

# INDEPENDENT SCHOOLS

## Inspection Guidance

May 2018

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ETI: Promoting Improvement in the Interest of all Learners

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The Education and Training Inspectorate  
Promoting Improvement

Providing inspection services for:

Department of Education  
Department for the Economy  
and other commissioning Departments

CUSTOMER  
SERVICE  
EXCELLENCE



## INTRODUCTION

The purpose of inspection is to promote the highest possible standards of learning, teaching and achievement throughout the education, training and youth sectors.

*‘Promoting improvement in the interest of all learners’.*

Further information of the work of the Education and Training Inspectorate (ETI) including the Charter for Inspection, ETI’s principles, values and standards and customer service is available on the ETI website.

This guidance describes the main activities undertaken by the ETI during inspections of independent schools in Northern Ireland. It sets out the processes before, during and after the models of inspection and lays out clearly for schools the kind of evidence and activities that inspectors use to make their evaluations and on which they report. This guidance document seeks to improve the transparency of the inspection process, promote consistency and dispel any myths around inspection. While promoting consistency, it is important for schools to be aware that this guidance does not prescribe rigid inspection models and that the ETI will carry out inspections with flexibility to respond to the individual circumstances of each school.

## THE CONTEXT OF INDEPENDENT SCHOOLS

In Northern Ireland, the term ‘independent school’ means a school at which full-time education is provided for learners of compulsory school age and which receives no government funding.<sup>1</sup>

Generally, a management committee has overall responsibility for the school. Independent schools are not obliged to offer the Northern Ireland Curriculum. It is not a legal requirement for staff in these schools to hold a recognised teaching qualification. The schools also do not have to comply with the requirements of grant-aided schools as set out in educational legislation (for example, the Education and Libraries (NI) Orders).

However, independent schools are obliged to take cognisance of The Children (NI) Order 1995 which is the principal statute governing the care, upbringing and protection of children in Northern Ireland and they must comply with all other relevant public

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<sup>1</sup> Article 30 of the Education (NI) Order 1996

policies and legislation. This includes public health and safety, which incorporates health and safety requirements for the premises.

The Department of Education (DE) does not legislate for independent schools in relation to care and welfare and safeguarding of pupils. Circular 2017/04 Safeguarding and Child Protection in Schools - A Guide for Schools<sup>2</sup> and 2003/13 Welfare and Protection of Pupils Education and Libraries (NI) Order 2003<sup>3</sup> refer only to grant-aided schools. However in ensuring the safety, safeguarding and care and welfare of learners it is appropriate for independent schools to be aware of the legislation for the purpose of following best practice.

### **School Types (See Appendix 1)**

In Northern Ireland, the independent sector is very different due to its diversity of provision. Nevertheless, the approach of the ETI, as with all schools, will reflect ETI's core values of Truth, Dignity, Service and Example.

It should be noted that while some schools are established as independent, with a view to becoming grant-aided, others retain their independent status indefinitely. Updated information can be found on the DE website<sup>4</sup>. There are three categories of independent schools registered currently in Northern Ireland:

- Christian independent schools
- Special schools
- Other schools

There is an option for integrated schools to have independent status.

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<sup>2</sup> [www.education-ni.gov.uk/sites/default/files/publications/education/Circular%202017-04%20Safeguarding%20and%20Child%20Protection%20-%20%20A%20Guide%20for%20Schools.pdf](http://www.education-ni.gov.uk/sites/default/files/publications/education/Circular%202017-04%20Safeguarding%20and%20Child%20Protection%20-%20%20A%20Guide%20for%20Schools.pdf)

<sup>3</sup> [www.education-ni.gov.uk/sites/default/files/publications/de/circular-2003-13-welfare-and-protection-of-pupils.pdf](http://www.education-ni.gov.uk/sites/default/files/publications/de/circular-2003-13-welfare-and-protection-of-pupils.pdf)

<sup>4</sup> [www.education-ni.gov.uk/articles/independent-schools](http://www.education-ni.gov.uk/articles/independent-schools)

## Inspection and registration

The DE School Governance Team (SGT) requests the ETI to carry out an **initial inspection visit** within three months of the receipt of an application form for the registration of a new school and a **formal inspection** every five years after registration is granted. Independent schools are provisionally registered until the initial inspection visit is conducted and the school is considered to be compliant with public policies and legislation.

The purpose of each inspection type is as follows:

- a. **an initial registration inspection** - usually within three months of the school being set up; this report gives an evaluation for the purposes of registration and reports on the standards of the educational provision, the suitability of the accommodation from a health and safety perspective and the appropriateness of the child protection arrangements.
- b. **a formal (re) inspection** - normally every five years after registration is granted.

### The (initial) registration inspection<sup>5</sup>

The purpose of this inspection is to determine if the school can be recognised and confirmed to function as a school, and can therefore be registered and gain status as an independent school to appear on the DE register of independent schools. This includes ensuring that: *efficient and suitable instruction is being provided having regard to the ages, gender and abilities of the pupils*; that the child protection procedures are implemented fully; and, that the accommodation provided is suitable for use as a school, taking account of the number, age, gender and abilities of the learners, and meets fully the current health and safety requirements. School accommodation ranges from purpose-built educational facilities to converted buildings. Inspectors will seek evidence from the school to show that the premises have been checked and approved by the Fire Authority.

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<sup>5</sup> As a result of the initial registration inspection and/or the re-registration inspection if required, most schools will be confirmed by the DE as having independent school status. Some of these schools will remain independent and will not apply for grant aid. In any case, the smaller schools, because of their low number of pupils, do not qualify for grant aid. Other schools, especially Irish-medium schools, will remain voluntary temporarily, but will move to become established as grant-aided once they have achieved viable numbers of pupils. This change of designation will entitle them to recurrent funding. (NB If a school applies for grant-aided status, the application will be considered by Area Policy & Planning Team (APPT) (previously known as Development Branch) who will set out the criteria to be fulfilled, for instance, the schools must apply to meet the full requirements of the NIC).

The ETI will make an explicit recommendation in the report to the DE concerning the acceptability and suitability/adequacy or otherwise of the school to function as an appropriate setting. Based on this, the DE will decide if the school is to be recognised and registered as an independent school. For example, it is possible that the quality of education provided is good enough, but that there are serious deficiencies in the accommodation. It will be important, therefore, that the strengths and areas for improvement are prioritised in such a way that a recommendation is made to the DE SGT regarding the recognition or otherwise of the school. This recommendation is to be accompanied by an evaluation of the school's arrangements for safeguarding its learners.

If significant weaknesses are found as a result of the initial registration inspection, the Assistant Chief Inspector (ACI) and Managing Inspector (MI) responsible for independent school inspections, the Inspection Services Team (IST) and the DE SGT will be informed. A letter sent to the school by the DE will indicate which areas for improvement need to be addressed to confirm final registration. The DE will consider what further action is required.

### **A formal (re) inspection - every five years after registration is granted**

The purpose of this inspection is to determine if the school can continue to be recognised and confirmed to function as a school, and can therefore continue to be registered and maintain status as an independent school appearing on the DE register of independent schools.

### **The scope of inspection in both (initial) registration inspections and formal (re) inspections.**

Key aspects to inspect and report on in both models of inspection are as follows:

- How the school ensures that child protection procedures are implemented fully. This is evaluated through a discussion with the designated-member of staff, the designated governor (or their equivalents) and chair of the board of governors/ designated member of the management committee, through the observation of practice within the school and, where appropriate, through discussions with the pupils.
- All adults/staff have been vetted through AccessNI<sup>6</sup>. Independent schools do not have access to Education Authority (EA) training for safeguarding and child

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<sup>6</sup> This refers to enhanced disclosure through Access NI

protection policy and practice. Training related to policies and procedures may however be provided by the school's umbrella organisation or other external agencies.

- There is a curriculum which is **suitably relevant and balanced to meet the educational needs of all the learners** (although independent schools are not obliged to offer the Northern Ireland Curriculum).
- The qualifications of the staff. While it is not a legal requirement for staff in these schools to hold a recognised teaching qualification the number of staff and the nature of qualifications will be stated clearly in the context of the report.
- The accommodation meets at least minimum standards and that the premises meet required health and safety standards. The minimum standards are focused on the requirements for those subjects in the Northern Ireland Curriculum; the report will state which subject provision does not meet such requirements.
- An evaluation of the sufficiency, safety and appropriateness of equipment and resources.
- The attendance of the pupils. Independent schools are required to have pupils attend on a full-time basis. Regulations state that this means at least 3 hours daily under instruction, other than in religious education, if pupils are under the age of eight years and at least 4.5 hours daily under instruction, other than in religious education, in the case of any other pupil.<sup>7</sup>

## Evaluating and reporting on Safeguarding and Child Protection

The minimum requirements for the evaluation of safeguarding in the inspection of an independent school differ from the minimum requirements in grant-aided school as follows:

- Circular 2003/13: Welfare and Protection of Pupils - Education and Libraries (Northern Ireland) Order 2003 applies to grant-aided schools only; therefore, there is no statutory requirement on independent schools to comply with 2003/13.
- Circular 2017/04 Safeguarding and Child Protection a Guide for Schools and Circular 2016/20 Child Protection: Record Keeping in Schools are for guidance only but should be available to independent schools as exemplars of best practice.

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<sup>7</sup> [www.education-ni.gov.uk/sites/default/files/publications/education/2013%2009%20-%20Amended.pdf](http://www.education-ni.gov.uk/sites/default/files/publications/education/2013%2009%20-%20Amended.pdf)

- Child Protection policies do not feature in the DE requirements for the registration of independent schools but may be in line with the policies of the school's management organization.
- Independent schools need to recognise that, if they do not meet best practice, as described in DE's requirements for grant-aided schools in this respect, they are vulnerable and that they are not taking all the necessary steps to ensure the safety and well-being of their pupils.
- The ETI should check that the school is receiving a copy of Department of Education Circulars. The schools should be aware of the requirements of Circulars 2017/04 and 2003/13 and they should know what is expected as best practice in the care and well-being of pupils.
- The current school's version of the ETI Safeguarding Proforma<sup>8</sup> **may be used** by the school, if it chooses to do so, and can be used as a guide for the discussion about child protection and safeguarding policies and procedures with the designated member of staff and/or designated member of the Board of Governors/Management Committee (or equivalents). If the ETI proforma is not used, a similar overview should be provided by the school.
- **It is particularly important to ask about the vetting of staff and volunteers.** There may be aspects of the child protection information which are different to grant-aided schools for example, the training of designated members of staff by independent organisations or church bodies. ETI will be required to assess the appropriateness and effectiveness of these aspects in the interest of all learners. Where the school is unable to provide evidence of any aspect of child protection provision, the reporting inspector should, in the first instance, seek advice from the Managing Inspectors responsible for safeguarding and child protection and for the inspection of independent schools, and the relevant Assistant Chief Inspectors. If issues emerge, they should be discussed with the principal/chair of the management group and identified in the written report. It is important for the ETI to set out clearly the issues which have been identified as areas for improvement in order to alert the school and the DE in order to ensure the safety and well-being of the learners. Registration with DE may be deferred or suspended until the matter has been resolved.
- Meetings and discussions with pupils may form part of the inspection of independent schools, with the agreement of the school. The RI should seek to clarify this element in advance of the inspection.

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<sup>8</sup> [www.etini.gov.uk/publications/safeguarding-proforma-nursery-primary-post-primary-special-education-schools-and-eotas](http://www.etini.gov.uk/publications/safeguarding-proforma-nursery-primary-post-primary-special-education-schools-and-eotas)

- There is no separate guidance on the role of the representative for independent schools, as they are individual by ethos and provision, therefore please refer to current guidance for the role of the representative<sup>9</sup>. The RI should discuss and agree the role at the pre-inspection visit.
- **Boarding departments of independent schools do not form part of the ETI inspection.** ETI will inspect within the school and the classrooms but not within the boarding department. It might be relevant to discuss, in a discussion with pupils, how boarding adds value to the extra-curricular and informal learning of the pupils and how care and welfare extends to and through that learning.

### The pre-inspection visit

RI carries out a pre-inspection visit to discuss the inspection process, inform the staff and to advise the school that it must comply with the vetting of staff and ensure that safeguarding/child protection policies are in place.

The RI will agree any arrangements that may be made about holding discussions with pupils and providing an opportunity should parent/s wish to speak to inspectors.

### Oral reporting

The inspectors will follow current guidelines for professional engagement and dialogue with an individual member of staff following a classroom observation. There will also be an evaluative report back of the key findings of the overall quality of the institution to the principal and the management committee, including any areas for improvement which the inspection team identifies. The oral report will be followed by a written report, subject to the ETI quality assurance processes.

### Reporting of inspection findings

Due to the narrower evidence base and more specific purpose of inspection in independent schools than in grant-aided schools, an overall effectiveness conclusion and performance levels **are not** reported for an independent school inspection, **with one exception**: an overall performance level in relation to Safeguarding and Child Protection arrangements which takes account of health and safety and accommodation aspects will be reported. (Appendix 2) Examples of such arrangements may include, for example, inappropriate toilet facilities, unsafe outdoor facilities, and inappropriate access to the school grounds or buildings for members of the public.

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<sup>9</sup> [www.etini.gov.uk/articles/role-representative](http://www.etini.gov.uk/articles/role-representative)



If the report identifies areas for improvement (AFIs) in relation to safeguarding and child protection, including health and safety and accommodation, and the safeguarding is reported as unsatisfactory, a six-week safeguarding follow-up will be scheduled, keeping the Assistant Chief Inspector (ACI) and Managing Inspectors (MI) for independent schools inspections and for safeguarding updated on the school's progress in addressing the areas for improvement (AFIs).

A copy of the final report will be made available to the DE SGT who may request an action plan from the school. If an action plan is required, the school will be asked to submit the action plan within 30 days of the publication of the report to show how it intends to address the AFIs.

Should the independent school be unable or unwilling to meet the requirements of any AFIs, the matter should be reported by the Reporting Inspector at the earliest opportunity to the MI and ACI for independent schools inspections. Further action by the ETI, in consultation with DE, will be considered.

Registration, and the continuation of registration, by DE will rely on there being no substantive AFIs or, if there are, a clear sign of commitment on the part of the organisation to ensure that these matters will be addressed fully and, in the interim, there is no risk to the safeguarding of learners. The report will indicate explicitly if (continued) registration is recommended or not.

After the inspection has been carried out:

- the RI completes the report and forwards it to the MI responsible for the inspection of independent schools for the quality assurance process, copied to the relevant phase MI for information;
- when approved, the RI sends the report to Inspection Services Team (IST);
- a pre-publication copy of the report will be issued to the school by IST;
- the final report will be issued to the school by IST and published online by the ETI;
- a copy of the report will issue to the DE SGT for any further action required, including the request for an action plan should it be required;
- an AFI which involves safeguarding and child protection, health and safety and/or accommodation is expected to be resolved within six weeks or as

soon as possible thereafter. An addendum to the final report will report on the outcomes of the follow-up;

- the DI/RI will keep contact with the school and ensure that all necessary follow-on action is taken;
- should the independent school be unable or unwilling to meet the requirements of the AFI and/or its action plan, further action in consultation with DE will be considered.

Registration by DE will rely on there being no substantive AFIs or if there are, a clear sign of commitment on the part of the organisation to ensure that these matters will be addressed fully within an agreed timeframe, and, in the interim, there is no risk to the safeguarding of pupils.



**Appendix 1**

**LIST OF INDEPENDENT SCHOOL AGE RANGES  
BY CATEGORY (2018)**

The ages are taken from the age at 1<sup>st</sup> July on the school Census form.

**Category One Christian Independent**

REF NO	SCHOOL NAME	AGE RANGE
IS 33	Ballymoney Independent Christian School	3-11
IS 36	Bangor Independent Christian School	6-15
IS 45	Clogher Valley Independent Christian School	4-15
IS 88	Focus School Newry Campus	7-18
IS 89	Focus School Knockloughrim Campus	7-18
IS 30	Kilskeery Independent Christian School	3-17
IS 80	Celebration Academy	4-18
IS 48	Mourne Independent Christian School	4-15
IS 34	Newtownabbey Independent Christian School	4-18
IS 49	Portadown Independent Christian School	3-15

**Category Two Special Schools**

REF NO	SCHOOL NAME	AGE RANGE
IS 59	Buddy Bear Trust Conductive Education	5-18
IS 41	Glencraig Curative School	7-18

**Category Three (Other)**

REF NO	SCHOOL NAME	AGE RANGE
IS 28	Hollywood Rudolph Steiner Independent School	4-16
IS 24	Rockport Preparatory Independent School	3-18

## OUTCOMES FOR THE INSPECTION OF CHILD PROTECTION AND SAFEGUARDING

### L1

Based on the evidence available at the time of the inspection, the arrangements for safeguarding the learners reflects the guidance from the Department of Education.

*(and if appropriate)*

The learners report that they feel safe in the school and that they are aware what to do if they have any concerns about their safety or welfare.

### L2

Based on the evidence available at the time of the inspection, the arrangements for safeguarding the learners reflect broadly the guidance from the Department of Education.

However, the school needs to: (list AFIs)

*(and if appropriate)*

The learners report that they feel safe in the school and that they are aware what to do if they have any concerns about their safety or welfare.

### L3

Based on the evidence available at the time of the inspection, the arrangements for safeguarding the learners are unsatisfactory <insert footnote: The Department of Education will seek assurance from insert the relevant authority that they are working with the school in relation to the inspection report.>.

The areas which must be improved urgently include: (list AFIs)

*(and if appropriate)*

The learners report that they do not always feel safe in the school and that they are not fully/not all aware what to do if they have any concerns about their safety or welfare.

The ETI will return to the school within six weeks to evaluate the progress in addressing the unsatisfactory arrangements for safeguarding.

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