



Standards  
& Testing  
Agency

# **Key stage 1 and 2: maladministration investigation visits**

**April 2023**

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## Introduction

This guidance is for local authorities, to enable them to carry out school visits as part of the Standards and Testing Agency's (STA) investigations into allegations of maladministration of national curriculum assessments in 2023.

## Why school visits are needed

STA may ask local authorities to visit schools as part of an investigation into maladministration of the key stage 1 assessments, including the phonics screening check, or key stage 2 national curriculum assessments. The main purpose of these visits is to gather information about:

- a school's procedures for keeping test or phonics screening check materials secure
- how a school has administered the tests or check
- the measures a school has taken to ensure their teacher assessment data was correct and accurate

Our [maladministration investigation procedures](#)<sup>1</sup> explain how STA investigate allegations of maladministration.

## Who can manage or carry out a school visit?

Visits must be carried out impartially and any conflict of interest must be managed. Anyone responsible for undertaking school visits should not have a close personal relationship with the school or school staff.

Two members of local authority staff will be needed for the visit:

- a lead interviewer
- a second interviewer to act as a note taker

They must both be familiar with this guidance and STA's [specification for the visit](#).

If there are any other ongoing investigations at the school, different representatives should carry out each investigation. This will avoid a conflict of interest between a STA maladministration investigation which the school visit supports and any other internal investigation at the school. Where local authority staff are involved in both investigations, they must make it clear to interviewees which investigation they are being interviewed about.

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<sup>1</sup> [www.gov.uk/government/publications/key-stages-1-and-2-investigating-allegations-of-maladministration](https://www.gov.uk/government/publications/key-stages-1-and-2-investigating-allegations-of-maladministration)

# Preparing for a school visit

## Visit specification and supporting information

Before the visit, STA will give you a tailored visit specification that describes the requirements for the visit and discuss this with you to clarify what information you need to gather. STA will not give you details of the source of the allegations or information specific to individual cases, as this is confidential.

All information held must comply with the:

- [Data Protection Act 2018](https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted)<sup>2</sup>
- [UK General Data Protection Regulation \(GDPR\)](https://www.legislation.gov.uk/eur/2016/679/contents)<sup>3</sup>
- [Freedom of Information Act 2000](https://www.legislation.gov.uk/ukpga/2000/36/contents)<sup>4</sup>

You must treat any information or evidence that is given to you as confidential. This includes:

- interview notes
- test timetables
- seating plans
- written statements

Only members of local authority staff involved in the school visit should have access to this evidence. This is to ensure the integrity of the investigation is not compromised. You must provide all information and evidence to STA.

## Notifying the headteacher

The lead interviewer should contact the headteacher to:

- organise a date and time for the visit – you should contact the school the day before, avoiding visits on Mondays or other days where you would have to inform schools just before a weekend
- explain the purpose of the visit
- inform them of who will need to be interviewed, which is all those involved in the administration of the tests or teacher assessment, and agree any specific arrangements
- ensure they are aware of the maladministration investigation procedures

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<sup>2</sup> [www.legislation.gov.uk/ukpga/2018/12/contents/enacted](https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted)

<sup>3</sup> [www.legislation.gov.uk/eur/2016/679/contents](https://www.legislation.gov.uk/eur/2016/679/contents)

<sup>4</sup> [www.legislation.gov.uk/ukpga/2000/36/contents](https://www.legislation.gov.uk/ukpga/2000/36/contents)

Depending on the nature of the case, you should explain that the aim of the visit is to gather information on behalf of STA in relation to either:

- how the tests or check were administered, including secure storage of materials, who was involved in the test or check administration, any access arrangements used, and timetable variation information
- how teacher assessment judgements were produced, which could include reviewing evidence of pupils' work against the teacher assessment frameworks

If the headteacher is not aware of the nature of the allegation, you should explain that you will share this with them when you arrive at their school.

## **Explaining interview arrangements**

Interviewees may be accompanied during the interview by their union representative or someone else to provide them with moral support. You should ask the headteacher whether anyone wishes to be accompanied. If a member of staff requests union representation, you may need to reschedule the visit to accommodate this. The headteacher must make sure there is no conflict of interest with anyone attending in a support role. Interviewees cannot provide support roles to other interviewees.

## **Carrying out a visit**

You must meet the headteacher or a delegated senior member of staff on your arrival at the school. Use this meeting to introduce yourselves and to confirm your roles and arrangements for the visit. You should also explain the nature of the allegation at this point.

## **Conducting interviews**

The lead interviewer should use the specification provided by STA to carry out the interview. It may not be necessary to ask all interviewees all of the questions on the specification. You should, however, ensure you have a thorough understanding of each person's role in the administration of the tests or phonics screening check, or in producing the teacher assessment judgements.

At the start of each interview, introduce yourselves and explain that:

- you are visiting the school on behalf of STA due to an allegation of maladministration
- the lead interviewer will ask the questions, with the second interviewer taking notes of the discussions and asking any additional questions as they see fit
- at the end of the interview, you will ask the interviewee to read and sign the notes from the interview to verify their accuracy
- notes from the interview will not be shared with the headteacher
- you will use the notes to create a report for STA
- STA will share the report with the school for comment and redact any personal or identifying information, where appropriate

- we do not apportion blame for any proven maladministration – any subsequent disciplinary proceedings are the responsibility of the school's governing body or academy trust
- the headteacher has confirmed whether the interviewee does or does not want additional representation

At the end of each interview, make sure that the interviewee agrees and signs the notes of the discussion as an accurate record.

We recommend you interview the headteacher or delegated senior member of staff last.

## **Before leaving the school**

After you have finished your interviews, you must explain the next steps of the investigation to the headteacher or delegated senior member of staff. Explain that you will supply STA with the information gathered during the school visit and that STA will contact the school at a later date. STA aims to complete investigations in a timely manner. Advise the headteacher or delegated senior member of staff that the school's results may be withheld pending the outcome of the investigation.

## After the visit

### Report your findings

The lead interviewer must produce and submit an electronic report, summarising their findings, to [STA.maladministration@education.gov.uk](mailto:STA.maladministration@education.gov.uk). This report is STA's property.

STA will then redact any personal or identifying information and share the report with the headteacher. If there is doubt over the accuracy of pupils' results, STA will also provide the relevant evidence. The headteacher will have an opportunity to respond with any further information for STA to consider as part of the investigation.

STA's maladministration case manager will then make a recommendation, based on all the evidence, to STA's senior decision maker who will decide whether further action is necessary. STA will inform the school, local authority and school's governing body or academy trust of the final decision and any required actions.



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