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Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation Document

Extending the school inspection cycle

The Education (Amendments Relating to the Intervals for Inspection of Education and Training) (Wales) Regulations 2020

Date of issue: 14 October 2019
Action required: Responses by 25 November 2019

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

The Education (Amendments Relating to the Intervals for Inspection of Education and Training) (Wales) Regulations 2020

Overview This consultation seeks views on the Education (Amendments Relating to the Intervals for Inspection of Education and Training) (Wales) Regulations 2020

How to respond Responses to this consultation should be e-mailed/posted to the address below to arrive by **25 November 2019** at the latest.

Further information and related documents **Large print, Braille and alternative language versions of this document are available on request.**

A Learning Inspectorate – Independent review of Estyn
<https://www.estyn.gov.wales/document/learning-inspectorate-independent-review-estyn>

Consultation on Estyn’s proposed transition year in 2020-2021
<https://www.estyn.gov.wales/sites/www.estyn.gov.wales/files/Consultation%20PDF%20English.pdf>

Responses to the consultation on Estyn’s proposed transition year 2020–2021 (academic year)
<https://www.estyn.gov.wales/document/responses-consultation-estyn%E2%80%99s-proposed-transition-year-2020%E2%80%932021-academic-year>

The consultation documents can be accessed from the Welsh Government’s website at gov.wales/consultations

For further information:

Education Business Planning and Governance Division
The Education Directorate
Welsh Government
Cathays Park
Cardiff
CF10 3NQ
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Facebook/EducationWales

General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data held about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

e-mail: Data.ProtectionOfficer@gov.wales

The contact details for the Information
Commissioner's Office are:

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 01625 545 745 or

0303 123 1113

Website: <https://ico.org.uk/>

What this consultation is about

This consultation seeks views on the making of the Education (Amendments Relating to the Intervals for Inspection of Education and Training) (Wales) Regulations 2020 (“the draft Regulations”). These Regulations extend the current inspection period for nursery education, maintained schools (including Pupil Referral Units (PRUs) and religious education provided at maintained schools), careers and related services and further education settings from 7 to 8 years for one cycle only (2016-2024). A copy of the draft Regulations are attached.

The current position

The draft Regulations amend the following Regulations (“the Inspection Regulations”):

- (a) Inspection of Education and Training (Wales) Regulations 2001 (inspection of further education),
- (b) Education (School Inspection) (Wales) Regulations 2006 (inspection of maintained schools, pupil referral units (PRUs) and religious education at maintained schools),
- (c) Inspection of Careers and Related Services (Wales) Regulations 2006 (inspection of careers and related services), and
- (d) Education (Inspection of Nursery Education) (Wales) Regulations 2015 (inspection of nursery education).

Currently the Inspection Regulations require Her Majesty’s Chief Inspector of Education and Training in Wales to carry out an inspection at least once within the 7 year period beginning on 1 September 2016 and ending on 31 August 2023 (“the First Inspection Period”) and at least once within every subsequent 6 year inspection period.

These Regulations amend the First Inspection Period in each of the Inspection Regulations so that it will end on 31 August 2024 instead of 31 August 2023. All subsequent inspections will continue to be once in every 6 year inspection period.

Why we are proposing a change

Professor Graham Donaldson undertook a review of the implications of our education reforms on the future role of Estyn. His report ‘A Learning Inspectorate’ published in June 2018 includes recommendations that enable Estyn and school inspections to contribute directly to the ongoing curriculum reforms and new evaluation and improvement arrangements. The report signals some changes of how the Inspectorate and school inspection could work in the future.

The report proposes a three phased approach to transition from the current to future inspection arrangements to align with the education reforms. Many of the recommendations within the report support the changes needed during the transition. Phase 1 of the transition period includes a proposal to partially suspend school inspections to allow schools time to focus on and embed the changes they need to make in line with the curriculum reforms. It also allows Estyn time to support schools to prepare for the changes and to enable inspectors to develop an understanding of the reform process, adapt their practices and ensure that inspection arrangements for the future are fit for purpose. Whilst a partial suspension of school inspection is proposed, there would continue to be a sufficient amount of inspection activity and monitoring of schools causing concern during this time.

On 19 February 2019, the Minister for Education announced her support for Estyn to move forward with the report's recommendations through a period of consultation with stakeholders. The Minister for Education also advised that the Welsh Government would be consulting on extending the current inspection cycle from 7 to 8 years to assist the partial suspension of school inspections which was planned to take place during the 2020-2021 academic year. A link to the Minister's written statement is attached below:

<https://gov.wales/written-statement-evaluation-and-improvement-new-accountability-system-raise-standards-all>

In May 2019, Estyn undertook the first of a series of consultations about how inspection can best support schools and other providers to manage the changes taking place in education. The first consultation focused on the proposals during the 2020-2021 transition year. The consultation sought views from stakeholders on the following issues:

- The proposal for Estyn to partially suspend inspections for schools and PRUs during the academic year 2020-2021 to enable inspectors to support the curriculum;
- The activity Estyn will be undertaking during that year in the form of engagement visits and the focus of those visits;
- Other activities during the 2020-2021 transition year including activities to support schools causing concern; and
- Proposals for keeping stakeholders up to date with developments during the transition year.

The outcome of the consultation can be viewed at the following link:

<https://www.estyn.gov.wales/document/responses-consultation-estyn%E2%80%99s-proposed-transition-year-2020%E2%80%932021-academic-year>

In relation to the question whether Estyn should partially suspend inspections for schools and PRUs during 2020-2021, 89% of respondents either agreed or strongly agreed to the proposal, whilst 7% disagreed or strongly disagreed. As a consequence Estyn propose to pursue the partial suspension of school inspections as planned.

As mentioned in the Minister for Education's written statement on 19th February, in order to assist the partial suspension of school inspections to take place the current inspection cycle would need to be extended from 7 to 8 years for one cycle only. This would allow Estyn to continue its proposed programme of inspections over a longer period of time as well as provide a period for schools and Estyn to undertake the development work needed in readiness for the new curriculum and new inspection system. The draft Regulations allows this to happen by extending the current 7 year inspection period (2016-2023) to an 8 year inspection period (2016-2024) for one cycle only and reverting to a 6 year cycle thereafter.

Whilst it is anticipated that Estyn will only be partially suspending inspections of maintained nursery schools, maintained schools and PRUs during 2020-2021, the draft Regulations allow Estyn the flexibility to suspend inspections in other settings prescribed for in the current inspection regulations (all nursery settings, careers and related services and further education settings) if they deem necessary. It also allows for all settings to remain on the same inspection cycle during the current period and thereafter. Whilst the regulations will not prescribe the particular period of time that Estyn will commence a partial suspension of

school inspections, it has been agreed with Estyn that this will take place in 2020-2021 and will be reflected in Estyn's 2020-21 remit letter.

What are we proposing

That stakeholders agree to the making of the Education (Amendments Relating to the Intervals for Inspection of Education and Training) (Wales) Regulations 2020 which will come into force on 1st September 2020 to assist the partial suspension of school inspections during 2020-2021.

