

Responses to Ofsted's consultation 'A good education for all' on further education and skills

This is an evaluation report on the outcomes of 'A good education for all' – Ofsted's consultation about amended inspection arrangements for further education and skills, to be introduced in September 2012.

Published: 30 May 2012

Reference no: 120064



Corporate member of
Plain English Campaign
Committed to clearer communication

361

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 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/120064.

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. 120064

© Crown copyright 2012



Contents

Introduction	4
Executive summary	4
The consultation method	5
Key findings	5
Detailed findings and Ofsted's responses	7
What will happen next?	13
Analysis of consultation responses by type of respondent	14

Introduction

1. On 9 February 2012 Ofsted consulted on a range of proposals for inspections of further education and skills from September 2012. These proposals are intended to raise standards and make clear our expectations for the further education and skills sector. The consultation was titled, 'A good education for all'.
2. We consulted on whether in order to be 'outstanding' overall a provider must be 'outstanding' for the quality of teaching, learning and assessment; whether a 'requires improvement' judgement should replace the 'satisfactory' judgement; whether we should re-inspect providers requiring improvement earlier than we do currently; whether on their third consecutive inspection a provider who 'requires improvement' and is not yet 'good' should be judged 'inadequate'; whether we should conduct inspections without prior notice; and whether we should ask providers to supply an anonymised summary of the outcomes of performance management of all teachers, trainers and assessors.

Executive summary

3. The following inspection proposals will be implemented from September 2012: Ofsted will:
 - **Only consider a provider to be outstanding for overall effectiveness, if they have outstanding teaching, learning and assessment**

Providers will need to demonstrate outstanding teaching, learning and assessment in order to be judged outstanding overall. However this does not mean that all teaching must be outstanding. There is no required proportion of lessons or training sessions that need to be outstanding for the provider to be judged outstanding for teaching, learning and assessment overall.
 - **Introduce a new judgement of 'requires improvement'**

This will replace the current 'satisfactory' judgement.
 - **Introduce earlier re-inspection of learning and skills providers judged as 'requires improvement'**

From September 2012 we will re-inspect learning and skills providers judged as 'requires improvement' within 12 to 18 months. Providers who were graded satisfactory at their last inspection and up to the 31 August 2012 will be re-inspected, in most cases, by 31 August 2014.
 - **Limit the number of times a provider can be judged as 'requires improvement' for overall effectiveness**

The number of times a provider can be judged as 'requires improvement' will usually be limited to two consecutive inspections before it is considered to be 'inadequate' for overall effectiveness. However, the lead inspector will

consider what progress has been made and the judgement will not be automatic.

■ **Reduce the notice period for inspections**

The notice given to learning and skills providers is currently three weeks. From September 2012 this will be reduced and they will usually be given up to two working days' notice. Providers will be notified by telephone.

■ **Request an anonymised summary of performance management information**

During an inspection we will ask the provider for an anonymised summary of the outcomes of the most recent performance management of all teachers, trainers and assessors.

The consultation method

4. The consultation ran for 12 weeks and closed on 3 May 2012. It included:

- an online consultation on our website, which received over 400 responses from providers, parents, learners and other interested parties
- discussions with providers at sector-led events and conferences around the country
- meetings with learners, provider representative bodies and other interested parties
- an online survey of 180 learners aged 16 and over through the National Learner Panel
- a survey conducted by the National Union of Students of its members.

Key findings

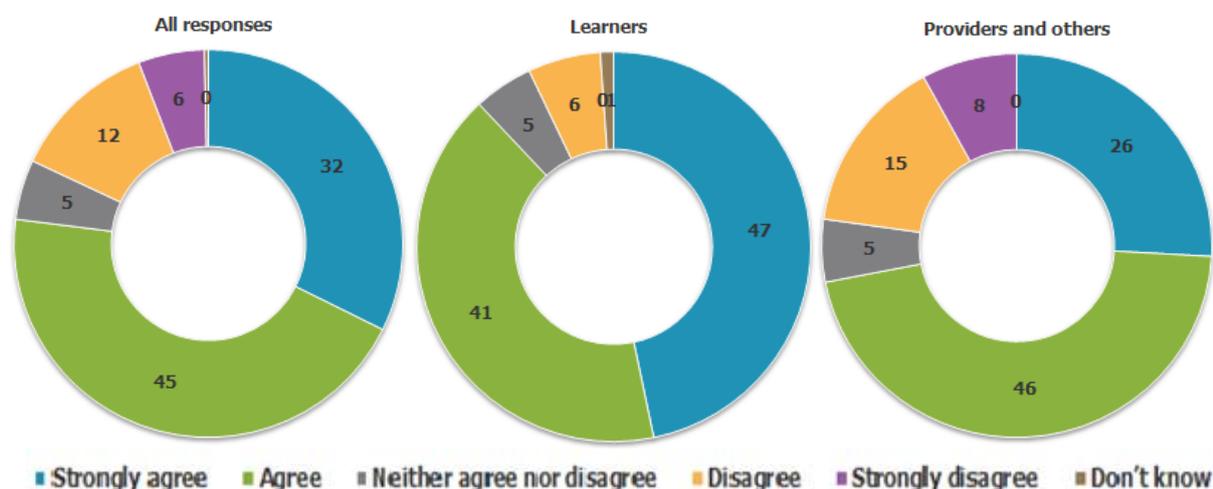
5. The responses to the consultation were broadly in favour of Ofsted's proposals, with more people agreeing than disagreeing with each proposal. However, whilst some proposals received strong support, others were received less positively. Responses varied considerably by respondent type for some of the proposals. Learners were more positive than learning and skills providers about each of the proposals. In shaping the arrangements for inspection from September, Ofsted has a duty to give particular weight to the views of learners, as the primary users in the further education and skills sector.

- Responses showed strong support for our proposal to only judge a provider as 'outstanding' overall if the quality of teaching, learning and assessment is also 'outstanding'.
- Just over half of all respondents supported our proposal that a grade of 'requires improvement' should replace the 'satisfactory' grade. This proposal received strong support from learners, but responses from learning and skills providers and other respondents were mixed, with just less than half in favour.

- Two thirds of all respondents supported our proposal to introduce earlier re-inspection of providers judged as 'requires improvement'.
 - Just over half of all respondents were in favour of our proposal that at a provider's third consecutive inspection, if it has not made sufficient progress to be judged 'good', it will be judged 'inadequate'.
 - Our proposal that all inspections should be unannounced received the least positive response of the consultation, with just under half of all respondents agreeing or strongly agreeing with the proposal. However, almost three quarters of learners agreed or strongly agreed that inspections should be unannounced.
 - Almost half of all respondents supported the proposal that providers should supply inspectors with an anonymised summary of the outcomes of the most recent performance management of all teachers, trainers and assessors.
6. Responses were received from most of the key stakeholder groups and representative bodies with an interest in the further education and skills sector. Some of these responses were a collective response from their members, although many providers also chose to submit an individual response. Each is counted as a single response in the graphs on the following pages.
7. The following analysis is based on all the responses received through the online consultation form, by email and from the survey conducted by the National Learner Panel on Ofsted's behalf. The first graph combines all of these responses. The second graph shows responses from learners, including the National Learner Panel, the collective response from the National Union of Students and the learners who responded online. The final graph shows all other respondents. Almost two thirds of these said they worked for a learning and skills provider. A small number were parents or members of the public, but almost a third either did not answer or did not specify.

Detailed findings and Ofsted's responses

Q1: To what extent do you agree or disagree that inspectors should only judge a provider as outstanding if the quality of teaching, learning and assessment is outstanding?



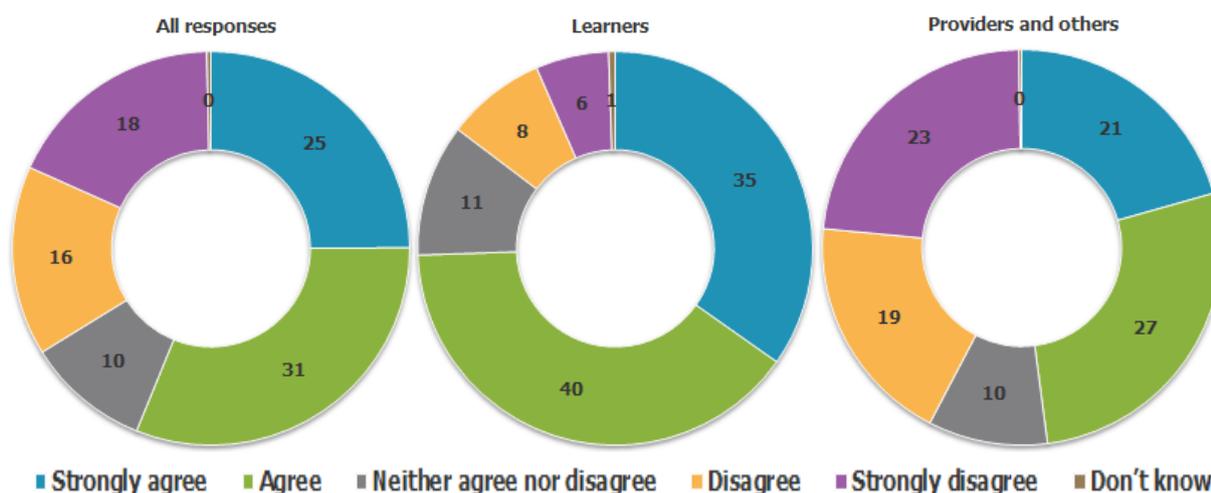
8. Overall there was strong support for this proposal. Almost three quarters of learning and skills providers either agreed or strongly agreed with this proposal. The proportion of learners who agreed was even larger, with nine tenths either agreeing or strongly agreeing. The National Union of Students also agreed with the proposal.
9. Whilst most respondents recognised the central importance of high-quality teaching, learning and assessment, many sought assurances that judgements would be made consistently against clearly defined criteria. Several respondents thought this should take into account evidence in addition to that which is gathered through lesson observations so that the judgement is not a potentially inaccurate 'snapshot' of provision. A number of respondents thought that greater account should be taken of other aspects, particularly outcomes for learners, when arriving at the overall effectiveness judgement.
10. Some respondents were concerned that the bar may be set too high.

What we propose to do in the light of the consultation findings

- From September 2012, providers will only be judged outstanding for overall effectiveness if the quality of teaching, learning and assessment is outstanding. The grade descriptor for outstanding overall effectiveness will explicitly state that the contributory judgement on the quality of teaching, learning and assessment must be outstanding. The grade characteristics will be published as part of *The handbook for the inspection of further education and skills*.

- The judgement made about teaching, learning and assessment will cover a range of ways in which learning is delivered online, in classrooms and in the workplace. There will not be a set proportion of individual lessons that must be outstanding in order for the quality of teaching, learning and assessment to be judged outstanding.

Q2. To what extent do you agree or disagree that a grade of 'requires improvement' should replace the 'satisfactory' grade?

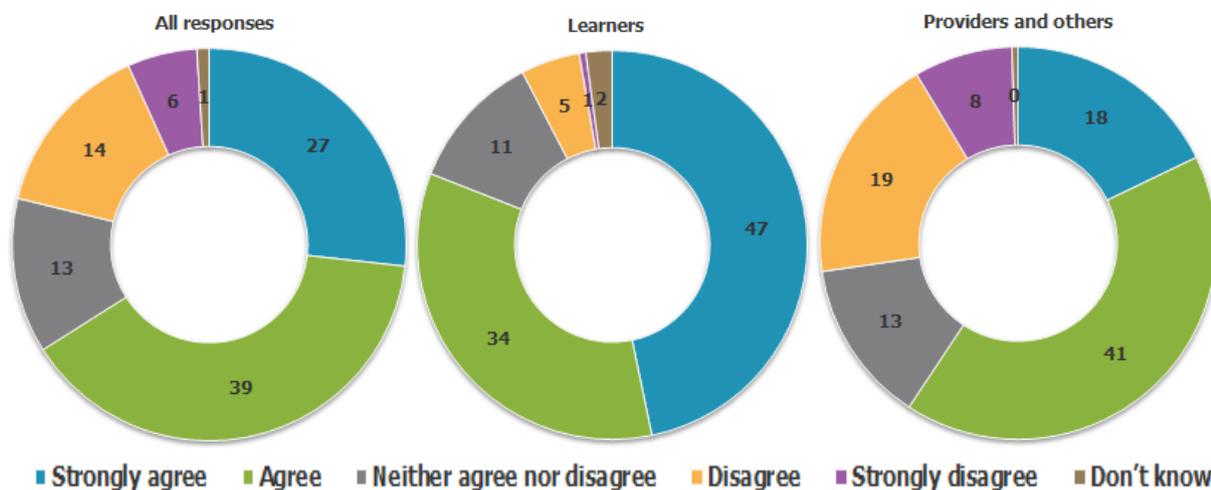


- Overall, respondents supported this proposal. However, providers and other respondents were evenly split, with just under half agreeing or strongly agreeing with the proposal and a similar proportion disagreeing or strongly disagreeing. Learners were more positive, with three quarters either agreeing or strongly agreeing. The National Union of Students also agreed with the proposal.
- A number of those respondents who agreed thought that the move to 'requires improvement' would send a clearer message that providers should be striving for good or outstanding provision for all learners.
- A common criticism of the proposal was that it may be inappropriate to describe all grade 3 providers as 'requires improvement' when some are already improving.

What we propose to do in the light of the consultation findings

- 'Requires improvement' will replace the 'satisfactory' grade, to make it clear that all providers should be working towards providing good or outstanding provision.
- Providers judged to be 'satisfactory' in the current framework will still be considered satisfactory. We will not amend judgements retrospectively.
- The inspection report will make it clear where providers are already making improvements and differentiate between those who are stuck or declining.

Q3. To what extent do you agree or disagree that Ofsted should introduce earlier re-inspection of providers judged as 'requires improvement'?



14. Overall, respondents supported this proposal. Over half of providers and other respondents either agreed or strongly agreed, and a quarter disagreed or strongly disagreed. Four fifths of learners agreed or strongly agreed. The National Union of Students strongly agreed with the proposal.
15. Many respondents commented that the proposed timing of re-inspection is appropriate and may help drive improvement. However, a similar number thought that the timescale may be too short for providers to demonstrate improvement.
16. A number of respondents thought that full re-inspection may be appropriate for some providers found to be requiring improvement, but that the approach may not be suitable in some instances, depending on a provider's circumstances and the particular areas for improvement identified. Some respondents thought monitoring visits would be more appropriate for some providers.
17. Some respondents thought that Ofsted should do more to support improvement and that further inspection is not necessarily the best way to achieve this.

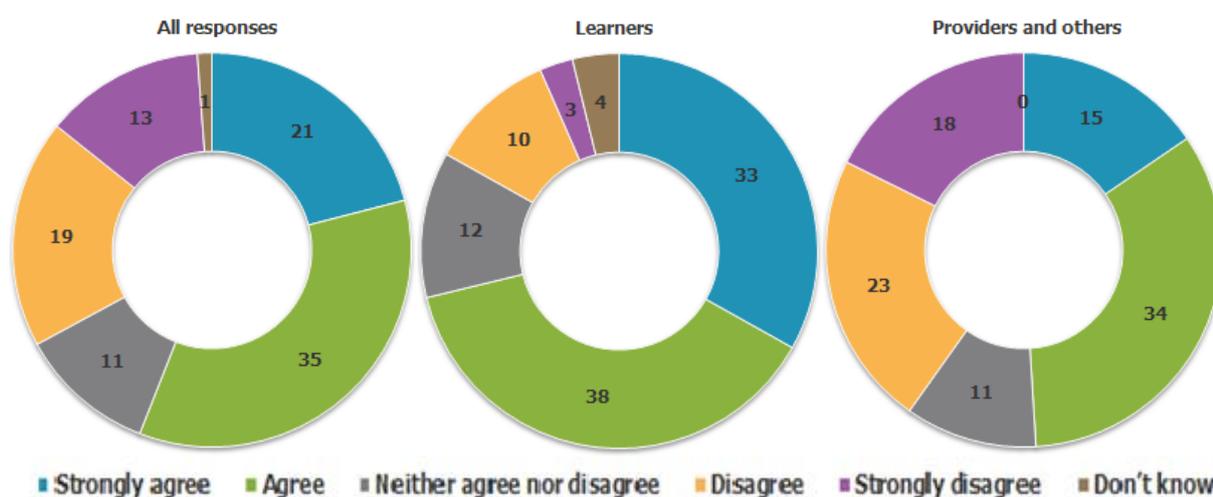
What we propose to do in the light of the consultation findings

- We will introduce earlier re-inspection for those judged as 'requires improvement'.
- From September 2012, those judged as 'requires improvement' will usually be re-inspected within 12 to 18 months. They will not normally receive a monitoring visit before their full inspection.
- Providers who were graded satisfactory at their last inspection and up to 31 August 2012 will be re-inspected, in most cases, by 31 August 2014. They

will not usually receive a monitoring visit between September 2012 and their next full inspection.

- Providers who were graded satisfactory at their previous two or more inspections will, in most cases, be re-inspected by 28 February 2014. They will not usually receive a monitoring visit between September 2012 and their next full inspection.
- We will consider individual circumstances and may conduct a re-inspection earlier if required, for example if the annual risk assessment process identifies serious concerns about the provision.

Q4. To what extent do you agree or disagree that, at a provider's third consecutive inspection, if it has not made sufficient progress to be judged 'good', it will be judged 'inadequate'?

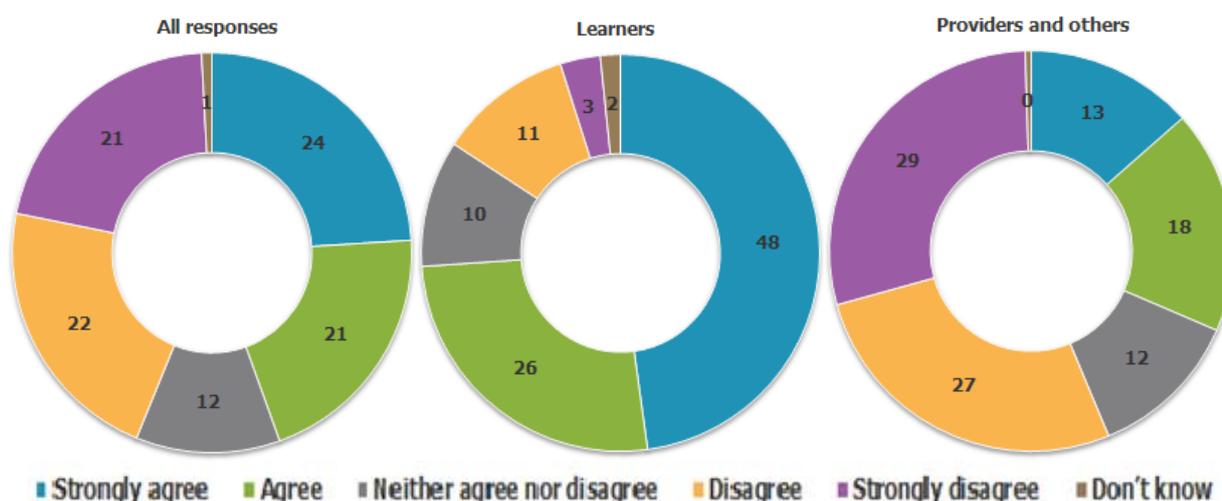


18. Overall, respondents supported this proposal. Almost half of providers agreed or strongly agreed. Over two thirds of learners either agreed or strongly agreed. However the National Union of Students disagreed, with only just over a third of their respondents supporting the proposal.
19. Many respondents agreed that this proposal would help drive improvement, particularly for those providers 'stuck' at satisfactory. Many respondents commented that this proposal would drive improvement across the sector.
20. A number of respondents thought that this proposal was only appropriate if providers were given sufficient time to improve between inspections and if appropriate support was made available to providers following a judgement of 'requires improvement'.
21. Many of those who disagreed with the proposal thought that, rather than this being automatic, inspectors should use their judgement when deciding whether to grade the provider as inadequate, consider all available evidence and take into account the individual provider's circumstances.

What we propose to do in the light of the consultation findings

- We will normally limit the number of times a provider can be judged as 'requires improvement' to two consecutive inspections before it is considered to be 'inadequate' for overall effectiveness.
- However, the lead inspector will consider what progress has been made since the last inspection, and the judgement of inadequate will not be automatic.

Q5. To what extent do you agree or disagree that all inspections should be unannounced?



22. Overall, more respondents agreed than disagreed with this proposal. However, just under a third of providers and other respondents either agreed or strongly agreed, but over half disagreed or strongly disagreed. Learners were much more positive, with almost three quarters either agreeing or strongly agreeing. The National Union of Students agreed with the proposal.
23. A large number of respondents, including many of those who agreed with the proposal, cited a range of practical problems that would need to be overcome for it to be workable. The issues cited included senior staff availability and difficulty in arranging visits to employers. A number of respondents thought that such practical difficulties might mean inspectors see less provision and therefore make for a less comprehensive inspection.
24. Comments from respondents in favour of the proposal included that it would reduce stress among staff, reduce 'over-preparation' and help Ofsted to see the provider as it really is.

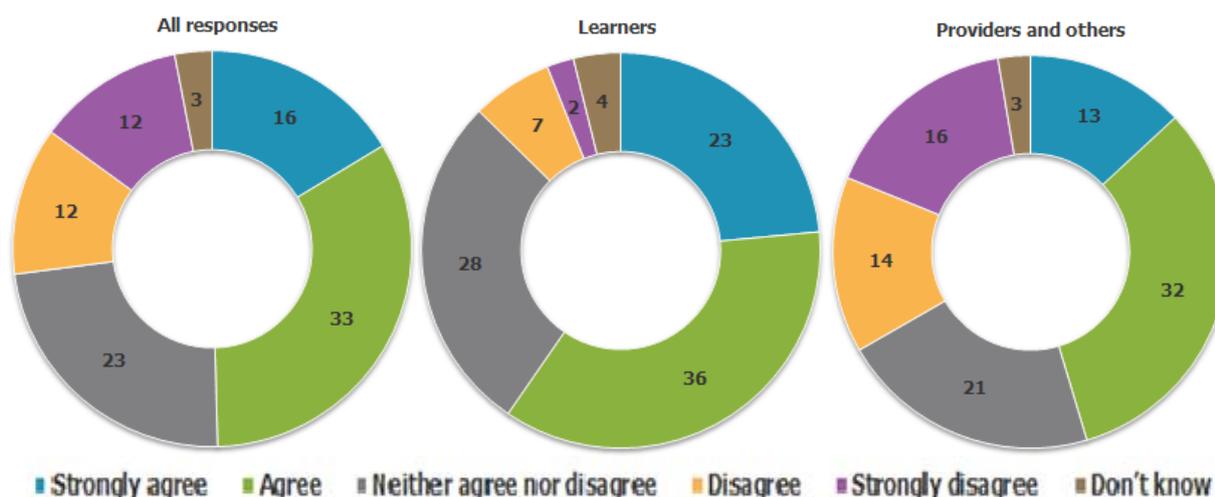
What we propose to do in the light of the consultation findings

- From September 2012, we will usually give up to two working days' notice of an inspection. Ofsted's inspection service provider will usually call the

provider by 10.30am, and will confirm the notification by email later the same day. This will provide sufficient time for the provider to provide key documentation and ensure that the inspection runs smoothly.

- In exceptional circumstances an inspection may be deferred, but we anticipate this will be unusual and the inspection will still take place shortly afterwards. The current published criteria and process for requesting a deferral will still apply.
- Inspectors will take account of the availability of staff, learners and employers, and will be as flexible as possible. Providers will not be expected to produce large amounts of materials specifically for Ofsted, as inspectors will use what is available in whatever format the provider wishes to provide it.

Q6. To what extent do you agree or disagree that providers should supply inspectors with an anonymised summary of the outcomes of the most recent performance management of all teachers, trainers and assessors?



25. Overall, more respondents agreed than disagreed with this proposal. Just over two fifths of providers and other respondents agreed or strongly agreed, whilst just under a third disagreed or strongly disagreed. Just under three fifths of learners agreed or strongly agreed.
26. A number of respondents stated that they thought this information was already used in inspections. Other respondents cited concerns that this information could be used more broadly, including the selection of lesson observations, rather than to assess the effectiveness of a provider's performance management.
27. Some respondents thought that this information should remain private to those it concerned.

What we propose to do in the light of the consultation findings

- During an inspection we will ask the provider for an anonymised summary of the outcomes of the most recent performance management of all teachers, trainers and assessors. This will be used to assess how well the provider manages its staff to promote continuous improvement of the service it offers to learners.
- This information will not be used to decide which lessons or training sessions we observe during the inspection.
- We acknowledge that performance management processes vary across the sector, particularly as some further education and skills providers are private companies. Inspectors will be given guidance on how to use the different types of information and we will not specify how the information should be presented.

What will happen next?

We will:

- publish the *Common inspection framework* and *Handbook for inspections of further education and skills* by 15 June 2012, taking into account the feedback received during both of the recent consultations
- write to all providers to tell them about key features of the new inspections
- train inspectors
- commence inspections under the new framework from September 2012
- evaluate how well the revised framework is working in practice by February 2013, and consider any changes required.

Analysis of consultation responses by type of respondent

Respondents who replied to the main online consultation were asked to say whether they were answering on behalf of an organisation and, if so, the name and type of organisation they represented. Around a third of respondents supplied the name of the organisation, and almost half told us what type of organisation they represented.

Responses were as follows:

Table 1. Numbers of respondents (online/email) by type of organisation

Type of organisation	
General further education/tertiary college	78
Other	29
Sixth form college	23
School	22
Local authority	16
Independent training provider	14
Not-for-profit organisation	12
Prefer not to say	7
An independent specialist college	6
A higher education institution	3

Respondents who were not replying on behalf of an organisation were asked about their role or reason for their interest in the consultation. Most respondents answered this question and two thirds said they worked for a learning and skills provider. However 61 replied 'other' or 'prefer not to say'.

Responses were as follows:

Table 2. Numbers of respondents (online/email) by type

Type of respondent	
Employee of a learning and skills provider or college	157
Teacher/trainer	98
Other	51
Parent or carer	16
Employer with an Skills Funding Agency training contract	16
Prefer not to say	10
Member of the public	6
Adult learner/student/participant	3
Employer without an SFA training contract	2

Some respondents answered both sets of questions so are included in both of these tables. Some respondents did not answer any of these questions.

There were 180 responses received from the National Learner Panel. The National Union of Students submitted a single collective response based on a survey of their members. They received over 200 responses to some of the questions in their survey.