

Inspections of schools with no formal designation

Guidance for inspectors

This document was archived on 28 August 2015.

Under section 8 of the Education Act 2005 (the Act), Her Majesty's Chief Inspector (HMCI) has the discretionary power to inspect any school in England in circumstances where he is not required to do so by section 5 of the Act. This provision enables Ofsted to undertake inspections to follow up concerns about schools that are not in a category of concern but that have been brought to Ofsted's attention, for example, through a qualifying complaint made to Ofsted under section 11 of the Act or by other means.

This guidance is for inspections of schools with a specific focus on the effectiveness of safeguarding arrangements and/or aspects of the quality of leadership and management in a school (including governance), quality of teaching, achievement, or behaviour and safety of pupils.

This guidance does not cover: monitoring inspections of schools that are in a category of concern; or general monitoring inspections of schools that have been judged as 'requires improvement'.

Published: January 2015

Reference no: 130223



The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. It regulates and inspects childcare and children's social care, and inspects the Children and Family Court Advisory and Support Service (Cafcass), schools, colleges, initial teacher training, work-based learning and skills training, adult and community learning, and education and training in prisons and other secure establishments. It assesses council children's services, and inspects services for looked after children, safeguarding and child protection.

If you would like a copy of this document in a different format, such as large print or Braille, please telephone 0300 123 1231, or email enquiries@ofsted.gov.uk.

You may reuse this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/, write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

This publication is available at www.ofsted.gov.uk/resources/130223.

Interested in our work? You can subscribe to our website for news, information and updates at www.ofsted.gov.uk/user.

Piccadilly Gate
Store Street
Manchester
M1 2WD

T: 0300 123 1231
Textphone: 0161 618 8524
E: enquiries@ofsted.gov.uk
W: www.ofsted.gov.uk

No. 130223

© Crown copyright 2015

Contents

Introduction	4
Before the inspection	5
Staffing and scheduling the inspection	5
Notification letters	6
Preparing for the inspection	6
During the inspection	7
Engagement with the school's senior leadership team	7
Evidence gathering during the inspection	7
External support	8
Headteacher and senior leaders	8
Ongoing dialogue	8
Feedback to individual teachers	9
Feedback at the end of the inspection	9
Judgements	10
After the inspection	10
Writing, editing and publishing the inspection letter	10
Record of the inspection: the evidence base	11

Introduction

1. Under section 8 of the Education Act 2005 (the Act)¹, Her Majesty's Chief Inspector (HMCI) has the discretionary power to inspect any school in England in circumstances where he is not required to do so by section 5 of the Act. This provision enables Ofsted to undertake inspections to follow up concerns about schools that are not in a category of concern but have been brought to Ofsted's attention, for example, through a qualifying complaint made to Ofsted under section 11 of the Act², or by other means.
2. This guidance is for inspections of schools with a specific focus on the effectiveness of safeguarding arrangements and/or aspects of the quality of leadership and management (including governance), quality of teaching, achievement, or behaviour and safety of pupils. Inspectors will follow this guidance where Ofsted has concerns that the safety of pupils and/or staff is at risk or where information suggests that there has been a serious breakdown in leadership and management, or a decline in standards. Where Ofsted receives information about a school that causes us concern, we will weigh this carefully against all other data and information we hold before making a decision whether to inspect the school under 'no formal designation' procedures. Where an inspection takes place as a result of a qualifying complaint, inspectors must also take account of guidance issued by the National Complaints Team.
3. This guidance does not cover monitoring inspections of: schools in a category of concern; schools that have been judged as 'requires improvement'.
4. Where a particular school experiences a decline in standards or becomes a cause for concern, for example, through a breakdown in discipline or leadership and management, or where there are concerns about the safety of pupils, Ofsted Regional Directors may decide that the school would benefit from inspection.
5. These inspections are carried out under section 8 of the Act. They are conducted in accordance with the principles and code of conduct for inspectors set out in *The framework for school inspection*³ and the *School inspection handbook*.⁴ However, the inspections are selective and focus sharply on the issues brought to Ofsted's attention that caused the school to be inspected. As a result, inspectors should not make judgements that consider the whole of the evaluation schedule for the areas inspected: other than for safeguarding, the judgements are made based on the progress the school has made in improving the areas of focus. Where the

¹ <http://www.legislation.gov.uk/ukpga/2005/18/section/8>

² <http://www.legislation.gov.uk/ukpga/2005/18/section/11A>

³ *The framework for school inspection* (120100), Ofsted, 2015; www.ofsted.gov.uk/resources/120100.

⁴ *School inspection handbook* (120101), Ofsted, 2015; www.ofsted.gov.uk/resources/120101.

inspection focus is on the school's safeguarding arrangements, inspectors will take account of the guidance on inspecting safeguarding⁵.

6. It is important to note that the effectiveness of safeguarding arrangements is the responsibility of those leading, managing and governing a school. Governors in particular must ensure that the school's arrangements for safeguarding meet statutory requirements. It follows that concerns about safeguarding may raise wider questions about the quality of leadership and management and the governors' ability to hold the school to account. Therefore, in some cases, no formal designation inspections will focus on both elements. It is the responsibility of the lead inspector, using her/his professional judgement, to determine the precise focus of the inspection. So, an inspection may begin with a specific focus on safeguarding, but its scope may be widened to cover leadership and management or other aspects of the provision where appropriate.

7. If, during the inspection, inspectors are sufficiently concerned about the overall standard of education provided by the school, the inspection may, under section 9 of the Act, be treated as ('deemed') a section 5 inspection. In such an event, all the judgements required by the full evaluation schedule will be made and a section 5 inspection report produced and published.

Before the inspection

Staffing and scheduling the inspection

8. These inspections are normally led by one of Her Majesty's Inspectors (HMI), regardless of the size of the school. However, more inspectors may be required depending on the complexity of the issues that were brought to Ofsted's attention and that caused the school to be inspected. The inspection will normally last for two days. However, it may in some instances be shorter or longer, depending on the circumstances of the school and the nature of the concerns that led to the inspection.

9. Once Ofsted receives such information, the inspection should take place as soon as is practicable, but timing is at the discretion of the Regional Director.

10. Inspections being carried out as a result of a qualifying complaint made to Ofsted will always be led by HMI.

11. Where notice of inspection is given, HMI will make the initial contact with the school to inform them that an inspection will take place. If required, HMI may make a short telephone call to the school to arrange a time for a second longer telephone

⁵

Inspecting safeguarding in maintained schools and academies,
<http://www.ofsted.gov.uk/resources/140143>

conversation with the headteacher to discuss the inspection. The notice given to the school of the inspection will generally be the same as that for section 5 inspections. Ofsted may arrange an inspection without notice. Where this is the case, the lead inspector will normally telephone the school about 15 minutes before arriving on site.

12. HMI must make the purpose of the inspection clear during the initial telephone contact with the headteacher. If the school is being inspected because of a qualifying complaint made to Ofsted about the school under section 11A of the Act, HMI will inform the school of this, and that as a result of the wider issues raised by the complaint, a decision has been taken to inspect the school. HMI should explain that the inspection will focus on the wider issues raised by the complaint, not the complaint itself. If the complainant has requested confidentiality, the inspector must take all practicable steps to ensure that the complainant's identity is not disclosed to the school. At times, the nature of the complaint may mean that the headteacher is able to discern the identity of the complainant. Regardless, the HMI should not confirm the complainant's identity.

13. The headteacher, at the end of the pre-inspection telephone conversation, should be in a position to understand the reasons for, and the purpose and focus of the inspection, and the judgements that will be made. There is no mandatory requirement for a school to inform parents about the inspection. However, headteachers should be encouraged to let parents know about these inspections and their outcomes. HMI should ask the school to inform parents so that there is an opportunity for parents to contribute their views about the school through Parent View.

Notification letters

14. Following the pre-inspection telephone conversation, the Inspection Service Provider (ISP) will confirm the arrangements for the inspection using the notification letter template provided. The ISP will prepare the letter and forward it to the school. Where no prior notice of the inspection is given, formal notification of the inspection by the ISP will be provided to the school following the arrival of inspectors.

15. Schools are not required to provide copies of any information in advance of the inspection but if these are offered, the lead inspector should accept them.

Preparing for the inspection

16. Ahead of the inspection, the lead inspector should make appropriate arrangements and brief any team inspectors about the inspection.

17. The lead inspector should plan the inspection on a scheduled preparation day, one or two working days before the start of the inspection.

18. The lead inspector must check the Provider Information Portal (PIP) for other information relevant to the inspection.

19. The inspection should be informed by the following pre-inspection information:

- the previous section 5 inspection report
- the RAISEonline/6th Form PANDA as appropriate
- copies of any qualifying complaint(s) received, other information on the PIP and any response letters
- the pre-inspection telephone conversation with the headteacher
- any documentation emailed to the lead inspector in advance of the inspection.

During the inspection

20. The lead inspector should not expect an evaluation specifically prepared for their use or ask schools to provide any self-evaluation in readiness for these inspections. However, the lead inspector should ask to see evidence of any self-evaluation.

21. The key requirement is that the evidence base contains sufficient evaluative information to sustain, on external scrutiny, the overall judgement(s) reached.

Engagement with the school's senior leadership team

22. The meeting at the start of the inspection may or may not involve the whole of the school's senior leadership team. The headteacher may be of the view that a meeting with her or him alone, or with one or two senior leaders, will be sufficient to limit any potential interruption of the school's normal routines.

23. The meeting with school leaders at the start of the inspection should cover pertinent issues about the school and the focus of the inspection. It should offer the headteacher and others the opportunity to present an oral summary evaluation of the school's progress and identify where evidence may be found.

Evidence gathering during the inspection

24. The kind of activities conducted during these inspections is no different to section 5 inspections. However, where the focus of the inspection is on the school's safeguarding arrangements, activities should focus on safeguarding issues, including but not exclusively:

- a review of the Single Central Register and safeguarding policy, including the whistleblowing policy
- a review of referrals made to the designated person for safeguarding in the school and those that were subsequently referred to the Local Authority Designated Officer, and the resolution
- a review of any records of staff training on child protection

- discussions with pupils
- a check on the school's internet safety procedures
- a review of the PSHE curriculum and how it links to issues of safety
- a review of the school's procedures for dealing with relevant staffing issues, for example, disqualifications by association, suspensions or disciplinary investigations/actions over issues of child protection and/or safety; this is not a review of individual cases, but of school processes in dealing with such issues
- a review of persistent absence cases and exclusion data
- consideration of the views of parents and carers through Parent View and, where practicable, through discussions/meetings with parents or groups of parents during the inspection
- any relevant issues that appear to be of greatest concern from pre-inspection evidence
- any other issues that affect care, safety or child protection and that do not appear to have been tackled fully
- any issues that relate to poor pupil behaviour.

25. The exact structure of the day will depend on the issues to be followed up and is likely to be drawn from the range of activities described in the *School inspection handbook* for section 5 inspections.

26. Where an inspection is undertaken as a result of issues raised in a qualifying complaint made to Ofsted, inspectors must not investigate the complaint itself during the inspection, or seek parents' views on the complaint itself. It is the whole-school issues raised in the complaint that may be followed up during inspection.

External support

27. As appropriate, the inspections will evaluate and report on the impact of any external support for the school. Normally, this will involve evaluating the support provided by the local authority/multi-academy trust/sponsor/proprietor or other key partners.

Headteacher and senior leaders

Ongoing dialogue

28. The lead inspector should maintain an ongoing dialogue with the headteacher and relevant senior managers as appropriate. Normally, emerging issues should be discussed and the feedback, especially when challenging, should not be a surprise to the headteacher.

Feedback to individual teachers

29. Feedback to individual teachers must be offered in accordance with the *School inspection handbook*. Inspectors should respond flexibly to the school's circumstances.

Feedback at the end of the inspection

30. The lead inspector and headteacher should discuss which other members of staff, if any, will attend the feedback session, especially if the feedback is challenging or raises sensitive issues.

31. Feedback is chaired by the lead inspector who will discuss with the headteacher who may attend.

32. The feedback should normally be attended by:

- the headteacher
- the Chair of the Governing Body or equivalent (and as many governors as possible)
- a representative from the local authority, the academy proprietor or sponsor, as appropriate
- where possible, a representative from the diocese, for voluntary aided and voluntary controlled schools
- key external partners.

33. The oral feedback at the end of the inspection, typically towards the end of the second day of a two-day inspection must:

- report the extent of the evidence base
- cover the issues brought to Ofsted's attention that caused the school to be inspected
- be clear about whether the school's safeguarding arrangements meet requirements
- be clear about the judgements being made on the school's progress in improving the specific areas of focus for the inspection
- identify the school's areas of strength and any aspects that the school needs to improve in relation to safeguarding and child protection, and the specific areas of focus for the inspection

- make clear that the text of the letter or report will be subject to quality assurance.

34. If the inspection raises concerns, this should be reported at the feedback meeting. The lead inspector may deem the section 8 inspection to be a section 5 inspection, reporting on the full range of judgements in the evaluation schedule. Alternatively, the lead inspector may recommend to the relevant Regional Director that the next full section 5 inspection be brought forward, but the timing of any such inspection should not be indicated to the school.

Judgements

35. When the section 8 inspection is not deemed a section 5 inspection, a letter will be written and published. The letter will make clear the inspectors' judgements about the effectiveness of the school's safeguarding arrangements and/or the school's progress in the aspects of the leadership and management, quality of teaching, achievement, or behaviour and safety evaluated during the inspection. Inspectors should not make judgements that consider the whole of the evaluation schedule for the focus areas inspected; this is only necessary for section 5 inspections.

36. Where the inspection has a focus on safeguarding, having reviewed all the evidence gathered during the inspection, the lead inspector will report in the letter that:

the school's safeguarding arrangements meet requirements

or

the school's safeguarding arrangements do not meet requirements.

37. Where the judgement is that safeguarding arrangements do not meet requirements and/or there are weaknesses in aspects of the leadership and management, quality of teaching, achievement, or behaviour and safety evaluated during the inspection, the lead inspector may make recommendations as to what the school needs to do to tackle the weaknesses.

38. If inspectors have sufficient evidence that the key judgements have declined significantly, then they will need to consider whether the effectiveness of the provision as a whole has declined. In such circumstances it may be necessary for the inspection to be deemed a section 5 inspection, under section 9 of the Act. In such an event, all the judgements required by the evaluation schedule will be made and a section 5 inspection report published.

After the inspection

Writing, editing and publishing the inspection letter

39. A writing day will be scheduled for the lead inspector following the inspection. The inspection letter should follow the template and the prompts it contains.

Inspectors should ensure that it is, as far as possible, ready for distribution to the school following a quality assurance check and final edit by the relevant Senior HMI.

40. Following quality assurance, and within five days of the end of the inspection, the lead inspector will send the draft letter to the school for a factual accuracy check. The inspection letter is sent under the lead's name.

41. The school has 24 hours to comment on the letter's factual accuracy and return it to the lead inspector.

42. In sending the letter to the school, the lead inspector must make clear that, while concerns over factual accuracy will be fully considered, the judgements will not be subject to change as a result of the factual accuracy check.

43. Within 10 days of the end of the inspection, the lead inspector will send the final version of the inspection letter to the school and to the appropriate recipients as noted on the letter template: these include the Secretary of State, the Chair of the Governing Body or equivalent, the local authority/sponsor/proprietor (and the Education Funding Agency where the school has a sixth form that is deemed to be inadequate). The letter will normally be published on the Ofsted website within 15 days of the end of the inspection.

44. There may be very exceptional circumstances where Ofsted chooses not to publish a letter. Where this is the case, the decision and rationale will be made clear to the school. This is a decision for the relevant Regional Director.

Record of the inspection: the evidence base

45. The evidence base will be retained and disposed of in accordance with Ofsted procedures.