

Protocol between Ofsted and the approved independent overseas inspection providers for British schools overseas

Protocol for Ofsted's communication and working arrangements with the approved independent overseas inspection providers for British schools overseas.

This protocol has been agreed by Ofsted, the Department for Education and the following independent overseas inspection providers: Cambridge Education; CfBT Education Trust; G2G Education Ltd; Independent Schools Inspectorate; Penta International; and Tribal Education Ltd.

Published: August 2012

Reference no: 100254



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Introduction

1. Following interest from British schools overseas and consultation with the sector, the Department for Education (DfE) introduced standards for British schools overseas, based on those for independent schools in England.¹ The aims are:
 - to facilitate comparison both between British schools overseas and with their counterparts in England;
 - to ensure that parents are confident of the ability of British schools overseas to prepare their pupils appropriately for either higher education or re-entry into the British school system at a future date.
2. The DfE has approved six independent overseas inspection providers (hereafter known as an 'inspection provider') to inspect the schools according to the standards for British schools overseas. The system is voluntary. British schools overseas may choose to be inspected and they may choose their inspection provider. Each inspection provider will conduct inspections according to their own framework and tariff which have been assessed as fit for purpose during the approval process. The inspection provider will produce an inspection report and this will be published on the DfE's website. Each report will have a life of three years. Additionally, each school inspected will be allocated a unique reference number from Edubase, the national register of schools recognised by the Department. Fees for inspection are set by the inspection provider and are payable to them.
3. A condition of approval by the Department for Education is that the inspection provider is subject to monitoring by Ofsted. Ofsted will treat all independent overseas inspection providers fairly and equally.
4. The following inspection providers have been approved by the Secretary of State for Education to inspect educational provision in British schools overseas.
 - Cambridge Education
 - CfBT Education Trust
 - G2G Education Ltd
 - Independent Schools Inspectorate (ISI)
 - Penta International
 - Tribal Education Ltd

¹ The Department for Education's standards for British schools overseas are published in the document *The Inspection of British Schools Overseas*, DfE, 2010; <http://media.education.gov.uk/assets/files/pdf/s/standards%20for%20the%20inspection%20of%20british%20schools%20overseas.pdf>.

In addition, the Secretary of State has approved a partnership between CfBT and the Knowledge and Human Development Authority (KHDA) of the Dubai Schools Inspection Bureau for the inspection of British schools in Dubai.

Purpose of the protocol

5. The purpose of this protocol is to:
 - set out the strategy for communication between Ofsted and the inspection providers of British schools overseas
 - explain the process by which Ofsted will monitor the work of the inspection providers of British schools overseas
 - describe the volume of monitoring Ofsted will undertake
 - describe the process by which feedback will be given to the inspection providers
 - explain the process by which inspection providers of British schools overseas may make complaints about Ofsted's monitoring of their work or appeal against the content of a report.
6. This protocol will be reviewed formally on an annual basis and updated as required with the agreement of all parties.
7. This protocol is published on the Ofsted website: www.ofsted.gov.uk.

Communication strategy

8. An individual meeting will be held annually, on request, between the senior representative of each inspection provider and the HMI coordinating inspector for British schools overseas, so that issues of concern to the inspection provider may be discussed and feedback given on the basis of the year's performance.²
9. Ofsted will also attend a general meeting for all inspection providers, convened by the DfE, at which matters of mutual interest and concern will be discussed. Such a meeting may be repeated if needed throughout the year, but its effectiveness will be kept under review.
10. These formal meetings do not preclude other contact between Ofsted and the inspection providers by email, telephone or in person, as needed. Informal communication is welcomed. Any issues which have implications for the protocol and thus for all inspection providers, will be followed up formally.

² The term 'senior representative' is used throughout this document to recognise the differing circumstances of each of the British overseas inspection providers. The term is intended to cover 'Chief Inspector', 'Project Leader', 'Director' or 'Managing Director' as appropriate.

11. Written communication between Ofsted, the DfE and the inspection provider will, where possible, be by email using mailboxes compatible with Ofsted's information assurance procedures³.

Scheduling and conducting monitoring

12. To maintain their approved status the inspection providers must send their updated inspection programme to the DfE and Ofsted at the end of each term. This will contain a list of the schools they intend to inspect, the dates of the inspection and the name of the lead inspector.⁴ The information will be supplied as a 'rolling programme' with a programme covering at least two terms of planned inspections. This will enable Ofsted to plan its monitoring work. Ofsted will be notified of any changes to the programme as soon as possible. This information is to be sent by email to british.schools.overseas@ofsted.gov.uk for the attention of the HMI coordinating inspector British schools overseas.
13. At the end of each term, the inspection providers must also send the DfE and Ofsted a list of schools which have been inspected in that term by email to british.schools.overseas@ofsted.gov.uk and to britishschools.overseas@education.gsi.gov.uk

Monitoring the work of the inspection providers

14. All monitoring activity is undertaken by trained HMI from Ofsted.
15. For any newly approved independent overseas inspection providers, the HMI coordinator will meet the inspection provider's senior representative to assess the inspection provider's readiness to begin inspections.
16. Ofsted will monitor a cross section of each approved inspection provider's work. Ofsted's monitoring will focus primarily on a sample of inspections, the evidence that supports the judgements made in them, and a review of published reports. Ofsted will also take account of the inspection provider's own quality assurance arrangements, such as the outcomes of the inspection provider's internal monitoring. Ofsted may also take account of other evidence which may reasonably inform its judgement of the quality of the inspection process, for example, the inspectorate's handbook and advice, and the support and guidance given to inspectors. The volume of monitoring activity undertaken will be proportionate to the number of inspections completed by the inspection provider but will be sufficient to enable Ofsted to assure the DfE that the inspection of British schools overseas meets the standards set out in the DfE's approval criteria. As a rule of thumb, the proportion of monitoring activities will mirror that used by Ofsted in monitoring the independent inspectorates in

³ The Information code of practice is available on the Ofsted intranet site.

⁴ The term 'lead inspector' includes 'reporting inspector' or other terminology used by providers to denote the inspector who is leading and managing the school inspection on site.

England, namely up to 10% of inspections monitored and 15% of inspection reports reviewed. To ensure that costs are kept at a manageable level, the quality of some inspections may be monitored by a review of the evidence base and a telephone call to the headteacher of the school. Overseas inspection providers will be subject to a maximum of 12 monitoring activities per year including no more than one on-site visit per term, where approved providers have a full programme of around 40 inspections per year.⁵ However, where inspection providers anticipate a lower level of activity, monitoring will be proportionate, although Ofsted will aim to make one on-site visit to an inspection and to review one evidence base and two reports for the provider in each financial year. Where providers have a very low level of business, for example fewer than ten inspections in FY 2012/13, Ofsted will make an on-site visit, only where it has not already done so since approval was granted. Where one on-site visit has already been undertaken, Ofsted will aim to review an evidence base and to review two reports.

17. The selection of inspections and reports for monitoring will be undertaken according to and in proportion to risk. However, HMCI or the DfE may direct more extensive monitoring where this is deemed appropriate, for example in the event of concerns, or where an inspection provider's programme is so small that such percentages are not relevant. Ofsted's monitoring will focus on different lead inspectors where possible.

Monitoring school inspections on site

18. The DfE has requested that Ofsted monitors inspections on site in the same way that Ofsted monitors inspections of independent inspectorates in the UK⁶. Monitoring inspections on site will take place in accordance with the procedures set out in this document. HMI will monitor a sample of school inspections and make a judgement on whether inspections establish that schools meet the prescribed standards for inspection of British schools overseas, taking account of the provision made for all pupils at the school.⁷ In making this judgement, HMI will refer to the criteria which have been agreed by and shared with all parties⁸.

⁵ Ofsted would be willing to undertake more than one monitoring visit per term where it is cost effective to do so, by mutual agreement with the inspection provider.

⁶ *Protocol between Ofsted and the approved independent inspectorates* (100019), Ofsted, 2012: www.ofsted.gov.uk/resources/protocol-between-ofsted-and-approved-independent-inspectorates.

⁷ The standards for inspection of British schools overseas are published on the Department for Education's website:

www.education.gov.uk/schools/leadership/typesofschools/bs0/b0066584/standards-that-inspectorates-must-meet/.

⁸ *Standards for the inspection of British Schools Overseas*, DfE, 2012;

www.education.gov.uk/schools/leadership/typesofschools/bs0/a0077297/standards-for-the-inspection-of-british-schools-overseas.

19. HMI will also comment on the overall quality and conduct of the inspection, and the quality of support and guidance provided by the inspection provider including the effectiveness of its own quality assurance arrangements, where this is evident.
20. Towards the end of their monitoring visit, or by telephone shortly afterwards if this is more appropriate, HMI will provide the lead inspector with clear feedback on the strengths and weaknesses of the inspection. HMI will also send a letter to the lead inspector, copied to the inspection provider, containing the feedback and confirming whether or not the inspection met the required standard. This letter will be sent as soon as possible, and at the very latest within 20 working days of the monitoring event.
21. Should the HMI make any observations, for example about the effectiveness of the inspection provider's training, guidance or quality assurance arrangements, which may be considered helpful for professional development, a separate letter will be sent within 20 working days of the monitoring visit to the senior representative of the inspection provider.
22. The monitoring letters referred to above will not be sent routinely to the DfE, but they will be made available to their officers on request.

Administrative arrangements

23. In the case of a monitoring visit, Ofsted will inform the inspection provider of the school to be visited. Notification of monitoring visits will be made by the inspection provider to lead inspectors and schools as soon as possible. This will enable best value to be achieved for travel and accommodation costs for both the inspection team and the HMI monitoring inspector.
24. The monitoring HMI will make every effort to make personal contact with the lead inspector by telephone or email at least three days and up to a week in advance of the monitoring visit to discuss arrangements. Contact will be made by email or via the inspection provider concerned, if the lead inspector is unavailable by telephone. HMI will contact the school by telephone after they have contacted the lead inspector as a courtesy to inform them of details about the monitoring visit. It is recognised that the inspection provider will have previously informed the school of the intended monitoring.

Conducting an evidence review

25. Lead inspectors should return the evidence base relating to the inspection in question to the inspection provider in line with the provider's requirements for their own quality assurance deadlines. Ofsted will request the full evidence base of an inspection it intends to review as part of the monitoring process. Ofsted will ask the inspection provider to send the full evidence base electronically, together with the report, within two working days of receipt of the request. Requests for an evidence base review will always be made after the publication of the inspection report.

26. HMI will review the evidence base for clarity, consistency and comprehensive coverage of the standards for British schools overseas, ensuring that key judgements and the main findings and issues for improvement are substantiated by the recorded evidence. Guidance and criteria for reviewing an evidence base are in the zip files for Ofsted's inspectors which are shared with inspection providers.
27. HMI will send the review of the evidence base to the lead inspector, copied to the senior representative of the inspection provider. This will be done within 20 working days of the review to allow the inspection provider to take any necessary remedial action as soon as possible to improve future inspection practice.

Monitoring school inspection reports

28. Monitoring inspection reports will take place in accordance with the procedures set out in this document. HMI will monitor a sample of school inspection reports each term. HMI will judge whether the report establishes clearly that the school meets the standards for British schools overseas and, where applicable, provides suitably for any Early Years children or boarders.
29. HMI may also comment on the clarity of the report and whether it provides the school with a helpful agenda for improvement.
30. HMI will send the assessment of the inspection report to the lead inspector, copied to the inspection provider. This will be done within 20 working days of the assessment, to allow the provider to take any necessary remedial action as soon as possible to improve future inspection practice.
31. Any other monitoring activity by Ofsted will be agreed in advance with the relevant senior representative, or an appropriate nominee for each inspection provider. This could, for example, include an examination of the inspection provider's own quality assurance procedures and records, and would take place in the context of the annual meeting with the HMI coordinating inspector. Following such a meeting, HMI will provide written feedback to the senior representative of the inspection provider no later than 20 working days after the event.
32. After the receipt of such letters described in the paragraphs above, the lead inspector or the inspection provider, as appropriate, may raise matters of factual accuracy within the following 10 working days. Such matters should be sent to the agreed Ofsted mailbox or by post and addressed to the letter's author.

Annual feedback letter

33. At the end of each year, subject to the volume of completed inspections being sufficiently large, Ofsted will provide a report to the senior representative of the

inspection provider which will summarise the findings from its monitoring work and a judgement of whether the provider continues to meet the criteria for approval. The letter will also be sent to the DfE and published on Ofsted's website.

34. Where Ofsted recommends that an inspection provider does not meet the criteria, it is a matter for the Secretary of State whether the inspection provider's approval should be withdrawn and within what timescale. .
35. Ofsted will discuss a draft of the letters with the senior representative of the inspection provider, and allow five working days for any further checking and comments.⁹ The final version of the letter will be sent to the approved inspection provider and to the DfE. The intended publication date for letters will be the end of September for the previous academic year.
36. If inspection volumes are insufficient to make judgements for individual inspection providers, Ofsted will produce a single, composite report on the inspection of British schools overseas which will be sent to the DfE, the providers, and published on Ofsted's and DfE's website.

Conflict of interest

37. Independent overseas inspection providers must ensure full compliance with the criteria set out by the DfE for their approved status. Inspection providers must be independent from the schools they inspect, through their constitution, staff appointment arrangements, or any other relationships between schools and the inspection body other than payment of an inspection fee.

Confidentiality clause

38. Each party named at the outset of this protocol shall:
 - treat the other party's confidential information on inspections as confidential, and safeguard it accordingly
 - not disclose the other party's confidential information on inspection to any other person without the owner's prior written consent.

Costs

Management Costs

39. The fees for the management costs of monitoring will be the same for each inspectorate and are based on HMI day rates. A basic charge will be made to

⁹ Where this falls in the summer holiday period, both parties will communicate over deadlines to take account of inspectors' leave arrangements.

each approved inspection provider. This will cover all the management costs of the BSO scheme. The management activities include:

- Keeping the protocol and monitoring documents up to date;
- Chairing or attendance at meetings with DfE and inspection providers;
- Liaison and correspondence with providers by telephone and email;
- Monitoring websites of providers and associations connected with BSO work
- Scheduling and arranging monitoring activities;
- Quality assurance of feedback letters;
- Producing an annual summary report;
- Training and briefing for inspectors;
- Provision of advice as required.

Variable charges

40. Variable charges will be made to each of the approved providers according to the actual monitoring activities undertaken.

Travel and subsistence costs

41. Independent inspection providers will be responsible for Ofsted's travel and subsistence costs where on site monitoring takes place. Expenses will be charged in accordance with Ofsted's Business Expenses Policy.¹⁰ Ofsted will invoice the DfE quarterly for the fee for each inspection provider plus any transport, accommodation and subsistence costs necessarily incurred on a monitoring visit. Ofsted will send a copy of the invoices to each inspection provider. The DfE will make arrangements with the inspection provider for the collection of the agreed fees and any additional agreed costs. Fees will be payable directly to the DfE.
42. Where practicable, the inspection providers will book the transport and accommodation for monitoring inspectors. This will be done in accordance with Ofsted's policy on travel and subsistence and Ofsted will ensure that the providers have an up-to-date copy of the policy. Any necessary additional transport and accommodation arrangements required by monitoring inspectors will be booked by Ofsted and will be detailed in Ofsted's quarterly invoice to the DfE. The invoice will also include details of monitoring inspectors' subsistence claims.

¹⁰ A copy of this policy will be supplied by the BSO coordinating inspector.

Complaints about Ofsted monitoring visits or their outcomes and report reviews

43. If an individual inspector from an approved inspection provider wishes to complain about a monitoring visit or its outcome, they should discuss this as soon as possible with the HMI concerned while the visit is in progress. If the inspector's concerns are not resolved in this way, or if they wish to complain about a written assessment of an inspection, and evidence review or a review of a report, the inspector should discuss the matter informally in the first instance with the HMI coordinating inspector British schools overseas, either directly or via the inspection provider concerned, if that is in accordance with their agreed procedures. This process should also be followed if an inspection provider has concerns or wishes to complain about the annual feedback letter.
44. If it has not been possible to resolve the complaint through discussion with the HMI coordinating inspector British schools overseas, the inspector or inspection provider may decide to discuss it with the Principal Officer, Independent and Boarding Schools, or to make a formal complaint. The process by which a formal complaint may be made to Ofsted, including recourse to consideration of the complaint by an independent complaints adjudication service, is published on Ofsted's website¹¹.

Handling other complaints

Complaints about an inspection or report by the approved inspection providers of British schools overseas

45. From time to time Ofsted receives complaints from schools or other interested parties about an inspection or report of an inspection provider. Ofsted has no powers to resolve such complaints. Any complaint regarding the conduct of an inspector or the outcome of an inspection or report will be referred to the appropriate inspection provider for investigation in accordance with their complaints policy. As part of their routine monitoring, Ofsted may look at the inspection provider's processes for handling complaints.

Complaints about schools inspected by the approved inspection providers of British schools overseas

46. Complaints about schools that are inspected by the approved inspection providers will not be investigated by Ofsted.

¹¹ *Complaints procedure* (070080), Ofsted, 2010;
www.ofsted.gov.uk/resources/complaints-procedure-raising-concerns-and-making-complaints-about-ofsted

Responsibilities of the Department for Education

47. The DfE is responsible for setting and maintaining the standards that British schools overseas will meet, and for setting and maintaining the standards that inspectorates will meet. The DfE will also approve inspectorates and consider, upon receipt of monitoring reports from Ofsted, whether the inspectorates meet the necessary quality standards for continued operation.
48. The DfE will also make arrangements for inspection reports prepared by recognised inspectorates to be published on its website.
49. The DfE is responsible for invoicing the independent overseas inspection providers for monitoring work done by Ofsted and collecting the fees from them. The DfE will reimburse Ofsted accordingly.