

Short inspections of good schools

A report on the responses to the consultation

This is a report on the outcomes of the consultation that ran from 21 September to 8 November 2017 on proposals for changes to Ofsted’s approach to short inspections from January 2018. The changes relate to short inspections of good maintained schools and academies, and outstanding and good maintained nurseries, special schools and pupil referral units.

If you would like a version of this document in a different format, such as large print or Braille, please telephone 0300 123 1231 or email enquiries@ofsted.gov.uk.

Published: December 2017

Reference no: 170046



Corporate member of
Plain English Campaign
Committed to clearer communication

361

Contents

Introduction	3
The consultation method	3
Executive summary	4
Summary of findings	4
Submissions by teaching unions and professional associations	5
The way forward	6
Findings in full	7

Introduction

1. This report summarises the responses to Ofsted's consultation, 'Short inspections of good schools', which ran from 21 September to 8 November 2017. We sought the views of all interested parties and the general public. We consulted on the following proposals for changes to short inspections of good schools, to be introduced from January 2018:
 - converting short inspections, normally within 48 hours, if there are serious concerns about safeguarding, behaviour or the quality of education
 - if inspectors are not fully confident that the school would receive its current grade if a full section 5 inspection were carried out, the short inspection will not convert; we will send a letter that sets out the school's strengths and priorities for improvement and we will carry out a section 5 inspection at a later date, typically within one to two years but no later than five years since the previous full section 5 inspection.¹
 - if inspectors identify strong practice that could indicate that the school is improving towards outstanding, we will send a letter setting out the school's strengths and priorities for further improvement and we will carry out a section 5 inspection, typically within less than two years and possibly much sooner.

The consultation method

2. The consultation was open to the general public and promoted widely on the Ofsted website and through social media, national conferences and the wider media. We sought the views of all interested parties through a variety of methods.
3. The findings in this report are based on quantitative data gathered through the 1,524 responses to the online questionnaire and responses from our online Parents Panel, as well as qualitative feedback gathered through:
 - free-text comments received through the online questionnaire
 - a webinar with headteachers
 - engagement with the teaching unions and professional associations through face-to-face meetings of the standing group and consideration of their written submissions in response to the consultation.

¹ Or, in the case of school that has previously received a short inspection that confirmed it was still good or outstanding, no later than five years from that inspection.

Executive summary

4. Short inspections are a proportionate approach to inspecting maintained schools and academies that were previously judged to be good. They last for one day and begin with the assumption that the school remains good. They have been widely welcomed since their introduction in September 2015. However, short inspections that immediately convert to full section 5 inspections have proven to be challenging for schools and for inspectors. Ofsted has been seeking to address this issue.
5. Following our initial consultation in the summer 2017, we considered the feedback from the sector and decided not to go ahead with a 15-day conversion window. This decision was in line with feedback from the sector.
6. We implemented the other main proposal of the initial consultation immediately after October half term 2017. Ofsted now conducts section 5 inspections for good schools where our risk assessment tells us that a short inspection would be highly likely to convert, rather than first carrying out section 8 short inspections. This group currently makes up about 20% of all good schools, although it will vary over time.
7. The proposals we have consulted on in this fresh consultation will make inspection even more proportionate and collaborative. We believe that they will ensure that short inspections are responsible interventions that offer the best balance between accountability, reducing the burden of inspection for schools that remain good and offering time and feedback to improve for those whose performance may have slipped.

Summary of findings

8. All three proposals were supported overall by the respondents to our consultation:
 - The very large majority of respondents supported our proposal to convert short inspections to full section 5 inspections, normally within 48 hours, where there are serious concerns about safeguarding, behaviour or the quality of education. The proposed approach was met with overwhelming approval from all groups of respondents.
 - The majority of respondents agreed that if inspectors are not fully confident that the school would receive its current grade if a section 5 inspection was carried out, we should write a letter to the school setting out strengths and priorities for further improvement and carry out a section 5 inspection at a later date. This approach was supported by 54% of respondents overall, by three quarters of parents and almost 60% of teachers. However, headteachers were less supportive: 46% agreed and 50% disagreed, with the rest undecided.

- A majority of respondents also supported our third proposal that, if inspectors identify strong practice that indicates that the school may be moving towards outstanding, we should write to the school setting out strengths and further priorities for improvement, and carry out a section 5 inspection at a later date. This approach was supported by all groups, including a majority of headteachers, teachers and nearly 80% of parents.

Submissions by teaching unions and professional associations

9. As part of the consultation process, we engaged with representatives of the major teaching unions and professional associations. We also received detailed submissions from:

- the Association of School and College Leaders (ASCL)
- the National Association of Head Teachers (NAHT)
- the National Association of Schoolmasters & Union of Women Teachers (NASUWT)
- the National Education Union (NEU)
- the National Governance Association (NGA).

10. All five responses were in favour of our first proposal for conversions, normally within 48 hours, if there are serious concerns about safeguarding, behaviour or the quality of education. The NEU and ASCL were broadly supportive of proposals two and three, while the NAHT and NGA were broadly against. The NASUWT submission highlighted concerns about the potential for increasing workload and additional burden for schools that will undergo a follow-on section 5 inspection; we consider this issue in paragraphs 37 and 38. We have taken full account of what the associations have told us, particularly because some of the concerns they raised mirrored points made by other respondents.

11. ASCL and the NEU saw the benefits for schools in our proposals. Both unions indicated that implementing the second proposal, in particular, will support school improvement because schools will be given time to address any weaknesses.

12. ASCL was particularly concerned that the wording of the published letter to schools about which Ofsted has some concerns (proposal 2) should emphasise clearly that the short inspection does not change the school's current overall effectiveness of good/outstanding. This is important feedback that we will use to inform the final design of the letter.

13. A key issue for those who disagreed with the proposals was that the changes may create a perception that there are different 'tiers' of good school. This is not the case. Our detailed response to this point is given in paragraphs 31 to 33. If schools show signs of improvement or potential decline and their short inspection

does not convert, we will make it clear that there will be no change to their current overall effectiveness judgement.

The way forward

14. In light of the responses to the consultation, we will be taking forward all three proposals with effect from January 2018. It should be noted that these changes will not affect most good and outstanding non-exempt schools. In most cases, the short inspection will confirm that they have maintained their good or outstanding performance and will remain eligible for a short inspection approximately three years thereafter.
15. Inspectors will convert short inspections of good schools, usually within 48 hours, if there are serious concerns about safeguarding, behaviour or the quality of education. This will occur if inspectors find evidence that indicates that safeguarding may be ineffective or if they see evidence of overall poor behaviour that disrupts learning and impedes the progress of pupils. Inspectors will also convert short inspections if they see evidence that suggests that, were the school to receive a full section 5 inspection, the quality of the education provided would be likely to be judged inadequate overall.
16. Some outstanding schools also receive short inspections: nursery schools, special schools and pupil referral units. If inspectors see evidence in one of these outstanding non-exempt schools that performance may have declined so that, were a section 5 inspection to be carried out, the school would be likely to be judged as requires improvement, then inspectors will convert the short inspection, usually within 48 hours. This group of non-exempt outstanding schools caters for those who are at a most critical stage of their education (in the case of nursery schools) and for some of our most vulnerable young people. For these reasons, when there is evidence that this provision may have dropped by two grades but there may be not be evidence that the overall quality of education or behaviour is inadequate, an immediate section 5 inspection is the most appropriate way forward to ensure that the decline is arrested and reversed as soon as possible.
17. If inspectors identify areas of weakness in good (or non-exempt outstanding) schools, which fall short of the circumstances described above, they will not convert the short inspection to a section 5 inspection. Instead, the school will receive a letter, which Ofsted will publish, that sets out the school's clear priorities for improvement. For the avoidance of doubt, this letter will make clear that **such inspections will not result in a change to the school's previous judgement of good or outstanding for overall effectiveness.**² The follow-

² Short inspections are conducted under section 8 of the Education Act 2005. Only section 5 inspections lead to an overall effectiveness judgement because, unlike section 8 inspections, they cover the full evaluation criteria.

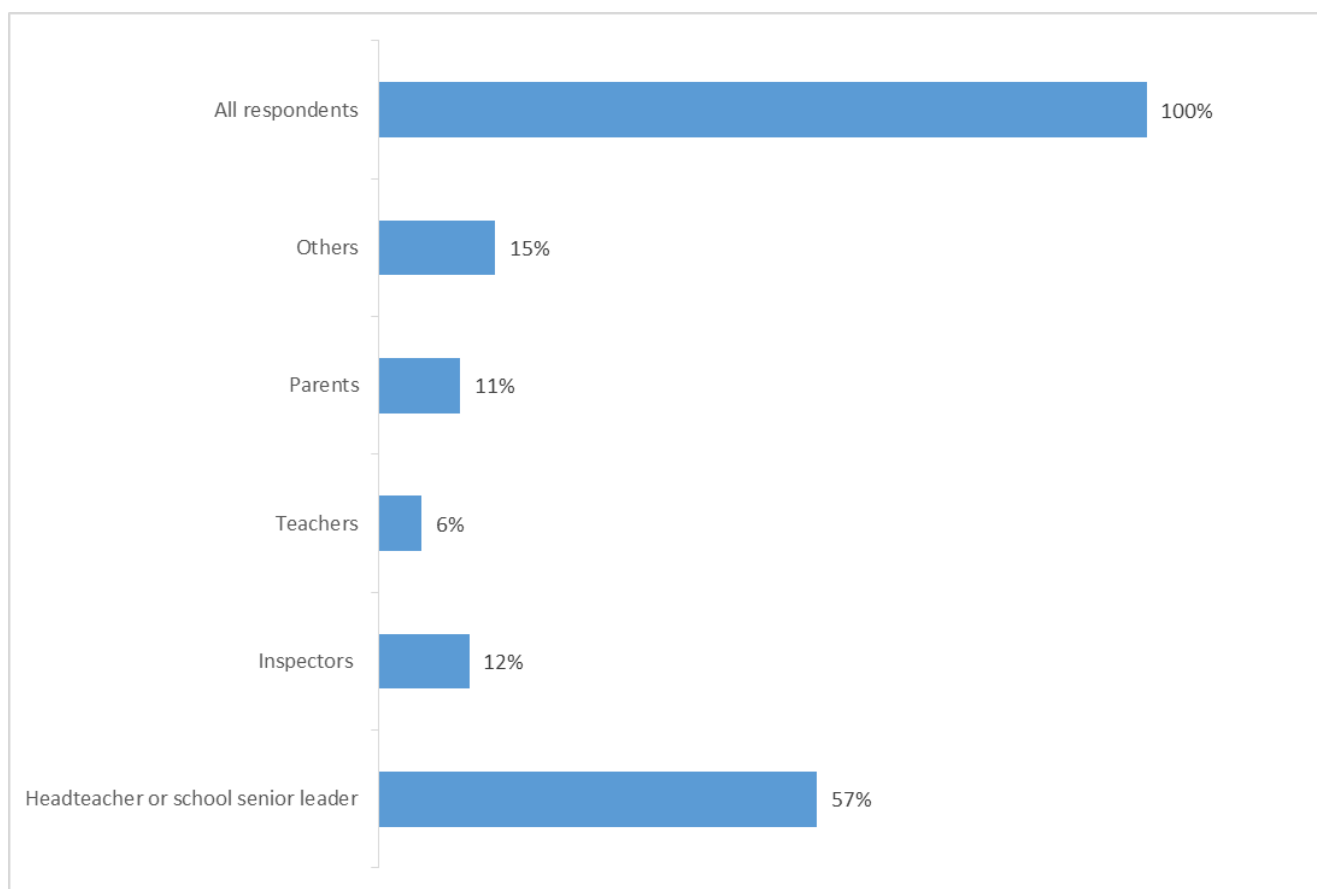
on section 5 inspection will take place within the statutory time frame, which will typically be within two years of the short inspection for most of these schools.

18. If inspectors identify areas of strong practice that indicate that a good school is improving towards being outstanding, they will not convert the inspection. Instead, the school will receive a letter, which Ofsted will publish, setting out those areas where the school is particularly strong and what further steps the school may take in order to improve further. The school's next inspection will be a section 5 inspection and will typically take place within a period of less than two years. It could be much sooner. If a school in these circumstances so wishes then it may request a section 5 inspection at any time, as is the case for all schools.

Findings in full

19. For each proposal, we begin by presenting the quantitative data received through the online consultation and the online Parents Panel questionnaire.³ We then expand on the qualitative feedback received through the free-text comments to the online questionnaires and the submissions from professional associations and unions.
20. In this analysis, reference is made to specific groups of respondents, namely headteachers, teachers, parents/carers and inspectors. This is because these groups of respondent have each submitted over 80 responses. This is not to say that we have not taken account of submissions from the other groups; we have considered all responses. For example, the themes that have emerged from the free-text comments draw on all responses, irrespective of respondent group.
21. Where we provide figures or proportions for the 'other' respondent category, these include all respondent types with fewer than 80 responses and those who selected 'prefer not to say' or left the respondent field blank.
22. By a considerable margin (57%), the largest group of respondents were headteachers or school senior leaders. The next two largest groups were inspectors (either Her Majesty's Inspectors (HMI) or Ofsted Inspectors) and parents, representing, respectively, 12% and 11% of all respondents.

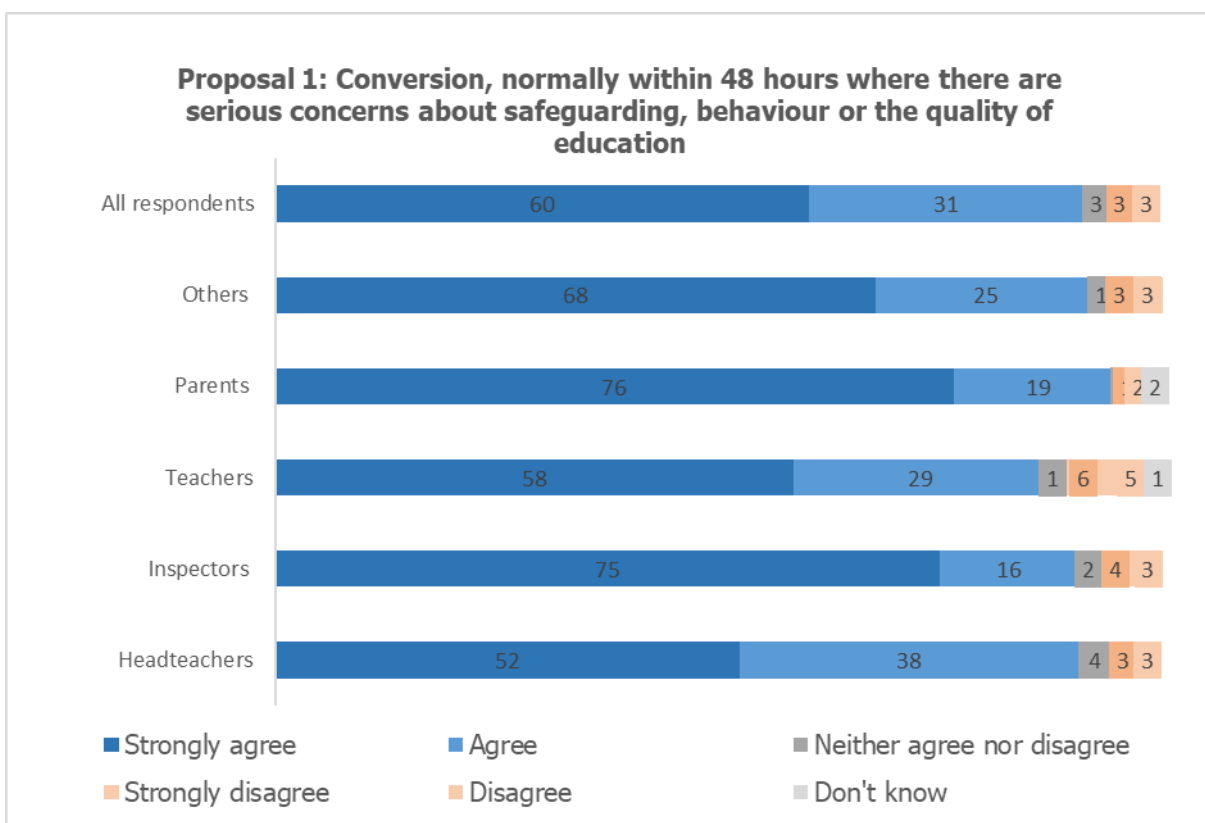
³ Members of the Ofsted Parents Panel completed the same questionnaire that was available to the general public through the online consultation. We have aggregated the results of the two questionnaires. Figures relating to parents/carers or references to this group of respondents encompass both Parents Panel respondents and those who responded through the public consultation and identified themselves as parents/carers.



Proposal 1: To what extent do you agree or disagree that inspectors should continue to convert short inspections, normally within 48 hours, if there are serious concerns about safeguarding, behaviour or the quality of education?

23. Support for this approach was overwhelming. It was endorsed by almost all parents (95%) and headteachers (90%). The most common reasons respondents cited for their support were that:

- the safeguarding and protection of children is of paramount importance
- conversion to section 5 inspections in these instances allows for safeguarding concerns to be explored fully and for inspectors to come to a considered judgement about the effectiveness of safeguarding
- an unsafe school environment can damage pupils' educational opportunities and be a barrier to learning
- the immediate or short conversion period is appropriate so that action can be taken quickly where the concerns are corroborated and fears allayed where they are not
- to delay matters in these circumstances would be doing the pupils at the school a disservice.



24. Just 6% of all respondents disagreed overall. In some cases, respondents disagreed overall because they did not agree with all of the factors that could lead to immediate conversion. The most common reasons can be summarised as follow

- Respondents agreed with the conversion period for safeguarding or behaviour but not for reasons related to the quality of education. Some respondents saw no difference between concerns about the quality of education in this context and proposal 2 whereby schools would be given more time to put things right.
- Some respondents felt that up to 48 hours could be too long; if safeguarding or behaviour has raised serious concerns, conversion should be immediate or no later than the following day.
- Some felt that the proposal did not support schools because it did not give them the time or opportunity to put things right (a key element of proposals 2 and 3).

25. As set out in paragraphs 14 and 15, we will convert the inspection if there are serious concerns about the school’s safeguarding, behaviour or the quality of education. Having considered these comments, our view remains that, where the standard of behaviour is such that it becomes a barrier to learning and progress, the interests of pupils and their parents would be best served by immediate conversion. The same is true for if inspectors see evidence that the overall quality

of education may have declined to the point that, if the school was inspected under section 5, it would be likely to be judged inadequate overall, or, in the case of an outstanding non-exempt school, likely to be judged requires improvement. In these situations, it is appropriate that inspectors conduct a full section 5 inspection that evaluates the whole provision. This will provide up-to-date information to parents, clear recommendations for improvement and impetus for multi-academy trusts, local authorities or other bodies supporting the school to put in place appropriate support and challenge measures to achieve the improvements needed.

Proposal 2: To what extent do you agree or disagree that, where a short inspection does not convert but inspectors are not fully confident that the school would receive its current grade if a full section 5 were carried out, the school should receive a letter setting out strengths and priorities for improvement and a section 5 inspection should be carried out at a later date?

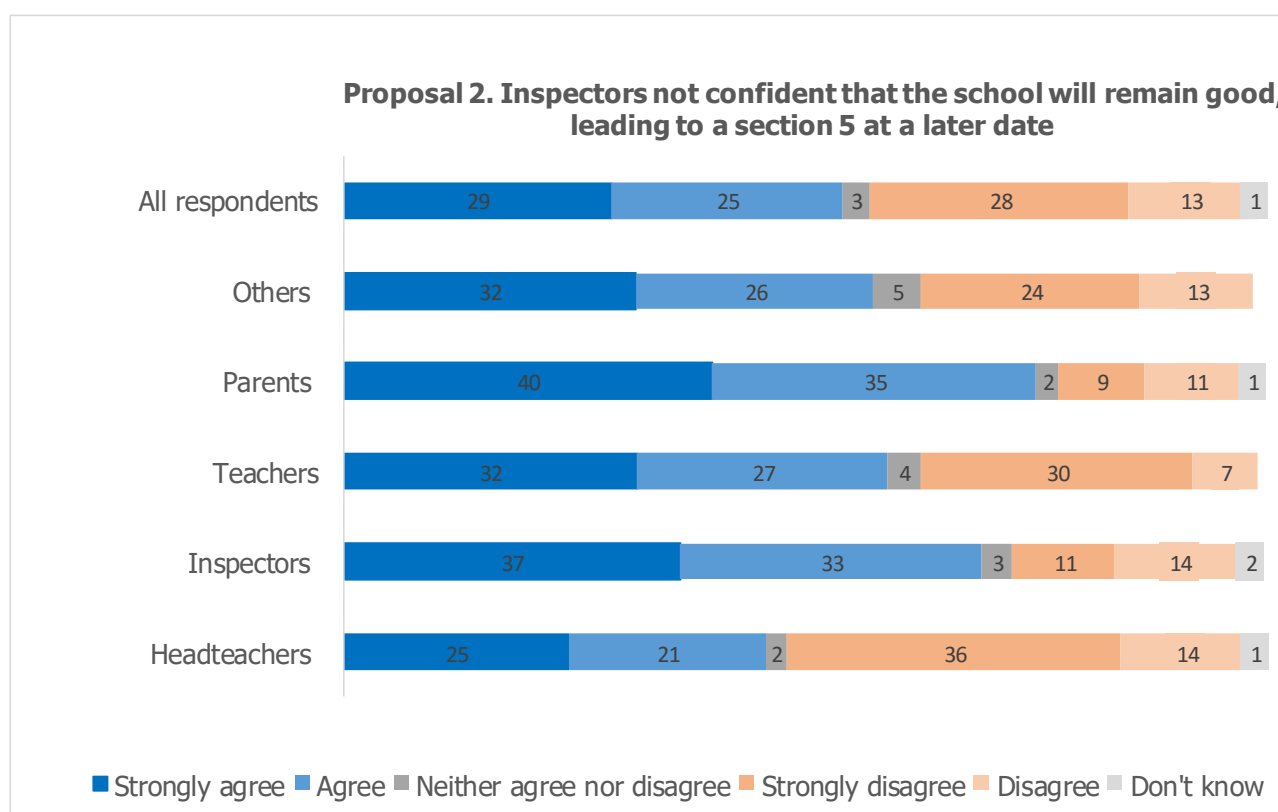
26. The majority of all respondents supported this approach, with 54% either agreeing or agreeing strongly, while 41% were opposed. Three quarters of parents supported this approach. Similarly, 70% of inspectors and 59% of teachers agreed. However, 50% of headteachers and school senior leaders disagreed with this proposal. Their concerns included that the change could create the impression that there were now different 'tiers' of good schools (please also see paragraphs 12 and 31 to 33).

27. Respondents who agreed overall identified many positive features in this approach. They particularly agreed with the intention of the change to 'catch schools before they fall from being good' and give them some more time to improve. These respondents were pleased that Ofsted recognised that sometimes good schools suffer a setback in a specific area while they remain good in all other areas. They felt that the proposed approach would give them an opportunity to address such shortcomings without their overall grade changing immediately. They also felt that the changes made leaders more likely to act swiftly given the stakes. However, some respondents who supported the proposal expressed concern about the potential length of time until the full section 5 inspection. In particular, some parents suggested that, generally, schools should not be given more than one year.

28. Typically, respondents agreed with this proposal because it:

- makes the inspection process more supportive of schools; given the time to improve, schools can secure better outcomes for pupils
- provides helpful priorities for improvement and an opportunity for schools to maintain their 'good' grade
- takes a constructive and developmental approach, encouraging schools to improve continuously; respondents told us it was sensible and proportionate

- avoids the 'damage' cause by an immediate 'requires improvement' judgement, which respondents described as stress on staff, recruitment difficulties and negative perceptions in the community among other factors
- addresses issues quickly while allowing schools (and those who support them) to take appropriate steps to make improvements, including through commissioning appropriate internal and external support
- guards against volatility, whereby schools fear they may be 'downgraded' for one set of bad results or the challenges of a particular cohort
- will give schools a more positive experience of inspection than the current conversion model, in which a large team of extra inspectors 'rush' into the school in two to seven days.



29. Those who disagreed with proposal 2 were concerned that the proposal would:

- create different 'tiers' of good
- leave some schools in 'limbo', knowing that their next inspection would be a section 5; respondents were concerned that this would have a negative impact on staff morale, recruitment and retention; at the same time these schools would not benefit from the likely extra support and intervention that may become available to schools that are judged to require improvement; improvement may therefore take longer to achieve
- put these schools under more pressure to be 'Ofsted-ready'

- create uncertainty for parents and the school community.

30. There was also a contrasting theme among respondents that the proposal was not equitable to other schools, because:

- the same opportunity to make improvements is not extended to schools that require improvement
- schools that may really be 'requires improvement' will continue to 'wear the good badge' – this is unfair to schools that receive section 5 inspections due to Ofsted's risk assessment and are judged as requires improvement
- if there are concerns that a school may no longer be good, then a full section 5 should be carried out as soon as possible.

31. We continue to believe that it is proportionate to conduct immediate section 5 inspections for some good schools where it is clear that the school is in complex circumstances that need a full inspection. These schools are identified using Ofsted's published risk assessment procedure, which is strongly predictive of the schools in which inspectors will need more time to gather evidence. Respondents strongly supported this change following our initial consultation, and it was implemented in October 2017.

32. The gap between the short inspection and the full section 5 inspection on staff and the school community is seen as a matter of concern by some respondents, and a benefit by others. Overall, those who commented on the consultation saw giving schools the opportunity to address shortcomings, if concerns have been identified but are not sufficiently serious to warrant immediate conversion, as a more collaborative approach. A majority of respondents concluded that this approach is likely to avoid the stress and impact on the community associated with a school going from good to requires improvement. As one headteacher responding to the consultation put it:

'It is important that schools are given time to improve and the concept of 'catch schools before they fall from being good' shows that OFSTED understand the importance of collaboration when it comes to school improvement.'

33. It is also important to note that proposals 2 and 3 were designed in light of the outcomes of the previous consultation on short inspections. The response to that consultation, particularly from those representing the school sector, was clear that a two- to three-week 'conversion window' would place school leaders and staff under unacceptable levels of pressure. On balance, therefore, we believe that going ahead with this proposal is the right way forward for all involved.

34. We have also noted the concerns about creating uncertainty for parents and schools or causing schools to be constantly 'Ofsted-ready'.

- Firstly, three quarters of parents responding to this consultation supported our proposal.
- Secondly, we will be taking steps to ensure that the letter to the school is clear that there is no change to its overall effectiveness as a result of the inspection.
- Finally, Ofsted does everything it can through its published documents, statements and engagement on social media to discourage the idea that schools should be 'Ofsted-ready'.

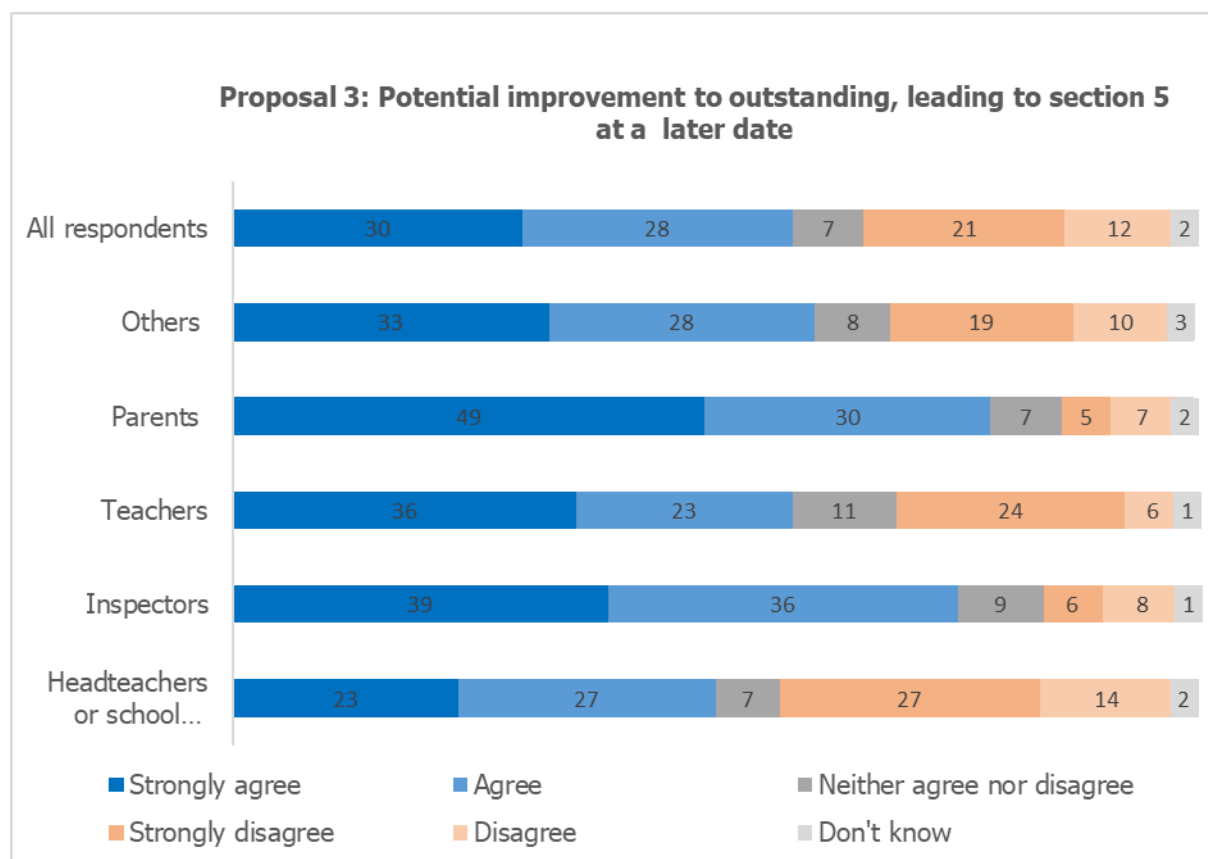
35. We have reduced inspection notice periods and given a consistent message that schools should be looking to do what is best for their pupils. If they do this, which is the case for most good and outstanding schools, then they are more likely to achieve good outcomes for their pupils and good inspection outcomes.

Proposal 3: To what extent do you agree or disagree that, where a short inspection does not convert but inspectors identify strong practice that could indicate that the school is improving towards being outstanding, the school should receive a letter setting out strengths and priorities for further improvement and a section 5 inspection should be carried out at a later date?

36. A clear majority (58%) of respondents supported this approach, while a third disagreed overall. Support was strongest among parents, with almost four fifths (79%) agreeing overall, followed by three quarters of inspectors and almost three fifths (59%) of teachers. Half of all headteachers and school senior leaders also recorded their agreement, while just under half (41%) disagreed overall.

37. Those agreeing put forward a number of reasons for doing so. The most common reasons given were that this approach:

- is more developmental and supportive
- avoids the immediate pressure of a full inspection
- provides schools that are already moving in the right direction with the opportunity to embed improvements so that they can better demonstrate impact when the section 5 occurs; it therefore gives them a better chance to secure an outstanding judgement
- recognises those schools that are making improvements towards outstanding
- creates less stress for school staff.



38. The key concerns of those who disagreed were similar to the concerns about the second proposal. Those who objected considered that the proposed approach:

- had the potential to create uncertainty, leaving schools 'in limbo' or a 'halfway house'
- would be unfair on schools that have been working hard towards outstanding and would like the recognition now rather than two years later; this group felt that conversions should be immediate
- could place more stress on leaders and teachers through raising expectations that they would achieve outstanding when the full inspection takes place, thereby encouraging them to be constantly 'Ofsted-ready'
- could confuse parents and others involved with the school
- creates a potential gap of up-to-two-years until the next inspection that is too long for schools to wait for the follow-on section 5 inspection.

39. We have sought to address the concerns about schools having to be 'Ofsted-ready' above (see paragraphs 32 and 33). This change is not about leaving schools 'in limbo' or not recognising the improvements they have made. Rather, it is about giving them the opportunity to embed and consolidate improvement. Therefore, while this may mean that some schools will receive two inspections within a relatively short period of up to two years, we believe that, in the long term, this will benefit the schools. If they embed the strong practice recognised

at the short inspection across the whole school, then they will be in a much better position when they are next inspected.

40. We recognise that good schools that are improving will be at different stages in that improvement journey. Ofsted's regional directors retain discretion over the timing of the full section 5 inspection, subject to the statutory limitation explained below. Schools are able to request an inspection at any time. The reference to one or two years in the consultation document was due to the constraint placed by the statutory maximum permitted interval between inspections; this is five years from the end of the academic year during which the school was last inspected under section 5. Short inspections are carried out broadly on a three-year cycle, which means that most of these schools will be inspected again within up to two years of the short inspection. For many improving schools, however, this will be sooner.

41. The NGA raised a particular concern about our planned revision of the education inspection framework for 2019. In short, they were concerned that schools moving towards outstanding under the current framework could, in future, be judged under different criteria. Over the years, Ofsted has needed to revise the inspection framework so that it better reflects not just legislative changes but also new challenges and expectations. When we undertake changes to the inspection framework we do so on the basis of the best evidence about educational effectiveness. This is inevitable. However, as we have always done, we will ensure that any such change is contingent on open and thorough engagement with all those involved in the sector, through public consultation, engagement events, pilot inspections and wider discussions, including with unions and professional associations. The changes we make are always guided by this engagement and what is best for schools and the children and young people they serve.



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 children looked after, safeguarding and child protection.

If you would like a copy of this document in a different format, such as large print or Braille, please telephone 0300 123 1231, or email enquiries@ofsted.gov.uk.

You may reuse this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence, write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

This publication is available at www.gov.uk/government/organisations/ofsted.

Interested in our work? You can subscribe to our monthly newsletter for more information and updates: <http://eepurl.com/iTrDn>.

Piccadilly Gate
Store Street
Manchester
M1 2WD

T: 0300 123 1231
Textphone: 0161 618 8524
E: enquiries@ofsted.gov.uk
W: www.gov.uk/ofsted

No. 170046

© Crown copyright 2017