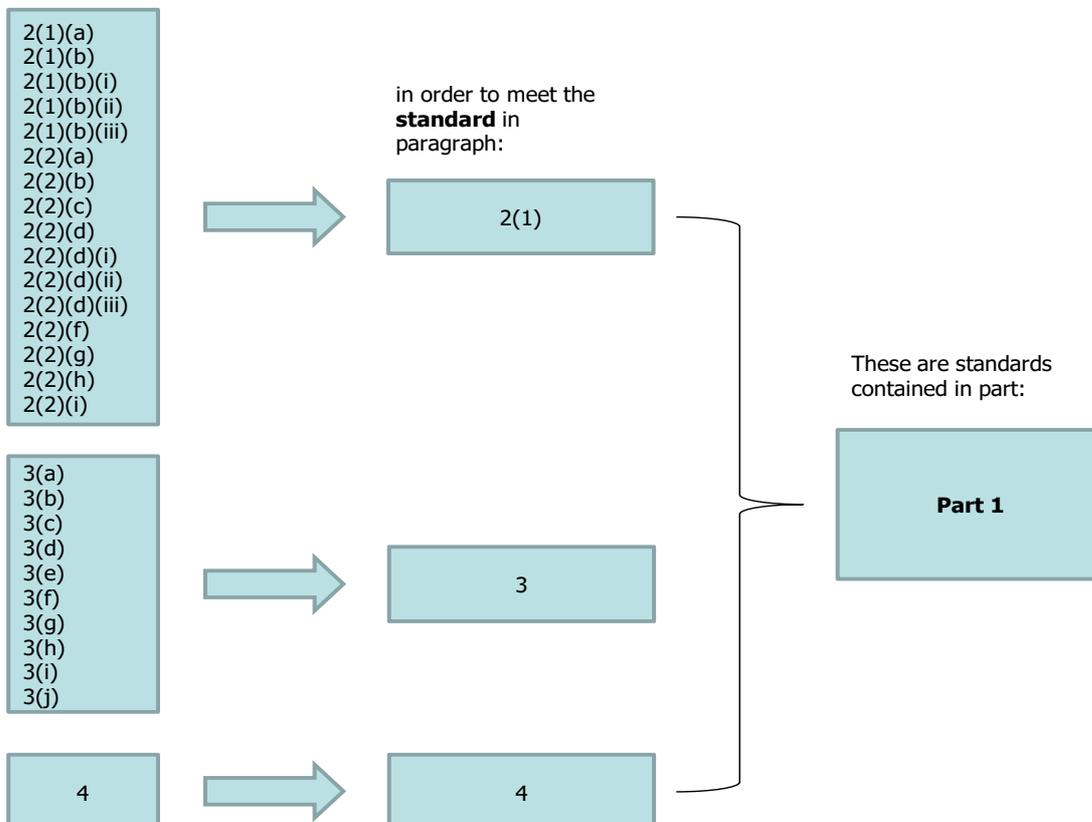
Part 4. Inspecting against the independent school standards and other requirements

Technical information about the standards

316. The standards are set out in the schedule to the Education (Independent School Standards) Regulations 2014 (www.legislation.gov.uk/uksi/2014/3283/contents/made) as amended by the Independent Educational Provision in England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018 (www.legislation.gov.uk/uksi/2018/901/contents/made).

317. The standards are structured in eight parts. Each part contains one or more standards relating to that particular part. For example, part 1 contains three standards, and part 2 contains one standard. Each standard is set out in one or more paragraphs. For example, paragraph 12 contains a standard in its own right, and paragraph 5(a) is an element of the standard in paragraph 5. Schools must comply with each requirement in each paragraph to meet the standard.

Schools must meet the **requirements of all of paragraphs:**



318. Inspectors check schools' compliance with the requirements of the paragraphs of the standards. They report to the DfE on a school's compliance with the

standards, setting out which requirements of which paragraph the school does not meet.

Gathering and recording evidence

319. Inspectors consider each paragraph of the standards on its own. Particular strengths in one area of a school cannot be used to compensate for evidence that a standard is not met elsewhere.
320. As with all inspection activity, inspectors use a range of technology to gather evidence electronically, including mobile devices, tablets and laptops to record the evidence gathered to inform their judgements on whether schools comply with the standards.
321. Inspectors will be clear in their feedback to schools, written evidence and the report or advice note about the evidence gathered that led to the judgement that a standard is not met. The evidence will be linked directly to the wording of the standard.
322. Evidence to support the judgement that standards are met is only recorded in the evidence base, not the inspection report.

Recording compliance and non-compliance

323. In standard inspections, inspectors check compliance with all paragraphs of the standards, and record 'met', 'not met' or 'not applicable' in the 'independent school standards compliance record'. For pre-registration inspections, inspectors report whether the school is likely to meet all of the standards should the DfE decide to register it. In the rare case that it is not possible to gather sufficient evidence to make a secure judgement on whether a standard is met or likely to be met, inspectors will record 'insufficient evidence'. On a standard inspection, this might happen where there are no pupils on roll (see paragraph 309), and in pre-registration inspections, in respect of the standard about teaching.⁶⁹
324. In material change, emergency and progress monitoring inspections, inspectors only check compliance with the paragraphs of the standards specified by the DfE.⁷⁰
325. For all inspection types, where the requirement of a paragraph is not met and the paragraph is introduced by a stem, inspectors will record non-compliance

⁶⁹ Where this document refers to meeting or not meeting a standard, this applies to a proposed new school or a changing school being 'likely to meet' and 'not likely to meet' a standard in the case of pre-registration and material change inspections.

⁷⁰ For further information refer to 'Handbook for additional inspections of independent schools', Ofsted, 2018; www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools.

with the stem itself, in addition to non-compliance with the specific paragraph, as illustrated in the examples below.

- Where a school does not comply with paragraph 3(c), this means that it does not meet the standard contained in paragraph 3. Both paragraphs must be reported as not being met:

3 The standard in this paragraph is met if the proprietor ensures that the teaching at the school –

3(c) involves well planned lessons and effective teaching methods, activities and management of class time.

326. If paragraph 18(2)(c)(ii) is not met, inspectors will record non-compliance with 18(2)(c)(ii), 18(2)(c) (which contains the stem) and 18(2) (which contains the standard). All three paragraphs must be reported as not being met.

327. The independent school standards compliance record will contain evidence that justifies any judgement that the requirement of a paragraph of the standards, and the standard to which it relates, has not been met. For example, if paragraph 3(c) is not met, the evidence will make clear that the standard in paragraph 3 is not met because the requirement in paragraph 3(c) is not met.

328. Where there are several elements to a paragraph of the standards, connected by 'and', all elements of the paragraph must be fulfilled for the requirement to be met. For example, paragraph 3(c) requires the proprietor to ensure that the teaching at the school 'involves well planned lessons and effective teaching methods, activities and management of class time'. If the school fails to meet one element of a 'multi-element' paragraph, inspectors will record that the school does not comply with the whole paragraph, and record supporting evidence about the extent of non-compliance, for example explaining that effective teaching methods are not always used and the impact that this has on the pupils.

Paragraphs of the standards where compliance is not recorded

329. Compliance is sometimes not recorded against paragraphs that provide information about other paragraphs in the standards.

330. For example, in part 4, paragraphs 18(4)(a)–18(4)(c) set out the instances when the checks specified in paragraphs 18(2)(d)–18(2)(f) do not need to be carried out. Some paragraphs in part 4 – for example 20(1) to 20(5)(b)(iii) – set out the checks that the Secretary of State carries out in relation to a proprietor of an independent school.

331. Some paragraphs provide an introduction to other paragraphs. For example, paragraph 1 states that the standards about the quality of education are contained in part 1.

332. There is normally no action for inspectors to take in relation to these paragraphs.

Definitions of terms used in the standards

333. Regulation 2 of The Education (Independent School Standards) Regulations 2014 provides the definition of some of the terms used in the standards: www.legislation.gov.uk/uksi/2014/3283/regulation/2/made.

References made in the standards, other published resources for schools and technical notes

334. In checking compliance with the standards, inspectors may refer to the published resources referred to below. The published resources include pieces of legislation, statutory frameworks of guidance, non-statutory guidance or departmental advice, as indicated in brackets below.

335. Some resources are statutory guidance, with which the standards require schools to comply. Other resources are good practice guides that are available to advise schools. Schools do not have to follow them. Inspectors will not deem a standard to be un-met because the school has not followed exactly what is set out in a published non-statutory guidance document. They will be clear about how the evidence gathered – for example the school's action, or inaction – means that the standard is not met. It is the standards that schools have to comply with, not non-statutory departmental guidance and advice.

Groups of schools

336. The standards require schools to have and implement several policies. Some schools that are part of a group may have policies that are common to the group. This is acceptable to the DfE, provided that the policies are tailored so far as needed to each individual school – for example, by giving contacts in relevant local authorities – and are fully implemented. If there are separate websites for the schools, the policies should be available on the schools' websites. However, if there is only one website for the group, which is clearly identifiable as the only website for the schools, it is acceptable to the DfE that the policies are published there.

Key resource applicable to all parts of the standards

- 'Registration of independent schools', DfE, 2015 (departmental advice); www.gov.uk/government/publications/independent-school-registration.

Part 1. Quality of education provided

Paragraph 2(2)(a)

- Section 8 of the Education Act 1996 (compulsory school age) (legislation); www.legislation.gov.uk/ukpga/1996/56/section/8.

Paragraph 2(2)(d)(ii) (and paragraph 5(b)(vi) in part 2)

- The protected characteristics are set out in Chapter 1 of Part 2 of the Equality Act 2010 (legislation); www.legislation.gov.uk/ukpga/2010/15/contents:
 - age
 - disability
 - gender reassignment
 - marriage and civil partnership
 - pregnancy and maternity
 - race
 - religion or belief
 - sex
 - sexual orientation.

Paragraph 2(2)(f)

- 'Statutory framework for the early years foundation stage', DfE, 2014 (statutory framework); www.gov.uk/government/publications/early-years-foundation-stage-framework--2017.
- 'The early years foundation stage (EYFS) learning and development requirements; guidance on exemptions for early years providers', Department for Education, 2017 (non-statutory guidance); www.gov.uk/government/publications/the-early-years-foundation-stage-eyfs-learning-and-development-requirements-guidance-on-exemptions-for-early-years-providers.

Paragraph 3(j)

- Part 6 of the Equality Act 2010; www.legislation.gov.uk/ukpga/2010/15/part/6 – see [extract below \(legislation\)](#).
- Schools with religious ethos and schools designated by order as having a religious character:
 - Get information about schools (DfE's register of schools): <https://get-information-schools.service.gov.uk>.
 - Part G of 'Registration of independent schools', DfE, 2015 (departmental advice); www.gov.uk/government/publications/independent-school-registration
 - Schedule 11 of the Equality Act 2010 (legislation); www.legislation.gov.uk/ukpga/2010/15/schedule/11.
- 'Equality Act 2010: advice for schools' (departmental advice); www.gov.uk/government/publications/equality-act-2010-advice-for-schools.
- Equality and Human Rights Commission guidance (guidance); www.equalityhumanrights.com/publication/what-equality-law-means-you-education-provider-schools.

337. Paragraph 3(j). Schedule 11 of the Equality Act 2010 sets out that sections 85(1) and (2)(a) to (d) do not apply to an independent school registered as

having a **religious ethos**. This is explained in part G of the DfE's 'Registration of independent schools'.

85 Pupils: admission and treatment, etc.

- (2) The responsible body of such a school must not discriminate against a pupil–
- in the way it provides education for the pupil;
 - in the way it affords the pupil access to a benefit, facility or service;
 - by not providing education for the pupil;
 - by not affording the pupil access to a benefit, facility or service;
 - by excluding the pupil from the school;
 - by subjecting the pupil to any other detriment.

338. Refer to paragraph 363 of this document regarding schedule 10 of the Equality Act 2010.

Part 2. Spiritual, moral, social and cultural development of pupils

- 'Improving the spiritual, moral, social and cultural (SMSC) development of pupils – departmental advice for independent schools, academies and free schools', DfE, November 2013 (departmental advice); www.gov.uk/government/publications/improving-the-smsc-development-of-pupils-in-independent-schools
- 'Improving the spiritual, moral, social and cultural (SMSC) development of pupils: supplementary information – departmental advice for independent schools, academies and free schools', DfE, November 2014 (departmental advice); www.gov.uk/government/publications/improving-the-smsc-development-of-pupils-in-independent-schools.

Part 3. Welfare, health and safety of pupils

- 'Keeping children safe in education', DfE, 2016 (this is the **statutory guidance** referred to in **paragraph 7(b)**); www.gov.uk/government/publications/keeping-children-safe-in-education--2.
- 'Working together to safeguard children' (**statutory guidance**). www.gov.uk/government/publications/working-together-to-safeguard-children--2.

Paragraph 8–8(b) (and paragraphs 19(2)(e) and 21(5)(b) in part 4 and paragraph 30 in part 5)

- Welfare of children in boarding schools and colleges. Section 87(1) Children Act 1989 (legislation); www.legislation.gov.uk/ukpga/1989/41/section/87; www.legislation.gov.uk/ukpga/2000/14/section/105; and section 1A was inserted by section 43 of the Education Act 2011; www.legislation.gov.uk/ukpga/2011/21/section/43.
- 'National minimum standards for boarding schools', DfE, 2015; www.gov.uk/government/publications/boarding-schools-national-minimum-standards.

- 'National minimum standards for residential special schools', DfE, 2015; www.gov.uk/government/publications/residential-special-schools-national-minimum-standards.
- The 'Accommodation of Students Under Eighteen by Further Education Colleges: national minimum standards, inspection regulations' no longer apply to schools. The national minimum standards for boarding schools now cover pupils up to the age of 18, even where there are no boarders under the age of 16.

Paragraph 9–9(c)

- Section 548 Education Act 1996 prohibits corporal punishment in independent schools (legislation); www.legislation.gov.uk/ukpga/1998/31/part/VII/crossheading/abolition-of-corporal-punishment.
- 'Use of reasonable force in schools: advice for headteachers, staff and governing bodies', DfE, 2013 (departmental advice); www.gov.uk/government/publications/use-of-reasonable-force-in-schools.

Paragraph 10

- 'Preventing and tackling bullying: advice for headteachers, staff and governing bodies', DfE, 2017; www.gov.uk/government/publications/preventing-and-tackling-bullying.

Paragraph 11

- 'Health and safety, advice on legal duties and powers: for local authorities, headteachers, staff and governing bodies' (departmental advice) www.gov.uk/government/publications/health-and-safety-advice-for-schools.
- 'Supporting pupils at school with medical conditions', DfE, 2014 (**statutory guidance**); www.gov.uk/government/publications/supporting-pupils-at-school-with-medical-conditions--3.
- 'School trips and outdoor learning activities: tackling the health and safety myths Health and Safety Executive', HSE, 2011 (guidance); www.hse.gov.uk/services/education/school-trips.pdf.
- The HSE website contains the following information about pupil to staff ratios on school trips: 'Pupil to staff ratios for school trips are not prescribed in law. Those planning trips, on the basis of risk assessment, should decide the ratios, taking into account the activity to be undertaken and the age and maturity of the pupils (guidance) www.hse.gov.uk/services/education/faqs.htm.

Paragraph 12

- Regulatory Reform (Fire Safety) Order 2005 S.I. 2005/1541, to which there are amendments not relevant to these Regulations (legislation); www.legislation.gov.uk/uksi/2005/1541/contents/made.
- Fire safety risk assessment – educational premises (guidance); www.gov.uk/government/publications/fire-safety-risk-assessment-educational-premises.
- Fire safety risk assessment: sleeping accommodation (guidance); www.gov.uk/government/publications/fire-safety-risk-assessment-sleeping-accommodation.

- Fire safety law and guidance documents for business (guidance); www.gov.uk/government/collections/fire-safety-law-and-guidance-documents-for-business.

Paragraph 13

- Guidance on first aid for schools: advice for governing bodies, school leaders and school staff, Department for Education and Employment, updated 2014 (departmental advice); www.gov.uk/government/publications/first-aid-in-schools.

Paragraph 14

- Ratios of qualified staff to children in early years provision for children aged two to five must meet the welfare requirements of the 'Statutory framework for the early years foundation stage', DfE, 2014; www.gov.uk/government/publications/early-years-foundation-stage-framework--2.

Paragraph 15

- Education (Pupil Registration) (England) Regulations 2006 S.I. 2006/1751, to which there are amendments not relevant to these Regulations (legislation); www.legislation.gov.uk/ukxi/2006/1751/contents/made.

Part 4. Suitability of staff, supply staff and proprietors

- Keeping children safe in education, DfE, 2016 (**statutory guidance**); www.gov.uk/government/publications/keeping-children-safe-in-education--2.
- Regulated Activity in relation to Children: scope, Factual note by HM Government (guidance); www.gov.uk/government/publications/dbs-check-eligible-positions-guidance.
- Disclosure and Barring Service (executive non-departmental public body website); www.gov.uk/government/organisations/disclosure-and-barring-service.

Paragraph 18(2)(b), 20(6)(a)(ii)

- Under section 142(1)(a) of Education Act 2002, the Secretary of State may direct that a person may not provide education at an independent school (legislation); www.legislation.gov.uk/ukpga/2002/32/section/142.
- The authority for making a prohibition order is section 141B(2) Education Act 2002 (as inserted by section 8 of the Education Act 2011; www.legislation.gov.uk/ukpga/2011/21/part/3/enacted). Any person that is subject to a prohibition order is prohibited from carrying out teaching work in an independent school (legislation).
- The Secretary of State may make a direction under section 128 of the Education and Skills Act 2008 prohibiting an individual from taking part in the management of independent educational institutions in England (legislation); www.legislation.gov.uk/ukpga/2008/25/section/128.

Checks on non-proprietorial governors

339. The DfE's view is that any governor is part of the management arrangements for a school, even if they are not part of the proprietorial body. Therefore, all governors must be subject to a section 128 prohibition from participation in

management check (paragraph 18(2)(b)). This includes unpaid governors working on a voluntary basis.

340. Any governors who are paid by a school must also be subject to a Disclosure and Barring Service (DBS) check (paragraph 18(2)(d)). The definition of 'staff' in regulation 2 of the independent school standards makes it clear that this includes people without a contract of employment.⁷¹
341. Paid governors should also be subject to a barred list check (paragraph 18(2)(a)) if they have regular unsupervised contact with the children. This will normally be the case.
342. A DBS certificate with a barred list check is also required for any unpaid governors who are engaged in regulated activity. (This falls under paragraph 7 of the standards, but not paragraph 18(2)(a) or 18(2)(d) – the DfE's view is that unpaid governors do not fall into the definition of staff because they work on a voluntary basis.)

Teaching prohibition orders and prohibition from management of independent schools orders

343. The DfE wrote to all independent schools in May 2018 to set out the arrangements for making the checks in 18(2)(b) and 20(6)(a)(ii).
 2. The standard relating to checks for staff is only met provided that no-one works at the school in contravention of a teacher prohibition order issued by the Teaching Regulation Agency on behalf of the Secretary of State. This effectively means that schools need to make checks for such orders when appointing into teaching positions. If a school has not previously done so they should also check that no existing members of teaching staff are subject to such orders, which began to be made from April 2012.
 3. The standard relating to checks is also only met provided that no-one works at the school in contravention of a direction made by the Secretary of State under s.128 of the Education and Skills Act 2008 barring an individual from taking part in the management of an independent school. This effectively means that schools need to make checks for such directions when appointing into management positions, either from outside the school or by internal promotion. See paragraph 7 for information about the position of existing staff in management positions.
 4. When a Disclosure and Barring Service check, which includes children's barred list information, is made for any member of staff, details of any s.128 direction made by the Secretary of State will also be disclosed as

⁷¹ Regulation 2 in the Education (Independent School Standards) Regulations 2014; www.legislation.gov.uk/ukxi/2014/3283/regulation/2/made.

part of that check. As DBS barred list checks can only be made if an individual is engaging in regulated activity, s.128 direction checks for all “management in independent schools” roles can also be made using the TRA’s Secure Access Portal via the Teacher Services’ web page.

What constitutes taking part in the management of an independent school?

5. Individuals taking part in ‘management’ are likely to include individuals who are members of proprietor bodies (including governors...), and such staff positions as: head teacher, any teaching positions on the senior leadership team, and any teaching positions which carry a department headship. Whether other individuals such as teachers with additional responsibilities could be prohibited from ‘taking part in management’ depends on the facts of each case - so schools may wish to check them anyway. For non-teaching staff, posts which are part of the senior leadership team are likely to be regarded as ‘management’ for the purposes of checking for the existence of a barring direction. However, whether non-teaching staff are ‘taking part in management’ depends on the facts of each case. All employed school staff who work regularly in the school during school hours may be regarded as being in ‘regulated activity’ for the purposes of these checks.

7. Except where a person is being promoted internally to a management post, it is not necessary to carry out checks for s.128 directions for existing staff or members of the proprietor bodies. If an individual already at a school is the subject of a s.128 direction, that would be taken up by the department with the school concerned. If an individual barred under s.128 occupies a management position at an independent school, then that may be grounds for removal of the school from the register of independent schools (s.119 of the Act), leading to closure.

15. Any enquiries about barring directions and section 128 should be sent to registration.enquiries@education.gov.uk.

Suitability of all members of staff (other than the proprietor, members of the proprietor body and supply staff)

Paragraphs to be checked by inspectors: **18(2)–(3)**.

Paragraphs **18(2)(d)**, **18(2)(e)** and **18(2)(f)** do not need to be carried out where 18(4) applies.

In order to meet paragraph **18(3)**, the checks in paragraphs:

- 18(2)(c) and
- except where paragraph 18(4) applies, 18(2)(e)

must have been carried out prior to each staff member’s appointment.

344. Paragraph **18(2)(a)** relates to the inclusion of a person's name in:

- the DBS barred list, for appointments made from December 2012
- the Independent Safeguarding Authority barred list, for appointments made from 2009 to November 2012
- List 99 for appointments made before 2009

or included in a corresponding list maintained under the law of Scotland or Northern Ireland:

- a list maintained under either Article 6(1)(a) or (b) of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007
- a list maintained under either section 1(1)(a) or (b) of the Protection of Vulnerable Groups (Scotland) Act 2007.

345. The check in paragraph **18(2)(c)(i)** has been required by the independent school standards since 1 September 2003.

346. The check in paragraph **18(2)(c)(iii)** has been required by the independent school standards since 1 May 2007.

347. The check in paragraph **18(2)(d)** has been required by the independent school standards since 1 September 2003. Until 1 May 2007, an enhanced check was only required for staff regularly caring for, training, supervising or in sole charge of children. From 1 September 2003 to 30 November 2012, enhanced criminal records checks were performed by the Criminal Records Bureau. Since 1 December 2012, they have been carried out by the DBS.

348. The check required in paragraph **18(2)(f)** has been required by the independent school standards since 1 September 2003.

349. Paragraph **18(3)** sets out that the checks in paragraphs 18(2)(c) and, except where paragraph 18(4) applies, paragraph 18(2)(e) must be completed before a person's appointment. However, **18(2)(c)(ii)** – checks on medical fitness – should not be made prior to appointment. The DfE has issued the following advice to proprietors of independent schools.

From 1 October 2010, in accordance with Section 60 of the Equality Act 2010, it is unlawful for employers to ask health-related questions of applicants before job offer, unless the questions are specifically related to an intrinsic function of the work. This means that schools should no longer, as a matter of course, require job applicants to complete a generic health questionnaire as part of the application procedure. Independent schools are advised to review their existing practices to ensure they are complying with both the Education (Independent School Standards) Regulations 2014 and Section 60 of the Equality Act. Schools may decide to ask necessary health questions after job offer. In any case, they should

ensure that any health-related questions are targeted, necessary and relevant to the job applied for.

350. Refer to paragraph 80 of 'Keeping children safe in education' for information on checks for existing staff (as opposed to new staff).⁷²

Suitability of all members of supply staff

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| Paragraphs to be checked by inspectors: 19(2)–(3) . |
| In order to meet paragraph 19(2)(a)(i)(aa) , the checks in paragraphs 21(3)(a)(i)–(iv),(vii) and 21(3)(b) must have been made in respect of each member of supply staff appointed. |
| In order to meet paragraph 19(2)(a)(i)(dd) , additional checks for the relevant countries must have been made by the employment business as appropriate, ⁷³ and written confirmation to that effect must be obtained from the employment business for any member of staff supplied by the business who has lived abroad. |
| In order to meet paragraph 19(2)(d)(i) , the 'contract or other arrangements which the proprietor makes with any employment business' must require the employment business to provide the notification from the employment business referred to in paragraph 19(2)(a)(i). |
| In order to meet paragraph 19(3) , the certificate in paragraph 19(2)(a)(i)(bb) 'must have been obtained not more than three months before the date on which the person is due to begin work at the school', except where paragraph 19(4) applies. |

Suitability of proprietors

351. Paragraphs 20(3)(b)(i)–(iii) and 20(5)(b)(i)–(iii) set out the checks on proprietors that are carried out by the DfE. Normally inspectors do not check compliance with these paragraphs. If there has been a recent change in the proprietor and it appears that the DfE has not been notified, the inspector will record this to inform the DfE.

Suitability of all members of the proprietor body

352. Where there is a proprietor body, the DfE will only have checked the chairperson, and it is for the chairperson to carry out checks on other members of that body. Inspectors will ensure that all checks in 20(6)–20(6)(c) have been carried out for all members of the proprietor body, with the exception of the chairperson.

⁷² 'Keeping children safe in education', DfE, 2018; www.gov.uk/government/publications/keeping-children-safe-in-education--2.

⁷³ Although there are some countries for which checks are not possible and the school should ensure that the employment business has considered this and notified the school accordingly. As with the UK checks already needed for supply staff, it will be for the school to decide whether to accept supply of the staff member given the outcome of checks (or the lack of them).

353. Refer to paragraph 278 of this document, regarding the checks in paragraph 20(6)(a)(ii) of the standards.

354. Refer to paragraph 80 of 'Keeping children safe in education' for information on checks for existing staff (as opposed to new staff).

Paragraphs to be checked by inspectors: **20(6)–(c)**.

Paragraph **20(6)(b)** is treated as being complied with, where paragraphs 20(7) (pre-registration inspection) or 20(8) (standard inspection) apply.

Single central register

355. The proprietor of the school must keep a central register, which shows the information referred to in paragraph 21(3) to (7) as applicable for the school for staff, supply staff or a member of the body corporate or unincorporated that is the proprietor (but not the chair of the school).

Paragraphs to be checked by inspectors: **21(1)–(7)(b)**.

Each member of staff (other than the proprietor, members of the proprietor body and supply staff)

Paragraphs 21(3)–(b) set out the checks required in relation to each member of staff appointed on or after 1 May 2007, that are required to be recorded on the single central register.

In order to meet **paragraph 21(4)**, for each member of staff in post on 1 August 2007 who was appointed at any time before 1 May 2007, the following information should be recorded on the single central register:

- the checks in paragraphs 21(3)–21(3)(b) and
- whether an enhanced criminal record certificate was obtained, together with the date on which any check was completed or certificate obtained.

Each member of supply staff

Paragraphs 21(5)–(c) set out the checks required in relation to each member of supply staff, that are required to be recorded on the single central register.

In order to meet **paragraph 21(5)(a)(i)**, the information in the following paragraphs should be recorded on the single central register, in respect of each member of supply staff:

- 21(3)(a)(i)–(iv)
- 21(3)(a)(vi) which refers to paragraph 18(2)(d)
- 21(3)(a)(vii).

Each member of the proprietor body

Paragraph 21(6) sets out the checks required in relation to each member of the proprietor body appointed on or after 1 May 2007 that are required to be recorded on the single central register:

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| <ul style="list-style-type: none"> ■ 20(6)(b) ■ 'the date they were made and the date on which the resulting certificate was obtained'. |
| <p>Paragraphs 21(7)–(b) set out the checks required in relation to each member of the proprietor body in post on 1 August 2007 who was appointed at any time before 1 May 2007 that are required to be recorded on the single central register:</p> <ul style="list-style-type: none"> ■ 20(6)(b) ■ 'the date they were made and the date on which the resulting certificate was obtained' <p>and</p> <ul style="list-style-type: none"> ■ 21(7)(b). |

Part 5. Premises of and accommodation at schools

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| <ul style="list-style-type: none"> ■ 'Standards for school premises', DfE, 2015 (departmental advice); www.gov.uk/government/publications/standards-for-school-premises. |
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356. In considering compliance with the standards about the premises and accommodation of schools, please also refer to paragraph 361 of this document relating to the Equality Act 2010.

357. If a right of way passes through a school's playground, the school must have suitable safeguards in place – for example proper supervision – in order for the standard in **paragraph 25** to be met. The presence of the right of way itself does not constitute evidence of non-compliance.

Part 6. Provision of information

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| <p>Paragraph 32(1)(j)</p> <ul style="list-style-type: none"> ■ Section 119 of the Education and Skills Act 2008 (legislation); www.legislation.gov.uk/ukpga/2008/25/part/4/chapter/1/crossheading/unsuitable-persons. ■ The Education (Independent Educational Provision in England) (Unsuitable Persons) Regulations 2009 (legislation); www.legislation.gov.uk/uksi/2009/1633/regulation/2/made. |
| <p>Paragraph 32(1)(a) refers to the information specified in paragraph 32(2)(a)–32(2)(d).</p> |
| <p>Paragraph 32(1)(b) refers to paragraph 32(3)(a)–32(3)(g), and</p> <ul style="list-style-type: none"> ■ paragraph 32(3)(c) refers to paragraph 2 in part 1 of the standards ■ paragraph 32(3)(d) refers to paragraphs 9, 10, 11 and 13 in part 3 of the standards ■ paragraph 32(3)(f) refers to paragraph 33 in part 7 of the standards ■ paragraph 32(3)(g) refers to reports following standard, progress monitoring and emergency inspections, carried out by Ofsted or one of the independent inspectorates and reports following inspections of boarding or residential provision, |

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| carried out by Ofsted or, in the case of boarding schools that are members of Independent Schools Council, the Independent Schools Inspectorate. |
| Paragraph 32(1)(c) refers to paragraph 7 in part 3 of the standards. |
| Paragraph 32(1)(d) refers to reports following standard, progress monitoring and emergency inspections, carried out by Ofsted or one of the independent inspectorates. |
| Paragraph 32(1)(e) refers to reports following inspections of boarding or residential provision, carried out by Ofsted or, in the case of boarding schools that are members of Independent Schools Council, the Independent Schools Inspectorate. |
| Paragraph 32(1)(g) applies to standard, progress monitoring and emergency inspections (not pre-registration inspections, which are carried out under section 99 of the Education and Skills Act 2008, or material change inspections, which are carried out under section 162(4) of the Education Act 2002). However, under the Education (Pupil Registration) (England) Regulations 2006, ⁷⁴ independent schools are required to keep admission and attendance registers and make them available to inspectors during any type of inspection. |
| <p>Paragraph 32(1)(j) refers to paragraph 32(4)(a)–32(4)(c) and</p> <ul style="list-style-type: none"> ■ paragraph 32(4)(a) refers to the sections of the Education and Skills Act 2008 under which the Secretary of State may decide to remove a school from the register ■ paragraph 32(4)(b) refers to section 116 of the Education and Skills Act 2008 (www.legislation.gov.uk/ukpga/2008/25/part/4/chapter/1/crossheading/failure-to-meet-standards), under which the Secretary of State may impose a ‘relevant restriction’, where a proprietor has failed to meet one or more of the independent school standards (legislation) ■ paragraph 32(5) provides information about paragraph 32(4)(b), and refers to section 117(1) of the Education and Skills Act 2008 (www.legislation.gov.uk/ukpga/2008/25/part/4/chapter/1/crossheading/failure-to-meet-standards), which defines the ‘relevant restriction’ in section 116 (legislation) ■ paragraph 32(4)(c) refers to section 120 of the Education and Skills Act 2008, under which the Secretary of State may apply to a justice of the peace for an order to remove a school from the register. |

358. In order to meet the standards in part 6, the school must provide the information specified in the paragraphs. The content and the quality of the information itself, or its implementation, does not influence on compliance with the standards in part 6. This is covered by other parts of the standards. The only exceptions are where the school has provided information that is irrelevant to the requirement of the paragraph, or where the information is relevant but is significantly out of date.

359. The DfE has confirmed that the requirement of **paragraph 32(1)(a) and 32(1)(b)** is met if a school has placed the information on the school’s website (where one exists) and they have told the parents that this is where it can be

⁷⁴ The Education (Pupil Registration) (England) Regulations 2006; www.legislation.gov.uk/uksi/2006/1751/contents/made

found. If a school does not have a website or has decided not to place a copy on its website, then it must make a copy available in the school, inform parents of its availability and provide the required information on request. Schools with boarding pupils frequently have additional information, such as a booklet for boarders, aimed specifically at boarders or their parents.

Part 7. Manner in which complaints are handled

Paragraph 33(e) refers to paragraph 33(d).

Paragraph 33(f) refers to paragraph 33(e).

Paragraph 33(j) refers to paragraph 33(e).

Paragraph 33(k) applies to standard, progress monitoring, emergency and material change inspections (not pre-registration inspections, which are carried out under section 99 of the Education and Skills Act 2008).

Part 8. Quality of leadership in and management of schools

34(1)(c)

- The definition of 'well-being' in section 10(2) of the Children Act 2004:
(2) The arrangements are to be made with a view to improving the well-being of children in the authority's area so far as relating to—
 - (a) physical and mental health and emotional well-being;
 - (b) protection from harm and neglect;
 - (c) education, training and recreation;
 - (d) the contribution made by them to society;
 - (e) social and economic well-being.www.legislation.gov.uk/ukpga/2004/31/section/10 (legislation).

360. If there are any unmet standards in parts 1 to 7 of the independent school standards, paragraphs 34(1)(a) and 34(1)(b) are also unmet, and so too is 34(1).

Other requirements checked by inspectors

Safeguarding procedure

- Safeguarding Vulnerable Groups Act (SVGA) 2006 (legislation);
www.legislation.gov.uk/ukpga/2006/47/contents.
- DBS referral guides and factsheets (guidance);
www.gov.uk/government/publications/dbs-referrals-factsheets.

Duties under schedule 10 of the Equality Act 2010

- Schedule 10 of the Equality Act 2010 (legislation);
www.legislation.gov.uk/ukpga/2010/15/schedule/10.

- Equality Act 2010: advice for schools (departmental advice); www.gov.uk/government/publications/equality-act-2010-advice-for-schools.
- Paragraph 44 of Keeping children safe in education (**statutory guidance**); www.gov.uk/government/publications/keeping-children-safe-in-education--2.

361. Schools are required to ensure that they comply with the requirements of Schedule 10 of the Equality Act 2010. Schedule 10 relates to accessibility. Paragraph 3 of Schedule 10 requires that schools have an accessibility plan in place and defines an accessibility plan as follows.

3(2) An accessibility plan is a plan for, over a prescribed period—

3(2)(a) increasing the extent to which disabled pupils can participate in the school’s curriculum,

3(2)(b) improving the physical environment of the school for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and benefits, facilities or services provided or offered by the school, and

3(2)(c) improving the delivery to disabled pupils of information which is readily accessible to pupils who are not disabled.

362. Disability is defined in section 6 of the Equality Act 2010 as follows.

(1) A person (P) has a disability if—

(a) P has a physical or mental impairment, and

(b) the impairment has a substantial and long-term adverse effect on P’s ability to carry out normal day-to-day activities.

(2) A reference to a disabled person is a reference to a person who has a disability.

Statutory requirements of the EYFS

- ‘Statutory framework for the early years foundation stage’, DfE, 2014 (statutory framework); www.gov.uk/government/publications/early-years-foundation-stage-framework--2.
- ‘The early years foundation stage (EYFS) learning and development requirements; guidance on exemptions for early years providers’, Department for Education, 2012 (non-statutory guidance); www.gov.uk/government/publications/the-early-years-foundation-stage-eyfs-learning-and-development-requirements-guidance-on-exemptions-for-early-years-providers.

363. Early years provision for children aged two and above, who are on the school's roll, is inspected as part of the school inspection. This provision must comply with:

- the independent school standards
- the safeguarding and welfare requirements of the EYFS, and
- unless the school has been granted an exemption, the learning and development requirements of the EYFS.

DRAFT

DRAFT FOR CONSULTATION – January 2019

This document has been archived because it is no longer current.

On 14 May 2019 Ofsted launched a new [education inspection framework](#) for September 2019.



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