

Monitoring inspections of schools with a notice to improve

Guidance for inspecting schools with a notice to improve under section 8 of the Education Act 2005

This guidance sets out the judgements that inspectors make and report on during monitoring inspections of schools with a notice to improve. Schools can use the guidance to see how inspections are conducted and judgements made. They may find it helpful when evaluating their own performance.

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Background

1. Schools served with a notice to improve at their last section 5 inspection are monitored under section 8 of the Education Act 2005. This guidance should be read alongside the Department for Education's statutory guidance on schools causing concern.¹
2. The Education Act 2005 requires that a school should be served with a notice to improve if it is judged to be:
 - a) failing to provide an acceptable standard of education, but demonstrating the capacity to improveor:
 - b) not failing to provide an acceptable standard of education but performing significantly less well than it might in all the circumstances reasonably be expected to perform.
3. Schools with a notice to improve will usually receive a monitoring inspection between six and eight months after their last section 5 inspection. They will usually be reinspected under section 5 of the Education Act 2005 between 12 and 16 months after the last section 5 inspection, although the timing of the reinspection may be influenced by the outcome of the monitoring inspection.
4. This guidance sets out the judgements that inspectors make and report on during monitoring inspections of schools with a notice to improve. Schools can use the guidance to see how inspections are conducted and judgements made. They may find it helpful when evaluating their own performance.
5. Further general guidance, briefing papers on school inspections and other materials are available on Ofsted's website: www.ofsted.gov.uk.
6. All monitoring inspections are carried out in accordance with the principles and code of conduct for inspectors set out in *The framework for school inspection*.²
7. The headteacher, the chair of the governing body and a representative from the local authority or proprietor will have been invited to attend a school improvement seminar soon after the school was served with a notice to improve. These seminars provide information about the arrangements for monitoring inspections and guidance on planning for school improvement. Most schools choose to attend the seminars, but this is not a requirement.
8. Schools given a notice to improve are not required to prepare a separate action plan but are expected to amend their existing plans to address the areas for

¹ www.education.gov.uk/aboutdfe/statutory/g00192418/sc.

² *Framework for the inspection of maintained schools in England from September 2009* (090019), Ofsted, 2011; www.ofsted.gov.uk/resources/framework-for-inspection-of-maintained-schools-england-september-2009.

improvement identified by the section 5 inspection. The local authority/proprietor must submit a statement and a plan of action to Her Majesty's Chief Inspector (HMCI) within 10 working days of the school receiving the inspection report. Her Majesty's Inspectors (HMI) in Ofsted's Quality Assurance Schools Causing Concern (QA SCC) team will evaluate the statement and plan of action and determine whether or not it is fit for purpose.

9. Unlike schools placed in special measures, there are no restrictions on schools with a notice to improve appointing newly qualified teachers.
10. Monitoring inspections are normally carried out by a single inspector, referred to as the lead inspector throughout this guidance, who will not usually have been a member of the previous section 5 inspection team. However, where the school has boarding provision that was judged to be inadequate, it is likely that a social care inspector will also be deployed on the monitoring inspection. In these circumstances the education inspector will lead the inspection.
11. The monitoring inspection lasts for one day and the school is notified of the inspection the day before. The lead inspector should decide whether to arrive at the school during the afternoon before the inspection, to complete preparation and planning, or do this through telephone conversations. Paragraphs 27 to 39 set out the arrangements for conducting monitoring inspections with on-site preparation. Arrangements for inspections without on-site preparation are described in paragraphs 40 to 46.

Evaluating the school's progress

Introduction

12. Inspectors are required to evaluate the school's progress in dealing with the areas for improvement identified by the last section 5 inspection, and in improving outcomes for pupils. Judgements are made on the four-point scale: 1 is outstanding; 2 is good; 3 is satisfactory; 4 is inadequate. Where the areas for improvement include specific timescales, inspectors should use professional judgement when evaluating the school's overall rate of progress. Progress should not necessarily be judged inadequate simply because a challenging deadline has not been met.
13. On a monitoring inspection, inspectors will **not** make a judgement on the school's overall effectiveness. Monitoring inspections of schools with a notice to improve **cannot** remove the school from a category of concern or place it in special measures. However, the outcome of the monitoring inspection may influence the timing of the school's reinspection.
14. Inspectors should make the judgement about the school's progress by considering carefully the full range of evidence that they have gathered and by using their professional judgement.

15. The outline guidance is not exhaustive but is intended to guide inspectors to the range and type of evidence they might collect.

Outline guidance

16. The inspection covers aspects of *The framework for school inspection*, but is selective and focused sharply on the **areas for improvement** identified by the section 5 inspection that judged the school to require a notice to improve.
17. In deciding where to focus the monitoring inspection and how much of the evaluation schedule to report on, inspectors must use their judgement in the light of the particular circumstances of the school **as well as** the areas for improvement identified by the last section 5 inspection.
18. Inspectors should **always** take account of the following.
- **Contextual matters**, including any significant changes to staffing, the pupil population and the school's status, for example if the school is an academy.
 - **Pupils' achievement**: taking account of their attainment and the quality of learning and progress for all pupils and for pupils with special educational needs and/or disabilities, in line with *The evaluation schedule for schools*.³ Inspectors should consider first-hand evidence, which **must** include a sample of lesson observations, and school data for different groups of pupils and, where appropriate, recent test and examination results. Reference should be made to the challenge and impact of the school's targets.
 - **Safeguarding arrangements**: inspectors must always check the single central register and may need to review other procedures if they have any concerns.
 - **Specialist status**: this need only be referred to when it is having a significant impact on the overall effectiveness of the school in a positive or negative way.
 - **External support for the school**: the quality and impact of the external support provided for the school, referring to the local authority/proprietor's statement of action (see paragraphs 22 and 23), and as appropriate, other partners who have provided support and challenge.
19. Where relevant, inspectors should also consider the most significant of the school's areas for improvement from among the following.
- **Other pupil outcomes** with particular emphasis on behaviour and attendance and, where appropriate, the Every Child Matters outcomes.

³ *Evaluation schedule of judgements for schools inspected under section five of the Education Act 2005, from September 2009* (090098), Ofsted, 2011; www.ofsted.gov.uk/resources/evaluation-schedule-of-judgements-for-schools-inspected-under-section-five-of-education-act-2005-sep.

- **The quality of provision:** teaching and learning, and the use of assessment are likely to be key issues, although inspectors should also consider the curriculum and the care, guidance and support provided for pupils if there are any concerns about these aspects of the school's work.
 - **The effectiveness of leaders and managers** with particular emphasis on:
 - how well senior leaders and the governing body are driving improvement
 - the impact of the school's planning for improving the standard of education and tackling the areas for improvement identified by the section 5 inspection
 - the quality of the school's monitoring, analysis and self-evaluation and its capacity to improve.
20. If the school has Early Years Foundation Stage provision, this will not usually be inspected unless it was identified as an area for improvement in the last section 5 inspection. This also applies to any sixth form provision.
21. When the monitoring inspection indicates that safeguarding arrangements are **inadequate**, inspectors should take account of the following.
- If safeguarding **was** identified as an area for improvement in the last inspection, then it is very likely that the overall progress made by the school will be judged to be inadequate.
 - If safeguarding was **not** previously an area for improvement, this may still affect the judgement about the overall progress made by the school. For example, inadequate safeguarding arrangements may be indicative of more general weaknesses in leadership and governance. In these circumstances inspectors will need to exercise professional judgement in reaching a view about the overall progress made by the school. When safeguarding is inadequate, the lead inspector must call the Schools Causing Concern (SCC) helpdesk to log their concern and email the appropriate Managing Inspector for SCC.
 - The Managing Inspector for SCC may recommend one of the following options:
 - an early unannounced monitoring inspection to check safeguarding requirements
 - bringing forward the reinspection of the school
 - scheduling an immediate inspection of the school under section 8 of the Education Act 2005.
 - In making this decision, the Managing Inspector for SCC will liaise with the Regional Director and take account of:
 - whether or not safeguarding has previously been judged to be inadequate

- the nature and seriousness of the weaknesses in safeguarding
- the wider performance of the school in terms of the progress it has made in dealing with areas for improvement and building a capacity for sustained improvement
- the likely impact of any further inspection.

Evaluating external support

22. The judgement made by HMI in the QA SCC team about the quality of the local authority/proprietor statement of action (see paragraph 8) must be reported and its impact evaluated.
23. If the statement of action is judged to be not fit for purpose, the local authority/proprietor will be informed and will be asked to address the weaknesses urgently and have the revised version ready for the monitoring inspection. **In this case, the lead inspector will evaluate and report on the revised statement of action.**

Conducting the monitoring inspection

Off-site preparation

24. Inspectors should consider **all** the relevant guidance before planning the inspection. This includes *The evaluation schedule for schools*, *Conducting school inspections*⁴ and *The framework for school inspection*, as well as the specific guidance on monitoring inspections.
25. Inspectors should use their off-site preparation time to begin to plan the inspection. Planning should be informed by:
 - the previous section 5 inspection report
 - up to date self-evaluation, where this is available
 - the most recent RAISEonline report and, where relevant, the sixth form performance and assessment report (PANDA)
 - letters from any previous monitoring or survey inspections
 - any qualifying complaints about the school that have been retained by Ofsted.
26. The purpose of the off-site preparation is to enable the lead inspector to gain a broad overview of the school's recent performance and areas for improvement identified by the last section 5 inspection.

⁴ *Conducting school inspections: guidance for inspectors of schools from September 2009* (090097), Ofsted, 2011; www.ofsted.gov.uk/resources/conducting-school-inspections-guidance-for-inspectors-of-schools-september-2009.

Planning for inspections with on-site preparation

27. When the off-site preparation is complete, the lead inspector should travel to the school and arrive during the afternoon of the day before the inspection. Exact timings will depend on travel arrangements and the location of the school, but the lead inspector should ensure that there is sufficient time to complete the on-site preparation as set out in paragraphs 34 to 39. The lead inspector should telephone the school in the morning before they are due to arrive to inform the headteacher of the inspection. If the headteacher is unavailable, the lead inspector should ask to speak to the most senior member of staff present. If it is not possible to contact the school, the lead inspector should complete their journey and inform the school of the inspection on arrival as set out in paragraphs 28 and 29.

Arrival at the school

28. On arrival at the school the lead inspector must show their identity badge and ask to see the headteacher. If it was not possible to contact the school before, care should be taken not to inform the secretary or others in the school about the inspection before speaking to the headteacher. The headteacher should be told that they may phone the National Business Unit (telephone: 0300 123 4234) to confirm the identity of the lead inspector.
29. If the lead inspector is unable to speak to the headteacher, they should ask to speak to the next most senior member of staff. It is important that preparation for the inspection is not held up by waiting for a headteacher to arrive at the school.
30. Requests for a **deferral** should be referred to the appropriate Regional Director. Decisions will be made in accordance with Ofsted's policy on the *Deferral of inspections*.⁵ This makes clear that the absence of the headteacher is not normally a reason for deferring an inspection.
31. As soon as it is certain that the inspection can take place, the lead inspector will notify the inspection service provider who will send formal confirmation to the school by email. The email will also include contact details for the inspection service provider and an outline of the arrangements for publication of the monitoring letter after the monitoring inspection.
32. The lead inspector should ensure that the headteacher has time to notify school staff of the inspection. After this, there should be a brief introductory meeting with the headteacher and/or senior leadership team to:
 - explain that the inspection is carried out under section 8 of the Education Act 2005

⁵ *Deferral of inspections: information for schools*, Ofsted, 2010;
www.ofsted.gov.uk/resources/deferral-of-inspections-information-for-schools.

- confirm that the school is able to inform the governing body that the monitoring inspection is taking place
 - make sure that the headteacher understands the purpose and focus of the inspection and the judgements that will be made
 - remind the school that the monitoring letter will be published on Ofsted's website.
33. In explaining the inspection arrangements, the lead inspector should:
- indicate the likely format of the inspection
 - explain that the principles for engagement with senior staff set out in *Conducting school inspections* will be applied where possible, but that the lead inspector has the discretion to manage this in the way that they feel is most appropriate
 - discuss the arrangements for giving feedback to teachers
 - request to see evidence of up to date self-evaluation, but should **not** expect an evaluation specifically prepared for the inspection team's use or ask the schools to update any self-evaluation in readiness for the monitoring inspection
 - indicate that they will need to see the single central register and may need to review other safeguarding arrangements if any concerns emerge during the inspection
 - make domestic arrangements
 - indicate the team's intended arrival and departure times noting that it is recommended that inspectors arrive at the school no earlier than 8am and that they depart no later than 6pm, but explaining that these times are advisory and that the lead inspector might arrive later and leave earlier.

On-site preparation

34. The lead inspector should provide the headteacher and/or senior leadership team with an early opportunity to contribute to the pre-inspection preparation and planning by clarifying the progress that the school has made since the previous section 5 inspection. Any significant changes to the context of the school should be discussed.
35. The lead inspector should scrutinise briefly the key documents provided by the school including, for example, the most recent self-evaluation, the school improvement plan and information about pupils' current attainment and progress. Any emerging issues should be discussed with senior leaders whenever possible.
36. In setting up inspection activities, the lead inspector should indicate to the school what needs to be tested and ask the school to suggest the best ways of finding the necessary evidence to substantiate its views about the progress it

has made. However, the focus of the inspection may shift as new evidence becomes available or other issues emerge.

37. The on-site preparation time may be used flexibly at the discretion of the lead inspector and, where appropriate, with the agreement of the headteacher. However, the lead inspector should not start the inspection early by, for example, conducting lesson observations or scrutinising the single central register during the preparation afternoon.
38. The lead inspector is not expected to compile a pre-inspection briefing. However, before leaving the school when the on-site preparation is complete, they should ensure that senior leaders have a clear understanding of the key inspection issues and have been given an opportunity to contribute to the planning of the inspection.
39. The lead inspector should also use the on-site preparation time to:
 - agree with the school how senior leaders may engage in the inspection
 - receive an update on staff absence and other practical issues
 - ascertain whether there are particular reasons why any teachers should not be observed, for example if they are subject to informal or formal capability procedures where the use of observations by Ofsted may compromise those procedures
 - ensure that the headteacher is aware that Ofsted's evidence from lesson observations, whether joint or otherwise, should not be used as evidence in competency/disciplinary proceedings or for the purposes of performance management.

Planning for inspections without on-site preparation

40. Subject to the availability of the headteacher, or in the headteacher's absence the most senior member of staff, the lead inspector should make initial contact to inform the school of the inspection during the morning of the day before it is due to start. It is important that planning for the inspection is not held up by waiting for a headteacher who might be delayed or not due to be at school. If the school is using a telephone answering machine, the lead inspector should leave a message and state the time at which the message was left. Where the telephone remains unanswered, the lead inspector should persevere, keeping a note of the times at which they tried to make contact with the school.
41. Requests for a **deferral** should be referred to the appropriate Regional Director. Decisions will be made in accordance with Ofsted's policy on the *Deferral of inspections*. This makes clear that the absence of the headteacher is not normally a reason for deferring an inspection.
42. As soon as it is certain that the inspection can take place the lead inspector will notify the inspection service provider, who will send formal confirmation to the

school by email. The email will also include contact details for the inspection service provider and an outline of the arrangements for publication of the monitoring letter after the monitoring inspection. Where necessary the inspection service provider will ensure that any team inspectors are informed that the inspection will take place.

43. Planning for the inspection should include similar activities to those described in paragraphs 27 to 39 for inspections with on-site preparation. The lead inspector should arrange an extended telephone call to provide the headteacher with an early opportunity to contribute to the pre-inspection preparation and planning by clarifying the progress that the school has made since the previous monitoring inspection. Any significant changes to the context of the school should be discussed.
44. The lead inspector should scrutinise briefly electronic copies of the key documents provided by the school including, for example, the most recent self-evaluation, the updated school improvement plan and the most recent information about pupils' current attainment and progress. Any emerging issues should be discussed with the headteacher through a follow-up telephone call whenever possible.
45. In setting up inspection activities the lead inspector should indicate to the school what needs to be tested and ask the school to suggest the best ways of finding the necessary evidence to substantiate its views about the progress it has made. However, the focus of the inspection may shift as new evidence becomes available or other issues emerge.
46. The lead inspector should also use the pre-inspection telephone discussions to:
 - agree with the school how senior leaders may engage in the inspection
 - receive an update on staff absence and other practical issues
 - ascertain whether there are particular reasons why any teachers should not be observed, for example if they are subject to informal or formal capability procedures where the use of observations by Ofsted may compromise those procedures
 - ensure that the headteacher is aware that Ofsted's evidence from lesson observations, whether joint or otherwise, should not be used as evidence in competency/disciplinary proceedings or for the purposes of performance management.

During the inspection

The start of the inspection

47. The lead inspector should meet briefly with the headteacher and/or senior leadership team at the start of the day to discuss any changes to previously

planned inspection activities. The lead inspector may provide a short briefing for school staff at the discretion of the headteacher.

Inspection activities

48. The activities carried out during monitoring inspections are similar to those in section 5 inspections. They may involve: lesson observations; analysis of pupils' work; scrutiny of school records and documentation; discussions with staff, pupils, governors and, where appropriate, the school's partners. While staff interviews are important, the main focus should be on gathering other first-hand evidence, including lesson observations.
49. Inspection activities should be tightly focused on issues that:
 - relate directly to the areas for improvement identified during the previous section 5 inspection
 - appear to be of greatest concern from the pre-inspection analysis.
50. In the monitoring letter written after the inspection, inspectors are required to comment on pupils' achievement, even when this was not a key area for improvement in the previous section 5 inspection. When reaching a view about achievement they should follow the outline guidance in *The evaluation schedule for schools* and the supplementary guidance on judging attainment and achievement.
51. Inspectors **must** always examine the single central register and follow up any safeguarding concerns. If it becomes clear that there are inadequacies in care, child protection or health and safety, they **must** be reported and may influence the timing of the reinspection of the school and have an impact on the judgement about the overall progress made by the school (see paragraph 21).
52. School circumstances will require inspectors to exercise flexibility about how the inspection proceeds but the general shape should have been determined during the on-site preparation or, for inspections without on-site preparation, the pre-inspection telephone call. Inspectors may wish to:
 - conduct telephone interviews with governors, local authority personnel and parents if face-to-face meetings are not feasible
 - examine additional documentation, including, for example:
 - further data on attainment and progress that the school may have gathered
 - reports or action plans from the local authority and/or other key partners
 - governing body minutes – particularly when, for example, a separate committee has been established to oversee progress on the areas for improvement

- analysis of aspects of pupils' work that are closely related to the areas for improvement, for example evaluations of improvements in writing or use of targets for pupils.

Recording evidence

53. Inspectors should follow the section 5 guidance on completing evidence forms. Inspectors are reminded of the following points.
- Evidence forms should be clear and legible. They are the main source of evidence for the inspection and may be scrutinised for retrieval, for quality assurance monitoring and used as a source of evidence in the event of a complaint. Inspectors should highlight or identify any information that was provided in confidence.
 - Evidence forms can be used for discrete events, such as a lesson observation. They can also be 'open' or 'running', where, for example, a particular theme is pursued across a number of lessons and discussions.
 - Although numerical grades are not always required, the text on the evidence form must make clear the overall judgement of progress on the issue being evaluated.
 - Evidence forms should be used for recording the main points of discussion when feeding back to senior leaders and for summarising evidence that underpins key judgements about the school's progress.
 - The evidence base must contain sufficient evaluative information to sustain, under external scrutiny, the overall judgement reached about the progress made by the school.

Engaging with the headteacher and senior staff

54. The principles for engaging with the headteacher and senior staff set out in *Conducting school inspections* should be applied during monitoring inspections. The lead inspector should exercise discretion in adapting and extending the approach according to the school's circumstances. In the great majority of monitoring inspections of schools with a notice to improve there will be a single inspector and so consideration of the headteacher's attendance at team meetings does not apply.
55. It is important that an ongoing professional dialogue is maintained throughout the inspection. Emerging issues should be discussed and the feedback at the end of the inspection should not be a surprise to the school.
56. Throughout the inspection, inspectors should strike a careful balance between probing the areas of concern and acknowledging where the school has been successful in tackling areas for improvement. However, inspectors should remember that pupils are unlikely to be well served by a school that has dealt with a range of peripheral matters while shying away from tougher and more fundamental actions needed to improve its performance.

57. In order to promote further improvement, inspectors may refer to effective practices, for example, that they have observed in other schools or that have been highlighted in Ofsted survey reports. However, they should not recommend a particular or specific kind of methodology that the school should adopt.

Feedback on lesson observations

58. Feedback on the quality of teaching and learning is an integral and essential part of the inspection. Feedback is valued by schools and is a valuable means of furthering improvement. For any observation of 20 minutes or more, inspectors should offer feedback to the teacher concerned. If, as the inspection proceeds, it becomes clear that inspectors are seeing a significant proportion of inadequate teaching, the lead inspector should discuss with the headteacher the most appropriate way of handling feedback to individual teachers.
59. In addition, inspectors may feed back their general findings to:
- small groups of staff following a series of short visits
 - key senior staff, for example the head of a key stage and/or senior staff with responsibility for professional development
 - subject leaders, for example specialist subject leaders in secondary schools and foundation subject leaders and/or core subject leaders in primary schools.

After the inspection

Oral feedback at the end of the inspection

60. Inspectors must provide brief oral feedback at the end of the monitoring inspection. The headteacher may ask a representative of the local authority, the governing body, the interim executive board or proprietor, or significant external partners in the school's improvement to attend. It is the responsibility of the lead inspector to manage the meeting.
61. The inspector and headteacher should discuss which members, if any, of the senior leadership team will attend the feedback, especially where the feedback is challenging or raises sensitive issues.
62. The feedback must:
- report the range of evidence gathered
 - cover the progress made in tackling the areas for improvement identified in the earlier section 5 inspection and include an overall judgement on the progress made – if progress is judged to be inadequate the lead inspector **must** make it clear that the school is at risk of being deemed to require special measures at the section 5 reinspection

- where relevant, comment on the impact of the school's specialist status
 - make clear that the text of the monitoring letter which will be written after the inspection may differ slightly from the oral feedback, but that the judgements will not change
 - indicate any further significant concerns about the school's performance which were not identified at the previous section 5 inspection including, for example, any safeguarding issues.
63. If the monitoring inspection has raised **serious concerns** that may affect the timing of the next inspection, the lead inspector should make sure that the school is aware of this. However, the likely timing of any further inspection should not be indicated to the school.

The monitoring letter

64. Before writing the letter, the lead inspector should note the guidance in paragraphs 65 to 67 and also take account of the specific guidance provided in the letter template and the Ofsted style guide. The letter should be published on Ofsted's website within 15 days of the end of the inspection.
65. The arrangements for publishing the letter are as follows.
- The lead inspector completes the letter on the day after the inspection and sends it to the appropriate inspection service provider by 9am on the second working day after the inspection.
 - The inspection service provider edits and sends the letter to the school within five working days of the end of the inspection. Twenty per cent of letters are further quality assured by HMI in the QA SCC team.
 - The school has 24 hours to check the letter and report any factual inaccuracies to the inspection service provider.
 - The inspection service provider prepares a final version of the letter, which is sent to:
 - the headteacher
 - the Secretary of State for Education
 - the chair of the governing body or interim executive board or proprietor as appropriate
 - the local authority (unless the school is an academy)
 - the diocese, where appropriate
 - the person or body responsible for appointing foundation governors (where the school has a foundation)
 - the Young People's Learning Agency (for academies or secondary schools with a sixth form)

- the lead inspector.
66. In general, monitoring letters should be **between 700 and 1000 words**. Inspectors should make appropriate professional judgements about the extent of the detail needed to explain clearly the progress made by the school depending on the complexity of circumstances. The letter **must** include:
- any significant contextual changes since the last inspection
 - a summary of the issues for improvement from the previous section 5 inspection
 - the judgement made (using the four-point scale set out in paragraph 12) on the overall progress made by the school
 - a brief commentary on achievement and any other relevant outcomes
 - an outline of the progress made in tackling each of the areas for improvement – this must explain the overall judgement, but separate judgements on each area are not required
 - where the school has specialist status, a brief evaluation of its impact
 - a judgement on the support provided by the local authority (where appropriate) and on its statement of action (when this is available)
 - reference to the impact of other significant external partners where possible.
67. The letter must be written on the template provided by the inspection service provider.