

# School inspection handbook – section 8

Handbook for inspecting schools in England under section 8 of the Education Act  
2005

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## Introduction

1. This handbook brings together guidance to inspectors and schools about inspections carried out under section 8<sup>1</sup> of the Education Act 2005.<sup>2</sup> Section 8 enables Her Majesty's Chief Inspector (HMCI) to conduct inspections for a range of purposes, including monitoring visits by Her Majesty's Inspectors (HMI) to schools in special measures or visits to schools to aid him in keeping the Secretary of State informed or to contribute to reports on, for example, the teaching in a curriculum subject or a particular aspect of the work of schools. Section 8 is also used to enable HMCI to undertake an inspection of those outstanding schools that are exempt from routine inspection under section 5.
2. Section 8 provides the statutory basis for the Secretary of State to request an inspection. Section 8(1)<sup>3</sup> of the Education Act 2005 requires HMCI to inspect and report on any school or class of school in England, when requested to do so by the Secretary of State.
3. Part 1 of this handbook covers the general policy and principles that apply to inspections carried out under section 8.
4. Part 2 of the handbook sets out the arrangements for undertaking inspections under section 8 in the following circumstances:
  - short inspections of schools judged to be good at their most recent section 5 inspection and those outstanding schools that are not exempt from section 5
  - monitoring inspections of schools judged as requires improvement
  - monitoring inspections of schools judged as having serious weaknesses
  - monitoring inspections of schools judged as requiring special measures
  - any inspection that is undertaken in other circumstances where the inspection has no specific designation, known as 'section 8 no formal designation inspection'
  - unannounced behaviour inspections.
5. With the exception of short inspections, this brings together what were previously separate guidance documents for the use of section 8 in these circumstances.

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<sup>1</sup> Education Act 2005, section 8; [www.legislation.gov.uk/ukpga/2005/18/section/8](http://www.legislation.gov.uk/ukpga/2005/18/section/8).

<sup>2</sup> In this handbook, any reference to the Education Act 2005 includes any amendments made by the Education Act 2011, the Education and Skills Act 2008, the Education and Inspections Act 2006 and the Academies Act 2010.

<sup>3</sup> Education Act 2005, section 8; [www.legislation.gov.uk/ukpga/2005/18/section/8](http://www.legislation.gov.uk/ukpga/2005/18/section/8).

6. From September 2015, the 'Common inspection framework: education, skills and early years' (the CIF)<sup>4</sup> provides for inspection to be proportionate to the performance and circumstances of schools and other education provision. As part of this, all good schools receive a one-day 'short inspection' approximately every three years. Special schools, pupil referral units (PRUs) and maintained nursery schools that are judged to be good or outstanding also receive short inspections. (These settings are not exempt from routine inspections if they are judged outstanding.) These short inspections will be conducted under section 8 of the Education Act 2005 as set out in Part 2 of this guidance.

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<sup>4</sup> *Common inspection framework: education, skills and early years*, Ofsted, August 2015; [www.gov.uk/government/publications/common-inspection-framework-education-skills-and-early-years-from-september-2015](http://www.gov.uk/government/publications/common-inspection-framework-education-skills-and-early-years-from-september-2015).

## **Part 1. Inspection policy and principles for inspection conducted under Section 8 of the Education Act 2005**

7. The handbook is primarily a guide for inspectors on how to carry out inspections in the circumstances described in the introduction under HMCI's discretionary power to inspect. However, it is made available to schools and other organisations to ensure that they are informed about the policy and procedures for using the section 8 inspection power in particular situations.
8. Inspectors and schools should note that the information set out in the 'Clarification for schools' section of the school inspection handbook also applies to all section 8 inspections.

### **Conduct during inspections**

9. Inspectors carrying out inspections under section 8 must conduct themselves in accordance with the code of conduct as set out in the CIF.
10. On arrival at the school, each inspector will show their identity badge and ask to see the headteacher. The headteacher should be advised that they may telephone the Applications, Regulatory and Contact (ARC) team (telephone: 0300 123 4234) to check on the identity of the inspectors if they wish to do so.

### **Safeguarding**

11. Inspectors will always have regard for how well children and learners are helped and protected so that they are kept safe. Short inspections of good schools will always report on the effectiveness of safeguarding. For all other section 8 inspections, inspectors are not required to report specifically on the effectiveness of safeguarding, unless this is a focus of the inspection. In these cases the judgement that will be reported in the letter will be:
  - safeguarding is effective.
12. If safeguarding is not effective and/or if pupils are considered to be at risk in any way, the lead inspector will convert the inspection to a section 5 inspection (unless the school is already inadequate).
13. Ofsted has published a document setting out the approach inspectors should take to inspecting safeguarding in all the settings covered by the CIF. It should be read alongside that framework and this handbook:

'Inspecting safeguarding in early years, education and skills settings'.<sup>5</sup>

14. It is also essential that inspectors are familiar with the following statutory guidance in relation to safeguarding:

'Keeping children safe in education: Statutory guidance for schools and colleges'<sup>6</sup>

'Working together to safeguard children'.<sup>7</sup>

15. In the event of concerns or queries, inspectors should contact their regional duty desk.
16. In the event of an ongoing incident coming to light during the inspection, inspectors should refer to 'Inspecting safeguarding in early years, education and skills settings', which contains guidance on what to include in the inspection report.

### **Reporting on evidence or allegations of child abuse**

17. On a very small number of occasions, inspectors may come across evidence or ongoing allegations of child abuse within a school. Inspectors should consult all relevant guidance referred to above and seek advice where appropriate. Inspectors must not attempt to investigate the incident.

### **Helping to protect pupils**

18. When evaluating the effectiveness of a school's safeguarding procedures, inspectors should also ask whether there have been any safeguarding incidents since the previous inspection of the school. Inspectors must record the school's response as part of the evidence gathered.

### **Providing feedback to the school**

19. At the end of all section 8 inspections, feedback will be provided to the school by the lead inspector. The final feedback meeting will be chaired by the lead inspector and she or he will agree with the headteacher who should attend.

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<sup>5</sup> *Inspecting safeguarding in early years, education and skills*, Ofsted, August 2015; [www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015](http://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015).

<sup>6</sup> *Keeping children safe in education*, Department for Education, 2015; [www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2).

<sup>7</sup> *Working together to safeguard children*, Department for Education, 2015; [www.gov.uk/government/publications/working-together-to-safeguard-children--2](http://www.gov.uk/government/publications/working-together-to-safeguard-children--2).

20. Normally, the final feedback meeting will be attended by:
- the headteacher/principal
  - other senior staff as appropriate
  - the chair of the governing body, board of trustees or local governing body as appropriate and preferably as many governors as possible
  - in an academy that is part of a multi-academy trust, at least one representative of the board of trustees
  - a representative from the local authority, academy sponsor and/or the designated responsible body.
21. During the final feedback meeting, the lead inspector will ensure that the headteacher and governors are clear:
- about the judgements made
  - that the main findings of the inspection and the main points provided orally in the feedback, subject to any change, will be reflected in the text of the report
  - about the next steps and/or recommendations for improvement
  - that findings may be subject to change as a result of quality assurance procedures or moderation and must, therefore, be treated as confidential to the relevant senior personnel (as determined by the school); they must not be shared beyond the school's leadership team and governors (including those unable to attend the final feedback meeting) under any circumstances; information about the inspection outcomes should be shared only when the school receives a copy of the final inspection report
  - about the procedure for making a complaint about the inspection.

## After the inspection

### Arrangements for writing and publishing the report<sup>8</sup>

22. The process for the report writing, quality assurance and publication of reports from all types of inspections outlined in this handbook mirrors that for section 5 inspections.<sup>9</sup>
23. The lead inspector is responsible for writing the inspection report and submitting the evidence to Ofsted shortly after the inspection ends. The text of

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<sup>8</sup> The term 'report' is used to describe the formal published outcome from the inspection. For section 8 inspections, except where the inspection is deemed section 5, the report will take the form of a letter.

<sup>9</sup> *School inspection handbook*, Ofsted, 2015; [www.gov.uk/government/publications/school-inspection-handbook-from-september-2015](http://www.gov.uk/government/publications/school-inspection-handbook-from-september-2015).

the report should explain the judgements and reflect the evidence. The findings in the report should be consistent with the feedback given to the school at the end of the inspection.

24. Inspection reports will be quality-assured before Ofsted sends a draft copy to the school. The draft report is restricted and confidential to the relevant personnel (as determined by the school), including those responsible for governance, and should not be shared more widely or published.
25. The school will be informed of the timescale for commenting on the draft report. The lead inspector will consider comments, including details of any factual inaccuracies identified by the school, and will make changes as appropriate. Ofsted will notify the school of the lead inspector's response.
26. Ofsted may share a draft of the inspection report with the Department for Education (DfE), funding bodies or Regional Schools Commissioner as necessary, where HMCI considers it appropriate to do so. If a section 8 inspection has been deemed section 5 and the judgement is that the school has serious weaknesses or requires special measures, the Secretary of State must be informed.
27. Typically, schools will receive an electronic version of the final report within 14 working days of the end of the inspection. In most circumstances, the final report will be published on Ofsted's website within 19 working days. Ofsted will tell the school the publication date when the draft report is sent.
28. If Ofsted decides that a report should be subject to further quality assurance, the school will receive an electronic version of the final report as soon it is ready.
29. Ofsted will notify the DfE and/or the relevant funding body as necessary before final publication. In all cases, the inspection process should not be treated as complete until all inspection activity has been undertaken and the report has been sent to the provider as a final version and/or the inspection report has been published on Ofsted's website.

### **The inspection evidence base**

30. For all section 8 inspections, the lead inspector will submit the hard copy evidence forms to Ofsted within five days of the end of the inspection.
31. The evidence base for the inspection must be retained for the time specified in Ofsted's guidance.<sup>10</sup> This is normally six months from when the report is published. Information must not be disposed of if it is found that it is still required

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<sup>10</sup> *Retention and disposing of information*. This is available through the engagement hub: <https://ofstedengagement-hub.ofsted.gov.uk/user/login?destination=home>.

by Ofsted and inspection evidence must be kept for longer than six months, for example when:

- safeguarding is ineffective
- the school is being monitored because it is less than good or an investigation is linked to the inspection or there is a potential or current litigation claim against Ofsted, such as a judicial review
- a complaint has been made
- inspections are of a very sensitive nature, or are likely to be of national or regional importance due to high levels of political or press interest.

## Quality assurance and complaints

### Quality assurance

32. The lead inspector is responsible for the quality of their work and that of their team members. They must ensure that inspections are carried out in accordance with the principles of inspection and the code of conduct.
33. Ofsted monitors the quality of inspections through a range of formal processes and HMI/Senior HMI visit some providers to quality-assure inspections. Ofsted may also evaluate the quality of an inspection evidence base. The lead inspector will be responsible for feeding back to team inspectors about the quality of their work and their conduct.

### Handling concerns and complaints

34. The great majority of Ofsted's work is carried out smoothly and without incident. If concerns do arise during an inspection, they should be raised with the lead inspector as soon as possible in order to resolve issues before the inspection is completed. The lead inspector should seek advice where necessary. Any concerns raised and actions taken should be recorded in the inspection evidence.
35. If it is not possible to resolve concerns while the inspection team is on site, the school may wish to lodge a formal complaint. The lead inspector should ensure that the school is informed of the procedures for making a formal complaint. Information about how to complain is available on Ofsted's website.<sup>11</sup>
36. Complaints must be submitted no more than 10 working days after the publication of any inspection report. Ofsted does not normally withhold or withdraw publication of an inspection report while complaints are investigated.

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<sup>11</sup> *Raising concerns and making a complaints about Ofsted*, Ofsted, 2015; [www.gov.uk/government/publications/complaints-about-ofsted](http://www.gov.uk/government/publications/complaints-about-ofsted).

Complainants should not wait for the outcomes of any related Freedom of Information (FOI) request before making a complaint.

## Requests for deferrals

37. Requests for a deferral will be handled in accordance with Ofsted's policy about the deferral of inspections.<sup>12</sup> If a school requests a deferral, HMI must contact the regional duty desk immediately. The deferral policy makes clear that the absence of the headteacher is not normally a reason for deferring an inspection.

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<sup>12</sup> *Deferring Ofsted inspections*; Ofsted, August 2015;  
[www.gov.uk/government/publications/deferring-ofsted-inspections](http://www.gov.uk/government/publications/deferring-ofsted-inspections).

## Part 2. Inspections carried out under section 8

38. This section sets out in more detail the approach inspectors should take when undertaking section 8 inspections in a variety of different contexts.

### Short inspections of schools judged good at their most recent section 5 inspection

#### Introduction

39. This section explains how Ofsted will conduct short inspections of schools that were judged good at their most recent section 5 inspection. Short inspections last for one day<sup>13</sup> and take place approximately every three years. A short inspection determines whether the school continues to provide a good standard of education for the pupils and that safeguarding is effective.
40. These arrangements will also apply to special schools, pupil referral units and maintained nursery schools that were judged outstanding at their previous section 5 inspection. These settings are currently not exempt from inspection under section 5 if they are judged outstanding. All references to short inspections for good schools in this section, therefore, include good and outstanding provision of these types.<sup>14</sup>
41. A short inspection will **not** result in individual graded judgements. It will **not** change the overall effectiveness grade of the school. If the inspection is converted to a section 5 inspection (see paragraph 46 for the circumstances in which this may happen), then inspectors will make the full set of graded judgements using the four-point grading scale, required under section 5.
42. Once a school has received its first short inspection, further short inspections will be conducted at approximately three-year intervals.<sup>15</sup>

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<sup>13</sup> Inspectors will be on site for one day. In addition, half a day is allocated for the HMI lead inspector to prepare and half a day to write the inspection report.

<sup>14</sup> For example, where we refer to inspectors confirming that the school remains good, in the case of these types of provision the inspector may confirm that they continue to provide an outstanding standard of education if they were previously judged outstanding. Where the provision was previously outstanding and inspectors have insufficient evidence to confirm that it remains outstanding, they will convert the inspection to a section 5 inspection, just as inspectors of a good primary or secondary school would do for a school in the same circumstances.

<sup>15</sup> In exceptional circumstances, any school may be selected for a section 8 'no formal designation' or section 5 inspection rather than a short inspection. This might arise if, for example, concerns are raised by a qualifying complaint about the school.

## Staffing of short inspections

43. HMI will lead short inspections. Short inspections of all secondary schools and large primary schools (600 pupils or more on roll) will be led by an HMI accompanied by a team inspector and will take place in a day. In primary schools with fewer than 600 pupils on roll, the inspection will be conducted by one HMI. For pupil referral units and special schools (including maintained residential special schools and non-maintained special schools with residential provision), the inspection will be led by an HMI accompanied by a team inspector. Depending on the complexity of the provision and number of sites in use, up to two more inspectors will be assigned as a team for the short inspection.
44. If the lead inspector decides to convert the short inspection under section 8 to a section 5 inspection to gather more evidence about whether the school remains good, they may be joined by one or more inspectors.

## Outcomes of a short inspection

45. The purpose of a short inspection is to determine whether the school continues to provide a good standard of education and whether safeguarding is effective.
46. There are three possible outcomes for a short inspection. These are explained below and are illustrated in the diagram on page 15.
  - **Outcome 1** – the school continues to be a good school  
or
  - **Outcome 2** – the school remains good and there is sufficient evidence of improved performance to suggest that the school may be judged outstanding. The short inspection will be converted to a section 5 inspection, usually within 48 hours  
or
  - **Outcome 3** – HMI have insufficient evidence to satisfy themselves that the school remains good or there are concerns. The short inspection will be converted to a section 5 inspection, usually within 48 hours.
47. Inspectors **will always** report on whether or not safeguarding is effective. If safeguarding is not effective, HMI **will always** convert the short inspection to a section 5 inspection.

## Schools that remain good (outcome 1)

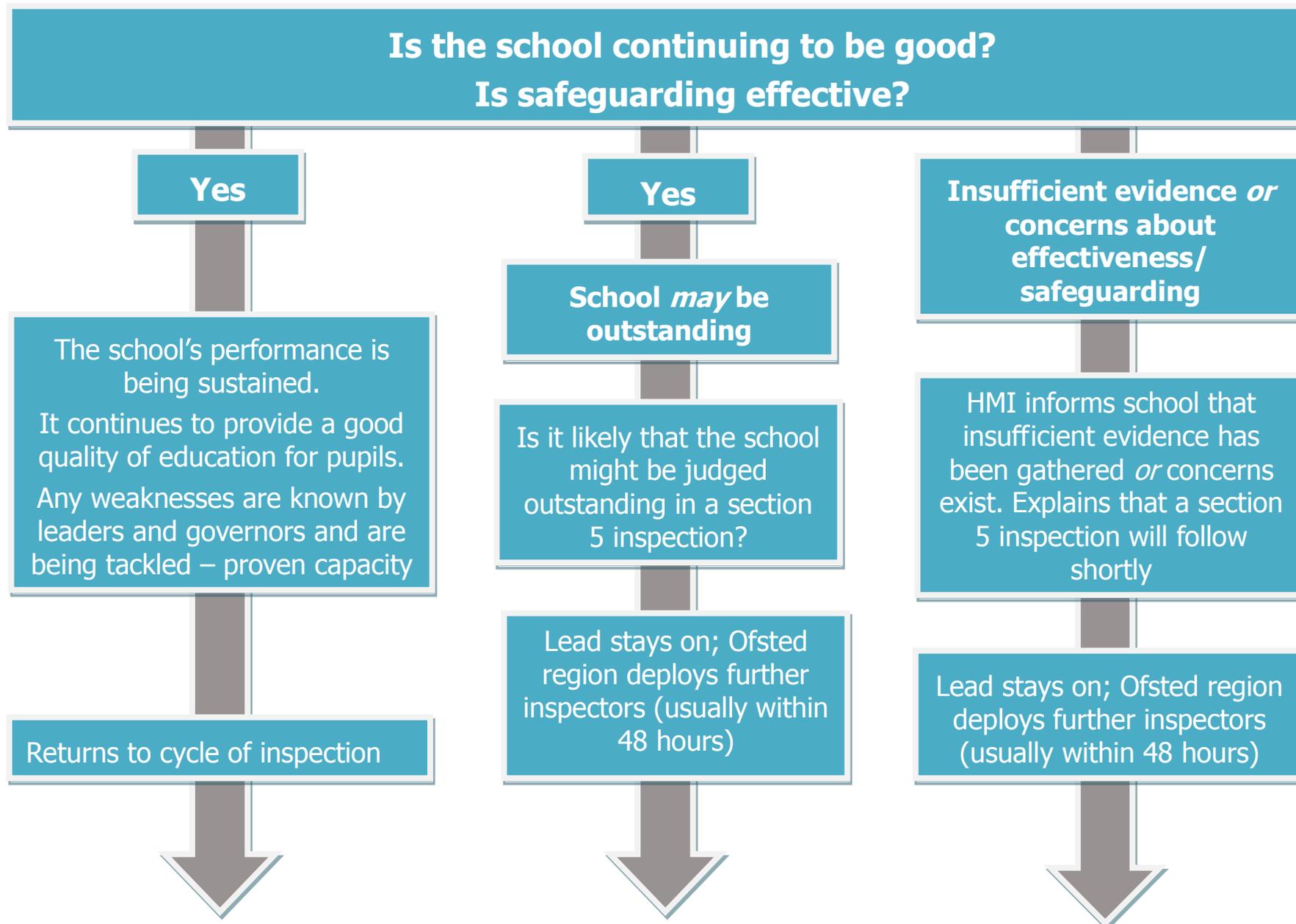
48. Where HMI judge that a school remains good, they will confirm this judgement in the final feedback to the school at the end of the short inspection. HMI will also suggest next steps for the school to work on before the next short inspection. The lead inspector will notify their Ofsted regional support team as soon as this decision is made.

### Converting short inspections to section 5 inspections (outcomes 2 and 3)

49. Where HMI consider that a school remains good and there is sufficient evidence of marked improvement in its performance to believe that the school may be judged outstanding under a section 5 inspection, this will be made clear to the school before the end of the day. In this situation, the HMI lead inspector will convert the short inspection to a section 5 inspection and will notify the school and their Ofsted regional support team as soon as this decision is made.
50. Where the HMI lead inspector has insufficient evidence to confirm that the school remains good or is concerned that there is evidence that the school may no longer be good (which may include concerns about safeguarding), this will be made clear to the school before the end of the day. In this situation, the HMI lead inspector will convert the short inspection to a section 5 inspection and will notify the school and their Ofsted regional support team as soon as this decision is made.
51. For outcomes 2 and 3, the short inspection will be converted into a section 5 inspection as soon as possible.<sup>16</sup> This will usually be within 48 hours of the short inspection. More inspectors may join the HMI lead inspector on site. This may include HMI and/or Ofsted Inspectors as team inspectors. The short inspection will become a section 5 inspection and the team will gather and evaluate evidence in order to make a full set of graded judgements. In all short inspections that convert to a section 5 inspection, the HMI lead inspector will remain the lead inspector for the full inspection.
52. A decision to convert the inspection **does not** predetermine the outcome of the section 5 inspection. At the end of the section 5 inspection, the school may receive any grade of the four-point grading scale.
53. A short inspection report will not be produced when the short inspection converts to a section 5 inspection. Instead, the school will receive a section 5 inspection report.

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<sup>16</sup> Section 9 of the Education Act 2005 states that these section 8 inspections can be treated as section 5 inspections.



## Principles for working with the headteacher, senior leaders and governors on short inspections

54. As with all other inspections under the CIF, the new model of short inspections is designed to promote even more constructive, challenging professional dialogue between HMI and school leaders. HMI will start the short inspection from the assumption that the school remains good. They will test this over the course of the day through their inspection activities and ongoing debate and discussion with leaders and governors.
55. Short inspections provide schools with the opportunity to share with HMI how they are sustaining and continuing to improve the good quality of education for pupils. Short inspections also provide leaders, managers and governors with the opportunity to demonstrate their capacity for driving further improvement in their school. HMI will test whether leaders and governors have identified weaknesses or areas needing development at the school. In reaching their judgement about whether the school remains good, HMI will focus particularly on the capacity of leaders and governors to identify such areas and tackle them quickly and effectively.
56. HMI will plan inspections so that leaders and governors have time to present evidence about key improvements at the school, their assessment of the current performance of the school and action planning that supports improvement. At the first meeting between HMI and the headteacher and/or other senior leaders, school leaders will summarise their evaluation of the school's current performance and HMI will discuss the initial lines of enquiry and key issues to be considered during the day. The schedule for each short inspection will be unique, reflecting these areas, so school leaders should not expect the schedule to be the same as for other schools or indeed to be asked about the same issues as other schools. The initial lines of enquiry may be adapted during a short inspection as new evidence becomes available or other issues emerge. HMI will share these with the headteacher and leaders as the day progresses.
57. Leaders and governors are **not** required to:
  - prepare documentary evidence that is in addition to any standard documents or policies that leaders and governors use for the normal day-to-day business of the school
  - prepare a self-evaluation or equivalent in a specified format or with any specific wording; any assessment they provide should be part of the school's usual evaluation work and not generated solely for inspection purposes.
58. Short inspections will focus primarily on the lines of enquiry and key questions identified during the lead inspector's preparation, together with any areas identified through discussions with the headteacher, governors and/or senior leaders; any areas for improvement from the previous section 5 inspection report; and/or next steps from a previous short inspection.

59. The main purpose of the short inspection is to evaluate:
- whether the school remains good
  - whether safeguarding is effective or not
  - the capacity of all leaders, managers and governors to drive continued improvement
  - how well the school has dealt with any areas for improvement identified at the previous section 5 inspection or the next steps identified from a previous short inspection.

### **Observing teaching, learning and assessment**

60. In line with section 5 inspection practice, inspectors will not grade the quality of teaching in individual lessons, learning walks or similar sessions. Inspectors will visit lessons to gather evidence about teaching, learning and assessment and will consider this first-hand evidence alongside any documentary evidence about the quality of teaching and views from leaders, governors, staff, pupils and parents. Inspectors may also include evidence from observing pupils' learning in, for example, PE, sport and extra-curricular activities.
61. HMI will agree with the headteacher the strategy for selecting which classes to visit and which observations will be conducted jointly with the headteacher and/or senior leaders. HMI will wish to hear about how leaders have sustained and developed further the good teaching in the school and the impact of leaders' work to support any staff to improve their practice. The first meeting at the start of the inspection between HMI and the headteacher and/or senior leaders will give an opportunity for leaders to share their evaluation of teaching with the HMI and signpost where they judge the teaching to be highly effective. HMI will also agree how best to provide feedback to staff and ensure that the headteacher understands fully how and when feedback will be provided to staff.
62. The strategy for visiting lessons agreed with the headteacher may include:
- short visits to a number of lessons and short observations of small group teaching
  - observing learning in lessons, during which they may observe activities, talk with pupils about their work and scrutinise pupils' work
  - joining a class or specific year group of pupils as they go from lesson to lesson, to assess their experience of a school day or part of a school day – inspectors may identify a class or classes that contain one or more pupils from any specific groups identified in the pre-inspection analysis and initial lines of enquiry. In this way, the experience, progress and learning of these pupils can be judged within the context of other pupils' experience, such as their behaviour, attitudes to learning and access to the curriculum

- joint observations of teaching and learning carried out with the headteacher and/or senior staff – agreed at the start of the short inspection.

### **Seeking the views of registered parents and other partners on short inspections**

63. When a school is notified of a short inspection, leaders and governors should take such steps as are reasonably practicable to inform all registered parents of registered pupils at the school, including those who have been excluded, attend alternative provision or are away from school. Schools should also be invited to notify relevant bodies of the inspection, including providers of alternative provision.
64. The views of staff in schools will usually be gathered through a questionnaire that the inspection coordinator sends to the school along with the formal notification of inspection. The school is asked to distribute the questionnaire to all staff apart from those in the boarding provision (whose views will have already been sought through the point-in-time survey). Staff should complete and return their questionnaire by 11am of the day of the inspection, where practicable.
65. Ofsted's email confirming the inspection includes a letter that can be used to notify parents formally. It explains how to use Parent View and how parents can contact inspectors. Schools should actively encourage parents to complete Parent View as early as possible by placing a link on their website to the Parent View website.<sup>17</sup> Inspectors should encourage the school to notify parents using its own electronic systems (such as SMS messages), where these are available.
66. HMI will review the evidence from Parent View throughout the short inspection to ensure that all online responses received during the inspection are taken into account. If the response rate for Parent View is low, inspectors may take steps during the inspection to gather further evidence of parents' views.
67. HMI will also take into account any other evidence from parents, including the results of any past surveys the school has carried out or commissioned. If individual parents raise serious issues, inspectors should follow these up with the school and record its response as part of the evidence gathered during the inspection.

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<sup>17</sup> <https://parentview.ofsted.gov.uk/>.

## Before the short inspection

### The lead inspector's planning and preparation

68. Before the inspection, HMI will evaluate a range of available contextual and performance information:
- the previous section 5 inspection report (and, where applicable, the most recent short inspection report), paying particular attention to the areas identified for further improvement
  - the findings of any recent Ofsted survey and/or monitoring letters
  - responses from Parent View,<sup>18</sup> Ofsted's online survey available for parents<sup>19</sup>
  - the school's self-evaluation or brief summary as appropriate, including any specific information about curriculum and governance
  - issues raised by, or the findings from, the investigation of any qualifying complaints<sup>20</sup> about the school (inspectors do not investigate individual complaints but they must consider any wider issues raised by the complaint)<sup>21</sup>
  - information available from the provider information portal (PIP),<sup>22</sup> including any warning notices issued to maintained schools<sup>23</sup>
  - the executive summary and areas for development of the most recent Ofsted inspection report on the relevant local authority's child protection arrangements; this may be either as a stand-alone inspection or as part of the wider inspection of services for children in need of help and protection, children looked after and care leavers
  - information on the school's website, including its statement on the use of the pupil premium,<sup>24</sup> in primary schools the PE and sport premium, the

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<sup>18</sup> <https://parentview.ofsted.gov.uk/>.

<sup>19</sup> 'Parents' refers to mothers, fathers and/or carers.

<sup>20</sup> The Chief Inspector has specific powers (under section 11A-C) of the Education Act 2005 to investigate certain complaints known as qualifying complaints. Further guidance is available in *Complaints to Ofsted about schools: guidance for parents* (080113), April 2014; [www.ofsted.gov.uk/resources/complaints-ofsted-about-schools-guidance-for-parents](http://www.ofsted.gov.uk/resources/complaints-ofsted-about-schools-guidance-for-parents).

<sup>21</sup> Further guidance for inspectors can be found in the guidance issued by the Complaints about Schools Team: *Guidance for obtaining information on complaints in preparation for inspections, Ofsted 2015*. Inspectors can access this through the engagement hub: <https://ofstedengagement-hub.ofsted.gov.uk/user/login?destination=home>

<sup>22</sup> The provider information portal (PIP) provides a high-level view for Ofsted inspectors of information about providers we inspect and regulate.

<sup>23</sup> Warning notices for academies are listed at [www.gov.uk/government/publications/list-of-letters-to-academy-trusts-about-poor-performance](http://www.gov.uk/government/publications/list-of-letters-to-academy-trusts-about-poor-performance). Inspectors should also note that they can locate individual warning notices by conducting a search on GOV.UK by typing the name of the academy followed by the words 'warning notice' into the search facility.

<sup>24</sup> 'Disadvantaged pupils' refers to those pupils for whom the pupil premium provides support: [www.gov.uk/pupil-premium-information-for-schools-and-alternative-provision-settings](http://www.gov.uk/pupil-premium-information-for-schools-and-alternative-provision-settings).

statutory sharing with parents of curriculum information (so the lead inspector can start to assess the breadth and balance of the school's curriculum and whether it is likely to promote preparation for, and an appreciation of, life in modern Britain), the special educational needs (SEN) information report, information about the promotion of equality of opportunity and other information for parents<sup>25</sup>

- data in the inspection dashboard and, for schools with sixth forms, the sixth form PANDA
- published data for attendance and exclusions
- any other information from relevant stakeholders, such as the Regional Schools Commissioners, local authorities, the DfE and the police.

69. In preparing for a short inspection in which there is a team inspector, the HMI lead inspector will share with the team inspector:

- essential information about the school and the start time for the short inspection
- a pre-inspection summary of key questions and initial lines of enquiry to be discussed with the school's senior leaders at the initial meeting at the start of the inspection
- a brief outline of inspection activity, for example proposed meetings with pupils or staff, although this will be finalised with the school's senior leaders once on site for the start of the short inspection.

### **Notification and introduction**

70. For maintained schools and academies (including PRUs and special schools), Ofsted will normally contact the school by telephone to announce the inspection at, or just after, midday on the working day before the short inspection.

71. Requests for a deferral will be handled in accordance with Ofsted's deferral policy.<sup>26</sup> During a notification call, if the headteacher is unavailable, Ofsted will ask to speak to the next most senior member of staff. Once it has been confirmed that the short inspection will take place, Ofsted will send confirmation to the school by email.

72. Once Ofsted has informed the school of the inspection, the HMI lead inspector will contact the school and ask to speak to the headteacher. The call will be short and focused on practical issues.

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<sup>25</sup> Guidance for schools about information that must be published on a school website is available at: [www.gov.uk/what-maintained-schools-must-publish-online](http://www.gov.uk/what-maintained-schools-must-publish-online).

<sup>26</sup> *Deferring Ofsted inspections*, August 2015; [www.gov.uk/government/publications/deferring-ofsted-inspections](http://www.gov.uk/government/publications/deferring-ofsted-inspections).

73. During the call with the school, the HMI lead inspector will:
- explain that the short inspection is carried out under section 8 of the Education Act 2005
  - confirm the date of the inspection and remind the school that the short inspection report will be published as a letter on Ofsted's website (unless the short inspection converts to a full section 5 inspection)
  - explain the purpose of the short inspection
  - explain clearly that, during the short inspection, inspectors will not make graded judgements about the school and that the overall effectiveness grade cannot be changed on a short inspection
  - indicate the likely format for the short inspection, including start and finish times and the types of activities that are likely to be undertaken (the exact activities to be undertaken will be agreed with the headteacher at the start of the short inspection)
  - confirm that teaching in individual teachers' lessons will not be graded and that inspectors will follow the guidance set out in the school inspection handbook<sup>27</sup> when observing in lessons
  - make initial arrangements for meetings with school leaders, governors, members of staff, pupils and parents
  - ensure that the headteacher is aware that Ofsted's evidence must not be used in competency/disciplinary proceedings or for the purposes of performance management
  - establish what the governance structure of the school or academy is and confirm that the school is able to inform the governing body or the representatives of those responsible for governance and the local authority that HMI may wish to speak to them during the inspection
  - agree with the headteacher how best to gather evidence of parents' views, including through Parent View and, where practicable, through discussions/meetings with parents or groups of parents during the short inspection
  - establish whether the school has a special educational needs resource base
  - establish whether the school runs or uses any off-site provision
  - establish whether the school provides support to any other schools (or receives it).

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<sup>27</sup> *School inspection handbook*, Ofsted, August 2015; [www.gov.uk/government/publications/school-inspection-handbook-from-september-2015](http://www.gov.uk/government/publications/school-inspection-handbook-from-september-2015)

74. During the telephone call with the headteacher, HMI will also discuss the sources of information that will enable senior leaders to provide evidence that the school remains good. HMI will request that the following information is available at the start of the inspection:
- a summary of any school self-evaluation or equivalent
  - the current school improvement plan or equivalent, including any strategic planning that sets out the longer-term vision for the school
  - school timetable, current staff list and times for the school day
  - any information about pre-planned interruptions to normal school routines during the inspection
  - the single central record of the checks and vetting of all staff working with pupils
  - records and analysis of exclusions, pupils taken off roll and incidents of poor behaviour; any use of internal isolation
  - records and analysis of bullying, discriminatory and prejudicial behaviour, either directly or indirectly, including racist, disability and homophobic bullying, use of derogatory language and racist incidents
  - a list of referrals made to the designated person for safeguarding in the school and those that were subsequently referred to the local authority, along with brief details of the resolution
  - a list of all pupils who are open cases to children's services/social care and for whom there is a multi-agency plan
  - up-to-date attendance analysis for all groups of pupils
  - records of the evaluation of the quality of teaching, learning and assessment
  - information about the school's performance management arrangements, including the most recent performance management outcomes and their relationship to salary progression, in an anonymised format
  - documented evidence of the work of governors and their priorities, including any written scheme of delegation for an academy in a multi-academy trust
  - any reports of external evaluation of the school, including any review of governance or use of the pupil premium funding.
75. HMI should then agree a time at the start of the inspection for a focused discussion with the headteacher and/or other senior leaders.
76. HMI should be mindful that the headteacher will need to accommodate the inspection at short notice while still managing the day-to-day operation of the school.
77. Inspection evidence gathered during a short inspection will be used for any subsequent section 5 inspection where the HMI decides to convert the short inspection to a section 5 inspection because they are unable to gather sufficient

evidence to satisfy themselves that the school remains good. This will be made clear to those responsible for leading the school.

## During the short inspection

### Typical inspection day

78. The HMI lead inspector will construct a timetable for the short inspection based on the key lines of enquiry identified during preparation and any areas identified through discussions with the headteacher, governors and/or senior leaders. This timetable may be adapted as new evidence becomes available or other issues emerge. There is therefore no 'standard' short inspection timetable. Every short inspection is different.
79. Inspectors will not arrive before 8.00am. They will meet the headteacher and/or senior leadership team at the beginning of the short inspection. Part of this discussion will deal with the practical aspects of the inspection. However, the majority of this conversation will be an extended, focused discussion about leaders' evaluation of the strengths and weaknesses of the provision. During this meeting, inspectors and leaders will:
- discuss the school's self-evaluation and the key lines of enquiry inspectors have identified during their preparation
  - confirm arrangements for meetings with pupils, staff and representatives of those responsible for the governance, and parents as relevant
  - confirm arrangements for providing feedback to the school at the end of the day
  - request information about staff absence and any other practical issues
  - ascertain whether there are particular reasons why any teachers should not be observed, for example where they are subject to capability procedures.
80. Inspectors **must** always judge whether the school's arrangements for **safeguarding** are effective. They will check the single central record and look at a small sample of case studies of referrals, checking how the referral was made and the thoroughness of any follow-up.
81. The short inspection will focus on evidence of how effectively the school's leaders and managers, including governors, are:
- sustaining a good quality of education for pupils
  - demonstrating capacity to remedy any minor weaknesses that are not of sufficient concern for HMI to convert the inspection from a short to a section 5 inspection.
82. During the short inspection, HMI will carry out inspection activities that will vary depending on the circumstances of the school. Inspectors do not make individual graded judgements. Instead, they will investigate some aspects of

the key judgements when they determine the lines of enquiry for the short inspection. These lines of enquiry are revised and amended during the focused discussion with the headteacher and senior leaders.

83. Inspectors will always focus their attention on:

- whether leaders and managers are demonstrating the capacity to drive improvement.

84. They will also look at:

- whether the quality of teaching, learning and assessment is being sustained or improved
- aspects of the personal development, behaviour and welfare of pupils (with particular reference to pupils' attitudes and conduct)
- whether good outcomes are being achieved (including in the Early Years Foundation Stage or 16 to 19 study programmes)
- aspects of the quality and impact of any external support, where relevant, and the challenge provided to the school by the local authority, proprietor, trust or sponsor.

### **Feedback at the end of the short inspection**

85. At the end of the short inspection, the HMI will provide brief oral feedback that will typically:

- report the range of evidence gathered
- provide the school with a judgement about whether the school remains good
- report whether safeguarding is effective
- make clear that the text of the short inspection report may differ slightly from the oral feedback
- ensure that leaders are clear about the procedures leading to the publication of the report.

### **After the short inspection**

#### **Reporting on the short inspection**

86. The school will receive a report setting out the inspection findings, in the form of a letter, that will be published on the Ofsted website. Schools should inform parents that this report has been published. The short inspection report will include:

- the date of the inspection
- a brief summary of any significant changes to the context of the school

- a summary of the type of evidence gathered during the inspection and the context of the school
- the judgement that safeguarding arrangements are effective
- the judgement that the school is still providing a good standard of education
- identification of any next steps the school should take.

## **Monitoring visits and support for schools that require improvement in order to become good or outstanding**

87. This section of the handbook sets out Ofsted's approach to challenging and supporting schools that are judged as requires improvement at their section 5 inspection. The guidance outlines the main activities that may be undertaken by HMI from the time that the school is judged to require improvement until it is re-inspected under section 5 of the Education Act 2005.
88. Schools judged to require improvement will be re-inspected under section 5 usually no later than the end of the term in which the 24th month after the publication of the report falls.<sup>28</sup>
89. Schools judged to require improvement will be subject to monitoring by Ofsted, although the school is not in a formal category of concern. Schools judged to require improvement where the effectiveness of leadership and management was judged as good at the most recent section 5 inspection will not usually receive a monitoring inspection.
90. Schools judged to require improvement where the effectiveness of leadership and management was also judged to require improvement will receive an initial monitoring inspection. This initial monitoring inspection will usually take place at some time during the two-year period following the publication of the section 5 inspection report.
91. Following the initial monitoring inspection, the monitoring HMI will recommend whether or not further monitoring and/or other activity should occur to encourage the school's improvement. Where the HMI considers that a school is ready for re-inspection because it has made good progress, she or he may recommend that the next section 5 inspection be brought forward. Conversely, when the HMI feels that the school would benefit from further time to improve to good, she or he may recommend that the school is re-inspected later in the two-year monitoring period. In some exceptional circumstances (for example when a new headteacher is taken on to lead the school since it was judged to require improvement), the HMI may recommend to the Regional Director that

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<sup>28</sup> Recently appointed headteachers of schools judged to require improvement who may have concerns about the scheduling of their school's next section 5 inspection may write to the relevant Ofsted Regional Director to set out the context of their school's present position.

the school is given further time to improve. At the discretion of the Regional Director, this can be beyond the end of the term in which the 24th month after the publication of the report of the previous inspection falls. This should not place the re-inspection any more than 30 months after the publication of the inspection report that judged the school to require improvement.

92. If at the section 5 re-inspection the school has not demonstrated that it has improved to good, the lead inspector will need to consider whether the school continues to require improvement or may be inadequate. If the school has demonstrated improvement in some areas and there is a general upward trend but key aspects of performance remain less than good, the school may be judged as requires improvement for a second time.
93. Where the school requires improvement, there will be further monitoring and another section 5 inspection will take place within a further two years. If at this inspection the school is still not good, it is highly likely that it will be judged inadequate and deemed to require special measures. This will be because the school is not providing an acceptable standard of education and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement. The law states that for a school to be judged to require special measures the twin tests set out in section 44(1) of the Education Act 2005<sup>29</sup> must be met.
94. However, there may be exceptions to this. For example, if there is a clear, sustained, upward trend but the school is not yet good in all areas, inspectors may not judge the school to require special measures.

## Before the inspection

### Staffing

95. One of Her Majesty's Inspectors will carry out the initial monitoring inspection, which lasts one day. Another inspector will not normally accompany the HMI on the inspection.
96. Where a school that requires improvement has residential or boarding provision, the HMI lead inspector should inform the Senior HMI for social care in the region.<sup>30</sup>

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<sup>29</sup> For the definition of special measures, see Education Act 2005, section 44(1): [www.legislation.gov.uk/ukpga/2005/18/section/44](http://www.legislation.gov.uk/ukpga/2005/18/section/44).

<sup>30</sup> Further guidance for education and social care inspectors on conducting integrated monitoring inspections is available at [www.gov.uk/government/collections/ofsted-inspections-of-boarding-and-residential-provision-in-schools](http://www.gov.uk/government/collections/ofsted-inspections-of-boarding-and-residential-provision-in-schools).

## Planning the first monitoring inspection

97. Schools judged to require improvement are not required to prepare a separate action plan, but are expected to amend their existing plans to address the areas for improvement identified by the section 5 inspection.
98. The lead inspector will prepare by reviewing:
- the previous section 5 inspection report, paying particular attention to the areas recommended for further improvement
  - the findings of any recent Ofsted survey report
  - the school's website, including its statement on the use of the pupil premium,<sup>31</sup> in primary schools the PE and sport premium, the statutory sharing with parents of curriculum information (so the lead inspector can start to assess the breadth and balance of the school's curriculum and whether it is likely to promote preparation for, and an appreciation of, life in modern Britain), the special educational needs (SEN) information report, information about the promotion of equality of opportunity, and other information for parents<sup>32</sup> and information about governance
  - any performance information published since the section 5 inspection
  - information from Parent View<sup>33</sup>
  - the school's self-evaluation or brief summary as appropriate, including any specific information about curriculum and governance; this might include the outcomes and actions resulting from any external review of governance and/or use of the pupil premium funding.
99. During the monitoring inspection, HMI will decide where to focus inspection activities to gather evidence about how urgently and effectively leaders and governors are tackling the key areas for improvement identified at the most recent section 5 inspection. Evidence will also be gathered to assess and report on progress made since the school was judged as requires improvement.

## Notification

100. HMI will telephone the school up to two days in advance for the monitoring inspection. This is to ensure that members of the governing body and representatives of the local authority or other appropriate authority are available when the monitoring inspection takes place.

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<sup>31</sup> 'Disadvantaged pupils' refers to those pupils for whom the pupil premium provides support.

<sup>32</sup> Guidance for schools about information that must be published on a school website is available at: [www.gov.uk/what-maintained-schools-must-publish-online](http://www.gov.uk/what-maintained-schools-must-publish-online).

<sup>33</sup> <http://www.parentview.ofsted.gov.uk/>

101. If the headteacher is unavailable, HMI should ask to speak to the next most senior member of staff and explain the arrangements for the monitoring inspection. HMI should seek to ensure that the headteacher will be present on the day of the inspection. Once the inspection has been confirmed, HMI will inform the inspection support team at Ofsted, who will send formal notification to the school by email.
102. HMI will inform Ofsted that the monitoring inspection is confirmed and taking place. The inspection support administrator at Ofsted will send formal confirmation of the inspection to the school by email.
103. During the initial telephone call with the school, HMI will:
- confirm the date of the inspection
  - explain the purpose of the monitoring inspection
  - confirm that the school is able to inform the governing body and the local authority/proprietor/trust (as relevant) that HMI will wish to speak to them during the inspection<sup>34</sup>
  - provide the opportunity to discuss any specific issues that HMI should be made aware of before arriving to start the monitoring inspection the next day.

## During the inspection

### Focus of the monitoring inspection

104. The monitoring inspection will focus on:
- examining with school leaders and governors whether the fundamental actions needed to improve the school are being taken quickly and robustly – pupils are unlikely to be served well by a school that has focused on peripheral matters or only on planning, rather than directly on the core issues that need tackling
  - where an external review of governance and/or use of the pupil premium was recommended at the section 5 inspection, identifying how urgently it has been commissioned and, if it has taken place, reviewing its impact<sup>35</sup>

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<sup>34</sup> HMI may need to explain to the governing body and the local authority/proprietor/trust that the monitoring inspection is being carried out under section 8 of the Education Act 2005.

<sup>35</sup> Where a review on the use of the pupil premium is recommended, schools are directed to the relevant DfE guidance ([www.gov.uk/pupil-premium-reviews](http://www.gov.uk/pupil-premium-reviews)) in the covering letter sent with the final section 5 inspection report. This guidance states: 'You should start the process of commissioning a review within 2 weeks of it being recommended and should aim to have the review completed within 8 weeks.'

- identifying with the school any barriers to progress towards becoming a good or outstanding school
- reviewing the impact of any external support on the school's improvement
- determining the extent of progress that has been made since the school was judged to require improvement
- determining the nature and timing of further activity by HMI to support improvement
- where applicable, recommending whether or not the school is ready for a section 5 re-inspection.

### Monitoring inspection activities

105. During the telephone call with the school, HMI will agree the inspection activities needed to gather evidence of the impact of leaders' and governors' actions since the last section 5 inspection, as well as the progress that has been made since that inspection.
106. While HMI will consider the progress made in implementing the school's action plan and the impact of leaders and governors actions, HMI are **not** visiting simply to evaluate action plans, but to challenge and support the school. Through inspection activities, HMI will gather evidence about the pace of improvement and make certain that leaders and governors are making the necessary improvements swiftly and sustainably.
107. During the monitoring inspection, HMI will:
- meet with the headteacher and other senior leaders to establish a purposeful and productive working relationship and conduct a focused meeting to discuss the actions taken so far to tackle issues from the section 5 inspection
  - hold meetings with representatives of the local authority/proprietor/trust and the chair and members of the governing body to establish what action is being taken, including in relation to the progress and impact of any review of governance and/or the school's use of the pupil premium
  - gather any other evidence needed, which may include discussions with staff and pupils, reviewing records of teacher performance and minutes of governing body meetings, observing learning and pupils' behaviour, talking to pupils about their work and their progress
  - consider views expressed on Parent View; where possible, talk to parents about their views about the school
  - discuss with the headteacher the next steps, including any possible further monitoring inspections or other improvement activity
  - plan time to reflect and summarise the evidence, draft the monitoring report and consider what, if any, further challenge or support is required.

## Arriving at final judgements

108. At the end of the monitoring inspection, HMI will make a single overarching judgement stating:

- 'Senior leaders and governors/responsible authority/proprietor/trust are taking effective action to tackle the areas requiring improvement identified at the last section 5 inspection in order to become a good school'

or

- 'Senior leaders and governors/responsible authority/proprietor/trust are not taking effective action to tackle the areas requiring improvement identified at the last section 5 inspection in order to become a good school.'

## At the end of the inspection

### Final feedback

109. HMI will hold a feedback meeting with key stakeholders, including as many governors as possible, at the end of the monitoring inspection. HMI will expect to speak to the governing body, or as many governors as possible, where there are serious concerns about the lack of urgency in tackling weakness at the school. If needed, they will arrange to do so after the inspection.
110. Where HMI have concerns about the school, the effectiveness of leadership, governance or the lack of urgency with which weaknesses are being tackled, HMI will share the concerns with the school and make specific recommendations for more urgent action or intervention.
111. If a monitoring inspection identifies serious concerns about aspects of the school's performance, including the safeguarding of pupils, that were not identified in the last section 5 inspection or in any earlier monitoring visits, these will be reported to Ofsted and may lead to the next section 5 inspection being brought forward.
112. In exceptional circumstances, where the concerns are such that the school requires immediate inspection under section 5, the section 8 inspection may be deemed a section 5 inspection.<sup>36</sup> Where this is the case, all the judgements required by the evaluation schedule will be made and a section 5 inspection report produced. Where necessary, further inspection resource may be deployed to complete the inspection.

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<sup>36</sup> A section 8 inspection may be treated as if it were an inspection under section 5, using the Chief Inspector's discretionary power under section 9 of the Education Act 2005: [www.legislation.gov.uk/ukpga/2005/18/section/9](http://www.legislation.gov.uk/ukpga/2005/18/section/9).

## Reporting on the monitoring inspection

113. The content of the monitoring report, which is in the form of the letter, written at the end of the monitoring inspection will include:
- the date of the inspection and whether it was a first or subsequent monitoring inspection
  - a summary of the type of evidence gathered during the inspection and the context of the school
  - the judgement on whether the areas for improvement identified at the section 5 inspection are being tackled effectively
  - the relevance, urgency and any early impact of the work being undertaken to improve the school since the last section 5 inspection, with particular reference to the inspection findings and including, in all cases, the improvement of teaching and learning and the efficacy of school leadership and governance
  - a judgement on the effectiveness of the action taken and the progress made towards becoming a good school
  - the suitability of the school's plans to tackle the areas requiring improvement that were identified at the recent inspection and any recommendations from a previous monitoring inspection
  - the timeliness and impact of any external review of governance and/or use of the pupil premium that was recommended at the section 5 inspection
  - the quality and impact of any external support and whether or not it is being brokered effectively
  - any additional priorities for improvement arising from the monitoring inspection.

## Further challenge and support

114. Ofsted has a range of duties under section 117 (1) of the Education and Inspections Act 2006. One of these is to perform its functions for the general purpose of encouraging improvement in the services it inspects and regulates. Inspection and regulation are the principal ways of identifying strengths and weaknesses in the quality of provision and promoting improvement.

## Conducting subsequent monitoring inspections

115. During the initial monitoring inspection, HMI will give careful consideration to what further measures are needed to help the school improve, including initiatives led or arranged by HMI. Depending on resources, and at the discretion of the Regional Director, HMI may make further monitoring visit(s) to

the school<sup>37</sup> if they have concerns about the rate at which the school is improving. Such inspections will be carried out under section 8 and each will result in a published report in the form of a letter. HMI may also visit the school to assist in its improvement,<sup>38</sup> in which circumstances there will be no published report but, depending on the nature of the engagement, there might be a record of the visit, which is shared with the school.

116. Most schools judged to require improvement are unlikely to receive more than one monitoring inspection. However, where a further monitoring inspection is deemed necessary, for example because the initial monitoring inspection judged that the school was not taking effective action or making enough progress, this will take place after a suitable interval agreed between the HMI and the school and before the next section 5 inspection.
117. A second monitoring inspection will concentrate on how urgently and how effectively leaders and governors are taking actions to tackle the priorities for improvement identified at the initial monitoring inspection. HMI will identify additional priorities only where they are critical to the school's further development.

## Monitoring inspections for schools judged inadequate

118. Schools that are judged inadequate fall into one of two categories, both of which are formally defined in legislation as categories of concern:<sup>39</sup>
- serious weaknesses
  - or
  - special measures.

## Notification

119. Prior to the first monitoring inspection of a school with serious weaknesses or that requires special measures, HMI will normally inform the school up to two days in advance of the inspection. This is to allow the relevant strategic partners (local authority, proprietor or sponsor) to be present for discussion about support for the school and the likely pattern of monitoring. It will also enable as many members of the governing body as possible to attend inspection feedback.
120. If the headteacher is unavailable, HMI should ask to speak to the most senior member of staff available. Once the inspection has been confirmed, HMI will

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<sup>37</sup> Education Act 2005, section 8; [www.legislation.gov.uk/ukpga/2005/18/section/8](http://www.legislation.gov.uk/ukpga/2005/18/section/8).

<sup>38</sup> Education and Inspections Act 2006, section 117(1); [www.legislation.gov.uk/ukpga/2006/40/section/117](http://www.legislation.gov.uk/ukpga/2006/40/section/117).

<sup>39</sup> Education Act 2005, section 44; [www.legislation.gov.uk/ukpga/2005/18/section/44](http://www.legislation.gov.uk/ukpga/2005/18/section/44).

inform the inspection support administrator at Ofsted, who will send formal notification to the school by email.

121. Requests for a deferral will be handled in accordance with Ofsted’s policy about the deferral of inspections.<sup>40</sup> If a school requests a deferral, HMI must contact the regional duty desk immediately. The deferral policy makes clear that the absence of the headteacher is not normally a reason for deferring an inspection.

## Guidance for inspecting schools that have serious weaknesses

### Introduction

122. Schools are judged to have serious weaknesses where Her Majesty’s Chief Inspector (HMCI) is of the opinion that:

‘The school requires significant improvement because it is performing significantly less well than it might in all the circumstances reasonably be expected to perform.’<sup>41</sup>

123. A school with serious weaknesses is inadequate (grade 4) in one or more of the key judgements and/or there is significant weakness in pupils’ spiritual, moral, social and cultural development. However, leaders, managers and governors are judged capable of securing improvement, which means that leadership and management are judged as requires improvement (grade 3) or above. These schools are formally categorised as schools causing concern.
124. Schools judged to have serious weaknesses are not required to prepare a separate action plan. They are expected to amend their existing plans to address the areas for improvement identified by the section 5 inspection. The local authority,<sup>42</sup> proprietor or trust<sup>43</sup> must submit a statement and a plan of action<sup>44</sup> to HMCI<sup>45</sup> within 10 working days of the school receiving the section 5 inspection report. An HMI will be allocated to review the statement of action before making the first monitoring inspection. HMI will provide initial feedback in writing on the fitness for purpose of the statement and the plan. HMI will usually conduct the first monitoring inspection within three to six months of the publication of the section 5 inspection report.

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<sup>40</sup> *Deferring Ofsted inspections*, Ofsted, August 2015; [www.gov.uk/government/publications/deferring-ofsted-inspections](http://www.gov.uk/government/publications/deferring-ofsted-inspections).

<sup>41</sup> Education Act 2005, section 44; [www.legislation.gov.uk/ukpga/2005/18/section/44](http://www.legislation.gov.uk/ukpga/2005/18/section/44).

<sup>42</sup> Education Act 2005, sections 15(2)(d) and 15(2)(e); [www.legislation.gov.uk/ukpga/2005/18/section/15](http://www.legislation.gov.uk/ukpga/2005/18/section/15).

<sup>43</sup> Education Act 2005, sections 17(1A)(d) and 17(3)(a); [www.legislation.gov.uk/ukpga/2005/18/section/17](http://www.legislation.gov.uk/ukpga/2005/18/section/17).

<sup>44</sup> Education Act 2005, schedule 7; [www.legislation.gov.uk/ukpga/2006/40/schedule/7](http://www.legislation.gov.uk/ukpga/2006/40/schedule/7).

<sup>45</sup> Statements of action must be sent to [QALstatementsofaction@ofsted.gov.uk](mailto:QALstatementsofaction@ofsted.gov.uk).

125. If the statement of action or the school's improvement plan are judged to be not fit for purpose, the local authority, proprietor or trust will be informed. They will be asked to address the weaknesses urgently and ensure that the revised version is available at the first monitoring inspection. In this case, the lead inspector will re-evaluate and report on the revised statement of action and/or the school's improvement plan during the first monitoring inspection.
126. During the first monitoring inspection, HMI will meet with the headteacher, the chair of the governing body and an appropriate representative of the local authority, academy proprietor or trust. HMI will look for evidence of how well leaders are implementing the statement of action and the school's improvement plan. If any concerns remain following the initial review and feedback on these, HMI should ensure that the current statement of action and improvement plans are fit for purpose.
127. If, after a programme of monitoring inspections lasting around 18 months, the school has not been removed from the serious weaknesses category of concern it must be re-inspected under section 5.

### **The monitoring inspection(s)**

128. Monitoring inspections will focus on the actions taken by the school's leaders and those responsible for governance to tackle the areas for improvement identified in the section 5 inspection that judged the school to have serious weaknesses. Monitoring inspections must also focus on the progress the school has made since being judged as having serious weaknesses.
129. The monitoring inspection report must include an assessment of the effectiveness of the action taken by the school towards removal of the serious weaknesses designation.
130. An overarching judgement will be made stating whether:
- leaders and managers are taking effective action towards the removal of the serious weaknesses designation
  - or
  - leaders and managers are not taking effective action towards the removal of the serious weaknesses designation.
131. The crucial factor is the anticipated timescale for the removal of serious weaknesses given the current rate of improvement. A school in which leaders and managers are taking effective action is one that will be on course to have the serious weaknesses designation removed within 18 months. A school that is not taking effective action will be likely to continue to have serious weaknesses, or may require special measures, when the section 5 re-inspection takes place. If a review has not taken place, this should be noted in the monitoring report.

132. The purpose of the monitoring inspection(s) is to evaluate how much progress the school has made by considering:
- the school's response to being judged as having serious weaknesses and how well placed it is to secure rapid improvement based on the actions taken since the section 5 inspection
  - the extent to which the school's actions are rigorously focused on tackling the key areas for improvement identified in the section 5 inspection
  - how effectively the school is adapting its existing school development or improvement plans to meet the challenge of moving out of the serious weaknesses category
  - the impact that governors at the school are having on bringing about the necessary improvements
  - where an external review of governance and/or use of the pupil premium was recommended at the section 5 inspection, how urgently it has been commissioned and, if it has taken place, reviewing its impact.<sup>46</sup>
133. If during the course of the first monitoring inspection it becomes evident that the statement of action or the school's improvement plan are not having the intended impact, they will be judged to be not fit for purpose. The local authority, proprietor or trust will be informed of this and asked to address the weaknesses urgently and present the revised version(s) at the next monitoring inspection. In this case, HMI will re-evaluate and report on the revised statement of action and/or the school's improvement plan during the second monitoring inspection. Monitoring inspections cover aspects of the evaluation schedule, but are selective and focused sharply on the areas for improvement identified by the section 5 inspection that judged the school to have serious weaknesses.
134. The work of the governing body or interim executive board should be evaluated with respect to the improving contribution that it makes to leadership and management and its impact on the school's performance.
135. If governance was not identified as an area for improvement at the section 5 inspection but the monitoring inspection raises concerns about weak governance, inspectors must include a recommendation in the monitoring letter that the school should commission an external review of governance. Where inspectors have concerns about the school's use of the pupil premium, they must recommend that an external review of its use be carried out.
136. Inspectors should consider whether the school's leaders continue to demonstrate convincingly that the school's capacity to improve is

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<sup>47</sup> Education Act 2005, section 44(1); [www.legislation.gov.uk/ukpga/2005/18/contents](http://www.legislation.gov.uk/ukpga/2005/18/contents).

strengthening. It is important that the school's leaders are having a significant impact on all of its areas of weakness and are capable of securing further improvement.

137. There should be clear evidence that leaders and managers are having an impact on accelerating learners' progress and thereby raising attainment, particularly in schools where attainment is low. The quality and impact of the external support provided to the school must also be considered, with particular reference to the local authority's, proprietor's or trust's statement of action and, as appropriate, the impact of any support and challenge provided by other external partners on school improvement.
138. Where a monitoring inspection identifies significant concerns about aspects of the school's performance that were not identified in the previous section 5 inspection or any earlier monitoring inspections, these must be considered by inspectors and will affect the judgement about the progress made by the school.
139. Not all schools will receive a second or third monitoring inspection. This will depend on the HMI lead inspector's evaluation of the quality of leadership and management and the school's rate of improvement towards becoming a good school.
140. If second or third monitoring inspections are carried out, inspectors will continue to evaluate the effectiveness of the school's actions towards the removal of the serious weaknesses designation. An overarching judgement will be made in the same format as specified above for the first monitoring inspection.
141. While, generally, the judgement will be informed by the school's progress in dealing with each of the areas for improvement identified by the section 5 inspection, other factors that arise during the monitoring period must not be ignored. HMI should make the key judgement about the school's overall progress towards the removal of the serious weaknesses designation by considering the evidence she or he has gathered and using their professional judgement.
142. Where the HMI lead inspector is satisfied that the school is taking effective action and making enough progress for the likely removal of the serious weaknesses designation, she or he will take the decision to deem the section 8 monitoring inspection as a section 5 inspection. This may result in the school being removed from serious weaknesses.
143. When the serious weaknesses designation is removed, whether through a section 8 deemed section 5 inspection or when the next section 5 inspection takes place, the lead inspector must, on the final day of the inspection, notify the Ofsted regional duty desk.

144. Where the section 5 inspection team has reached the judgement that the school no longer has serious weaknesses, the oral feedback and written report should include the formal statement that:

‘In accordance with section 13 (5) of the Education Act 2005, Her Majesty’s Chief Inspector is of the opinion that the school no longer requires significant improvement.’

145. The introduction to the report should explain why the school was inspected. For example:

‘When XXXX school was inspected in XX 201X, it was judged to have serious weaknesses. Subsequently, the school was inspected on xxx occasions. At the last monitoring inspection, the school was judged to be making reasonable/to not be making enough progress’

or

‘When XXXX school was inspected in XX 201X, it was judged to have serious weaknesses. Subsequently, the school was inspected on xxx occasions. At the last monitoring inspection, leaders and managers were judged to be taking/not taking effective action.’

## After the inspection

### *Feedback at the end of the monitoring inspection(s)*

146. The school will receive verbal feedback at the end of each monitoring inspection on the fitness for purpose of the statement of action and the school’s improvement plan. Feedback at the end of any monitoring inspections must:
- report the range of evidence gathered
  - include the judgement made about progress towards the removal of serious weaknesses, describing the progress made against the areas for improvement identified during the section 5 inspection that deemed the school to have serious weaknesses
  - comment on the impact of external support on school improvement
  - cover any specific issues identified by HMI in the pre-inspection preparation and during the inspection
  - make clear that the text of the letter or report may differ slightly from the verbal feedback, but that the judgements will not change unless quality assurance deems that appropriate.
147. HMI should identify additional priorities only where they are essential to the school’s further development. Progress against these priorities has to be evaluated at the next monitoring inspection and reported in the monitoring report. They are not to be added to the list of judgements to be made as set

out in the annex to the covering letter. The priorities should help the school focus on what needs to be done next to improve the quality of education.

### *The monitoring inspection letter and report*

148. For all monitoring inspections, the school will receive a brief covering letter with the judgements included and a monitoring report, both of which will be published on the Ofsted website. The first and possibly the second monitoring letter will need to comment on the fitness for purpose of the statement of action and of the school's improvement plan.
149. When a monitoring inspection focuses on only one or two aspects of provision, this should be clearly explained in the evidence section.
150. The monitoring letter and report must include:
- a summary of the evidence gathered by inspectors
  - a brief summary of any significant changes to the context of the school
  - a judgement about progress towards the removal of the serious weaknesses designation
  - a judgement about the effectiveness of leadership and management with specific reference to the impact that governors' actions are having on improvements
  - brief bullet points evaluating the progress made by the school in tackling the key areas for improvement, and brief bullet points setting out:
    - strengths in the school's approaches to securing improvement
    - weaknesses in the school's approaches to securing improvement
  - reference to the quality and impact of external support.
151. Where an external review (or reviews) of governance and/or the use of the pupil premium was recommended, inspectors must report on whether it has been carried out since the previous inspection, its timeliness and its impact on the school, unless it has not taken place, in which case this should be noted in the monitoring report.

## **Guidance for inspecting schools that are subject to special measures**

### **Introduction**

152. Schools are made subject to special measures under section 44(1) of the Education Act 2005, where the Chief Inspector is of the opinion that:

'The school is failing to give its pupils an acceptable standard of education and the persons responsible for leading, managing or governing the

school are not demonstrating the capacity to secure the necessary improvement in the school.<sup>47</sup>

153. Schools that are subject to special measures are not required to prepare a separate action plan but are expected to amend their existing plans to address the areas for improvement identified by the section 5 inspection.
154. The local authority,<sup>48</sup> proprietor or trust<sup>49</sup> must submit a statement and a plan of action<sup>50</sup> to HMCI<sup>51</sup> within 10 working days of the school receiving the section 5 inspection report. An HMI will be allocated to review the statement of action before making the first two-day monitoring inspection. HMI will provide initial feedback in writing on the fitness for purpose of the statement and the plan.
155. If the statement of action or the school's improvement plan are judged to be not fit for purpose, the local authority, proprietor or trust will be informed and asked to address the weaknesses urgently and ensure that the revised version is available at the first monitoring inspection. In this case, the lead inspector will re-evaluate and report on the revised statement of action and/or the school's improvement plan during the first monitoring inspection.

### **The monitoring inspections**

156. The first monitoring inspection will usually take place within three to six months of the publication of the section 5 inspection report. Inspectors are required to make a judgement about whether the school should be permitted to employ newly qualified teachers (NQTs). If a school wishes to appoint NQTs before the first monitoring inspection, it must first seek approval in writing with supporting reasons. This requirement does not apply to academies that are judged to require special measures. However, the lead inspector should either report in the monitoring letter that, in her or his opinion, the academy may appoint NQTs or recommend that the academy should not seek to appoint NQTs.
157. Where an external review of governance and/or use of the pupil premium was recommended at the section 5 inspection, HMI will evaluate how urgently it has been commissioned and, if it has taken place, review its impact. If a review has not taken place, this should be noted in the monitoring report.
158. A school may receive up to five monitoring inspections over the 24 months following the section 5 inspection that placed it in special measures.

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<sup>47</sup> Education Act 2005, section 44(1); [www.legislation.gov.uk/ukpga/2005/18/contents](http://www.legislation.gov.uk/ukpga/2005/18/contents).

<sup>48</sup> Education Act 2005, sections 15(2)(d) and 15(2)(e);  
[www.legislation.gov.uk/ukpga/2005/18/section/15](http://www.legislation.gov.uk/ukpga/2005/18/section/15).

<sup>49</sup> Education Act 2005, sections 17(1A)(d) and 17(3)(a);  
[www.legislation.gov.uk/ukpga/2005/18/section/17](http://www.legislation.gov.uk/ukpga/2005/18/section/17).

<sup>50</sup> Education Act 2005, schedule 7; [www.legislation.gov.uk/ukpga/2006/40/schedule/7](http://www.legislation.gov.uk/ukpga/2006/40/schedule/7).

<sup>51</sup> Statements of action must be sent to [QALastatementsofaction@ofsted.gov.uk](mailto:QALastatementsofaction@ofsted.gov.uk).

159. At the end of a monitoring inspection, the lead inspector will consider whether the school has made sufficient progress and no longer requires special measures. Where this is the case, the section 8 inspection will be deemed a section 5 inspection. All the judgements required by the section 5 school inspection handbook will be made and a full inspection report produced.
160. If after a programme of monitoring lasting around 24 months a school continues to be subject to special measures, it must be re-inspected under section 5.

### **During the inspection**

161. During the monitoring inspections, inspectors are required to evaluate the school's progress towards the removal of special measures. Inspectors will make an overarching judgement on whether:
- leaders and managers are taking effective action towards the removal of special measures
  - or
  - leaders and managers are not taking effective action towards the removal of special measures.
162. While this judgement will be informed by the school's progress in dealing with each of the areas for improvement identified by the section 5 inspection, other factors that arise during the monitoring period must not be ignored.
163. The crucial factor is the anticipated timescale for the removal of special measures given the current rate of improvement. A school that is taking effective action will be on course to have special measures removed within 18 to 24 months of the monitoring period following the inspection that placed the school in special measures. A school that is not taking effective action will be likely to continue to require special measures when the section 5 re-inspection takes place.
164. At the final meeting, the inspection team must:
- judge the progress the school is making towards the removal of special measures, weighing the progress made against the areas for improvement identified during the section 5 inspection that placed the school in special measures
  - decide whether the school should be permitted to appoint NQTs or, in the case of academies, make appropriate recommendations regarding such appointments.

### *Evaluating external support*

165. During the first monitoring inspection, HMI will meet with the headteacher, the chair of the governing body and an appropriate representative of the local

authority, academy proprietor or trust. HMI will look for evidence of how well relevant leaders are implementing the statement of action and the school's improvement plan. If any concerns remain following the initial review and feedback on these, HMI should ensure that the current statement of action and improvement plans are fit for purpose and report on this in the monitoring inspection report.

166. Where an external review of governance and/or use of the pupil premium was recommended at the section 5 inspection, inspectors should consider how urgently it has been commissioned and review its impact.
167. On subsequent inspections, inspectors will also report on the impact of the local authority's, proprietor's or trust's support for the school, along with any other external support and challenge on school improvement.

#### *Newly qualified teachers*

168. The lead inspector of the section 5 inspection that made the school subject to special measures will have made a judgement about the appointment of NQTs and made that clear at the final feedback to the school. In the case of an academy made subject to special measures, the lead inspector of the section 5 inspection will have made a recommendation that the academy may appoint NQTs or that the academy should not seek to appoint NQTs. During the first monitoring inspection, the lead inspector will review the initial judgement on whether the school should be permitted to appoint NQTs and this decision should be reported in the monitoring letter. On subsequent monitoring inspections, the lead inspector should continue to review the judgement in the light of the progress made by the school and confirm the permission or revise it. If the school is an academy, the lead inspector will review the recommendation about NQT appointments and report accordingly.
169. At the conclusion of each monitoring inspection, the lead inspector should consider whether the school continues to require special measures.
170. Whatever the outcome, the lead inspector should explain clearly the reasons for the decision to remove or not to remove the special measures judgement during the feedback at the end of the inspection.
171. The judgement that special measures are no longer required may involve reference to:
  - evidence from previous monitoring inspections
  - the best interests of the pupils – this is paramount
  - the school's ability to demonstrate that it meets the needs of all pupils and has the capacity for sustained improvement – this determines the timing of removal of special measures

- the extent to which capacity for sustained improvement has been demonstrated by leaders and managers at all levels, rather than through an over-reliance on external support or on one or two individuals in the school
- the overall rate of improvement – some schools may not be making enough progress for the removal of special measures before the re-inspection.

172. When special measures are removed, the lead inspector must, on the final day of the inspection, notify the Ofsted regional duty desk to log the necessary details.

## After the inspection

### *Feedback at the end of the monitoring inspection*

173. At the end of the first monitoring inspection, the inspector will provide oral feedback on the fitness for purpose of the statement of action and the school's improvement plan and make clear the judgement about whether the school is permitted to appoint NQTs.

174. At the end of each monitoring inspection, oral feedback must:

- include the judgement made about the effectiveness of action and the progress towards the removal of special measures, describing the progress made against the area(s) for improvement that formed the focus for this monitoring inspection from those identified during the section 5 inspection which placed the school in special measures
- clarify whether the school may appoint NQTs.

175. Inspectors should identify additional priorities only where they are essential to the school's further development. Progress against these priorities has to be evaluated and reported at the next monitoring inspection. They are not to be added to the list of judgements to be made as set out in the report. Any new priorities should help the school focus on what needs to be done next to improve the quality of education.

176. Where the inspection team has reached the judgement that special measures are no longer required, the oral feedback and written report should include the formal statement that:

‘In accordance with section 13(4) of the Education Act 2005, Her Majesty's Chief Inspector is of the opinion that the school no longer requires special measures.’

177. This judgement is not subject to moderation. However, as with all inspections, it should remain confidential until the final report is sent to the school. Where special measures are removed, a full section 5 report must be written.

178. The monitoring letter and report for each of the monitoring inspections must include:

- the judgement about progress towards the removal of special measures
- a judgement about whether the school should be permitted to employ NQTs
- a brief summary of any significant changes to the context of the school
- text evaluating the progress made by the school in tackling the key areas for improvement and brief bullet points setting out:
  - strengths in the school’s approaches to securing improvement
  - weaknesses in the school’s approaches to securing improvement
 and where applicable
- a judgement on the quality and impact of any external support

179. In addition to the above, the monitoring letter and report for the first monitoring inspection must include:

- a judgement on the fitness for purpose of the statement of action and of the school’s improvement plan and the initial impact they have had on the school.
- where a review (or reviews) of governance and/or the use of the pupil premium was recommended, whether it has been carried out, its timeliness and its impact on the school.

180. When a monitoring inspection focuses on only one or two aspects of provision, this should be clearly explained in the evidence section.

181. Progress made on additional priorities for further improvement, identified in previous monitoring inspections, should be reported in the text of the monitoring report. They should not be added as bullet points alongside the original areas for improvement.

182. When it is judged that the school no longer requires special measures, the section 8 monitoring inspection is deemed to be a section 5 inspection. A full inspection report must be written and published in accordance with the section 5 inspection handbook.

183. The front cover of the report must include the statement:

‘This inspection was carried out under section 8 of the Education Act 2005 which gives Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (HMCI) the power to cause any school to be inspected. The inspection was deemed a section 5 inspection under the same Act.’

184. The introduction to the report should explain why the school was inspected. For example:

‘When XXXX School was inspected in XX 201X, it was judged to require special measures. Subsequently, the school was inspected on xxx occasions. At the previous monitoring inspection, leaders and managers were judged to be taking/not to be taking effective action towards the removal of special measures.’

185. A report that removes special measures should include the following statement in accordance with the section 5 report template guidance:

‘In accordance with section 13 (4) of the Education Act 2005, Her Majesty’s Chief Inspector is of the opinion that the school no longer requires special measures’.

## **Inspections of schools with no formal designation**

186. Under section 8 of the Education Act 2005 (the Act), Ofsted can 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 through, for example, a qualifying complaint made to Ofsted under section 11 of the Act or by other means.

187. This part of the section 8 handbook provides guidance for inspections of schools with a specific focus. This could include focus on the effectiveness of safeguarding arrangements and/or aspects of: the effectiveness of leadership and management (including governance); the effectiveness of teaching, learning and assessment; and/or the personal development, behaviour and welfare 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. Regional Directors may decide that the school would benefit from inspection. Where an inspection takes place as a result of a qualifying complaint,<sup>52</sup> inspectors must also take account of guidance issued by the National Complaints Team.

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<sup>52</sup> Ofsted does not have the power to investigate individual complaints or incidents of a safeguarding and/or child protection nature. However, such matters may raise whole-school issues, for example about the school’s arrangements to keep pupils safe. It is the whole-school issues that will be the focus of these inspections.

188. These 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 inspection focus is on the school's safeguarding arrangements, inspectors will take account of the guidance on inspecting safeguarding.<sup>53</sup>
189. It is important to note that those leading, managing and governing a school are responsible for the effectiveness of safeguarding arrangements. Governors in particular must ensure that the school's arrangements for safeguarding meet statutory requirements. Concerns about safeguarding may raise wider questions about the effectiveness of leadership and management and governors' ability to hold the school to account. Therefore, in some cases, inspections with no formal designation will focus on both elements and may be expanded as appropriate. It is the responsibility of the lead inspector, using her or his professional judgement, to determine the precise focus of the inspection and make sure that leaders are fully aware of this when the inspection begins. 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.
190. 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 these cases, 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

191. These inspections are normally led by an 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.

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<sup>53</sup> *Inspecting safeguarding in early years, education and skills settings*, Ofsted, August 2015; [www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015](http://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015).

192. Inspections being carried out as a result of a qualifying complaint made to Ofsted will always be led by an HMI.
193. Once Ofsted receives information that causes concern and leads to an inspection, the inspection should take place as soon as is practicable. The exact timing is, however, at the discretion of the Regional Director.

### **Notification**

194. The notice given to the school of the inspection will be half a day, the same as that for section 5 inspections. However, Ofsted may conduct the inspection without notice. Where this is the case, the lead inspector will normally telephone the school about 15 minutes before arriving on site.
195. Where notice of inspection is given, the lead inspector will make the initial telephone call to the school to inform them that an inspection will take place. If required, the lead inspector may make a short telephone call to the school to arrange a time for a second longer telephone conversation with the headteacher to discuss the inspection. The lead inspector will make the purpose of the inspection clear during the initial telephone call with the headteacher, unless the inspection is conducted without notice.
196. 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.
197. HMI will explain that the inspection will focus on the wider issues raised by the complaint and will not investigate 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.
198. The headteacher, at the end of the 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. The lead inspector should invite the school to inform parents so that there is an opportunity for parents to contribute their views about the school through Parent View.
199. Following the pre-inspection telephone conversation, Ofsted will confirm the arrangements for the inspection using a notification letter and send this to the school. Where no prior notice of the inspection is given, formal notification of the inspection by Ofsted will be provided to the school following the arrival of the inspector/s.

200. 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

201. The lead inspector must check the provider information portal (PIP) for information relevant to the inspection. The lead inspector will brief any team inspectors about the inspection and ensure that the key lines of enquiry and key issues to pursue are understood. 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 will be followed up during inspection.

202. To prepare for the inspection, the lead inspector will review:

- copies of any qualifying complaint(s) received, other information on the PIP and any response letters
- issues raised by, or the findings from, the investigation of any qualifying complaints<sup>54</sup> about the school
- the previous section 5 inspection report, where one exists, and any section 8 reports from, for example, surveys or monitoring inspections
- data from RAISEonline, the inspection dashboard, the school data dashboard,<sup>55</sup> the sixth form performance and assessment (PANDA) report and the Level 3 Value Added (L3VA) report
- information from the pre-inspection telephone conversation with the headteacher
- any documentation emailed to the lead inspector in advance of the inspection, as agreed between the headteacher and lead inspector.

### During the inspection

#### *Engagement with the school's senior leadership team*

203. 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.

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<sup>54</sup> Ofsted has specific powers (under section 11A-C) of the Education Act 2005 to investigate certain complaints known as qualifying complaints. Further guidance is available in *Complaints about Ofsted: guidance for parents*, April 2014; [www.ofsted.gov.uk/resources/complaints-ofsted-about-schools-guidance-for-parents](http://www.ofsted.gov.uk/resources/complaints-ofsted-about-schools-guidance-for-parents).

<sup>55</sup> <http://dashboard.ofsted.gov.uk/>. (Guidance on the use of the school data dashboard is also available on this link.)

204. The meeting with school leaders at the start of the inspection will cover pertinent issues about the school and the focus of the inspection. It must 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*

205. The kinds of activities conducted during these inspections are 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 record 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 their resolution
- a review of records of staff training on child protection and the prevention of radicalisation and extremism
- 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 procedures in dealing with such issues
- discussions with pupils and staff
- a check of the school's internet safety procedures
- a review of the personal, social and health education (PSHE) curriculum and how it links to issues of safety and pupils' welfare
- 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.

206. The exact structure of the day will depend on the issues to be followed up and is likely to be drawn from the sources of evidence described in the school inspection handbook for section 5 inspections.<sup>56</sup>
207. During the inspection, the lead inspector will maintain an ongoing dialogue with the headteacher and senior managers. It is especially important to make sure the headteacher and senior managers understand any emerging issues. The final feedback to the school, especially when challenging, should not be a surprise to the headteacher and senior leaders.
208. If the lead inspector and team inspectors conduct observations in lessons, the lead inspector will agree with the headteacher the strategy for providing feedback to individual teachers. The feedback will be offered in accordance with the school inspection handbook.

### *External support*

209. 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/ trust/proprietor or other key partners.

### **Judgements**

210. Inspectors should not make judgements that consider the whole of the evaluation schedule for the areas of focus inspected; this is only necessary for section 5 inspections. If there are weaknesses in aspects of the leadership and management, quality of teaching, learning and assessment, pupils' personal development, behaviour and welfare, or outcomes for pupils, the lead inspector may make recommendations as to what the school needs to do to tackle the weaknesses.
211. If, however, inspectors have sufficient evidence that some of the core reporting areas for judging a school under section 5 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 these events, all the judgements required by the evaluation schedule will be made and a section 5 inspection report published. Alternatively, where evidence prompts concerns that overall standards may no longer be as last reported under section 5, but where no serious concerns have been identified, the lead inspector may recommend to the relevant Regional Director that the next section 5 inspection be brought forward. The timing of any such inspection should not be indicated

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<sup>56</sup> *School inspection handbook*, Ofsted, June 2015; [www.gov.uk/government/publications/school-inspection-handbook-from-september-2015](http://www.gov.uk/government/publications/school-inspection-handbook-from-september-2015).

to the school. If the inspection raises concerns, these concerns should be reported at the feedback meeting.

212. Where safeguarding is a focus for the inspection or where it becomes a focus during the course of the inspection, the lead inspector, having reviewed all the evidence gathered during the inspection, will report in the letter whether safeguarding is effective.
213. If there are relatively minor shortcomings in a school's procedures and the school is able to resolve them on the day of the inspection, then inspectors can make an assessment that safeguarding is effective. If safeguarding is not effective and/or if pupils are considered to be at risk in any way, the lead inspector will convert the inspection to a section 5 inspection.

## **At the end of the inspection**

### **Final feedback**

214. The lead inspector and headteacher should discuss which other members of staff, if any, will attend the feedback session, especially if the feedback is likely to be challenging or raise sensitive issues.
215. 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 are effective
  - 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 report will be subject to quality assurance.

## **Unannounced behaviour inspections**

216. Schools will be selected for a section 8 unannounced behaviour inspection because Ofsted has cause for concern about behaviour. Concerns may arise from previous inspection reports, parents' views, complaints, information from the local authority or data about exclusions or attendance.
217. The inspection will focus on evaluating:

- pupils' attitudes to learning and their conduct around the school and in lessons, both during the inspection and over time
- how well and how consistently pupils' behaviour is managed on a day-to-day basis
- the extent to which the school's culture promotes and supports good behaviour.

218. The inspection will make a judgement on the effectiveness of the actions taken by leaders and managers, including governors, since the previous inspection to improve behaviour. This will include evaluating how well leaders are securing consistently positive attitudes to learning or to maintaining previously high standards of behaviour and attitudes to learning.

219. If the evidence gathered and scrutinised during the inspection indicates that behaviour, welfare and safety or any other aspects of the school may be inadequate, the inspector will inform the school that it is likely to require a section 5 inspection.

## **Before the inspection**

### **Staffing and scheduling the inspection**

220. Unannounced behaviour inspections will usually be conducted by one inspector for one day. These may be led by HMI or by Ofsted Inspectors (OIs).

### **Notification**

221. The inspector will contact the school 15 minutes before arriving to announce the inspection to the headteacher or other senior member of staff if the headteacher is unavailable. This notification call is simply to inform the school that the inspection is about to begin and the lead inspector will leave all other arrangements until they arrive at the school.

222. If no one from the school answers the telephone, inspectors will arrive at the school and announce the inspection on arrival.

223. Inspections should begin at around 8.15am and not before 8.00am.

224. On arrival, the lead inspector will begin their observation of the start of the school day, keeping the initial meeting with the headteacher brief. The lead inspector will agree with the headteacher a time to meet after observing the start of the school day.

225. If the school is being inspected as a result of a qualifying complaint about the school, the lead inspector should inform the headteacher in line with the guidance in paragraphs 196–197.

## Preparing for the inspection

226. The lead inspector will prepare for the inspection by:

- reading and recording any comments about behaviour and attendance in the school's latest section 5 inspection report and any section 8 inspection reports, for example from survey visits
- evaluating the school's behaviour policy, which should be available on the school's website
- identifying, from the previous section 5 report, whether the school has any pupils who attend alternative provision and noting any comments about how well these pupils are progressing and behaving
- analysing the most up-to-date information about permanent and fixed term exclusions available in RAISEonline and the inspection dashboard, paying particular attention to the repeated use of fixed term exclusions and to any groups that are excluded disproportionately<sup>57</sup>
- analysing the most up-to-date information about overall and persistent absence available in RAISEonline and the inspection dashboard, again paying particular attention to groups of pupils<sup>58</sup>
- checking Ofsted's PIP for information about any complaints about the school.

227. From their initial analysis, the lead inspector will arrive at key lines of enquiry and key issues that will be shared with the headteacher and senior leaders at a brief meeting once the inspection begins. The key issues and lines of enquiry that are the focus of the inspection may change as evidence emerges during the inspection.

## During the inspection

228. The majority of the inspection activity must focus on observing short parts of lessons and observing informal times of the school day in order to evaluate pupils' behaviour and attitudes. In addition, inspectors will be guided by the Annex on page 57, which sets out in more detail the types of activities that inspectors will typically conduct during the inspection.

229. The lead inspector will meet with senior staff briefly to inform them of the key issues and lines of enquiry from pre-inspection analysis and then a further meeting to discuss emerging findings and follow up any issues that arise during the day. This meeting must not overlap with lunchtime period, break times or

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<sup>57</sup> Note: for different groups of pupils, such as disabled pupils and those with special educational needs, inspectors must compare the school's figure for that group to the national figure for **all pupils**, not the national figure for the group.

<sup>58</sup> As above.

with the time pupils leave the school, as these informal times of the day must be observed. The lead inspector may also request that a senior member of staff be present during the scrutiny of documentation in order to answer questions as they arise.

230. As it is important that the lead inspector sees pupils' typical behaviour throughout the day, the lead inspector will not jointly observe short extracts or whole classes with the headteacher, senior leaders or staff.
231. To gather and evaluate evidence about the impact of actions taken by leaders and managers, including governors, to improve behaviour, inspectors will evaluate pupils' behaviour, the management of behaviour and the culture of the school.
232. They will consider the following evidence:
- observations of pupils' behaviour and their attitudes to learning in lessons (including where relevant, with new, temporary or less experienced teachers); a particular focus will be placed on low-level disruption such as:
    - calling out without permission
    - being late to lessons or slow to start work or follow instructions
    - showing a lack of respect for each other and staff
    - not bringing the right equipment
    - pupils chatting when they are supposed to be working or listening to the teacher
    - using mobile devices inappropriately in lessons
    - time wasted through teachers having to deal with inappropriate uniform
    - packing up well before the end of the lesson
  - observations of pupils' behaviour throughout the day, including informal discussion with pupils during break times and lunchtimes, arriving and leaving the school
  - observation of any system of 'internal exclusion' the school uses to manage behaviour
  - at least one formal discussion with a group of pupils whose behaviour the school has helped to improve over time
  - scrutiny of documentary evidence<sup>59</sup>
  - discussions with leaders and staff.

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<sup>59</sup> This should include records and analysis of bullying incidents, pupils being removed from lessons, the use of rewards and sanctions, exclusion and 'internal exclusion'.

233. Inspectors must take account of the following:

- pupils' attitudes to learning and their conduct in lessons
- pupils' conduct around the school, including the way in which they speak to each other and to staff
- how well leaders and staff model good behaviour to pupils
- how well leaders and managers model good behaviour management techniques to staff
- the effectiveness of the management of pupils' behaviour, including how well leaders, managers and governors analyse and use documentary evidence to improve the way behaviour is managed
- if the school uses exclusion, the impact of this on improving behaviour
- if fixed term exclusion overall or for any group is above the national average, the extent to which its use is reducing over time and how well the school is developing the use of alternative strategies to exclusion
- pupils' views about behaviour and all types of bullying (these views must be gathered from a range of pupils at informal times, not just from a formal discussion)
- any specific issues raised in the previous inspection report about pupils' behaviour and whether these have been tackled effectively and are showing clear and sustainable signs of improvement.

## Judgement

234. Inspectors will make a judgement on the effectiveness of the actions taken by leaders and managers, including governors, since the previous inspection to improve behaviour, including securing consistently positive attitudes to learning, or to maintain previously high standards of behaviour and attitudes to learning.

235. The inspection report will state one of the following:

For schools where behaviour was judged to require improvement at their previous section 5 inspection:

'Leaders and managers have/have not taken effective action to improve behaviour and secure consistently positive attitudes to learning.'

For schools where behaviour was judged to be good or outstanding at their previous section 5 inspection:

'Leaders and managers have/have not taken effective action to maintain the high standards of behaviour and attitudes identified at the school's previous inspection.'

236. The monitoring report should cover the following, with specific examples:

- pupils' conduct around the school during the inspection, including the way in which they move around the school, speak to each other and to staff, conform with the school's dress code; and pupils' typical conduct around the school, evidenced by pupils' views, staff's views, and the school's documentary evidence
- pupils' attitudes to learning during the lessons observed and pupils' typical attitudes to learning, evidenced by pupils' views, staff's views and the school's documentary evidence
- how well pupils' behaviour is managed by leaders and staff on a day-to-day basis
- the extent to which the school's culture promotes and supports good behaviour, including:
  - the way in which staff speak to pupils and to parents and carers
  - how consistently staff reinforce the school's expectations of pupils' behaviour
  - the way in which the headteacher and other leaders model the behaviour that is expected of all staff
  - the way in which the headteacher and other leaders support staff to promote good behaviour.

237. The monitoring report will include recommendations that set out what the school needs to do to improve the way it manages pupils' behaviour. How well the school has addressed these recommendations will be followed up during the school's next inspection.

238. If the evidence gathered and scrutinised during the inspection indicates that behaviour or safety, or any other aspects of the school, may be inadequate, inspectors should inform the school that it is likely to require an inspection (under section 5). The inspector will inform the relevant Regional Director of the outcome of the visit and an inspection (conducted under section 8 but treated as if it were section 5) should take place as soon as possible. A monitoring report should be written unless the Regional Director decides that the full inspection will take place before the report would be published. If the concerns raised are extremely serious, the Regional Director should, in consultation with the lead inspector, consider whether the section 8 inspection should be extended and deemed a section 5 inspection.

## **At the end of the inspection**

### **Final feedback**

239. Feedback should be offered at the end of the day<sup>60</sup> to the headteacher, a member of the senior leadership team (or more than one with the agreement of the lead inspector) and as many governors as can be present. If concerns have arisen during the inspection a representative of the local authority or the academy sponsor should also be invited

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<sup>60</sup> The time should be arranged according to when pupils leave the school – this aspect of the school day should be observed so inspectors need to plan accordingly.

## **Annex. Inspection activities relating to behaviour**

### **Observations of behaviour and informal discussions with pupils**

Inspectors must observe behaviour at the following times:

- pupils' arrival at school
- in lessons
- in between lessons
- break time
- lunchtime
- as pupils leave the school.

During these times, inspectors should talk to pupils about behaviour, their welfare and their safety.

### **Pupils' arrival at school**

Inspectors will:

- observe interactions between pupils, for example whether they are pleasant and relaxed or aggressive – consider whether different groups of pupils look comfortable together and whether there are any tensions
- ask different pupils about their journey to and from school – for example how safe they feel; whether they encounter any bullying during that time; what they would do to seek help from the school if they did
- evaluate whether there are sufficient numbers of staff on duty – consider where staff are situated and whether they are actively supervising
- observe interactions between staff and parents, and between staff and pupils, for example how staff greet them and speak to them and whether this provides a good role model
- consider pupils' vulnerability in the playground, for example whether pupils have to wait for a long time before entering the school, whether they are in full view of the school or whether there are hidden corners
- in special schools and pupil referral units, observe pupils as they get off taxis and minibuses and ask them about the trip – consider aspects of safety, such as supervision and bullying
- if parents and carers are available, ask them their views about behaviour and safety
- consider how well staff uphold the school's expectations, for example by reminding pupils about how they should treat each other in the playground, move around the school and make sure their uniform is correct

- consider whether pupils are dressed according to the school's uniform or dress code.

### **Pupils' behaviour between lessons and on arrival at lessons**

Inspectors will:

- consider what interactions are like between pupils, and between staff and pupils, as pupils move from one lesson to the next, for example whether staff remind pupils of expectations, convey a sense of urgency in getting to the next lesson promptly and greet them as they arrive
- evaluate the extent to which pupils are aware of and respect each other's physical space
- consider how well staff model the behaviour expected from pupils
- consider how promptly and calmly pupils enter classrooms and how quickly they respond to staff's instructions.

### **Pupils' behaviour at break time**

Inspectors will:

- consider how pupils are grouped and observe whether there are any tensions or if certain pupils are excluded
- seek pupils' views about bullying, for example whether they experience bullying, what they do to seek help, how they feel about break times, whether there are any 'no go areas' for different year groups – include any pupils who are by themselves
- evaluate the structure of break times and how well the structure supports good behaviour; in primary and special schools, consider how well pupils are being systematically taught to play and interact well together; in secondary schools, consider whether the outdoor space allows all groups to be safe
- go to the far reaches of the playground and field to consider how well supervised these are and whether there are any spaces where bullying could easily occur
- evaluate the appropriateness of the language pupils use towards each other, for example whether it is respectful or includes derogatory language;<sup>61</sup> evaluate how well staff challenge such language if they hear it
- consider behaviour in and around the toilets, especially in secondary schools, and how well supervised they are.

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<sup>61</sup> For example racist, sexist, homophobic, or sexual language, or language that is derogatory about disabled people or any other group, or aggressive personal comments about physical appearance or ability.

## **Pupils' behaviour at lunchtimes**

Inspectors will:

- observe the same aspects as for break times, such as interactions, supervision, safety and organisation, and check that pupils have an appropriate place to eat their lunch if they bring their own
- evaluate how well pupils conduct themselves in the dining room and how well staff model desired behaviours to the pupils
- ask pupils about dinner money, for example whether it gets stolen
- establish whether pupils who are eligible for free school meals have a different payment system to others and whether this marks them out as different
- ask the lunchtime staff about bullying, for example what they see and how they help to prevent it
- ask the lunchtime staff about behaviour in general – what they see and how pupils respond to them, for example when lunchtime staff ask pupils to pick up litter or clear their table.

## **Observations of pupils' behaviour and their attitudes to learning in lessons**

Inspectors should carry out short visits to a range of lessons. Observations should include some starts and ends of lessons in order to evaluate how well teachers manage transition between lessons and how quickly pupils settle, and how well pupils stay focused to the end of lessons.

Evaluations should include consideration of the following:

- whether pupils arrive promptly at lessons and with the equipment they need for the lesson
- how promptly pupils respond to staff's instructions
- how clear the school's expectations of behaviour are, for example through classroom displays
- how well teachers use the school's behaviour management system, including issuing rewards as well as sanctions if these are part of the procedures, and how effective this system is in supporting staff to manage behaviour and helping pupils to behave well
- how well pupils respond to teaching assistants and other support staff
- how well pupils interact with each other – whether they work cooperatively in groups or pairs as required
- whether pupils are supportive of each other's learning, for example not making derogatory comments about other pupils' answers to questions

- how well staff help pupils to interact positively with each other, for example whether they model appropriate ways to talk to other people, tolerate or ignore put-downs or tackle them, are explicit about the need to respect others.

Inspectors should ask pupils questions about typical behaviour in lessons, if it is possible to do so without disturbing learning.

### **Observation of 'internal exclusion' room, 'remove room' or equivalent**

If the school uses this type of provision, inspectors should visit this during lesson time to evaluate:

- pupils' behaviour while in the room
- the use of the room, for example how many pupils are present and whether this is typical (through scrutiny of records)
- how well it is used to improve behaviour, for example whether there is any follow-up action after the pupil has attended the room
- whether the school informs and involves parents and carers when their child has been placed in the room
- whether any patterns shown by its use are used to provide appropriate support and challenge to staff.

### **Formal discussions with pupils**

Inspectors should hold at least one discussion about behaviour and safety with a group of pupils the school has worked with to improve their behaviour. These pupils might include those who:

- have previously been excluded more than once
- attend some alternative provision
- have moved from another school on a managed move
- were previously involved in bullying other pupils
- were previously disruptive in lessons but are now 'back on track'.

During the discussions, inspectors should explore pupils' views about:

- what behaviour is typically like in school and in their lessons
- variations in behaviour from lesson to lesson
- behaviour outside lessons
- the school's reward and sanction system, including what difference this has made to their behaviour
- if they or any of their friends attend an alternative provision for part of the week, why they were selected and how it has helped them

- their understanding of the school’s stance on bullying, including what happens if someone bullies or is bullied
- how the school has helped them to improve their behaviour
- how the school is helping them to maintain the improvements
- how well the school has worked with their parents or carers to lead to these improvements
- how often and where they hear derogatory language – including homophobic, racist, sexist or discriminatory language– and the school’s response to this.

### **Scrutiny of documentary evidence**

Inspectors should scrutinise the school’s records of behaviour and the school’s analysis of behaviour in order to evaluate how well leaders and managers analyse documentary evidence and then use it to improve the way in which behaviour is managed.

Documents should include records and analysis of:

- bullying incidents
- pupils being removed from lessons
- exclusion and ‘internal exclusion’
- rewards and sanctions, including how senior leaders check that rewards are given by all staff

Inspectors should consider any patterns shown by such records and analysis, for example pupils being removed more from certain lessons or at a particular time of day, disabled pupils or those with special educational needs or pupils from a particular year group or ethnic group receiving more sanctions than others do.

Inspectors should use the school’s documentation and its analysis to inform their judgements about typical behaviour around the school and in lessons.

### **Discussion with staff and leaders**

Inspectors should talk briefly to staff when appropriate, for example when they are on duty in the playground or in the corridors, to ascertain their views on behaviour. Inspectors should hold a discussion with senior leaders towards the end of the day in order to follow up any issues that have arisen and to discuss leaders’ evaluation of behaviour. This discussion should include a focus on how new staff and inexperienced staff are informed of the school’s expectations and how they are supported in the management of behaviour.