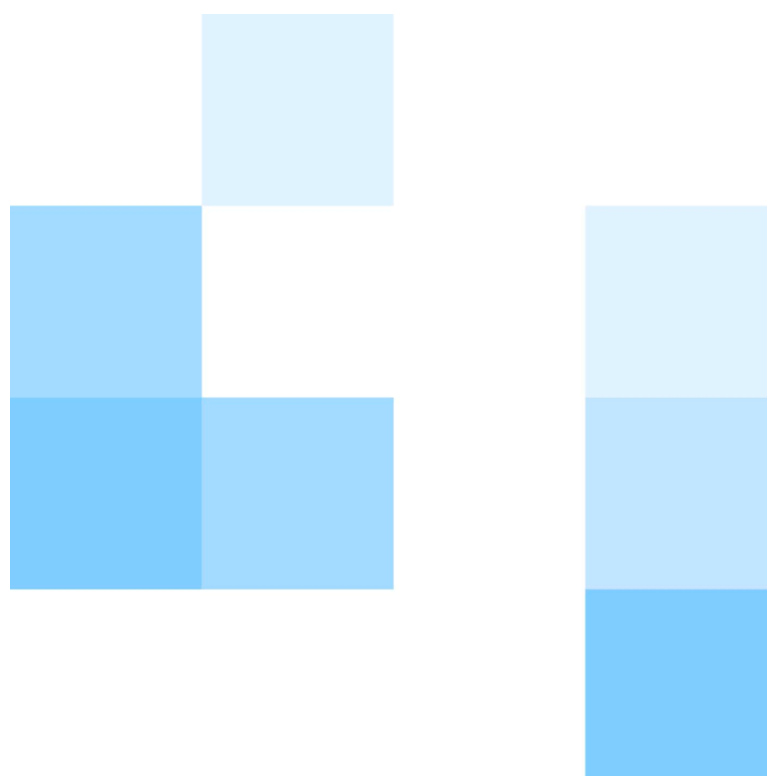


# **Alleged inspection irregularities at three Norfolk academies**

**A review by Julian Gizzi**

**January 2015**



## TABLE OF CONTENTS

FOREWORD .....	3
BACKGROUND.....	4
CONDUCT OF MY REVIEW.....	6
MY REPORT .....	9
ORMISTON VICTORY ACADEMY .....	10
GREAT YARMOUTH PRIMARY ACADEMY .....	28
THE THETFORD ACADEMY .....	43
CONDUCT OF SIR ROBIN'S INVESTIGATION.....	46
CONCLUSIONS .....	51
ANNEX A: TERMS OF REFERENCE.....	52
ANNEX B: TIMELINE.....	53
ANNEX C: INTERVIEWS.....	55

## FOREWORD

1. On 29 October 2014, I was appointed by Ofsted to undertake an independent review of the investigation conducted by Sir Robin Boshier into allegations of inspection irregularities at three Norfolk academies and to consider certain further material that came to light after Sir Robin had completed his investigation. My full terms of reference are set out in [Annex A](#).
2. I am a solicitor and partner in DAC Beachcroft LLP. DAC Beachcroft is one of the firms on Ofsted's panel of external legal advisers.
3. Like maintained schools, academies are usually notified that they are to be inspected by Ofsted at, or shortly after, noon on the day before the inspection is due to take place, unless the inspection is unannounced. It has been alleged that the academies in question "*knew of impending visits by inspectors days, and sometimes weeks, before Ofsted arrived*". This is a serious allegation. It has implications for the academies and the trusts which run them, for the academies' staff, pupils and parents and for Ofsted itself. My review is about whether the allegation has any substance. It is not about the quality of education provided by these academies, nor about their overall effectiveness.
4. I wish to record my gratitude to everyone I have interviewed for the time they so freely gave me and for the helpful way in which they answered my questions. I should also like to thank Alistair Robertson and Philip Worthington, two of my colleagues at DAC Beachcroft, for their invaluable assistance with my review and Stephen Hocking, one of my partners here, for his interrogation of my conclusions.

## BACKGROUND

5. Academies are state schools which are directly funded by central government and are independent of local authority control.
6. Three such schools are Ormiston Victory Academy in Norwich, which opened on 1 September 2010, The Thetford Academy, which opened on the same day and Great Yarmouth Primary Academy, which opened on 1 September 2012. Ormiston Victory Academy is sponsored by the Ormiston Academies Trust. The Thetford Academy and Great Yarmouth Primary Academy are sponsored by the Inspiration Trust.
7. Ormiston Victory Academy was inspected by Ofsted on 14 and 15 May 2013 and was judged to be "*outstanding*".
8. Great Yarmouth Primary Academy was inspected by Ofsted on 13 and 14 May 2014 and was judged to be "*good*". (It has since been re-inspected, on 22 and 23 September 2014, when it was again judged to be "*good*").
9. The Thetford Academy became subject to special measures following its inspection on 12 and 13 February 2013. (It was not sponsored by the Inspiration Trust at the time of that inspection. The Inspiration Trust became its sponsor in September 2013). It received its fourth monitoring inspection on 1 and 2 July 2014, when it was judged to be making reasonable progress towards the removal of special measures. (It has since been re-inspected, on 4 and 5 December 2014, when it was judged to be "*good*" and special measures were removed).
10. On 17 August 2014, *The Observer* published an article under the headline "*Academies run by 'superhead' received advance notice of Ofsted checks*". The newspaper claimed to have uncovered evidence which suggested that Ormiston Victory Academy, The Thetford Academy and Great Yarmouth Primary Academy "*knew of impending visits by inspectors days, and sometimes weeks, before Ofsted arrived*".
11. The academies were described as being "*overseen*" by Dame Rachel de Souza. Dame Rachel was Executive Principal of Ormiston Victory Academy at the time of its inspection in 2013. She has been a trustee of the Inspiration Trust, sponsors of The Thetford Academy and Great Yarmouth Primary Academy, since 14 August 2012 and is now its Chief Executive. She has also been an Additional Inspector at Ofsted since 1 April 2014. Additional Inspectors carry out inspections on behalf of Her Majesty's Chief Inspector on a part-time basis.
12. On 19 August 2014, Sir Robin Boshier, Director of Quality and Training at Ofsted, was asked by Her Majesty's Chief Inspector to carry out an urgent investigation into the allegations contained in *The Observer* article. Sir Robin's report was published on 23 September 2014. His main finding was that he had not seen any evidence to substantiate "*the allegations that the three schools in question had improperly*

*received prior notification of the dates of their Ofsted inspections in order to put them at an unfair advantage".* It was, he agreed, possible for schools to predict with a fairly high degree of accuracy the narrowing window in which their next inspection was likely to fall.

13. Two months later, on 19 October 2014, *The Observer* carried a further article on the subject. The newspaper reported that it had seen certain emails, which it claimed provided "*compelling evidence of advance knowledge*" and contradicted Sir Robin's conclusion that the academies had benefited from good guesswork.
14. The next day, 20 October 2014, the Inspiration Trust issued a statement refuting *The Observer's* claims.
15. On 24 October 2014, Her Majesty's Chief Inspector announced his intention, in light of the new email evidence that had emerged following the publication of Sir Robin's report, to appoint an independent person to review and assure the investigation which Sir Robin had conducted. My appointment was announced on 5 November 2014.
16. A timeline of the key events can be found at [Annex B](#).

## CONDUCT OF MY REVIEW

17. My terms of reference are in two parts. The first part requires me to review Sir Robin's investigation and to determine whether the manner in which he conducted that investigation was appropriate, whether the conclusions he reached were reasonable and whether there are any other matters connected with Sir Robin's investigation which should be drawn to the attention of Her Majesty's Chief Inspector. The second part requires me to consider the further evidence presented to Ofsted since Sir Robin completed his investigation and to determine whether that further evidence, together with the evidence before Sir Robin, demonstrates, on the balance of probabilities, that all or any of the academies were given advance notice of the dates of their inspections.
18. Before I describe how I have gone about conducting my review, I need to begin with a few words about evidence and the standard of proof.
19. The determination I have to make in the first part of my review is one based upon the evidence before Sir Robin at the time of his investigation. It does not take account of the evidence which has come to light since he completed his investigation. The determination I have to make in the second part of my review is one based upon the evidence before Sir Robin at the time of his investigation and the evidence which has come to light since. It would therefore be open to me to determine that the conclusions that Sir Robin reached were reasonable, but to reach different conclusions of my own.
20. In reaching my own conclusions, my terms of reference require me to do so "*on the balance of probabilities*". What does this mean? The balance of probabilities is the standard of proof used in civil matters (as opposed to criminal matters, where a higher standard of proof is required). If the evidence is such that it is more probable than not that the allegations are true, the standard is met. If the probabilities are equal, it is not.
21. With my letter of appointment, I received a ring-binder of papers put together for me by Ofsted. This comprised the evidence before Sir Robin, including notes of the interviews he had conducted, and, in a different section of the ring-binder, the evidence which had been made available to Ofsted since Sir Robin completed his investigation.
22. Having reviewed these papers, I assembled my review team, comprising my DAC Beachcroft colleagues, Alistair Robertson and Philip Worthington. I held a series of initial interviews, the first in the afternoon of 7 November 2014, the last in the morning of 14 November 2014. My review team took a contemporaneous note of each interview, which was sent to the interviewee for verification and comment. Interviewees were told that whilst I would not publish the notes of their interviews, I would refer to and/or quote from them in my report, as I considered appropriate. Where I have been unable to contact an individual but nevertheless consider it necessary for the fulfilment of my terms of reference to identify that individual in this

report, I have done so.

23. I was then going to approach *The Observer* to ask for copies of the emails to which they had referred in their article of 19 October 2014 and to arrange to meet their reporting team. One of those emails was in the ring-binder sent to me by Ofsted, but I did not have any others. I should explain at this stage that I had been hampered in my search for information, and interviewees had in turn been hampered in their ability to engage with my questions, by an unfortunate coincidence of circumstances.
24. The Ormiston Victory Academy server, containing all the emails from the relevant period, was replaced when the academy moved into their new premises in November 2013. I understand that the server is currently disconnected and so the emails are inaccessible. Furthermore, I was informed that the minutes of the Senior Leadership Team (SLT) meetings for May 2013 are missing from both the paper and electronic files held by the academy. Finally, I was told that all the emails contained on Dame Rachel's Inspiration Trust email account, dating from March 2013 onwards, were irrevocably deleted by accident in September 2014.
25. I asked various interviewees about these incidents, and received acceptable explanations in relation to the Ormiston Victory Academy server and Inspiration Trust emails. The whereabouts of any May 2013 SLT meeting minutes remains unclear. The lack of these documents did hamper my investigation; however, the conclusions I have reached have necessarily been based solely on the information that was available to me.
26. In the afternoon of 14 November 2014, before I had made contact with *The Observer*, they contacted me to ask if they could contribute to my review in writing. I agreed to this request, asking them to include copies of the emails to which they had referred in their article of 19 October 2014. I received their submission on 21 November 2014. Accompanying it were copies of the emails I had asked for, together with certain other emails that were new to me.
27. I informed *The Observer* that I would share their submission and the copy emails, in whole or in part, with anyone I considered relevant and would refer to and/or quote from them in my report, as I considered appropriate. The submission mostly concerned the conduct of Sir Robin's investigation and so I sent a copy to him. The emails mostly concerned Dame Rachel and so I sent copies to her. I arranged to interview both Sir Robin and Dame Rachel again and these interviews took place on 5 December 2014. I also asked to meet with the journalists from *The Observer*. I was told that they had nothing to add to their submission which was a reiteration of their journalism, but if there was any confusion about the contents of their submission, I should put any questions to them in writing. I did not need to do so.
28. The receipt of the submission and copy emails from *The Observer* also prompted me to re-interview another of the interviewees I had met in the first round and to seek interviews with six others. One of these, one of the teachers who was asked

to teach lessons on the day of the inspection at Ormiston Victory Academy, was unwell at the time of my request and was unable to meet with me. She did, however, provide me with written answers to my questions.

29. Dame Rachel asked to provide an addendum to the note of her first interview. I agreed to her request and received this addendum on 24 November 2014 in the form of annotations to the note. She also sent me a background statement on the eve of her second interview, as well as some of the agendas and minutes of the SLT meetings held at Ormiston Victory Academy in the first six months of 2013, which she had retained with the permission of the Chief Executive Officer of the Ormiston Academies Trust.
30. A list of the interviews I conducted can be found at [Annex C](#).



## MY REPORT

31. In this, my report to Her Majesty's Chief Inspector I have decided to deal with the various matters I have been asked to address in a different order from that in which they appear in my terms of reference.
32. Having set out the background and how I have gone about conducting my review, I will now take the academies in turn, following the sequence in which they were inspected, Ormiston Victory Academy first, then Great Yarmouth Primary Academy, then The Thetford Academy. For each academy, I set out:
  - 32.1 the original allegations and evidence considered by Sir Robin;
  - 32.2 Sir Robin's conclusions;
  - 32.3 the further allegations made in October 2014;
  - 32.4 the further evidence I have received during the course of my review;
  - 32.5 my analysis of each of the allegations, one by one; and
  - 32.6 my conclusions.
33. I will then consider the conduct of Sir Robin's investigation.
34. I will end with my responses to my terms of reference.

## ORMISTON VICTORY ACADEMY

### *The original allegations and evidence considered by Sir Robin Boshier*

35. *The Observer* article of Sunday 17 August 2014 reported allegations in relation to Ormiston Victory Academy that:
- 35.1 *"A series of sources have told the Observer that Ormiston Victory Academy knew the dates of its May 2013 Ofsted inspection at least two weeks in advance."*
  - 35.2 *"[A]t least two teachers were asked to teach lessons on the days of the inspection without ever having done so at Ormiston Victory before."*
  - 35.3 *"The advance warning also allowed the school to put in place high-quality lesson planning, get on top of marking and create "evidence files" presenting the day-to-day running of the school in as positive light as possible."*
  - 35.4 *"The school was preparing materials on the Saturday before the inspection – two days before it received its official notification from Ofsted on Monday, 13 May."*
  - 35.5 *"A supply teacher was given comprehensive lesson plan materials in an "Ofsted-friendly" format by the school, including detailed information on each pupil's progress, especially for the inspection, before the school was notified officially by Ofsted of the visit."*

### *Sir Robin Boshier's conclusions*

36. Sir Robin's main findings, common to all three schools investigated, were that:
- 36.1 The review team found no evidence to substantiate the main allegations.
  - 36.2 It was the habit of all three schools to maintain a high level of preparedness throughout the 'inspection window' during which a visit by Ofsted was due or expected.
  - 36.3 Interviewees stated (and Sir Robin accepted) that the schools had been able to calculate or predict with a fairly high degree of accuracy the narrowing window in which their next inspection was likely to fall.
37. Sir Robin's particular findings in relation to Ormiston Victory Academy were that:
- 37.1 The school was due a full inspection under section 5 of the Education Act 2005 following academy conversion.
  - 37.2 *"The school predicted (correctly as it transpired) that the full inspection would fall within two weeks of a similar inspection of its sister school Ormiston Venture, as had occurred in 2012 when both school received an earlier monitoring visit."*

- 37.3 One teacher who had not taught at the school before was used on the day of the inspection, but the investigation team found no evidence to support the allegation that the temporary member of staff had been recruited specially for the inspection.

#### ***The Observer article of Sunday 19 October 2014***

38. *The Observer* article of Sunday 19 October 2014 alleged in relation to Ormiston Victory Academy that:

- 38.1 Dame Rachel, then Executive Principal of Ormiston Victory Academy, sent a group email on 21 April 2013 three weeks and two days before Ormiston Victory Academy was inspected on 14 and 15 May 2013, and 10 days before Ormiston Venture Academy was inspected on 1 and 2 May 2013, as follows:

*"Only three weeks or so till Ofsted due at Victory too! Let's keep focused."*

- 38.2 Dame Rachel sent an email on Saturday 11 May 2013, as follows:

*"The last update on the website was 8<sup>th</sup> May. Can you get it going with lots of news. Inspectors will probably look Monday!! It's the first thing they look at."*

- 38.3 Dame Rachel sent an email on Saturday 11 May 2013, as follows:

*"Is the roll of honour sorted – it looked sparse on the wall – I'm worries about it! (sic)"*

- 38.4 Claire Heald, then Vice Principal of Ormiston Victory Academy, sent an email to Dame Rachel on Saturday 11 May 2013, as follows:

*"It is all sorted – extra photos being taken at 8.30 on Monday and Becky is sticking them up... It's all in hand."*

*Everything's fine – a few people in today so far. Probably a good sign there's not more, as it shows people are ready."*

#### ***Further evidence that I have received during the course of my investigation***

39. I have been provided with the evidence that was available to Sir Robin Boshier during his investigation.
40. I have also been provided with copies of each of the emails referred to in *The Observer* article of 19 October 2014.
41. I have also been provided with the following further relevant emails:
- 41.1 An email from Adrian Ball, then Vice Principal at Ormiston Victory Academy, to all staff, sent on Thursday 2 May 2013, as follows:

*"The Academy will be open Saturday and Sunday from 9am until 3pm both this weekend and next.*

*Thank you to the site team for being available to open to allow any staff who wish to come in to do so."*

- 41.2 An email from Dame Rachel to the Ormiston Victory SLT dated 7 May 2013, as follows:

*"You were great answering ofsted questions today in SLT .... I felt everyone was ready and convincing! Let's get those lesson plans perfect ..."*

- 41.3 An email exchange dated Thursday 9 May 2013 between an administration assistant at Ormiston Victory Academy and Teresa Smith, then Director of Business Support, as follows:

*"Please could all of the parking spaces at the front of the building (in front of ra room to music) be reserved for Ofsted parking during their visit*

*...*

*we discussed this yesterday and it is already arranged with the site team"*

- 41.4 An email from Ormiston Victory Academy's ICT specialist sent on Thursday 9 May 2013, in which he noted that:

*"I am conscious that our Ofsted inspection is imminent and I am also conscious that there is now only 1 person in the ICT Services team.*

*I want to do my best to support all of you as best I can..."*

- 41.5 An email from Mr Ball to all staff sent on Friday 10 May 2013, including the following:

*"A reminder for procedures once we get the call with regards to duties, morning briefing and tutor time.*

***Double Duties (before school and break)***

*...*

*Tuesday – CL briefing **HOWEVER** if the call comes on Monday then whole school briefing*

*...*

*Thursday – college briefing **HOWEVER** if the call comes on Tuesday*

*then whole school briefing*

...

*They will be visiting on both days"*

41.6 An email from Ms Heald dated Friday 10 May 2013 to an administrator, attaching a revised copy of Ormiston Victory Academy's 'Ofsted 100 point plan', to be printed the following Monday.

41.7 An email from Ms Smith dated Sunday 12 May 2013 to the headteacher of a junior school with which Ormiston Victory Academy is associated, which included the following:

*"We are pretty convinced we will see our Ofsted friends this week!! It is a year since they completed the progress inspection and they visited Ormiston Venture last week (all outstanding)."*

41.8 An email from Mr Rogers, the then Director of Teaching and Learning at Ormiston Victory Academy, dated Sunday 12 May 2013 to the school's SLT, setting out information about modern foreign languages provision at the school, and beginning with the following statement:

*"The following information may be useful during the Ofsted inspection if you are asked any questions about [modern foreign languages]*

..."

42. I have also been provided with the following relevant documents:

42.1 A document, last modified on 16 April 2013, entitled 'Summer Term SLT Action Plan', which lists each school week from the week commencing 25 March 2013 to the week commencing 20 May 2013, and sets out a list of actions to be taken in each week. The weeks are colour-coded. The week commencing 25 March is coloured green. The weeks commencing 15 April, 22 April and 29 April are coloured amber. The weeks commencing 6 May, 13 May and 20 May are coloured red.

42.2 Minutes of a SLT briefing meeting held on Wednesday 24 April 2013. Dame Rachel is recorded as having told attendees that "*Ofsted could visit within the next 2-3 weeks*".

42.3 A document, last modified on 29 April 2013, entitled 'Ofsted 100 point plan\_revised april 2013'. The document sets out a long list of actions and tips for teachers to enable them to be prepared for the Ofsted inspection, and a process to be followed during the inspection. The document includes the following statement:

*"Please find listed below a list of 10 key points that are crucial for all*

*staff in preparation for the visit next week*

[emphasis added]

- 42.4 A copy of Ormiston Victory's 'Ofsted 100 point plan' prepared in advance of its 2012 inspection under section 8 of the Education Act 2005. The document provided to me was last modified on 5 September 2011. It contains a statement identical to the one quoted above, including the reference to "*next week*".
- 42.5 A further version of the Ormiston Victory Academy 'Ofsted 100 point plan', attached to an email dated 10 May 2013. It is different in various respects from the version last amended on 29 April 2013, with most differences amounting to improvements in phraseology. The reference to "*next week*" no longer appears.
- 42.6 Various agendas and minutes of Ormiston Victory Academy SLT meetings held between January and June 2013.<sup>1</sup> I do not have a comprehensive set; for example as noted earlier in my report the minutes of meetings held in May 2013 are missing. The documents I do have include many references to the preparations being made for the impending Ofsted inspection. I have set out some relevant statements from those minutes in the following sub-paragraphs.
- 42.7 The 8 January 2013 SLT minutes record that the school "*cannot control when Ofsted come and which groups will be observed.*"
- 42.8 The 29 January 2013 SLT minutes record that "*SLT Ofsted Packs*" should be "*ready by Friday [1 February 2013].*"
- 42.9 The 11 February 2013 SLT minutes record that some SLT Ofsted Packs remained outstanding, and sets a revised deadline for completion of Friday 15 February 2013.
- 42.10 The 16 April 2013 SLT minutes record, under a heading "Ofsted Action Plan", amongst other things that, "*Ofsted packs ready – extra copies needed*", and "*New Roll of Honour being produced.*"
- 42.11 The 30 April 2013 SLT minutes record Dame Rachel as saying the following:
- "We have a week left before the likely Ofsted inspection. Could come 8/9/10<sup>th</sup> may or following week."*
- 42.12 The 30 April 2013 SLT minutes record a high level of preparedness generally for the impending Ofsted inspection. In particular they record, under the heading "Ofsted Update", that:

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<sup>1</sup> I have agendas and minutes for meetings held on 22 January 2013, 29 January 2013, 11 February 2013, 26 February 2013, 16 April 2013, 30 April 2013 and 11 June 2013; minutes only for a meeting held on 14 March 2013; and agendas only for meetings held on 8 January 2013, 11 January 2013, 29 January 2013, 26 March 2013, 23 April 2013 and 18 June 2013.

"Lesson plans are mostly done

...

Double duties and other operational tasks have been sorted.

...

School is open 9-3 on Saturday 4<sup>th</sup> and 11<sup>th</sup>. Sunday 12<sup>th</sup> 9-3. Site team will need to be on site to open the building."

43. I interviewed the following individuals in relation to the inspection at Ormiston Victory Academy:
- 43.1 Adrian Ball, Vice Principal of Ormiston Victory Academy at the time of the inspection.
  - 43.2 Ben Rogers, Director of Teaching and Learning at Ormiston Victory Academy at the time of the inspection.
  - 43.3 Claire Heald, Vice Principal of Ormiston Victory Academy at the time of the inspection.
  - 43.4 Geoff Howe, Marketing and PR Manager at Ormiston Victory Academy at the time of the inspection.
  - 43.5 Naomi Palmer, current Principal of Ormiston Victory Academy.
  - 43.6 Dame Rachel de Souza, Executive Principal of Ormiston Victory Academy at the time of the inspection, who also sent me a written statement.
  - 43.7 Teresa Smith, Director of Business Support at Ormiston Victory Academy at the time of the inspection.
44. I also received written answers to my questions from Sarah Mintey, a teacher who had not previously taught at Ormiston Victory Academy, but who taught during the inspection.
45. I also received a written submission from *The Observer*.

### **My analysis**

46. In order to reach conclusions in line with my terms of reference, I have found it helpful to consider each of the allegations contained in *The Observer* article of 17 August 2014 in turn, in the light of all the evidence available to me.

### **Allegation 1: Ormiston Victory Academy knew the dates of its May 2013 Ofsted inspection at least two weeks in advance**

47. The overall impression I have formed from all the evidence I have reviewed, is of a school that worked hard to be prepared for Ofsted, and that worked hard to predict

when Ofsted would come. I have been told by interviewees that the following factors all informed their thought processes in anticipating when the inspection would be:

- 47.1 The inspection timetable – at that time it was common practice for a section 8 inspection to take place in the second year of a converted academy, and for a section 5 inspection to follow around a year later.<sup>2</sup>
- 47.2 The inspection timetable placed the likely section 5 inspection in the Summer Term of 2013. I was told that initially staff thought the inspection might come in January 2013, as some other schools were inspected at that time, but that when an inspection did not come then, the staff became increasingly confident that the inspection would be around one year after Ormiston Victory Academy's section 8 inspection.
- 47.3 Staff believed the inspection would come in the first half term of Summer Term, because of GCSE, AS-level and A-level exams and study leave during the second half term.
- 47.4 Staff believed that the inspection would probably come in the last three weeks of the first half of the Summer Term, because those were the three weeks closest to one year after the school's section 8 inspection. Accordingly, those three weeks (commencing 6 May, 13 May and 20 May) were coloured red on the school's 'Summer Term SLT Action Plan'.
- 47.5 The occurrence of the Ormiston Venture Academy inspection on 1 and 2 May 2013 served to heighten the sense of imminence at Ormiston Victory Academy. It did not, however, give rise to a belief that the Ormiston Victory Academy inspection would follow exactly two weeks later.
48. The emails that I have seen referring to the forthcoming inspection are broadly consistent with the accounts I have received that the staff expected the inspection to fall within a three week window, and that as time elapsed, that window narrowed.
49. The first allegation, however, is more specific than that: it is that staff at Ormiston Victory Academy had at least two weeks' advance notice of the precise dates of its inspection in May 2013. I have considered the evidence available to me and reached a view on whether or not, on the balance of probabilities, I agree with that allegation.
50. The email that Dame Rachel sent three weeks and two days before the inspection, saying "*Only three weeks or so till Ofsted due at Victory too!*" is troubling. Three weeks are coloured red in Ormiston Victory Academy's action plan; those commencing 6 May, 13 May and 20 May. These were the weeks Ormiston Victory Academy had identified as the most likely inspection weeks. The first week of the three week 'red zone' marked on the Ormiston Victory Academy Ofsted Action Plan began two weeks after the date of this email. I asked Dame Rachel why she would

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<sup>2</sup> These references are to sections of the Education Act 2005. A section 5 inspection is one which Her Majesty's Chief Inspector is under a duty to conduct as part of the normal cycle of inspections. A section 8 inspection is one which he chooses to conduct outside the normal cycle.



send an email, before the start of the three-week 'red zone', suggesting that the inspection would come in the middle of those three weeks. That appeared to me to risk creating a false sense of security that the inspection would not come in the first of those three weeks, unless the writer of the email knew that to be the case. She told me that:

50.1 she did not recall sending the email;

50.2 in her view, 'or so' indicates that the phrase was a generality and that she "*could easily have been referring to the end of half term in a general way or to any time within three weeks or so*";

50.3 the email is "*absolutely not precise and it was just an email between close colleagues*". "*I would have had the general period of when the inspection was likely to take place in mind although I would not have been focused on the precise start of the red alert period or counting down the precise number of days.*"; and

50.4 in fact, she did think that Ofsted would come in the penultimate week of the half term, as she told me they had for the section 8 inspection in 2012.

51. In my view, although I am aware of the dangers of an overly forensic approach to the specific words used in an email that was no doubt sent without particular consideration of the precise words used, the words "*three weeks or so*" can naturally be taken to mean "*approximately three weeks*", i.e. "*three weeks plus or minus a few days*". I find it difficult to read them as meaning the end of the half term in a general way, and I also find it difficult to read them as meaning "*any time within three weeks or so*".

52. I do take the point that the email may not have been intended to be precise, and I have seen evidence of similar imprecision about dates from Dame Rachel elsewhere. For example in the minutes of an SLT briefing held on 24 April 2013, she is reported as stating that "*Ofsted could visit within the next 2-3 weeks*" (in fact the inspection was three weeks away), and in the minutes of the 30 April 2013 SLT meeting, she is reported to have said:

*"We have a week left before the likely Ofsted inspection. Could come 8/9/10<sup>th</sup> may or following week."* (In fact the inspection was two weeks away.)

53. Dame Rachel has pointed out to me that 10 May 2013 was a Friday, and that they were confident at that stage that Ofsted would not inspect on a Friday.

54. However, it is also fair to note that, in general, in the statements I have seen from Dame Rachel about the impending inspection, she tended to overstate its imminence rather than, as in her email of 21 April 2013, understate it. She told me as much:

*"As the Principal of Ormiston Victory, I behaved as if the inspection could happen at any moment and talked like the inspection could be the next day*

*from January onwards. I certainly treated each red week as if the inspection was taking place that week. I chased and pushed my staff hard to make sure that everything was in place as I was anxious to ensure that all our hard work paid off and the school would be presented at its very best. For this reason, there were probably a significant number of comments made by me or emails sent which, when read cold, may have overstated the imminence of the inspection. In the "red" weeks I treated each day as if it could be an inspection day and it is important to remember that I was accustomed to using the threat of an Ofsted inspection as a tool to get things done amongst my staff."*

55. In this light, it is odd to see an email that potentially understates the imminence of the inspection, and ignores the first 'red' week, rather than treating it "*as if the inspection was taking place that week*". One possible explanation is that was not a general exhortation to the staff or the SLT to be prepared for the inspection. The email was addressed to Ms Heald, the Ormiston Victory Vice Principal with responsibility for the Ofsted Action Plan, and so probably the person best acquainted of all with the anticipated timing of the inspection, and Mr Rogers, Director of Teaching and Learning at the school. Given the huge focus on preparation, these two recipients would be unlikely to have been lulled into a false sense of security by any imprecision in this email. (Ms Heald did not recall receiving the email. Ben Rogers said when he read the various emails quoted in *The Observer* he thought "*that's Rachel keeping everyone on their toes*".) It might be said, therefore, that Dame Rachel had little need to be careful in this email about the timeframe she referred to; her recipients would react to the need to 'keep focused', rather than to the expressed timeframe. This is not, however, an explanation that was given to me.
56. Having considered it carefully, I do find this email troubling. On its own, however, I do not consider that it demonstrates on the balance of probabilities that anyone at Ormiston Victory Academy knew the precise dates of the impending inspection at the time that it was sent. It is one email amongst many pieces of evidence that I have seen and heard.
57. I was initially concerned by the allegation that the school was opened especially during the weekend before the inspection, i.e. the weekend after the first 'red week' commencing 6 May 2013. I queried with several interviewees whether it had been opened during the weekend before the first 'red week' and if not, why not. I was reassured to see the minutes of the 30 April 2013 SLT meeting, which recorded that the school would be open during both weekends, and Mr Ball's email of Thursday 2 May 2013 confirming that the school would be opened throughout the weekend of 4 and 5 May.
58. Dame Rachel told me that she did not recall either of the emails that she sent on 11 May 2013 that were quoted from in *The Observer* article. She explained that updating the website "*would have been on the Ofsted plan from January onwards*". Although updating the website is not referred to specifically in either of the Ofsted

plan documents provided to me, I am satisfied that it was an ongoing activity, and note that the SLT meeting minutes from 22 January 2013 record a list of tasks being assigned for updating the school website at that time. I consider that there is nothing unusual in a headteacher who expects (in a general sense) that an Ofsted inspection is imminent, checking that it would be updated. Geoff Howe, the recipient of the email, told me that Dame Rachel regularly emailed him about updating the website, if he "*had left it for a day or two*". I also note that the email records that the website had been updated during the previous week.

59. I have considered the phrase "*Inspectors will probably look Monday!!*". I was told repeatedly (as Sir Robin also recorded) that Dame Rachel was in the regular habit of saying that inspectors would be coming shortly, and used it as a way of maintaining momentum amongst her staff. That, combined with a genuinely held belief that the inspectors probably would arrive during the week commencing 13 May 2013, is in my view an adequate explanation for the use of that phrase. As Ms Heald put it, Dame Rachel "*wanted to make sure we were ready. We really thought the inspection would happen then*".
60. In relation to the 'roll of honour' email, Dame Rachel explained that she was in the habit of walking around the school on a Friday afternoon, to "*have a last look before I went home, check everything was right*". She explained that she had not been happy with the format of the roll of honour, and so wanted changes made to it. Ms Heald recalled the email, and she and Mr Ball both referred in interview to the roll of honour having recently been updated, and that Dame Rachel had not been happy with it. I note that the 30 April 2013 SLT meeting minutes refer to the new roll of honour that was under production.
61. Similarly, Ms Heald's response, and specifically her statement that "*a few people in today so far... a good sign there's not more, as it shows people are ready*" is, in my view, consistent with an expectation that an Ofsted inspection was imminent, which had been reinforced by the inspectors not arriving during the previous week.
62. I was initially concerned by the email exchange regarding parking spaces for the inspectors. This exchange could be read as saying that parking spaces were reserved, in advance, for specific days on which the inspectors were expected. I questioned Teresa Smith about these emails. She explained that parking was very limited at the site the school then occupied, and so spaces would be coned off the night before a visitor was expected. She explained that spaces would never be reserved further in advance. Her explanation of the email was that she had warned the school's site manager that, when a call from Ofsted came, he would be required to cone off parking spaces for the following day. I am satisfied with this explanation.
63. The email from Dame Rachel of 7 May 2013 to the SLT suggests that an SLT meeting was held earlier that day, in which they considered potential questions that Ofsted inspectors might ask them. As noted earlier, I have not been able to obtain minutes for any SLT meetings held in May 2013. However, I do not consider it

surprising that the SLT would have been considering potential questions in this way during a meeting held in the first of the school's three 'red weeks'. The minutes I do have, particularly those for the SLT meeting held on 30 April 2013, demonstrate that the impending Ofsted inspection had increasingly been the focus of SLT meetings as the 'inspection window' neared and then arrived.

64. I do not think that the email from Ormiston Victory Academy's ICT specialist of 9 May 2013 raises any specific cause for concern.
65. I asked Mr Ball about his 'double duties' email of Friday 10 May 2013. He responded as follows:

*"By that time we were into the second week of the alert period, so there was a higher likelihood of it [the inspection] coming. I had been criticised in the mock-Ofsted inspections because I had reminded people of double duties only in meetings, but then some had not done it. So I sent the email as I was being careful to ensure people did it. I was getting everything prepared. I did not send the same email the week before, as I had not thought about it at that stage, it was not as much on my radar. We were not panicking, even though we were on high alert, as we knew the window was narrowing."*

I consider that Mr Ball's response has the ring of truth, and it is consistent with the other accounts I received of the school's heightened state of readiness for Ofsted. It is also consistent with the minutes of the SLT meeting of 30 April 2013, which record him stating that *"Double duties and other operational tasks have been sorted"*. The email is consistent with an expectation that Ofsted would arrive the following week, and that they would be present for two days. It does not demonstrate prior knowledge of the date of the inspection. In my view the same analysis applies to Ms Smith's email of Sunday 12 May.

66. In my view the email from Ms Heald attaching an updated version of the 'Ofsted 100 point plan' merely demonstrates ongoing preparation, as does the email from Mr Rogers.
67. I have also considered the allegation in *The Observer's* article of 19 October, which states that a pupil said a *"year group had been taken out of class... to be told there would be an Ofsted inspection the following week and they should behave."* This goes beyond the wording of the associated complaint made to Ofsted at the time. The complaint filed on 16 May 2013 stated a pupil had been told by a teacher on Thursday 9 May that an inspection was *"very likely/expected the following week"*. The complaint therefore states that the pupil was told that an inspection was very likely and/or expected the following week, not that it definitely would happen.
68. I have been informed by Ms Heald that the group in question was the school's Able, Gifted and Talented group. Students in this group (as well as various other groups) would routinely be taken out of lessons from time to time for monitoring and additional support. Ms Heald confirmed that there was a meeting of that group shortly before

the inspection. She emphatically stated that there were no year group assemblies at that time. I accept that the meeting in question was of the Able, Gifted and Talented group rather than the pupil's year group.

69. Ms Heald explained that the impending inspection would have been one of a number of things discussed, but not the only one. Ms Heald explained that it is good practice for schools to explain to pupils what the Ofsted process will be like and to reassure them that they can be honest if the Ofsted inspectors wish to speak with them. I am satisfied with this explanation, and am satisfied that, as per the original complaint, pupils in the group were probably told that an inspection the following week was likely or very likely, rather than definite.
70. Ms Heald could not recall the precise date of the meeting, but as the pupil's parent said only a week after the event that it had occurred on 9 May 2013, I consider that is likely to be the correct date.
71. There is an entry in the school's SLT Action Plan, for Ms Heald to 'pre-interview' students in the Able, Gifted and Talented group, the Special Educational Needs and Disabilities group and the Free School Meals group, during the week commencing 22 April 2013. As noted above, Ms Heald does not recall when her pre-interview with the Able, Gifted and Talented group took place, but I am satisfied that it was Thursday 9 May. Ms Heald cannot recall whether she pre-interviewed pupils in the Special Educational Needs and Disabilities group and the Free School Meals group herself, or whether someone else did. She cannot recall when those pre-interviews took place. She told me that it is "*likely to have been close to the dates in the plan as that is what we were working to*", although I note that was not the case for the Able, Gifted and Talented group.
72. I asked Dame Rachel about the timing of the meeting; just one week before the actual inspection date, and during the first 'red' week. I asked why it did not take place earlier, before the first 'red' week. Dame Rachel noted that "*[Able, Gifted and Talented] were the group we were least worried about, as you can rely on them.*" It is nevertheless surprising that a meeting such as this would not have taken place earlier in the term, given the focus on the three 'red' weeks, and given that it appears to have been scheduled to take place earlier in the term.
73. The documents that have been provided to me support the conclusion that the school expended considerable energy preparing for Ofsted, on an ongoing basis. I have not attached any weight to the reference in the 29 April 2013 version of the 'Ofsted 100 point plan' to "*the visit next week*", as I am satisfied that reference was a relic from previous iterations of the document. (In any event, as the document was last modified on 29 April 2013, the reference was inaccurate.)
74. Taking the evidence (both written and oral) in the round, it is striking how confident the SLT at Ormiston Victory Academy were that the school would be inspected during the week commencing 13 May 2013 (although I would note that Ms Heald, told me that she had believed that it was more likely to be the week after that, commencing

20 May 2013). I was particularly concerned by Dame Rachel's email of 21 April 2013 that, in my view, correctly identified the timing of the inspection. To a lesser extent I was concerned by three events that took place during the first 'red' week, which I might have expected to happen earlier: the meeting of the Able, Gifted and Talented group, the 'double duties' email, and the making of arrangements for inspectors' car parking.

75. Of the evidence I have seen:

75.1 all is consistent with the conclusion that Ormiston Victory Academy was able to predict the likely date of inspection with some precision;

75.2 some, but not all, is also consistent with a conclusion that Ormiston Victory Academy received advance notice of the inspection;

75.3 none is consistent with a conclusion of advance notice that is not also consistent with a conclusion of accurate prediction; and

75.4 plenty is consistent with a conclusion of accurate prediction that is not consistent with a conclusion of advance notice.

76. Overall, interviewees have cogently and consistently explained (to me and to Sir Robin) the reasons for their confidence about the likely dates of the inspection, and I have not seen evidence that demonstrates on the balance of probabilities that it derived from advance notice, rather than from a process of deduction and calculated guesswork.

77. I would note that it was frustrating that certain evidence, which may have assisted my review, was unavailable. In particular, neither Ormiston Victory Academy nor the Inspiration Trust was able to conduct a thorough search of historic emails, as a result of subsequent hardware changes and issues. In addition, the minutes from Ormiston Victory Academy's SLT meetings in May 2013 were missing. My conclusions are based on the evidence I was able to obtain.

*Allegation 2: at least two teachers were asked to teach lessons on the days of the inspection without ever having done so at Ormiston Victory before.*

78. As Sir Robin found, one teacher - Sarah Mintey - who had not taught at the school before, did teach during the inspection. It has been quite difficult to ascertain the precise circumstances of Ms Mintey's engagement. It is clear to me that:

78.1 A supply teacher had previously been engaged to cover an English teacher's long term sickness absence, and that supply teacher was ill on the day of the inspection.

78.2 Ms Mintey was engaged to cover that absence.

78.3 Ms Mintey was well-known to members of Ormiston Victory Academy's SLT, having worked with the school and at least some of them previously, albeit not

as a teacher at that school but in her capacity as Chief Executive Officer of the OPEN Youth Trust, a charity with which the school collaborated. In that capacity, Ms Mintey had spoken with inspectors during the school's section 8 inspection in 2012.

79. It is not exactly clear to me who engaged Ms Mintey, or when. I have been informed that she was not engaged through one of the usual agencies that the school used for supply teachers. Rather, I understand that by coincidence Ms Mintey happened to be in the school when or shortly after the school received notice on Monday 13 May 2013 that the inspection would commence the following day. Ms Mintey offered her services, and as the school did need a teacher to cover English the following day, Ms Mintey was engaged. Ms Heald explained that this was much more straightforward and time-saving than waiting until the following morning to arrange supply cover from an agency.
80. Ormiston Victory Academy has confirmed that the teacher whose lesson Ms Mintey covered was sick from Thursday 9 May 2013 and returned on Friday 17 May 2013. Her lessons were covered as follows:
- 80.1 Thursday 9 May – Lessons covered by external supply from Agency
  - 80.2 Friday 10 May – Lessons covered by external supply from Agency
  - 80.3 Monday 13 May – No cover requirements as a non-working day for the teacher who was sick
  - 80.4 Tuesday 14 May – Lessons covered by Sarah Mintey
  - 80.5 Wednesday 15 May – Lessons covered by Vice Principal, Ms Heald and academy cover staff
  - 80.6 Thursday 16 May – Lessons covered by academy cover staff
81. I have not seen evidence to suggest that any ulterior motive was at play, apart perhaps from an understandable wish to use a trusted individual to cover sickness absence once it became clear that a teacher would be required to cover during the Ofsted inspection. I was told by Dame Rachel that she "*made the inspectors aware that [Ms Mintey] was teaching during the inspection, who she was and that she was supply*".
82. It has been suggested to me that Ms Mintey was given six weeks' prior warning that she would be engaged during the inspection. However, it is unclear whether the alleged prior notice was that she would be asked to step in if the need arose during the Ofsted inspection, whenever it may be, or whether the alleged prior notice was of a future requirement to cover specific lessons on a specific date (i.e. indicating that Ms Mintey was told in advance of the date of the inspection and so that the school must have known the date in advance). The allegation has not been corroborated. Another interviewee told me that Ms Mintey was engaged on the evening of Monday

13 May 2013. Insofar as there is any suggestion that Ms Mintey was forewarned of specific lessons to be covered, it is inconsistent with the fact that on the day, Ms Mintey was engaged to cover short-term sickness absence. Having considered the allegation in the light of the other evidence available to me, on the balance of probabilities I have concluded that Ms Mintey was not given prior notice of the inspection date.

83. I believe that the second teacher referred to by *The Observer* was Mark Evans. At the time of the inspection Dr Evans was the Principal-designate of a new free school that had not yet opened and was working on the preparation for opening that school from an office in Ormiston Victory Academy. Dr Evans shared that office with Mr Rogers. I have tried to speak with Dr Evans, but have not been able to do so. I have interviewed Mr Rogers, who explained that he was scheduled to teach two year groups during Summer Term 2013; one class in year 9 and one in year 11. A timetabling clash meant that every week there was one year 9 lesson that Mr Rogers could not teach. Mr Rogers explained that he would prepare for the lesson, but someone else would deliver it.
84. Mr Rogers told me that he had hoped throughout the Summer Term that Dr Evans would be able to cover the lesson, owing to Mr Rogers' high opinion of Dr Evans as a teacher. Mr Rogers and Dr Evans had agreed that Dr Evans would cover the lessons where possible, but Dr Evans' other commitments prevented him from doing so every week until the week of the inspection. Mr Rogers told me that Ormiston Victory Academy employed one or more 'cover supervisors' – teachers who were available to cover lessons – and that in Dr Evans' absence one of them would take the class.
85. The first time that Dr Evans was able to cover the lesson came during the inspection. I asked Mr Rogers when he knew that Dr Evans would definitely be able to cover the lesson during that week. He told me that "*as soon as the phone call [from Ofsted] came it was pretty definite*". He was clear that the school placed greater weight on Dr Evans – rather than a cover supervisor – teaching the lesson during the inspection, than it did earlier or later in the term. In fact, I gather that Dr Evans only took that one lesson – he did not teach the class again once the inspection was over.
86. Mr Rogers made it clear to me that although he would have liked Dr Evans to take the class more often, the overriding factor that caused Dr Evans, for the first and last time, to put other commitments aside and take the class during the inspection was the fact of the inspection itself. However, Mr Rogers also made it clear that it was not until after the call from Ofsted came on Monday 12 May 2013 that Dr Evans was persuaded to make himself available.
87. Accordingly I conclude that Dr Evans was asked to teach a lesson during the inspection without ever having done so at Ormiston Victory Academy before. However I have not seen evidence to suggest that this was prompted or facilitated by the school having notice of the inspection before noon on Monday 13 May 2013.



*Allegation 3: the advance warning also allowed the school to put in place high-quality lesson planning, get on top of marking and create "evidence files" presenting the day-to-day running of the school in as positive light as possible.*

88. It is not in doubt that Ormiston Victory Academy put in place detailed lesson plans, ensured that marking was up to date, and prepared 'evidence files' (or to use the school's terminology, 'Ofsted Packs') in advance of the inspection.
89. The 100 Point Plan (in each of its three iterations that I have seen, beginning with the 2012 version) includes a pre-inspection requirement for all staff to ensure that all lesson plans are completed. SLT meeting minutes from 26 February 2013 refer to checking lesson plans. The Ofsted Action Plan also refers to checking "*Ofsted lesson plans*" during the week commencing 15 April 2013. The minutes of the SLT meeting of 16 April 2013 record that an "*Ofsted Lesson Plan Surgery is being organised for... next week*". The minutes of the SLT meeting of 30 April 2013 record that "*Lesson Plans are mostly done with some areas to be checked*".
90. The 100 Point Plan (in each of the three iterations that I have seen, beginning with the 2012 version) includes a pre-inspection requirement for all staff to ensure that all books have been marked. 'Marking monitoring' was an agenda item for the SLT meeting of 26 February 2013. The Ofsted Action Plan records that staff were "*encouraged to do green pen actions*" during the week commencing 25 March 2013. I understand this to be a reference to obtaining student follow up responses to teachers' marking comments. The minutes of the SLT meeting of 30 April 2013 record that "*next week the focus is on marking*". This corresponds with the 'Ofsted Action Plan' which records an "*all staff marking check*" during the week commencing 6 May 2013.
91. The 100 Point Plan (in its iterations of 29 April 2013 and 10 May 2013, but not its 2012 iteration) includes a pre-inspection requirement for all staff to ensure that prior attainment data is up to date and available for inspectors. The preparation of 'Ofsted Packs' is referred to in the minutes of SLT meetings held on 29 January 2013 and 11 February 2013. Dame Rachel has explained that these were documents containing the relevant data on the school which the inspector would need to assist with the assessment. The 'Ofsted Action Plan' has a column for actions relating to Ofsted Packs, with actions in each of the 'green' and 'amber' weeks. It refers specifically to updating Ofsted Packs during the week commencing 15 April 2013. The minutes of the SLT meeting of 16 April 2013 record that "*Ofsted packs ready – extra copies needed*".
92. In my view, the Ofsted Packs and lesson plans were prepared as part of the detailed programme of preparing for the impending inspection, which also included a focus on ensuring that marking was up to date. I have not seen evidence to suggest that these were triggered or enabled by precise advance warning of the inspection date.

*Allegation 4: the school was preparing materials on the Saturday before the inspection – two days before it received its official notification from Ofsted on Monday, 13 May*

93. I have seen ample evidence to demonstrate that staff members at Ormiston Victory Academy were preparing materials on the Saturday before the inspection, and well before that. I have not seen evidence that demonstrates that this was because they had received notice of the inspection date.

*Allegation 5: a supply teacher was given comprehensive lesson plan materials in an "Ofsted-friendly" format by the school, including detailed information on each pupil's progress, especially for the inspection, before the school was notified officially by Ofsted of the visit*

94. It has been confirmed to me that Ms Mintey was given lesson plans by the school's English Department to use for the lessons she covered on Tuesday 14 May 2013. I have no doubt that, in light of the focus at the school on preparing lesson plans to use during the inspection, these were in an "Ofsted-friendly format". I do not criticise the school for this. I have not found any evidence to suggest that those lesson plan materials were provided to Ms Mintey before the school was notified officially by Ofsted of the visit.

### ***My conclusions***

95. Having considered the evidence before Sir Robin:
- 95.1 I agree that it was reasonable for him to conclude that Ormiston Victory Academy did not receive notice of the date of its inspection held on 14 and 15 May 2013, in advance of the telephone notice given around noon on Monday 13 May 2013.
- 95.2 I agree that it was reasonable for him to conclude that one teacher who had not taught at the school before was used on the day of the inspection, and that there was no evidence to support the allegation that she had been recruited specially for the inspection. In my view, Sir Robin should also have referred to the second teacher who taught during the inspection having not taught at the school before.
- 95.3 I agree that the tenor of Sir Robin's conclusion was reasonable, that the school was extremely focussed on preparing for its forthcoming Ofsted inspection, and that the school used a variety of factors to predict the date of the inspection within a narrowing window.
- 95.4 I do not agree that it was reasonable for Sir Robin to give so much prominence in his report to the timing of the Ormiston Venture Academy inspections in 2012 and 2013. Although the inspections of each school were roughly a year apart, in 2012 they were approximately four weeks apart, not two weeks apart. Accordingly, even if the staff at Ormiston Victory Academy had assumed that each school would be inspected exactly one year after its last inspection, it would have been wrong for them to assume that the

inspection of Ormiston Victory Academy would follow two weeks after the inspection of Ormiston Venture Academy. I note that some reference to the 'two week' gap was made by an interviewee to Sir Robin. That appears to have been an error, and should not have been repeated as a fact in Sir Robin's report. However, I do not consider that this calls into question Sir Robin's general conclusion that the school was able to predict the date of its forthcoming inspection within a narrowing window.

96. Having considered the evidence before Sir Robin together with the additional evidence available to me, I conclude on the balance of probabilities that:

96.1 No one associated with Ormiston Victory Academy received notice of the date of its inspection held on 14 and 15 May 2013, in advance of the telephone notice given around noon on Monday 13 May 2013.

96.2 Two teachers who had never taught at the school before taught lessons during the inspection. The first, Sarah Mintey, was engaged on Monday 13 May 2013 to cover sickness absence on Tuesday 14 May 2013. The second, Dr Mark Evans, was engaged at some point after formal notification was received by the school to take a lesson that would otherwise have been covered by a cover supervisor.

96.3 Neither of those teachers was given advance notice of the date of the inspection.

## GREAT YARMOUTH PRIMARY ACADEMY

### *The original allegations and evidence considered by Sir Robin Boshier*

97. The Observer article of Sunday 17 August 2014 alleged in relation to Great Yarmouth Primary Academy that:

97.1 *"the Observer has learned from more than one source that De Souza received warning in early April that an inspection of Great Yarmouth Primary Academy, another Inspiration Trust school, where she is chair of governors, would occur in the first few weeks of May."*

### *Sir Robin Boshier's conclusions*

98. Sir Robin's main findings, common to all three schools investigated, were that:

98.1 The review team found no evidence to substantiate the main allegations.

98.2 It was the habit of all three schools to maintain a high level of preparedness throughout the 'inspection window' during which a visit by Ofsted was due or expected.

98.3 Interviewees stated (and Sir Robin accepted) that the schools had been able to calculate or predict with a fairly high degree of accuracy the narrowing window in which their next inspection was likely to fall.

99. Sir Robin's particular findings in relation to Great Yarmouth Primary Academy were that:

99.1 *"As a result of a lapse in information sharing procedures, the then chair of governors of Great Yarmouth Primary Academy, Dame Rachel de Souza (who is also chief executive officer of the multi-academy Inspiration Trust to which Great Yarmouth Primary Academy school belongs), was mistakenly given sight of a schedule that included the planned inspection date of that school during her training to become a seconded Ofsted inspector. The date of the inspection was changed after this error was identified."*

99.2 The school *"hadn't received an inspection visit by Ofsted during its fifth term following conversion to an academy and was therefore overdue an inspection as it entered its sixth term. As a result, the school was on a particularly high state of readiness when inspectors did arrive in May."*

99.3 *"When the regional team realised that the email had been sent in error to the two part-time seconded inspectors, the Great Yarmouth Primary Academy inspection was rescheduled to another date. When interviewed as part of the investigation, Dame Rachel de Souza said that she had not passed on the information she had mistakenly been sent about the Great Yarmouth Primary Academy inspection to anyone at the academy. The investigation team could find no evidence during the course of their interviews and*

*investigation that cast doubt on this assertion."*

#### ***The Observer article of Sunday 19 October 2014***

100. *The Observer* article of Sunday 19 October 2014 alleged in relation to Great Yarmouth Primary Academy that:

100.1 Tim Bristow, a senior inspector for Ofsted in the east of England, sent a group email on 4 April 2014 that attached an inspection schedule which included a date for Great Yarmouth Primary Academy to be visited and stated:

*"Rachel, I have ensured that you will not need to be in two places at once as discussed."*

100.2 The email sent by Dr Bristow on 4 April 2014 *"does not appear to be a message that had been casually sent in error. Ofsted has refused to provide details about who noticed this email had been sent, when it was noticed and who then insisted on a change of inspection date."*

100.3 Despite a change in the inspection date from 7 and 8 to 13 and 14 May, Bill Holledge, the then Principal of Great Yarmouth Primary Academy, *"felt confident enough in early May of his knowledge of a likely inspection date to turn down an offer from the prime minister to attend a function at Downing Street on 12 May"*.

100.4 Nearly three weeks before the inspection of Great Yarmouth Primary Academy, Dame Rachel sent an email to her then PA, which included the following request:

*"14 and 15th May – please do not add any further appointments – I am expecting a late notice very important event on or around those days."*

#### ***Further evidence that I have received during the course of my investigation***

101. I have been provided with the evidence that was available to Sir Robin Boshier during his review. This included an email from Tim Bristow, the senior Her Majesty's Inspector (HMI) for the East of England, to Dame Rachel, another Additional Inspector and three seconded inspectors on 4 April 2014, as follows:

*"Colleagues,*

*As agreed on Monday, I attach the schedule with the changes that we discussed needed making. If you click on the square where the inspection is you will be able to check on your status on the inspection – TI = Team LI = lead or shadow.*

*[S], please confirm if those days are OK. I note that on 8 May you will have to leave early. Your role as Associate Inspector is still being processed and is*

*not yet confirmed.*

*Rachel, I have ensured that you will not need to be in two places at once as discussed. I have not been able to CC [Dame Rachel's then PA] into this email as she is not authorised by us to know where all inspections are going to be on.*

*Best wishes"*

102. I have been provided with copies of each of the emails referred to in *The Observer* article of 19 October 2014.

103. I have also been provided with the following further relevant emails:

103.1 An email dated 7 April 2014 from Dame Rachel to a member of staff at the Inspiration Trust, as follows:

*"Have you checked the GYPA website – is it ready for ofsted on all statutory areas – it's imminent?"*

*R"*

103.2 An email dated 7 April 2014 from Dame Rachel to a different member of staff at the Inspiration Trust, as follows:

*"Is the GYPA website sorted?"*

103.3 An email from Dame Rachel to her then PA on 27 April 2014, making various arrangements for forthcoming dates, including the following:

*"Hi .....,*

*Couple of things:*

*....*

*Friday 2nd May – I had asked to keep this day clear as I have a big day Thursday. Be grateful if you could ensure Gareth knows I will not be at the morning meeting at hethersett. I will make the meeting with Theo in the afternoon.*

*6th May – is my inspection prep day – please re-arrange Chris Snudden. It's going to be difficult to do GY but I will have to do it but please keep the rest of the day totally clear.*

*9th May – please do not add any more appointments.*

*12 May – I am not doing the TU meeting. Chris Powell is. Please make sure he is aware and that my diary is kept clear. I will either be with the Globe or ofsted. I will be out all day.*

*14 and 15th May – please do not add any further appointments – I am expecting a late notice very important event on or around those days.*

....

*The whole week of 2nd June needs totally clearing as I am away leading a full inspection, or preparing/ writing up*

....

*Lets get this sorted and then have a discussion about the diary going forward, partic Principals dates tomorrow afternoon.*

*Best*

*Rachel"*

- 103.4 An email from Mr Holledge to all staff at Great Yarmouth Primary Academy on 2 May 2014, attaching a copy of an invitation from the Prime Minister to attend a reception to celebrate excellence in State Education at 10 Downing Street on Monday 12 May 2014, including the following:

*"The below is in my name but is a reflection of the hard work and commitment of all of you – well done!*

*The more observant among you will notice that the invitation date is during KS2 test week so, as you would expect, I have declined (courteously!) as my place is here – with the pupils and the staff working with them."*

- 103.5 An email exchange between Mr Holledge and Dame Rachel on 2 May 2014, attaching a copy of the Prime Minister's invitation, including the following:

*"Nice to be asked but this is the Monday of test week – so not great both in terms of likely Ofsted (could well be that Monday night I need to be at school to oversee prep for inspection Tues/Wed) and also in terms of being on hand Mon PM to support with test admin.*

*So, I think I need to decline with regret etc but wanted to check that you didn't feel it was absolutely critical that I go....*

*Bill"*

*"Absolutely fine Bill. I'm going too so we'll be represented.*

*Best*

*R"*

103.6 An email from Dame Rachel to her then PA on 12 May 2014, including the following:

*"I need to come in this morning – it will become apparent why when I get there. Do not notify anyone else.*

*Please can you do the following –*

*Work out the train time and tube route and time to get me to Downing Street*

*Book a taxi on account from our office to norwich station*

*Book and collect the train and underground ticket so I have them ready to travel.....*

*I'll be in for 11 ish just finishing calls then I need to spend some time with you and diary – we have some shifting around diary slots to do*

*Best*

*R"*

104. I interviewed the following individuals in relation to the inspection at Great Yarmouth Primary Academy:

104.1 Dame Rachel de Souza, Chief Executive of the Inspiration Trust at the time of the inspection.

104.2 Tim Bristow, Senior HMI for the East of England, Ofsted.

104.3 Matthew Coffey, Chief Operating Officer, Ofsted.

105. I also received written submissions from *The Observer* and from Dame Rachel.

### ***My analysis***

106. In order to reach conclusions in line with my terms of reference, I have found it helpful to consider the allegation contained in *The Observer* article of 17 August 2014, in light of all the evidence available to me.

107. I have then gone on to consider the further evidence provided to me during the course of my investigation that does not relate to the specific allegation contained in *The Observer's* article.

*The allegation: Dame Rachel de Souza received warning in early April that an inspection of Great Yarmouth Primary Academy, another Inspiration Trust school, where she is chair of governors, would occur in the first few weeks of May.*

108. In early 2014, as part of an innovative attempt to engage head-teachers more closely with Ofsted, two head-teachers were recruited by Ofsted in the East of England to be



part-time Additional Inspectors. Dame Rachel was one of those Additional Inspectors.

109. It is not in doubt that Dame Rachel was informed that the inspection of Great Yarmouth Primary Academy, where she was Chair of Governors, was scheduled to take place on 7 and 8 May 2014. I have not been able to determine definitively whether she found out during a meeting held on 31 March 2014, but it is clear this information was contained in an email sent to her (and others) on 4 April 2014. There is disagreement amongst those I interviewed both about what happened at the 31 March meeting and about the meaning of the 4 April email. I have set out in brief below my interpretation of the differing recollections.
110. On 31 March 2014, Dame Rachel, along with three new full-time seconded inspectors, attended a training day in Cambridge, run by Dr Bristow. The other Additional Inspector was not present.
111. Dr Bristow recalled displaying a schedule at the meeting, but believed it had been the Spring, not the Summer Term, schedule, and so did not show any future inspection details. He believed that the schedule would not have been legible and that Dame Rachel's name was not shown. Other delegates recalled the Summer schedule being flashed up on screen, but remarked it was not sufficiently legible to make out any specific details. Dame Rachel, on the other hand, recalled seeing and being given a hard-copy of the Summer schedule (although she could not subsequently locate that hard copy). She particularly recalled seeing on it the dates of the Great Yarmouth Primary Academy inspection – 7 and 8 May 2014 – and that she was due to inspect another school, Queensbury Academy, on those same dates. She also recalled seeing she had been scheduled to inspect a school in July 2014, which she did not think she would be able to do.
112. Participants' recollections of what happened next are consistent with their recollections about the schedule displayed, but not with each other. Dr Bristow recalled having a general discussion about the importance of avoiding a situation where an Additional Inspector is scheduled to inspect at the same time as their own school is being inspected. Dame Rachel recalled that, as well as participating in a general discussion, she informed Dr Bristow of her role as Chair of Governors of Great Yarmouth Primary Academy and The Thetford Academy, that she had seen the dates of Great Yarmouth Primary Academy's inspection and that the inspection of Great Yarmouth Primary Academy clashed with her proposed involvement in the inspection of Queensbury Academy.
113. Dame Rachel's recollection of what she saw was clearer than Dr Bristow's, and, on balance, I am reasonably clear that an extract from the Summer schedule for 2014 was shown at the 31 March meeting and the dates of the Great Yarmouth Primary Academy inspection were visible. As to the conversation, I think it is likely that Dr Bristow and Dame Rachel were talking at cross-purposes. It appears that Dr Bristow did not know by 31 March of Dame Rachel's involvement with Great Yarmouth Primary Academy, whereas Dame Rachel believed at that time that Dr Bristow would

have been aware. I can easily conceive of a conversation between the two, in a quick moment during the meeting, that Dame Rachel believed was about the specific conflicts she had seen, and that Dr Bristow thought was a general discussion about the importance of avoiding conflicts. Two further factors reinforce this conception.

114. First, Dame Rachel explained that she did not make a great fuss about what she had seen and acknowledged that the way she explained things may not have explicitly conveyed her underlying concerns.
115. Secondly, Dame Rachel had not by that stage officially declared to Ofsted her connection with Great Yarmouth Primary Academy, as it was not listed on the school conflict form she completed that day (or, indeed, the one completed in her name on 7 April 2014). Her explanation as to why she did not name any Inspiration Trust schools on her conflict form was that she considered it such an obvious conflict that she did not need to bring it specifically to the scheduling team's attention. I also note that the form, which had been designed for completion by full-time inspectors, required "previous" schools to be declared. This may also explain the absence of Dame Rachel's then current schools. The fact that the conflict form did not include the Inspiration Trust schools is regrettable.
116. On 4 April 2014, Dr Bristow sent an email to Dame Rachel, the other Additional Inspector and the three seconded inspectors who attended the 31 March meeting. The email attached an inspection schedule showing the dates and locations of the planned inspections for these five individuals between 1 April and 29 August 2014. It did not show inspection details for any other inspectors.
117. The attached schedule set out the then proposed inspection dates of Great Yarmouth Primary Academy - 7 and 8 May 2014 – and identified the other Additional Inspector as being on the inspection team. Dame Rachel was identified as being part of the inspection team for Queensbury Academy, which was scheduled to be inspected on the same dates.
118. Dr Bristow explained that he sent the schedule extract to the seconded inspectors and Additional Inspectors in good faith to enable them to see where they would be inspecting in the Summer Term.
119. Dame Rachel does not recall receiving the 4 April email, and explained that she delegated responsibility for dealing with emails of this nature to her then PA. The records show that the email was forwarded to her then PA's email account approximately twenty minutes after receipt, despite Dr Bristow's warning that Dame Rachel's PA was not authorised by Ofsted "*to know where all inspections were going to be on*". Dame Rachel explained that she does not recall forwarding it and suggested the most likely explanation was that it was forwarded by her then PA, who had access to Dame Rachel's email inbox. Dame Rachel told me that the first time she heard about the 4 April email was after Sir Robin raised it with her.
120. Dame Rachel indicated to me that the schedule attached to the 4 April 2014 email

appeared to be the same as the one shown at the 31 March 2014 meeting so far as her inspection schedule was concerned. However, Dr Bristow stated that this could not have been the case, as the schedule changed between 31 March and 4 April. In particular, he explained that Dame Rachel and the other Additional Inspector were not shown on 31 March, but had been added by 4 April.

121. In interview, Dr Bristow indicated that the phrase "*As agreed on Monday, I attach the schedule with the changes that we discussed needed making*" was a reference to the general discussion that had taken place at the 31 March meeting, namely about Additional Inspectors not being scheduled to inspect at the same time as their own school is being inspected. He stated that no specific changes had been discussed at that meeting.
122. Dame Rachel explained that, whilst she did not see the 4 April email at the time, she believes the changes referred to were that:
  - 122.1 she did not want to do a scheduled inspection in July;
  - 122.2 she should not be scheduled to inspect at the same time as The Thetford Academy was being inspected, whenever that might be; and
  - 122.3 the Great Yarmouth Primary Academy inspection should be re-scheduled as it clashed with her involvement in the inspection of Queensbury Academy.
123. I find Dr Bristow's explanation regarding this phrase difficult to reconcile with the words he used. In my view, the natural meaning of the phrase is that particular changes had been discussed on 31 March and he had amended the schedule accordingly.
124. Dr Bristow explained that the phrase "*Rachel, I have ensured that you will not need to be in two places at once as discussed*" was also a reference to the general scheduling discussion that had taken place on 31 March. He indicated that this phrase was intended to assure Dame Rachel that she would not be on inspection when any of the schools identified on her conflict of interest form were being inspected. However, I do not consider that this meaning is immediately obvious from the words used.
125. Dame Rachel stated that, whilst she did not see the email at the time, she would have thought the phrase referred to Great Yarmouth Primary Academy and/or The Thetford Academy. In other words, that he had ensured she would not be on inspection when either of these schools was being inspected.
126. Despite the assurance that Dame Rachel would not need to be in two places at once, the schedule attached to the 4 April email in fact allocated Dame Rachel to the Queensbury Academy inspection at the same time as Great Yarmouth Primary Academy was being inspected. This clash mirrored the one that Dame Rachel said she had brought to Dr Bristow's attention on 31 March. Dr Bristow explained to me that he was unaware of Dame Rachel's connection with Great Yarmouth Primary

Academy and so had not realised that the schedule attached to the 4 April email would pose any problems for her. The schedule also contained a further error. The inspection in July that Dame Rachel said she had indicated to Dr Bristow on 31 March that she could not take part in was still allocated to her.

127. In my view, the natural meaning of the phrase "*Rachel, I have ensured that you will not need to be in two places at once as discussed*" is that Dame Rachel had brought a specific scheduling clash to Dr Bristow's attention and he had taken steps to resolve it. The words used suggest Dr Bristow had taken action to rectify the situation. However, the schedule showed that a clash remained.
128. This cannot easily be explained. On the one hand, it could be that either Dame Rachel or Dr Bristow is fundamentally mistaken in their recollection of the events of 31 March and 4 April. Alternatively, and in my view the more likely explanation is that, they may have been talking at cross-purposes. For example, one possible explanation is that Dr Bristow had instructed the scheduling team to check the schedule against Dame Rachel's conflict form before sending out the 4 April email. The conflict form that had been submitted to Ofsted at that time did not list Great Yarmouth Primary Academy or any other Inspiration Trust schools. When viewed against this form, therefore, there does not appear to be a clash of dates.
129. Whether or not Dr Bristow was aware of its implications, the schedule attached to the 4 April email sent to Dame Rachel clearly set out the proposed dates of the Great Yarmouth Primary Academy inspection. I asked Dame Rachel whether she followed up on this email, given that it demonstrated that the concerns she states she raised on 31 March had not been addressed. She explained that she did not, as she did not read the email. This is regrettable.
130. It is ultimately difficult to reconcile the two versions of the events of 31 March and 4 April. What is clear, however, is that by 4 April 2014 Dame Rachel had been informed of the then proposed dates of the inspection of Great Yarmouth Primary Academy.
131. My view is that the 4 April email was an attempt in good faith by Dr Bristow to indicate to all the recipients when and where they would be on inspection. However, Dr Bristow should not have sent extracts of the schedule to the Additional Inspectors, as they were not authorised to see when other inspections were taking place. Rather, their individual schedules should have been sent to them separately. Dr Bristow has freely acknowledged that this was a mistake on his part.
132. It appears that the implications of the schedule attached to the 4 April email were not known to Ofsted until after *The Observer's* article of 17 August, when one of the seconded inspectors who had received it brought it to the attention of Dr Bristow, and Dr Bristow immediately forwarded it to Ofsted's Chief Operating Officer, Matthew Coffey.
133. In any event, the dates of the Great Yarmouth Primary Academy inspection were

subsequently changed twice. First, on 10 April 2014, the inspection was changed to 20 and 21 May 2014. Then, on 11 April 2014, it was changed again to 13 and 14 May.

134. The reason for the first change of the dates of the Great Yarmouth Primary Academy inspection – from 7 and 8 May to 20 and 21 May 2014 – is not entirely clear. Whilst there was a clash between the Great Yarmouth Primary Academy inspection and Dame Rachel's involvement in the Queensbury Academy inspection, I have seen no evidence to indicate that this actually lay behind the change in the Great Yarmouth Primary Academy inspection dates. Dame Rachel's conflict form did not list her involvement with Great Yarmouth Primary Academy and Dr Bristow is clear he was unaware of her connection and so did not inform Ofsted's scheduling team. It therefore does not appear from the evidence I have seen that Dame Rachel's association with Great Yarmouth Primary Academy was known to Ofsted's scheduling team on 10 April, when the inspection dates were first changed (although other evidence I have seen makes it clear that her connection with Great Yarmouth Primary Academy was known to Ofsted by 15 May 2014 at the latest). Both Sir Robin and Dr Bristow explained that the dates of inspections often change, usually for organisational reasons, rather than because of conflicts (Sir Robin explained that, by his count, the dates of more than half of inspections move, for example because someone is unwell or is re-allocated as a result of other priorities). It is not clear why the inspection dates changed for the first time, but I conclude that the most likely explanation is that they were changed for a reason other than Dame Rachel's scheduling clash.
135. The reason for the second change of dates appears to be a little more straightforward. I was told by Sir Robin that the reason for the second change of dates was that Paul Brooker, Senior HMI for the East of England, had wanted a particularly experienced inspector for the Great Yarmouth Primary Academy inspection, who was not available on 20 and 21 May 2014. It would follow that the inspection was moved to accommodate her availability. A further reason for the date change may have been that, on 10 January 2014, Paul Brooker had "locked down" the Great Yarmouth Primary Academy inspection to a two week period – 28 April to 16 May 2014. I understand that this is not unusual and happens when Ofsted decide that an inspection must take place within a certain timeframe – in this instance, before the next Local Authority Schools Inspection took place. The first change of dates (to 20 and 21 May 2014) took the inspection outside this window and the second change (to 13 and 14 May 2014) brought it back inside.
136. I have seen no evidence to suggest that Dame Rachel was informed of these revised inspection dates. I conclude therefore that, despite the events of 31 March and 4 April, she was not told of the actual dates of the Great Yarmouth Primary Academy inspection.

### *Emails of 7 April 2014*

137. In the morning of 7 April, the next working day following Dr Bristow's email of 4 April, Dame Rachel sent two emails about whether the Great Yarmouth Primary Academy website was ready.
138. One of these emails specifically asked whether the website was compliant with Ofsted's statutory requirements and suggested an inspection might be imminent.
139. I asked Dame Rachel about these emails. She explained that their timing is entirely coincidental. She indicated the emails were merely the latest in a long-running chain of correspondence about the website. She told me that, since February 2014, she had been striving to ensure that the website both met the recently-changed statutory requirements and was in line with Inspiration Trust branding.
140. I have seen an email from Dame Rachel on 11 March 2014 that confirms this. I am satisfied, therefore, that the emails of 7 April were part of an on-going effort by Dame Rachel and were not prompted by the events of 31 March and/or 4 April.

### *Dame Rachel de Souza's email of 27 April 2014*

141. According to *The Observer* article of 19 October 2014, Dame Rachel sent an email to her then PA nearly three weeks before the Great Yarmouth Primary Academy inspection requesting that no more appointments be made for 14 and 15 May 2014 as she was "*expecting a late notice very important event on or around those days*".
142. The Ofsted inspection of Great Yarmouth Primary Academy took place on 13 and 14 May 2014. The dates of the inspection were not, therefore, exactly the same as those referred to in Dame Rachel's email of 27 April.
143. I have been provided with a copy of this email. The entry referred to by *The Observer* is one of a number of instructions given by Dame Rachel to her then PA about diary issues.
144. In her interview, Dame Rachel told me that the "*late notice very important event*" she was referring to was a possible family trip abroad or other form of celebration for her son's birthday. She explained that she expected the celebration to be organised at late notice because she was awaiting confirmation from her husband that he would be able to take annual leave on those dates. I asked Dame Rachel why she was confident she would be able to take the time off that week. (Her email of 7 April had indicated that an Ofsted inspection of Great Yarmouth Primary Academy was imminent and, in any event, it was due to take place during the Summer Term). She explained that because the dates fell within Key Stage 2 test week, she did not expect the inspection to take place then.
145. Dame Rachel's comments are difficult to reconcile with some of the evidence I have seen. In particular, her email exchange with Mr Holledge on 2 May, suggests that he at least considered it "*likely*" that an inspection would take place in the week

commencing 12 May.

146. I would also observe that I was surprised to hear that Dame Rachel was confident about taking time off at that point, given that Great Yarmouth Primary Academy was on high alert as it was expecting an inspection that term. Dame Rachel indicated, however, that as Chief Executive of the Inspiration Trust her involvement in inspections was more limited than when she was Principal of Ormiston Victory Academy. Whilst she would usually prefer to be available when an inspection took place, as Chief Executive she did not need to be in attendance. I note, however, that this is not entirely consistent with what she said she told Dr Bristow on 31 March, namely that she could not be on inspection when Great Yarmouth Primary Academy was being inspected.

*Bill Holledge's email of 2 May 2014*

147. According to *The Observer* article of 19 October 2014, despite a change in the inspection date from 7 and 8 to 13 and 14 May, Mr Holledge, the then Principal of Great Yarmouth Primary Academy, "*felt confident enough in early May of his knowledge of a likely inspection date to turn down an offer from the prime minister to attend a function at Downing Street on 12 May*".
148. As set out above, I have seen:
- 148.1 a copy of an email from Mr Holledge to all staff at Great Yarmouth Primary Academy dated 2 May indicating that he declined the invitation because he wanted to be at the school during Key Stage 2 test week, which began on Monday 12 May; and
- 148.2 a copy of email correspondence between Mr Holledge and Dame Rachel dated 2 May explaining that his motivation for declining the invitation was both because he needed to be in school in the afternoon of Monday 12 May to support test administration and because it was "*likely*" an Ofsted inspection would take place that week in which case he may need to be in school on the Monday night to oversee preparation for inspection on 13 and 14 May.
149. The email correspondence between Mr Holledge and Dame Rachel on 2 May demonstrates that Mr Holledge considered it "*likely*" that Great Yarmouth Primary Academy would be inspected in the week commencing 12 May 2014 (correctly pinpointing 13 and 14 May) at least ten days before receiving formal notification of the inspection.
150. When I asked Dame Rachel about the Great Yarmouth Primary Academy inspection, she explained that the inspection was overdue when it had not taken place by Easter. They knew it would come some time in the Summer Term, before 21 July. She stated, however, that she had not expected the inspection to take place during the week commencing 12 May, as that was the Key Stage 2 test week.
151. Dame Rachel indicated that Mr Holledge had a very different approach to Ofsted

inspection from her own. She explained that he did not do anything overt in preparation, but rather relied on his everyday practice to see him through.

152. I suggested to Dame Rachel that Mr Holledge's email of 2 May appears to reveal a difference in outlook between Mr Holledge and herself. On the one hand, Dame Rachel was confident enough that an Ofsted inspection would not take place in the week commencing 12 May provisionally to reserve two days to celebrate her son's birthday. On the other hand, Mr Holledge, despite, according to Dame Rachel, taking a less structured approach to preparing for Ofsted inspections, considered an Ofsted inspection was "*likely*" that week.
153. Dame Rachel explained that, whilst she did not know what Mr Holledge's thought process was, he had handed in his notice a few days before, on 29 April. She felt that he may have wanted to excuse himself politely from the invitation, as he did not think it was appropriate in the circumstances to represent the Inspiration Trust at Downing Street. She believed it suited his purposes to say that Ofsted was "*likely*" that week, as it provided a further reason for him to refuse the invitation. She did not, however, consider there was any certainty on his part.
154. Unfortunately, despite repeated attempts, I have been unable to speak with Mr Holledge during the course of my review. I was therefore unable to gain an understanding of this email from his perspective.
155. Whilst I agree that the language used in the 2 May email does not convey a sense that Mr Holledge knew for certain when the inspection would take place, it is notable that he does in fact precisely identify the dates that the inspection ultimately took place.

#### *The email of 12 May 2014*

156. I have seen an email dated 12 May from Dame Rachel to her then PA, in which Dame Rachel states that she needed to come into the office that morning and that "*it will become apparent why when I get there*". She asked her then PA not to notify anyone else.
157. Great Yarmouth Primary Academy received notification of its inspection around noon that day.
158. Dame Rachel had indicated in her email of 27 April to her then PA that she would be out all day on 12 May with either the Globe or Ofsted. (Dame Rachel explained to me that she was due to attend a meeting at Ofsted on 12 May. It does not appear that this was in any way related to the inspection of Great Yarmouth Primary Academy).
159. Dame Rachel was also scheduled to attend a function at Downing Street that day, as evidenced by the email correspondence of 2 May between her and Mr Holledge.
160. I questioned Dame Rachel about this email at interview. She explained that it was an email sent in some irritation, upon discovering that her then PA had arranged four



conflicting appointments that afternoon – a Trade Union meeting, a meeting of the Globe Theatre's Board, an Ofsted meeting in London and the function at Downing Street.

161. She told me that she asked her then PA not to notify anyone, as she did not want the PA to cancel any of the appointments, but rather wanted to do that personally. She also did not want the PA to tell the Inspiration Trust employee with whom she shared an office, as he was in charge of the Inspiration Trust's Twitter account. Dame Rachel was concerned that he might have tweeted about her going to Downing Street before she had been able to cancel her other appointments.
162. She explained that as her flat was only a few minutes away from the office, it was easy for her to come into the office and sort the issues out in person.
163. I tried to arrange an interview with Dame Rachel's then PA, but was unable to make contact with her.
164. I find this email somewhat troubling. It gives the impression that something urgent had just come up, necessitating a change in plans. However, Dame Rachel knew about at least three of the bookings by 2 May at the latest – she referred to the Globe and Ofsted meetings in her email of 27 April and the Downing Street function in her email of 2 May. When I put this to Dame Rachel, she said that she was extremely busy at that time and had been on inspection the week before (7 and 8 May) and so had not looked at her diary until the Monday morning. Finally, I note that if this email did in some way refer to Dame Rachel having notice of the inspection of Great Yarmouth Primary Academy in advance of the telephone call that lunchtime, it is difficult to see what benefit would have been gained from her going into the Inspiration Trust headquarters in Norwich at 11am, other than perhaps providing some re-assurance and guidance to staff at the school.

#### *My conclusions regarding the further evidence provided to me*

165. Whilst I find the emails of 27 April, 2 May and 12 May troubling, I do not consider that, when taken together with the other evidence I have seen and heard, they demonstrate, on the balance of probabilities, that anyone at or connected with Great Yarmouth Primary Academy knew the precise dates of the upcoming inspection at the time that they were sent.

#### **Conclusions**

166. Having considered the evidence before Sir Robin:
  - 166.1 I agree that it was reasonable for him to conclude that Great Yarmouth Primary Academy did not receive notice of the date of its inspection held on 13 and 14 May 2014, in advance of the telephone notice given around noon on Monday 12 May 2014.
  - 166.2 I agree that it was reasonable for him to conclude that Dame Rachel was, by

way of email on 4 April 2014, given sight of a schedule that included the planned inspection date of Great Yarmouth Primary Academy during her training to become an Additional Inspector, and that the date of the inspection was changed after this error was identified. Sir Robin stated in his report that Dame Rachel had been mistakenly given information about the inspection date of Great Yarmouth Primary Academy and had been sent the email of 4 April in error. When I questioned him about this, he explained that he had meant the schedule was not "*mistakenly*" given to her in the sense that it was sent to her by mistake, but rather that it was knowingly sent to her, but it should not have been.

166.3 I agree that it was reasonable for him to conclude that there was no available evidence that cast doubt on Dame Rachel's assertion that she had not passed on the information she had been sent about the Great Yarmouth Primary Academy inspection to anyone at the academy.

166.4 I also agree that it was reasonable for him to conclude that Great Yarmouth Primary Academy was in a particularly high state of readiness at the time of its Ofsted inspection in May 2014, as it had not received an inspection visit during its fifth term following conversion to an academy, and was therefore overdue an inspection as it entered its sixth term.

167. Having considered the evidence before Sir Robin together with the additional evidence available to me, I conclude on the balance of probabilities that:

167.1 By 4 April 2014 at the latest, Dame Rachel had received warning that an inspection of Great Yarmouth Primary Academy was scheduled to occur on 7 and 8 May 2014, however the dates of the Great Yarmouth Primary Academy inspection were subsequently changed twice and Dame Rachel was not told of the revised (i.e. the actual) dates of the inspection.

167.2 No one associated with Great Yarmouth Primary Academy received notice of the date of its inspection held on 13 and 14 May 2014, in advance of the telephone notice given around noon on Monday 12 May 2014.

## THE THETFORD ACADEMY

### *The original allegations and evidence considered by Sir Robin Boshier*

168. *The Observer* article of Sunday 17 August 2014 reported allegations in relation to The Thetford Academy that:
- 168.1 *"the school had advance warning of 'at least two weeks' that an inspection was directly impending"*
- 168.2 *"On 28 June [two days before the school received formal notification of the inspection], the whistleblower reported that there was talk of 'lots of feverish activity' in the academy to prepare for a visit".*
169. The above allegations were initially reported in an article in *The Guardian* of 8 July 2014, which also stated that:
- 169.1 Although The Thetford Academy was formally notified of its impending inspection on Monday 30 June 2014, *"Education Guardian was told of the likely inspection of Thetford – with the correct inspection dates – from sources close to the [Inspiration Trust] the previous Saturday – 28 June"*.

### *Sir Robin Boshier's conclusions*

170. Sir Robin's main findings, common to all three schools investigated, were that:
- 170.1 The review team found no evidence to substantiate the main allegations.
- 170.2 Interviewees stated (and Sir Robin accepted) that it was the habit and practice of the schools in question to maintain a high level of preparedness throughout the 'inspection window' during which a visit by Ofsted was due or expected.
- 170.3 Interviewees stated (and Sir Robin accepted) that the schools had been able to calculate or predict with a fairly high degree of accuracy the narrowing window in which their next inspection was likely to fall.
171. Sir Robin's particular findings in relation to The Thetford Academy were that the school was in special measures and so received a monitoring visit from an HMI at least once a term to assess progress. In the monitoring visit prior to the inspection that took place on 1 July 2014, the lead inspector made it known that the inspection team would focus on the academy's sixth form during their next inspection in the Summer Term. As half term had already passed, the study leave period given to sixth form students before examinations meant that the window for this visit had narrowed to only a few weeks.

### *The further allegations made in October 2014*

172. *The Observer* article of Sunday 19 October 2014 reformulated the earlier allegation that *"staff within the Inspiration Trust were confident of the precise date of the*

*inspection on the weekend before they were formally told*" but does not introduce any new allegations or evidence.

### **Further evidence that I have received during the course of my investigation**

173. I have been provided with the evidence that was available to Sir Robin Boshier during his review.

174. I have been provided with one email relating to the allegations made about The Thetford Academy. This is an email sent by Dame Rachel on 1 June 2014 to the Governors of The Thetford Academy. It included the following:

*"Thetford Academy is expecting another Ofsted inspection – probably in the second half of June, usually a Tuesday & Wednesday."*

175. I interviewed the following individuals in relation to the inspection at The Thetford Academy:

175.1 Adrian Ball, Executive Principal of The Thetford Academy

175.2 Dame Rachel de Souza, Chief Executive of the Inspiration Trust, who also sent me a written submission

176. I also received a written submission from *The Observer*.

### **My analysis**

177. In order to reach conclusions in line with my terms of reference, I have found it helpful to consider each of the allegations contained in *The Observer* article of 17 August 2014 in turn, in the light of all the evidence available to me.

### **Allegation 1: "the school had advance warning of 'at least two weeks' that an inspection was directly impending"**

178. I have not seen any written evidence that corroborates this allegation. The email that I have seen includes a statement that Dame Rachel expected the inspection to come in the second half of June. This does not pinpoint any precise dates and was, in any event, wrong.

179. None of the interview notes made by Sir Robin, or any of the interviewees I spoke to, corroborates this allegation. On the contrary, Mr Ball, Principal of The Thetford Academy, told Sir Robin that he was due to move house on 1 July 2014 – the first day of the inspection – and do a lot of the removals himself, and so had to make alternative arrangements at very short notice when The Thetford Academy received notice of the inspection.

*Allegation 2: "On 28 June [two days before the school received formal notification of the inspection], the whistleblower reported that there was talk of 'lots of feverish activity' in the academy to prepare for a visit"*

180. Interviewees consistently explained to Sir Robin and me that, when a school is in special measures, there is a supportive and ongoing relationship between that school and its lead HMI. The lead HMI visits the school once in each term, and may let the school know in advance specific areas of focus for the next visit.
181. In this case, the HMI informed The Thetford Academy that she wished to focus on its Sixth Form during her Summer Term monitoring visit. I have been informed that Sixth Form absence during study leave and exams left a relatively short window for that inspection. Mr Ball indicated that they initially thought the inspection would come before half term. When half term passed, there were only three weeks in the second half of Summer Term that were not taken up with Sixth Form study leave or exams. That is a short window.
182. Mr Ball, who was formerly Vice Principal at Ormiston Victory Academy, has explained that The Thetford Academy takes a similar approach to Ofsted inspections as that taken at Ormiston Victory Academy. That being the case, I would not consider it unusual for staff to be preparing during a weekend within the expected inspection window.

*Allegation 3: "Education Guardian was told of the likely inspection of Thetford – with the correct inspection dates – from sources close to the [Inspiration Trust] the previous Saturday – 28 June"*

183. Although this allegation is troubling, I have not seen any written evidence that corroborates it and none of the interview notes made by Sir Robin, or any of the interviewees I spoke to, corroborates it.

### ***My conclusions***

184. Having considered the evidence before Sir Robin I agree that it was reasonable for him to conclude that The Thetford Academy did not have unlawful advance notice of its inspection.
185. Having considered the evidence before Sir Robin together with the limited additional evidence available to me, I conclude on the balance of probabilities that no one associated with The Thetford Academy received notice of the date of its inspection held on 1 and 2 July 2014, in advance of the telephone notice given around noon on Monday 30 June 2014.

## CONDUCT OF SIR ROBIN'S INVESTIGATION

186. Sir Robin began his investigation on, or soon after, 19 August 2014. His report to Her Majesty's Chief Inspector was published on 23 September 2014.
187. In the space of a little over a month, far less time than it has taken me to complete my review, Sir Robin visited the three academies in question and conducted no fewer than 39 interviews with senior leaders, teachers, non-teaching staff and pupils from each of the three academies, a parent of a pupil who attended one of the academies, headteacher representatives in Norfolk, HMIs and Additional Inspectors who inspected the academies, scheduling leads from Ofsted's four contracted inspection providers, Ofsted's Regional Director for the East of England and two senior HMIs from this region, full-time and part-time seconded Inspectors from the East of England pilot group and senior HMIs from other regions overseeing the recruitment and training of seconded inspectors. This was a punishing schedule by any standards.
188. A full note of each interview was taken and this note was shared with the interviewee for verification. The interview notes were made available to me as part of my review and I have read them all. I have also myself interviewed eight of those interviewed by Sir Robin. The adjectives used by some of them to describe their interviews with Sir Robin were "*thorough*", "*professional*" and "*tough*".
189. That is substantially my impression too from my interviews with Sir Robin and my reading of the notes of the interviews he conducted. His investigation was a substantial and essentially rigorous piece of work, carried out within an impressive timeframe.
190. It will always be possible to find something that could have been done better in any investigation. That having been said, there are two aspects of Sir Robin's investigation that have caused me some concern.
191. First, I am not convinced that Sir Robin's report does full justice to his investigation. When I put this to him, he fundamentally disagreed. He told me that he had wished to avoid writing a report which "*was overly lengthy and cumbersome to read*". He said that he wanted his report to be "*accessible*", that "*there was a balance to be struck between accessibility and detail*" and that "*it was important not to produce a document that could be perceived as trying to hide key issues in the body of a lengthy report*". I take those points on board. Nevertheless, I consider that the analysis set out in his report is, at times, too compressed. This is a serious concern, because the report is the product of Sir Robin's work and it is all that the public has to go on to satisfy themselves that the allegations have been properly investigated.
192. Secondly, Sir Robin appears to attach some importance to the timing of the inspections of Ormiston Victory Academy and its sister academy, Ormiston Venture Academy in 2012 and 2013. In his report, he writes:

*"In the case of Ormiston Victory Academy, which was due a full inspection under section 5 of the Education Act 2005 following academy conversion, interviewees said the school had been able to estimate the likely timing by looking at the inspection pattern of the previous year. The school predicted (correctly as it transpired) that the full inspection would fall within two weeks of a similar inspection of its sister school, Ormiston Venture, as had occurred in 2012 when both schools received an earlier visit".*

193. At one level, Sir Robin is only repeating what he was told. For example, one interviewee said to him:

*"Ormiston Venture was then inspected exactly one year after its last inspection (which was two weeks before Ormiston Victory's) and then Ormiston Victory's inspection was a year to that date as well".*

Another commented to him:

*"When the s.5 took place we heard that Venture down the road had theirs, we both opened at the same time, so we thought we would be soon after, and it was 2-3 weeks after. The s.5 we knew would be roughly a year later. Venture got their call and we were 2-3 weeks later again. For a new academy, it's quite predictable, the five term window".*

194. In actual fact, Ormiston Venture's inspection in 2012 began on Wednesday, 25 April and Ormiston Victory's on Wednesday, 23 May, an interval of four weeks and not two. In 2013, the interval between the two inspections was just short of two weeks, Ormiston Venture's beginning on Wednesday, 1 May and Ormiston Victory's on Tuesday, 14 May. If the interval between the Ormiston Venture and Ormiston Victory inspections had been the same in 2013 as it was in 2012, Ormiston Victory's 2013 inspection would have begun on Wednesday, 29 May. That was half-term week, so if Ormiston Victory were simply looking for a pattern, the week immediately before half-term (i.e. the week commencing 20 May 2013) or the week immediately after (i.e. the week commencing 3 June 2013) would have been the most likely candidates.
195. When I explored this with the interviewees cited above, they told me that it was not so much the interval between the two inspections that led them to conclude that the Ormiston Victory inspection was imminent, but rather the fact that the Ormiston Venture inspection had taken place. This explanation does not, however, appear to sit comfortably with their interview notes, nor with Sir Robin's report itself.
196. I put this discrepancy to Sir Robin, but he did not consider that it altered his conclusions in any material sense.
197. In their written submission to me, *The Observer* have cited various examples of what they consider to be inaccuracies in Sir Robin's report.
- 197.1 They take issue with Sir Robin's main finding that that he had not seen any

evidence to substantiate "*the allegations that the three schools in question had improperly received prior notification of the dates of their Ofsted inspections in order to put them at an unfair advantage*". They say that this finding is not accurate, in that *The Observer* had not claimed that "*the three schools in question had improperly received prior notification of the dates of their Ofsted inspections in order to put them at an unfair advantage*". Rather they claimed, first, that the schools had advance notice of inspection dates and, secondly, this gave the schools an advantage. I understand the distinction that *The Observer* are seeking to draw here and I do not disagree that the wording used in Sir Robin's report may not be precisely accurate. However, I do not regard the inaccuracy, such as it is, as significant to my review.

- 197.2 They also take issue with the statement in Sir Robin's report that they had claimed that the three academies "*knew about impending visits by Ofsted inspectors up to two weeks before they were formally notified by the lead inspector*". This is factually incorrect, they say: they did not state this to be so, they reported allegations that it was so. Again, I understand the distinction, but I do not regard it as significant to my review.
- 197.3 Of greater significance, to my mind, is what *The Observer* have to say about the references in Sir Robin's report to the academies being in a high state of readiness throughout the 'inspection window' during which a visit from Ofsted was due or expected and to their ability to predict with a fairly high degree of accuracy the narrowing window in which their next inspection was likely to fall.
- 197.4 Sir Robin says of the high state of Ofsted-readiness that "*it would....not be regarded by [HMI] as a clear indication that the school must have known the specific timing of the inspection prior to them being formally notified*". *The Observer* makes the point that their articles did not attempt to draw such conclusions and that it was clear throughout their reporting that the allegations were much more specific than this.
- 197.5 In a similar vein, *The Observer* comment that the allegations went beyond a school's ability to predict with a fairly high degree of accuracy the narrowing window in which its next inspection was likely to fall. The allegations were that these academies had "*precise dates*" in mind, allegations which *The Observer* consider were "*not sufficiently examined*" by Sir Robin's investigation.
- 197.6 I can see the force of these arguments in the context of Sir Robin's report, as written. However, it seems to me that Sir Robin is saying that he found no evidence to substantiate the allegations that the academies had "*precise dates*" in mind. The better explanation, in his view, was that the academies had merely benefited from good guesswork.



197.7 When I put *The Observer's* criticism to Sir Robin, he said "*They may have known the window, but acute readiness was not an indication that they knew the precise dates. We had no first hand evidence that dates were known.*"

198. *The Observer's* submission also points to certain issues which they regard as failings in Sir Robin's investigation.

198.1 They dispute that the investigation was "*thorough*" (the term which Her Majesty's Chief Inspector used to describe it in his statement of 24 October 2014). They comment, for example, that "*Sir Robin failed to ask [them] for a submission to his inquiry, nor does it appear that relevant email correspondence was sought and examined*". They also appear to take issue with Sir Robin's claim to have examined "*all the available evidence*", remarking that "*it did not include the email chain of correspondence*".

198.2 *The Observer* article of 17 August 2014 does not in fact make any reference to specific emails, nor to email correspondence generally. The emails make their appearance in *The Observer* article of 19 October 2014, which post-dated Sir Robin's investigation and report. I do not think it fair, therefore, to criticise Sir Robin's investigation for failing to take account of emails which were reported upon only after his report was completed or for failing to ask for copies of emails of which he was not aware.

198.3 I asked Sir Robin why he did not ask *The Observer* to contribute to his investigation. This is what he said.

*"In terms of should we have asked The Observer for evidence, Sir Michael Wilshaw published a statement that there would be an internal investigation. This statement quoted The Observer and I took this to be as clear an invitation as possible for them to provide us with any evidence/information they had. I did not think it was appropriate to contact the reporter. I took it that they had an opportunity to provide evidence...."*

Sir Robin's approach in this respect contrasts with my own, in that I had been intending to make contact with *The Observer*. However, the fact that they made the first move by asking me if they could contribute to my review adds weight to Sir Robin's justification.

198.4 *The Observer* comment that it appears that a series of interviews was undertaken, with some hearsay being accepted and other hearsay being rejected. They ask whether Sir Robin made clear to those with whom he had contact that interviews could be conducted on a confidential basis, with anonymity being assured, if necessary. On the first point, Sir Robin confirmed that "*It is all about a balance of what you hear. You are constantly making those judgments as to how evidence fits together. We tried to do that as best we could*". On the second point, he confirmed that he had

indeed given an assurance that interviews could be conducted on a confidential basis, save for instances where disclosure was required by law.

- 198.5 In this latter respect, Sir Robin's approach again contrasts with my own. I told interviewees that whilst I would not publish the notes of their interviews, I would refer to and/or quote from them in my report, as I considered appropriate. I asked Sir Robin whether by giving an assurance of confidentiality, he might have been constrained in what he could and could not say when it came time to write his report. He did not think so. Indeed, he felt that my approach might lead interviewees to be less open than they would otherwise have been.
- 198.6 *The Observer* state that Sir Robin's report failed to address the specific claim that *The Education Guardian* was told of the likely inspection of The Thetford Academy two days before the official notification on 30 June 2014. Sir Robin told me that he had considered this specific claim, but he did not regard it as critical.
- 198.7 *The Observer* also state that Sir Robin's report failed to deal with the second teacher who, it was alleged, was asked to teach on the days of the inspections, without ever having done so at Ormiston Victory Academy before. It is correct to say that Sir Robin's report does not deal with this second teacher, nor do enquiries appear to have been made about him.
199. In undertaking this critique, I have tried not only to set out my own perceptions of Sir Robin's investigation and report, but also to deal with *The Observer's* criticisms. Now is the time to draw some conclusions.
200. Whilst there are certain aspects of Sir Robin's investigation that I believe could have been done differently, the impression I have formed from my interviews with him, from my reading of the notes of the interviews he conducted and from my own enquiries is that he carried out his investigation with an open mind, that he acted with fairness and integrity and that his overall approach was methodical and diligent. I consider that the manner in which he conducted his investigation was, overall, appropriate. However, I am not convinced that my assessment is necessarily obvious from a reading of Sir Robin's report alone.

## CONCLUSIONS

201. In response to my terms of reference, I have concluded:

- 201.1 that the manner in which Sir Robin Boshier carried out his investigation was, overall, appropriate, although I am not convinced that this conclusion is necessarily obvious from a reading of Sir Robin's report alone;
- 201.2 that, subject to my observations in paragraphs 95.2 and 95.4, the conclusions which Sir Robin reached were reasonable;
- 201.3 that there are no other matters connected with Sir Robin's investigation which should be drawn to the attention of Her Majesty's Chief Inspector;
- 201.4 that the evidence presented to Ofsted since Sir Robin completed his investigation, together with the other evidence available to Ofsted, does not demonstrate, on the balance of probabilities, that Ormiston Victory Academy, The Thetford Academy or Great Yarmouth Primary Academy were given advance notice of their inspection dates, beyond the requisite half day's notice.

## ANNEX A: TERMS OF REFERENCE

1. To conduct an independent and impartial review of the investigation conducted by Sir Robin Boshier into allegations of inspection irregularities in three Norfolk schools and his report published on 23 September 2014, and to report in writing to Her Majesty's Chief Inspector on the following questions:
    - 1.1 Was the manner in which Sir Robin carried out his investigation appropriate?
    - 1.2 Were the conclusions which Sir Robin reached in his report reasonable?
    - 1.3 Are there any other matters connected with the investigation which should be drawn to the attention of Her Majesty's Chief Inspector?
  2. To consider the evidence presented to Ofsted since Sir Robin completed his investigation and to report in writing to Her Majesty's Chief Inspector on whether that evidence, together with the other evidence available to Ofsted, demonstrates, on the balance of probabilities, that advance notice of the date of inspection of all or any of the following schools:
    - 2.1 Ormiston Victory Academy, Norwich;
    - 2.2 Thetford Academy; and
    - 2.3 Great Yarmouth Primary Academy;
- was given to any person not directly connected with the conduct of each inspection.

## ANNEX B: TIMELINE

Date	Event
1 April 2010	Dame Rachel de Souza appointed Principal Designate to open Ormiston Victory Academy
1 September 2010	Ormiston Victory Academy and The Thetford Academy opened.
1 September 2010	Dame Rachel de Souza appointed Executive Principal of Ormiston Victory Academy.
14 August 2012	Dame Rachel de Souza appointed trustee of the Inspiration Trust.
September 2012	Dame Rachel de Souza appointed as Chief Executive of the Inspiration Trust. Agreed that she would continue to work as Executive Principal of Ormiston Victory Academy for a year and work as Chief Executive of the Inspiration Trust part-time.
1 September 2012	Great Yarmouth Primary Academy opened.
12 and 13 February 2013	The Thetford Academy inspected by Ofsted and became subject to special measures.
14 and 15 May 2013	Ormiston Victory Academy inspected by Ofsted and judged to be " <i>outstanding</i> ".
31 August 2013	Dame Rachel de Souza left Ormiston Victory Academy.
1 September 2013	Dame Rachel de Souza began work as full-time Chief Executive of the Inspiration Trust.
September 2013	The Thetford Academy became sponsored by the Inspiration Trust.
1 April 2014	Dame Rachel de Souza appointed an Additional Inspector at Ofsted.
13 and 14 May 2014	Great Yarmouth Primary Academy inspected by Ofsted and judged to be " <i>good</i> ".
1 and 2 July 2014	The Thetford Academy received its fourth monitoring visit by Ofsted and judged to be making reasonable progress towards the removal of special measures.

8 July 2014	<i>The Guardian</i> published an article under the headline "Was academy chain tipped off about Ofsted inspection?"
17 August 2014	<i>The Observer</i> published an article under the headline "Academies run by 'superhead' received advance notice of Ofsted checks".
19 August 2014	Sir Robin Boshier asked by Her Majesty's Chief Inspector to carry out an urgent investigation into the allegations contained in <i>The Observer</i> article.
22 and 23 September 2014	Great Yarmouth Primary Academy re-inspected by Ofsted and judged to be "good".
23 September 2014	Sir Robin's report published.
19 October 2014	<i>The Observer</i> published a further article under the headline "Emails expose how superhead's schools knew Ofsted inspectors were coming".
20 October 2014	The Inspiration Trust issued a statement refuting <i>The Observer's</i> claims.
24 October 2014	Her Majesty's Chief Inspector announced his intention, in light of the new email evidence that had emerged following the publication of Sir Robin Boshier's report, to appoint an independent person to review and assure the investigation which Sir Robin had conducted.
29 October 2014	Julian Gizzi appointed by Ofsted to review and assure the investigation which Sir Robin Boshier had conducted.
5 November 2014	Appointment of Julian Gizzi announced.

## ANNEX C: INTERVIEWS

Date of Interview	Name	Role	Location
7 November 2014	Sir Robin Boshier	Director of Quality and Training at Ofsted	In person, London
11 November 2014	Tim Bristow	Senior HMI for the East of England	In person, London
13 November 2014	Teresa Smith	Director of Business Support at Ormiston Victory Academy at the time of its inspection, now Director of Finance and Operations	In person, Norwich
13 November 2014	Naomi Palmer	Current Principal of Ormiston Victory Academy	In person, Norwich
13 November 2014	Claire Heald	Vice Principal of Ormiston Victory Academy at the time of its inspection, now Principal of Jane Austen College	In person, Norwich
13 November 2014	Dame Rachel de Souza	Executive Principal of Ormiston Victory Academy at the time of its inspection, now Chief Executive of the Inspiration Trust	In person, Norwich
13 November 2014	Adrian Ball	Vice Principal of Ormiston Victory Academy at the time of its inspection, now Executive Principal of The Thetford Academy	In person, Norwich

14 November 2014	Matthew Coffey	Chief Operating Officer, Ofsted	In person, London
1 December 2014	Sarah Mintey	Cover teacher at Ormiston Victory Academy on 14 May 2013	In writing
2 December 2014	Geoff Howe	Marketing and PR Manager at Ormiston Victory Academy at the time of its inspection, now at the Inspiration Trust in the same role	By telephone
4 December 2014	Claire Heald	As above	By telephone
5 December 2014	Dame Rachel de Souza	As above	In person, London
5 December 2014	Sir Robin Boshier	As above	In person, London
16 December 2014	Ben Rogers	Director of Teaching and Learning at Ormiston Victory Academy at the time of its inspection, now Assistant Principal at Norwich Primary Academy	By telephone