

Deferral of Ofsted inspections

Information for providers

This document sets out Ofsted's policy to determine whether a provider's inspection should go ahead or not on the planned dates.

It applies to all inspections of: maintained schools and academies (and other types of school inspected under sections 5 and 8 of the Education Act 2005); inspections of early years provision under sections 49 and 50 of the Childcare Act 2006; independent schools inspected by Ofsted; providers of further education and skills; children's centres, childminder agencies and providers of initial teacher education.

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There are a limited number of circumstances when we may decide that an inspection should not go ahead on the planned dates. This document sets out Ofsted's approach to the deferral, cancellation and re-scheduling of inspections. It does not apply to decisions to re-schedule the start date of an inspection within five working days.

Ofsted's policy is that deferral or cancellation should, normally, only be granted if:

- the headteacher, centre manager, childcare provider, nominated individual or similar authority, or a member of the provider's senior management team is subject to a current police investigation or serious concern from another agency that would be compromised by an inspection of the provider
- the provider has experienced a recent major incident, such as a fatal accident to a pupil, child, centre user, trainee or a member of staff, serious injury or illness of the childcare provider or death of a household member where the childcare takes place
- the provision is due to merge, close or move and it is decided that no useful purpose will be served in inspecting it
- the provider's setting is closed to all users – for example, owing to a staff training day or adverse weather conditions – for at least half of the time for which the inspection has been scheduled (this does not apply to pre-registration inspections of independent schools)
- at least three quarters of the users will not be at the provider's setting or with their employer – for example, owing to a school trip or a religious festival – for at least half of the period for which the inspection has been scheduled (this does not apply to registered childcare settings or to pre-registration inspections of independent schools)
- a school has very recently converted to become an academy – in such circumstances, Her Majesty's Chief Inspector (HMCI) reserves the right to schedule the academy's first inspection at a later date
- a further education and skills provider is no longer in receipt of relevant public funding
- a children's centre has recently merged or become part of a children's centre group – in such circumstances, HMCI reserves the right to schedule the reorganised centre's first inspection at a later date
- a childminder agency no longer has childminders registered with it
- other exceptional circumstances that, in the judgement of Ofsted's relevant director, justify deferral or cancellation of the inspection.

The nature of such circumstances should be recorded fully.

Applications to defer a planned inspection on the grounds that the headteacher, centre manager, childcare provider, nominated individual or similar authority is not present will not be accepted as users are still receiving services from the provider.

In the case of illness or death of the headteacher, centre manager, childcare provider, nominated individual or similar authority, the relevant director will determine whether the inspection will take place.

Building work will not be a reason for deferral if users are still on site.

Where a deferral is proposed, we must consider that the timing of any rescheduled inspection does not fall outside of any legally defined period for the inspection of that provision.

Deferral of section 8 monitoring inspections of maintained schools and academies

In the case of a section 8 monitoring inspection for a school judged to require improvement, Ofsted considers that the contribution of the headteacher is important in finding out the likely future support and challenge for the school. Ofsted may, therefore, defer the section 8 monitoring inspection if the headteacher is out of school, unless the headteacher is absent for a prolonged period of time, for example, due to ill-health.

Additional information on the deferral of independent school inspections

- Where the standard inspection of a school has been previously deferred on two consecutive occasions because there were no pupils on roll, the inspection will not be deferred for a third time. The purpose of the inspection will be to check the school's compliance with the independent school standards required for continued registration. Inspectors will still make qualitative judgements about the effectiveness of the school and will comment on the extent to which it is ready to educate and safeguard pupils.
- An inspection of an independent school may be deferred in the case of unavoidable absence of the headteacher or proprietor where this person is the only full-time teacher in the school, at the discretion of the relevant Ofsted director.
- Pre-registration inspections must not be deferred where the proposed school states that it is not ready for inspection. Incomplete building works is not a reasonable justification for deferring inspection. The Department for Education (DfE) expects proposed new schools to be ready to undergo a pre-registration inspection, since the provision wishes to educate (and, for boarding/residential special schools, accommodate) pupils in the near future. The DfE informs proposed new schools that they should not apply to register if they will not be ready to operate by the proposed timescale. In cases where proposed new schools strongly resist a pre-registration inspection, Ofsted will report this to the DfE.

- Where Ofsted is informed that an independent school is no longer operating, through either the notification telephone call for a pre-registration, material change or standard inspection, Ofsted will check whether the DfE requires an inspection to be carried out to confirm this. If the inspection does go ahead to check whether or not the school is still operating, the inspection event will need to be changed to an emergency inspection. This is so that an advice note can be provided to the DfE after the inspection. There will be no published inspection report.
- Ofsted will always consult with the DfE before granting a deferral of inspection of any type of independent school.

Deferral process

Providers who are considering lodging a request for deferral of their inspection should study the criteria above carefully and ensure that at least one of the criteria applies before they make a request.

- Requests should be made in writing at the earliest opportunity.
- Arrangements for the inspection will continue to be made while the request for deferral is considered.
- Childcare providers may discuss deferral with the inspector when they are called to notify them of the inspection. A decision will be made using the criteria above.

If a provider cannot be contacted by the inspection coordinator

- In exceptional circumstances, it may prove difficult for the inspection coordinator to make contact with the provider. In such cases, the inspection coordinator will contact a designated inspector to discuss the situation. With independent school inspections, the designated inspector will check that the DfE has no reason to believe the school is no longer operating.
- The designated inspector will normally advise that the inspection will go ahead and that the inspection coordinator should continue to try and contact the provider, while the lead inspector travels to the provider. If there continues to be no answer, the inspection will be undertaken as an unannounced inspection.

The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. It regulates and inspects childcare and children's social care, and inspects the Children and Family Court Advisory and Support Service (Cafcass), schools, colleges, initial teacher training, further education and skills, adult and community learning, and education and training in prisons and other secure establishments. It assesses council children's services, and inspects services for looked after children, safeguarding and child protection.

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Piccadilly Gate
Store Street
Manchester
M1 2WD

T: 0300 123 1231
E: enquiries@ofsted.gov.uk
W: www.gov.uk/ofsted
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