

Appropriate forms of evidence for issuing a performance standards and safety warning notice

Where a range of analyses or data sources identify a common issue, it is likely that this should be the basis for action. Where analyses differ, it is necessary to check their accuracy, undertake further data-gathering, or re-assess underlying assumptions.

(a) Evidence of unacceptably low standards and levels of progress

- Quantitative evidence of 'unacceptably low standards' will be where the school's data set indicates that the school is below the floor standards on all three measures of attainment and progression, or has a recent history of underperformance that has not been sufficiently addressed.
- Qualitative evidence to confirm concerns about the school's standards indicated by the quantitative data may be available from sources such as Ofsted reports, local authority subject inspections, feedback from parents, or analyses of pupils' work.

Information from a single academic year is unlikely to be sufficient to justify a warning notice, unless the problems it indicates are severe, or they appear in conjunction with weaknesses in leadership and management. In the majority of cases, local authorities should look at more than one year's data to establish whether standards are improving, declining or fluctuating.

It is important to recognise that school-level data can mask within-school variations between subject areas or pupil groups. Schools with high attainment overall must still be encouraged to target those groups of pupils within the school which are not achieving as well as they might be expected to. Where they are unwilling to do so, it may be appropriate for the local authority to issue a warning notice. Particular attention should be made to any evidence suggesting that schools are failing to address the needs of minority groups.

It should be noted that such data may be less reliable for smaller cohorts of pupils, and susceptible to fluctuations caused by absence, pupil mobility, or year-on-year variation. In these cases, a three year perspective is valuable.

(b) Evidence of a breakdown in leadership or management

Some data trends may indicate a breakdown in leadership and management. Such data should be treated with caution, as they may also arise for reasons other than poor school leadership. Local authorities should therefore ensure that such indicators are confirmed by strong intelligence about the quality of leadership and management from other sources before considering a warning notice.

Data trends which might, in some circumstances, prompt local authorities to investigate a school's leadership and management further include:

- declining school popularity, possibly revealed through school rolls falling more rapidly than might reasonably be expected from demographic changes;
- high or increasing absence or truancy rates;
- high rates of staff turnover, or numbers of staff grievances
- feedback from parents, or significant or increasing numbers of parental complaints.

Exceptions to (a) and (b) above

Even where the evidence referred to in parts (a) or (b) above exists, a warning notice is unlikely to be needed when the school is already working positively to address poor performance, and there is evidence of progress.

Circumstances in which a local authority might refrain from issuing a warning notice include when:

- the school acknowledges the problem and is working effectively, and rapidly, with support, to rectify the problem;
- the authority have requested that Ofsted bring forward the inspection of the school.

If a school has been judged to require special measures or significant improvement on inspection and this judgement has been moderated, then a warning notice is not required. A warning notice issued by a local authority to a school which is inspected before the end of the compliance period would remain valid until moderation of an inspector's judgement that a school requires special measures or significant improvement.