

## **Minutes of the Board 20 November 2018**

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### **Present**

Julius Weinberg (Chair)  
Amanda Spielman (HMCI)  
Kathryn August  
John Cridland  
John Hughes  
Venessa Willms

### **Apologies**

Pamela Scriven

### **Also in attendance**

Matthew Coffey (Chief Operating Officer)  
Chris Jones (Deputy Director, Research and Evaluation – item 3)  
Cathryn Kirby (Regional Director, North East, Yorkshire and Humber)  
Louise Grainger (Director, Finance, Planning and Commercial)  
Sean Harford (National Director, Education)  
Tinu Saide (HR Strategy Manager – item 12)  
Karen Shepperson (Director, People and Operations – item 12)  
Yvette Stanley (National Director, Social Care)  
Luke Tryl (Director, Corporate Strategy)  
Sarah Thornton (Corporate Governance Officer)  
Kate Dixon (Department for Education observer)

**Status:** Approved.

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## **1 Welcome, apologies and declarations of interest**

- 1.1 The Chair welcomed the attendees and noted apologies from PS.
  - 1.2 There were no new declarations of interest.
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## **2 Minutes, matters arising, action log and forward look**

- 2.1 The minutes of the previous meeting were agreed without amendments.
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## **3 Annual Report briefing**

- 3.1 CJ and LT presented an update on the preparation of the Annual Report to be published on 4 December 2018.
  - 3.2 It was noted that HMCI's commentary would be structured around six key themes: getting the basics right, having the capacity to deliver, communities and parents, regulation and inspection powers, new approaches to inspection, and the substance of education.
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## **4 Update from Her Majesty's Chief Inspector (HMCI)**

- 4.1 HMCI presented her update to the Board and noted the following:
  - In October, two individuals were convicted of running an unregistered independent school, Al-Istiqamah Learning Centre Limited. The setting was first inspected by Ofsted in October and November 2017 and, when it continued to operate following a warning notice, the investigation was passed to the Crown Prosecution Service. Similar investigations of other unregistered schools are in progress.
  - We recently published our annual reports on the quality of inspection work by the inspectorates for independent schools, which state that we are unable to provide assurance about the continued approval of the inspectorates as we are only commissioned to undertake a very limited amount of inspection activity by the Department for Education (DfE). This has made it difficult to identify and deal with problems, such as potential safeguarding issues in schools.
  - Good progress continues to be made on the development of the Education Inspection Framework (EIF) 2019. A series of meetings with HMI and headteacher reference groups has taken place recently, all of which gave predominantly positive feedback on the proposals.
  - The 2018 People Survey results have been released, with an 86% completion rate (equal to last year). It was agreed that a further session

should be set up with the Board members to discuss the headline results.  
**Action:** ST to schedule this session.

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## **5 Update from the Director, Corporate Strategy**

- 5.1 The Director, Corporate Strategy presented his update and noted the following:
- Progress on all ongoing projects is good, and we are in the process of agreeing the research and evaluation plan for next year.
  - HMCI's speech at the Schools NorthEast conference in October was very well received, and generated significant positive media coverage for EIF.
- 5.2 The DfE's guidance on teaching about protected characteristics in primary schools was discussed. It was agreed that a further update on this issue would be brought to a future Board meeting. **Action:** HMCI to provide this update.
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## **6 Update from the Chief Operating Officer**

- 6.1 The Chief Operating Officer presented his update and noted the following:
- There is a small number of schools in special measures, schools graded requires improvement and schools with serious weaknesses that will not be re-inspected within 30 months. Each of these cases is discussed individually on a monthly basis and Regional Directors are confident that there are justifiable reasons for any delays, such as uncertainty around school re-brokering or joining an academy trust. All will be inspected within the statutory period.
  - An external company has been commissioned to review the processes for selection, scheduling, and deferral of statutory constrained inspections, following the NAO report. The aim of the review is to identify any weaknesses and whether adequate controls are in place. Good progress has been made so far.
  - The requirement to undertake nearly 200 early monitoring visits of apprenticeship training providers will ensure that FES HMI in all regions remain fully deployed.
  - Live EEG inspections have now been held in all remits, with consistently positive feedback.
  - Average working days lost (AWDL) continues to fall in all areas. The primary cause of absence continues to be stress or stress-related conditions, but there is a steady increase in use of the Employee Assistance Programme which offers help managing stress.
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## **7 Update from the National Director, Social Care**

7.1 The National Director, Social Care presented her update and noted the following:

- We are completing a review of monitoring visits to local authorities that were previously judged to be inadequate. The conclusions are not yet finalised, but the final report will be shared with the board.
- Focussed visits to local authorities continue to take place, with a large proportion on the topic of the 'front door' – the arrangements local authorities have in place to respond to an initial contact from a professional or member of the public that is concerned about a child. By using EEG, we can now easily extract information from these visits to produce consolidated thematic reports.
- The data on children's home enforcement that will be included within the Annual Report shows a significant increase in the number of restrictions and suspensions, and a corresponding increase in Tribunal actions.
- At a recent meeting, DfE shared a summary of the Children's Reform Programme, showing ongoing activities by theme.

7.2 The board discussed the Disclosure and Barring Service (DBS) checks that we can request for OIs. The Safeguarding Group is reviewing other aspects of the recruitment process and mitigations to check that we have the necessary level of assurance about the suitability of inspectors. **Action:** KS to circulate further details to the Board.

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## **8 Update from the National Director, Education**

8.1 The National Director, Education presented his update and noted the following:

- 90 monitoring visits of new apprenticeship providers have now been completed. About 20% of these show insufficient progress, and about 10% show significant progress.
- The DfE has agreed to additional funding for revisits to local areas that are required to submit a written statement of action following an LA SEND inspection. We will revisit to determine if a local area has made sufficient progress in addressing the serious weaknesses that have been identified. If it has not, the DfE and NHS England agree that they will decide the next course of action and there will be no further revisit from Ofsted.
- Data on short inspections of previously outstanding schools in the academic year 2018/19 has now been made available and will be discussed again at the next Board meeting.

8.2 The development and piloting of the new approach to evaluating MATs was

discussed. It was confirmed that, while we have no powers to inspect MATs, we do conduct summary evaluations based on the evidence gathered from a batch of inspections. It was noted that there are robust systems in place to prevent conflicts of interest with OIs who have a MAT background.

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## **9 Strategic Risk Register**

- 9.1 It was noted that feedback on the new strategic risk register has been received from the Audit and Risk Assurance Committee, and that the next step is to rate each risk and identify mitigations. The final risk register will be presented at the Audit and Risk Assurance Committee meeting in March.
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## **10 Finance Report**

- 10.1 There is currently a forecast underspend against the full year budget. This is largely due to underspends in corporate costs, and higher than expected VAT recovery.
- 10.2 The Finance team has been working with project budget holders on the new approach to funding projects, where small amounts of funding are released for discovery work before committing the full amount, to ensure the forecast is accurate.
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## **11 Audit and Risk Assurance Committee update**

- 11.1 The last meeting of the Audit and Risk Assurance Committee showed very good outcomes for internal audits on GDPR and inspection support, with both classified as low risk.
- 11.2 Our internal audit contract expires in 2019. LG is working on a proposal for next steps and will update at the next committee meeting in January.
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## **12 Equalities objectives**

- 12.1 TS and KS presented the equalities objectives recently agreed by the Executive Board. These incorporate input from the Equality, Diversity and Inclusion Group, the Trade Unions and staff networks.
- 12.2 The processes for receiving feedback from staff on the working environment at Ofsted were discussed. It was noted that following comments in the 2016

People Survey, the Anti-Bullying, Harassment, and Discrimination Group was created to identify best practice on how to tackle bullying, harassment and discrimination. This year's survey results now show a decline in reported incidents of bullying and discrimination.

- 12.3 External equalities accreditations were discussed. It was confirmed that Ofsted is a member of Stonewall's Diversity Champions programme and the Disability Confident scheme.

*End of meeting*

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