



# Guidance Inspectors talking to pupils on inspection

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## Background

This page provides guidance for inspectors on talking to pupils during inspections of schools, further to the [schools handbook](#) and [non-association independent schools handbook](#).

We have made this guidance available to schools and other organisations to ensure that they are informed about inspection procedures.

## Context

Gathering evidence from pupils to find out about their experience of school is an essential part of any school inspection.

Inspectors will look to gather evidence from a wide range of pupils, both formally in groups and informally during lessons or social times.

Gathering evidence from pupils enables inspectors to assess, for example:

- pupils' experience of teaching and learning in the school
- how effective the school's anti-bullying and behaviour policies are
- how well pupils are encouraged to respect others
- how the school ensures that its safeguarding arrangements keep children safe (as set out in the [school inspection handbook](#) and in the [non-association independent schools handbook](#))

Inspectors will always explain to school leaders as early as possible in the inspection process that they will need to speak to pupils in order to assess aspects of the school's provision. In the vast majority of inspections, this is uncontentious.

## Legal position

We have a duty to 'have regard to' the views of pupils under [section 117\(2\) of the Education and Inspections Act 2006](#). This includes the need to safeguard and promote the rights and welfare of children (paragraph 2(a)). We also have a duty to respond to pupils' needs and views under [section 119 of the same Act](#). We have a legal duty to have regard to the views of pupils when inspecting maintained schools and academies under [section 7 of the Education Act 2005](#).

This does not mean that individual pupils are required to speak to inspectors. Neither the school nor inspectors can compel pupils to give their views to inspectors if they or their parents refuse permission.

## Involvement of adults in inspector-pupil discussions

In some contexts, mainly in some faith schools, providers or parents are nervous about their children talking to inspectors without another adult present. However, it is important that pupils are able to express their views freely to inspectors. Therefore, schools must provide opportunities for inspectors to speak to pupils with no other adults present.

All our inspectors have been through a stringent vetting process, including enhanced Disclosure and Barring Service (DBS) checks. They have received training about, or are experienced in, communicating with young people.

It is crucial that no other adults are present when inspectors ask pupils questions safeguarding. Having another adult present (especially someone who pupils perceive as connected to the school, like a staff member or governor) can affect pupils' freedom or willingness to share their concerns. It can also mean that safeguarding views shared by pupils become known to the other adult(s) present, potentially causing confidentiality issues.

There may be occasions when a pupil approaches an inspector and requests to speak to them, but only if an adult is also present. In these situations, an inspector will usually speak to the pupil in the way they have requested because not doing so may prevent the pupil disclosing serious issues.

If an inspector initiates a discussion with a pupil and they refuse to speak to the inspector until an adult is present, the inspector can choose either to pause the conversation in order to identify a suitable adult, following which the conversation should continue, or not to continue the conversation. However, they will always make sure that it is not the case that this pupil requires an adult to be present as a reasonable adjustment before stopping the conversation.

If a school has refused to allow inspectors to speak to pupils without an adult present, an individual pupil may nevertheless approach an inspector and ask to speak to them alone. If this happens, inspectors will always provide an opportunity to listen to the pupil alone. There would be a serious risk that the pupil was unable to express a serious safeguarding concern if the inspector did not do this.

If the school does not allow this interaction:

- safeguarding will be judged ineffective
- the relevant independent school standards will not be met
- further action may need to be taken

If an inspector has a concern that any pupil may be at risk of harm, they should contact regional duty staff, who will seek advice from policy and legal colleagues.

If school leaders insist that an adult from the school or nominated/approved by the school must be present when inspectors are speaking to pupils, inspectors will consider pupils' feedback, but generally not be able to gather robust evidence to judge safeguarding as effective or, for independent schools, to find that the relevant independent school standards are met.

The inspector will always record any instances of refusal and/or adults being present in the evidence base for the inspection, along with detail of how this has had an impact on the inspection outcome. The inspection evidence base and/or the report will not include any information that could identify the pupil or pupils concerned.

## Reasonable adjustments

It may be appropriate for an adult to be present as a reasonable adjustment to enable pupils with special educational needs and/or disabilities (SEND) to communicate with inspectors. For example, a reasonable adjustment may be if a pupil has a specific communication need that requires a specialist interpreter. However, not all pupils with SEND will require an adjustment and there should be opportunities for inspectors to speak to those pupils without another adult present.

If the presence of an adult was permitted as a reasonable adjustment for a pupil's disability, the inspector may include a general comment in the evidence base to that effect. The inspection evidence base and/or the report will not include any information that could identify the pupil or pupils concerned.

## Discussion points that some schools may find sensitive

We recognise that some school leaders do not wish inspectors to ask pupils certain questions, for example about lesbian, gay, bisexual and transgender (LGBT) issues.

If a school requests that inspectors do not speak to pupils about a topic that the school reasonably believes is sensitive for its pupils, inspectors will not ask pupils questions about it.

Before speaking to any pupils, inspectors will offer assurance to school leaders about any concerns they may have.

In secondary schools, pupils are required by law to be taught about LGBT families and issues, in line with the Department for Education (DfE)'s [guidance on relationships and sex education and health education](#). If a secondary school does not allow inspectors to speak to pupils about these issues, inspectors will not be able to demonstrate that the school is meeting its obligations under the guidance. This will have consequences for the school's personal development judgement, the leadership and management judgement and compliance with any relevant independent school standards (see [guidance on inspecting protected characteristics](#)).

In primary schools, school leaders are required to consider age-appropriate teaching of LGBT issues through consultation with parents and after considering pupils' religious backgrounds. Having done this, they are entitled to make the decision not to teach about LGBT issues (see [the DfE's relationships and sex education and health education guidance](#)). If a primary school (state-funded or independent) does not teach about LGBT relationships, inspectors will not ask pupils questions about this topic, unless the pupils themselves raise it. However, inspectors will ask pupils questions to determine their understanding of positive and healthy relationships, friendships and family relationships, and about how the school encourages respect for all people. These questions will always be asked in an age-appropriate way, for example, 'what do you think a family looks like?'

If schools request that inspectors do not ask pupils questions about a sensitive topic, inspectors will always mention this in the inspection report, along with detail of how it has had an impact on the inspection outcome. The report will not include any information that could identify the pupil or pupils concerned.

## If inspectors are prevented from speaking to pupils

There may be occasions when, even after inspectors have given assurances about topics that will not be covered with pupils, school leaders or parents still prevent inspectors from speaking to pupils at all.

In these situations, inspectors will speak to school leaders and ask them to explain why permission to speak to pupils has been withdrawn. They will also ask what steps the school leaders, including proprietors and governing board members, have taken to alleviate any parental concerns and to explain to them the importance of pupils' views in the inspection process.

Inspectors will explain to school leaders that if they are prevented from speaking to pupils entirely, they will be unable to gather the robust evidence they need about many aspects of the school's provision. It may mean not gathering, and therefore not taking into account, positive evidence from pupils about what the school is doing well, which enables schools to demonstrate their strengths.

## Inspection reports

Inspection reports will always reflect when:

- it was not possible to speak to pupils
- inspectors were requested not to ask certain questions
- an adult was present when inspectors spoke with pupils

This will include the impact that these issues had on the quality of evidence gathered and the inspection outcome.

Is this page useful?  Yes  No [Is there anything wrong with this page?](#)

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[Coronavirus \(COVID-19\): guidance and support](#) [Check the new rules for January 2021](#)

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