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Guidance

Non-association independent schools handbook

Updated 1 September 2021

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This guidance applies from 1 September 2021.

Introduction

1. This handbook describes the main activities carried out during inspections of non-association independent schools in England under section 109(1) and (2) of the Education and Skills Act 2008. It sets out the evaluation criteria that inspectors use to make their judgements and on which they report. These include the extent to which the school meets the requirements of the Education (Independent School Standards) Regulations 2014 (referred to as the independent school standards).[footnote 1]

2. This handbook is primarily a guide for inspectors on how to carry out school inspections. However, it is made available to schools and other organisations to ensure that they are informed about the processes and procedures of inspection. It attempts to balance the need for consistency in inspections with the flexibility needed to respond to the individual circumstances of each school. This handbook should not be regarded as a set of inflexible rules, but as an account of the procedures of inspection. Inspectors will apply their professional judgement when they use this handbook. It applies to school inspections to be carried out from September 2019 under the education inspection framework (EIF).

3. The handbook has 4 parts:

- Part 1. How non-association independent schools (referred to as schools) will be inspected: This contains information about the process before, during and after the inspection
- Part 2. The evaluation schedule: This contains the evaluation criteria inspectors use to make the graded judgements about schools and includes examples of the kinds of evidence and activities used by inspectors to make their judgements
- Part 3. Applying the EIF in different contexts: This contains guidance on how to apply the EIF in specific contexts and provisions
- Part 4. Inspecting against the independent school standards and other requirements: This contains technical information about the standards

4. This handbook applies to standard inspections. It does not cover the range of additional inspections that we carry out of independent schools: emergency, progress monitoring, pre-registration and material change inspections. Guidance on these inspections is available in the 'Handbook for additional inspections of non-association independent schools'.

5. This handbook also applies in the event that the Department for Education (DfE)

Part 4. Inspecting against the independent school standards and other requirements

Technical information about the standards

References made in the standards, other published resources for schools and technical notes

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commissions Ofsted to carry out a standard inspection of an independent school that is normally inspected by the Independent Schools Inspectorate (ISI). In this event, the school will be added to Ofsted Parent View, our online survey for parents, for the duration of the on-site inspection.

Privacy notice

6. During inspection, inspectors will collect information about staff and children at the school by looking at school records, reviewing responses to the pupil survey and the staff survey where appropriate, and by observing the everyday life of the school. We use this information to prepare our report and for the purposes set out in our privacy policy. In most cases, we will not record names. However, some of the information may make it possible to identify a particular individual. We will not publish any information that identifies an individual in the report, but will usually name the headteacher and the proprietor (where applicable).

7. Individuals and organisations have legal requirements to provide information to Ofsted. The Education and Skills Act 2008 gives our inspectors the power to inspect and take copies of any relevant records kept by schools. Regulations enable the DfE to provide Ofsted with individual pupils' information that relates to school inspections.

8. Paragraph 32(1)(g) of the independent school standards sets out the requirement for proprietors to provide information: 'any information reasonably requested in connection with an inspection under section 109 of the 2008 Act which is required for the purposes of the inspection is provided to the body conducting the inspection and that body is given access to the school's admission and attendance registers'.

9. In the vast majority of schools, we will gather evidence electronically using a range of devices, including laptops, mobile telephones and tablets. All evidence is securely transferred to Ofsted's systems. Our inspectors may take photographs of pupils' work. These will be stored as evidence but not retained by the inspector personally.

Inspection and the COVID–19 (coronavirus) pandemic

10. This section sets out our approach as routine inspections resume. It covers how we will reflect the COVID-19 context and the disruption it has caused and may continue to cause to all education providers when making judgements. It also covers the transitional period.[footnote 2] We will keep our handbooks and methodology under review as circumstances change and we continue to emerge from the pandemic.

11. We outline here the additional considerations for inspectors when inspecting schools during the COVID-19 pandemic and transitional period. This section should be read alongside the other parts of the inspection handbook.

Preparation and planning

12. During the preparation phone call with the headteacher, the lead inspector will seek to understand the specific impact of COVID 19 on the school community and how the school's leaders responded to the situation, including any specific plans for the transitional period.

13. This discussion will also explore how the school implemented the curriculum and what, if any, elements of remote education remain in place at the time of inspection.

14. In this conversation, the headteacher and lead inspector will agree safety protocols that the inspection team will follow to ensure that the inspection is completed in a COVID-19 secure way.

15. Given these additional discussions, it is possible that this conversation may take longer than 90 minutes.

Curriculum

16. Inspectors recognise that most schools will have been unable to implement the

curriculum in the usual way during the COVID-19 pandemic. We recognise that schools were not required by the DfE to provide education to all pupils from March 2020 to July 2020 due to COVID-19, and may not have been doing so. Throughout the inspection, inspectors will seek to understand how the school adapted and prioritised the curriculum from September 2020.

17. To understand the context of the school's current curriculum, inspectors will explore how leaders' decisions about remote education have led to changes or adaptations to the school's curriculum. For example, inspectors will look at how subject leaders and teachers have identified pupils' learning gaps and new starting points, and how they have responded to that in their curriculum planning.

18. Where the school is directly deploying tutors to support education recovery from the pandemic, inspectors will consider how their deployment supports the aims of the school curriculum. Use of tutors will be integrated into the evaluation of quality of education and leadership and management and will not be inspected in its own right.

Remote education

19. Inspectors recognise that there may still be some limited circumstances in which a pupil may need to learn remotely. Ofsted does not have a preferred model for remote education. Throughout the inspection, inspectors will discuss the decisions that school leaders have taken and how they have implemented them. The quality of remote education between March and August 2020 will not impact on our judgement of the school's quality of education.

20. Where remote education remains in place, inspectors may observe remote teaching and review materials. We will only expect to see the school's typical approach to remote education, and do not expect schools to arrange anything solely for inspection.

21. To understand leaders' decisions about the curriculum, inspectors may discuss remote education with teachers, parents and carers, and pupils. They may also review completed work and teaching materials. This will be the case regardless of whether remote education is in place at the time of inspection.

22. Given the above, when we refer to the intent, implementation and impact of the curriculum in this handbook, this includes remote education, where it remains in place for some pupils.

External data

23. Inspectors will consider available external data. However, they will be mindful of the age of this data, especially around external assessment and qualifications, when making judgements.

24. Teacher-assessed grades from 2020 and 2021 will not be used to assess curriculum impact.

25. Inspectors will not expect or accept internal data from schools either instead of or in addition to published data.

Leadership

26. Inspectors will seek to understand how school leaders have adapted their school development plans as a result of the COVID-19 pandemic, including the rationale for any new or modified school improvement priorities.

Safeguarding and attendance

27. The COVID-19 pandemic increased safeguarding risks. Inspectors will consider how school leaders adapted approaches to safeguarding during the pandemic to make sure that:

- vulnerable pupils, including those with special educational needs and/or disabilities (SEND), were prioritised for face-to-face education in school
- safeguarding procedures remained effective for those receiving remote education, as well as those attending school

Inspectors will discuss how safeguarding arrangements have changed over time due to the pandemic, and how school leaders have made sure that they remain effective.

28. Inspectors will discuss attendance patterns with school leaders to understand how the pandemic specifically affected the individual school. They will want to understand how, in the circumstances, the school ensured the best possible attendance for those pupils eligible to attend in person. Attendance between March 2020 and March 2021 will not impact on our judgement of the school.

29. Inspectors recognise that the context in which schools operate has changed as a result of the pandemic. Therefore, they will consider the specific context and the steps school leaders have taken to ensure the best possible rates of attendance since the school opened to all pupils in March 2021.

Personal development

30. When forming judgements about personal development, inspectors will seek to understand what took place before the pandemic, what the school has in place currently and what its future plans are. Inspectors recognise that many elements of personal development that were in place before the pandemic may have been disrupted. Therefore, they will focus on understanding the steps that leaders have taken to offer a wide range of personal development opportunities since the school opened to all pupils in March 2021.

Remote elements of the inspection

31. Inspections will be carried out on site. Face-to-face meetings will remain our usual method. However, it may be pragmatic to carry out some elements of the inspection through video/telephone calls. This will be agreed with the headteacher at the start of the inspection. It will usually only be used to involve governors and others with leadership responsibility in inspection who are unable to attend the school site.

EYFS requirements and previous reliance on disapplication and/or modifications of the EYFS

32. To support early years providers and schools during the COVID-19 outbreak, in April 2020 the government temporarily disapplied and modified certain elements of the early years foundation stage (EYFS) statutory framework (see 'Early years foundation stage: coronavirus disapplications'). This included detail on where schools should have applied 'reasonable endeavours' and 'best endeavours' if they were using any modifications and disapplications.

33. Disapplications end on 31 August 2021. Inspectors will consider any circumstances where providers were relying on modifications to and/or disapplications of the requirements (where applicable).

34. We recognise that the disruption to learning caused by the pandemic may have impacted on what children have learned. This could result in some children having a wider than usual range of starting points and gaps in their knowledge. Inspectors will pay close attention to how schools identify and address any of these delays and gaps.

35. When determining inspection judgements, the inspector will take account of all failures to meet EYFS requirements, even where they were previously modified. If the inspector judges the early years provision not to have an acceptable quality of education and/or standard of care, the specific early years judgement and the overall effectiveness will be inadequate.

36. When evaluating the quality of early years education, using the judgement criteria set out in paragraphs 323 to 333, inspectors will consider the extent to which leaders have designed an ambitious and well-sequenced curriculum. When considering the impact of the curriculum, inspectors will have due regard to any loss of learning the pandemic may have caused. However, inspectors will consider what the school is doing to address any disruption to learning to ensure that children are well prepared for their next stage of education.

37. EYFS assessment arrangements may have been altered as a result of the pandemic.

Inspectors will need to understand where providers may have previously relied on the modifications to some of the assessment requirements of the EYFS.[footnote 3]They will check whether providers were meeting relevant assessment requirements. They will also check how providers are supporting staff with any additional workload expectations as a result.

38. Inspectors will also consider how schools adapted approaches to safeguarding during the pandemic to make sure that:

- vulnerable children, including those with SEND, were encouraged to attend the provision
- safeguarding procedures remained effective both for those at home and those attending the provision

Inspectors will discuss how safeguarding arrangements have changed over time due to the pandemic, and how schools have made sure that they remain effective.

Part 1. How schools will be inspected

What are the legal requirements for the inspection of schools?

How schools are selected for inspection

39. All independent schools are inspected at the direction of the DfE, which is the registration authority for independent schools. Therefore, Ofsted may be asked to inspect an independent school at any time. This might occur, for example, where the DfE has particular concerns about a school.

40. The EIF and this handbook set out the arrangements for standard inspections of independent schools carried out under section 109(1) and (2) of the Education and Skills Act 2008.

41. All schools have a unique reference number (URN). Any institution with its own URN that we inspect will receive an inspection report after each inspection.

Frequency of inspections[footnote 4]

42. A 3-year cycle of standard inspections began in September 2018.

43. Schools that are judged as requires improvement or inadequate normally have a standard inspection within 2 years of the previous standard inspection.[footnote 5]

44. The inspection cycle for all non-association independent schools will be extended by 4 terms to take account of the temporary suspension of routine inspections owing to COVID-19. Therefore, inspections within the current cycle will not reflect the timescales published above. The current cycle will now end in December 2022.

45. The DfE may commission Ofsted to carry out a progress monitoring inspection when a school has failed to meet all of the independent school standards. Therefore:

- all schools that are judged to be inadequate normally receive a progress monitoring inspection before their next standard inspection
- schools that are judged as requires improvement following a standard inspection may also receive a progress monitoring inspection before their next standard inspection

46. The purpose of the progress monitoring inspection is for inspectors to judge whether the school has addressed any un-met independent school standards and any other issues identified at the previous standard inspection.

47. On a progress monitoring inspection of a school that was judged as requires improvement but met all the independent school standards, inspectors will judge whether the school continues to comply with the standards relating to any qualitative issues that may have been identified at the previous standard inspection.

48. Guidance on progress monitoring inspections is available in the 'Handbook for additional inspections of independent schools'.

Bringing forward standard inspections following additional inspections

49. The DfE may bring forward a school's next standard inspection following an additional inspection carried out from the summer term 2021 onwards, in order to update the school's graded judgements.

50. There are 2 scenarios when this may happen:

- a school that was graded requires improvement or inadequate has now been judged to have significantly improved at a progress monitoring inspection and now meets all of its previously failed independent school standards
- a good or outstanding school is judged to no longer meet the independent school standards at either:
  - an emergency inspection
  - a material change inspection, where the school has already implemented the change before getting approval from the DfE

51. In the first scenario, the lead inspector of that progress monitoring inspection must have judged that:

- all the previously un-met standards are now being met securely and consistently
- the school is likely to be able to provide evidence that it can meet part 8 of the standards (leadership and management) on a standard inspection
- any qualitative issues identified at the previous inspection have been rectified and solutions embedded so that the school stands a reasonable chance of being judged good
- the school's curriculum development is at a stage where it is likely to be judged favourably under the EIF

Carrying out additional inspections as part of a standard inspection

52. The DfE may commission Ofsted to carry out an additional inspection as part of a standard inspection. It may commission Ofsted to consider a school's application to make a material change to its registration, a school's progress in implementing its action plan and in meeting un-met independent school standards, or issues raised by a complaint or other issue about a school, as part of a standard inspection. The DfE will request this in an inspection commissioning form.

53. Similarly, if the DfE commissions Ofsted to carry out an additional inspection and a standard inspection is already scheduled to take place in the same or next term, Ofsted may recommend to the DfE that the additional inspection be carried out as part of the standard inspection.

54. In both cases, the 'additional matters' will normally be considered as part of the standard inspection in a single inspection. Ofsted will typically report on the 'additional matters' to the DfE in the report for the standard inspection and complete one independent school standards compliance record. The report will clearly set out the legislative basis for both inspection types and the reason for the additional inspection. The report will be published on our report website. However, there may be occasions – such as when a progress monitoring inspection is commissioned with a standard inspection – when 2 reports are written and published on our website. This is in order to ensure that the progress against previously unmet standards is reported clearly to the DfE.

New schools

55. Proprietors who want to open a new school must apply to the DfE for registration. They are asked to supply the information set out in section 98 of the Education and Skills Act 2008 and the Independent Educational Provision in England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018.

56. The Education and Skills Act 2008 requires Ofsted to carry out a pre-registration inspection of a prospective school before it opens, when commissioned to do so by the DfE. Inspectors consider the written evidence supplied in the school's application to the DfE before the pre-registration inspection is made to the school to advise the Secretary of State about the school's readiness for registration. Schools must not begin operating until they are registered. Following a pre-registration inspection, the inspector reports to the DfE about the extent to which the independent school standards are likely to be met. From the summer term 2018, these reports have been published on our website and made available to the school. The decision on whether or not to register the school lies with the DfE.

57. Once registered, new schools receive their first standard inspection in their first year of operation. These reports are also published on our reports website.[footnote 6]

Schools requesting an inspection

58. Unlike other schools inspected under the EIF, independent schools are not able to request an inspection outside of the usual inspection cycle, as set out above.

Inspection fees

59. Schools are charged a fee for standard, pre-registration and progress monitoring inspections. The fees for pre-registration and progress monitoring inspections are set out in the Independent Educational Provision in England (Inspection Fees and Savings Provisions) Regulations 2019.

60. For standard inspections, 2 sets of fees regulations are currently in force. Depending on the timing of their most recent standard inspection, schools either:

- are still being charged under The Independent Educational Provision in England (Inspection Fees) and Independent School Standards (Amendment) Regulations 2018, which came into force on 1 April 2018
- will be charged under The Independent Educational Provision in England (Inspection Fees and Savings Provisions) Regulations 2019, which came into force on 1 July 2019

61. An inspection fee will always be charged unless a deferral is granted in line with our deferral policy before the start of on-site inspection activity. If the inspection is rescheduled to take place at another time, a fee will be payable once the inspection has taken place.

62. In the case of pre-registration inspections, where a proposed school withdraws its application at or following notification, the fee will still be payable.

Using evidence from standard inspections

63. We may use the evidence that inspectors gather during standard inspections to inform other work, such as national reporting.

Boarding or residential provision

64. Where boarding provision in boarding schools has been judged inadequate or requires improvement, it is inspected again within 2 years. Where the boarding provision has been judged good or outstanding, it will be inspected within 3 years. Residential provision in residential special schools is inspected annually. We may inspect the boarding or residential provision sooner, for instance if we have a cause for concern, or at the request of the DfE.

65. An inspection of boarding or residential provision in a boarding or residential special school will be integrated with the school inspection, where possible (for details see part 3 of this document).[footnote 7] Integrated inspections cannot be carried out when inspection cycles do not coincide. In these cases, we will only inspect the boarding or residential provision.[footnote 8]

Separately registered childcare provision

66. Early years or childcare provision of more than 2 hours a day that is not managed by the school's proprietor/governing body must normally be registered with Ofsted. If provision managed directly by the school's proprietor/governing body includes care for children under 2 years old, or if no child attending is a pupil of the school, it must be registered with Ofsted. Provision registered in this way is not inspected as part of an inspection of the school.

When can an inspection take place?

67. Inspection can take place at any point from 5 school days after the first day pupils attend in the autumn term. For example, if pupils return to school on a Wednesday, inspection can take place as early as the following Wednesday.

Before the inspection

Clarification for schools

68. The information below confirms our requirements. This is to dispel myths about inspection that can result in unnecessary workload in schools. It is intended to highlight specific practices that we do not require.

69. Ofsted will:

- when making judgements, take a range of evidence into account, including official national data; discussions with leaders, staff and pupils; questionnaire responses; and work in pupils' books/folders/sketchbooks and so on
- judge fairly schools that take radically different approaches to the curriculum; inspectors will assess any school's curriculum favourably when leaders have built or adopted a curriculum with appropriate coverage, content, structure and sequencing and implemented it effectively
- expect the school to provide all policies, schemes of work and plans and all other documents required by the independent school standards in English
- report on any failure to comply with the independent school standards
- allow the school to invite as many governors and as many members of the proprietor body as possible to meet inspectors during an inspection, as restrictions allow. These meetings may include a virtual option using video/telephone calls if necessary
- expect the proprietor(s) and the person(s) responsible for the day-to-day operation of the school to be present during the inspection. Without meeting these individuals, inspectors may not be able to gather sufficient evidence in order to judge whether the school meets paragraph 34(1) of the independent school standards, which concerns the quality of leadership and management
- invite the headteacher and the proprietor(s) to observe the inspectors' final team meeting, as restrictions allow
- expect schools to maintain, as they are required to, the single central record detailing checks carried out

70. Ofsted will not:

- grade individual lessons
- provide evidence from any lesson visit that could be used in capability/disciplinary proceedings or for the purposes of performance management
- create unnecessary workload for teachers through its recommendations

- routinely check personnel files, although it may look at a small sample
- advocate a particular method of planning (including lesson planning), teaching or assessment; it is up to schools to determine their practices and it is up to leadership teams to justify these on their own merits rather than by referring to this handbook

71. Ofsted does not require schools to provide:

- evidence in any specific format, as long as it is easily accessible for inspectors
- curriculum planning in any specific format
- evidence for inspection beyond that set out in this handbook
- photographic evidence of pupils' work (although inspectors may request to take photographs of pupils' work, which will be anonymised)
- any written record of teachers' oral feedback to pupils
- individual lesson plans
- previous lesson plans
- predictions of attainment and progress scores
- assessment or self-evaluation, other than that which is already part of the school's business processes
- performance and pupil-tracking information
- monitoring of teaching and learning and its link to teachers' professional development and the teachers' standards, other than that which is already part the school's normal activity
- specific details of the pay grade of individual teachers who are observed during inspection
- evidence about each teacher from each of the bulleted sub-headings in the teachers' standards
- anonymised lists of teachers who meet or do not meet performance thresholds for pay progression
- recordings of live lessons, unless they are normally stored for staff and pupils' future use
- processes for the performance management arrangements for school leaders and staff

72. Ofsted does not require schools to:

- do additional work or to ask pupils to do work specifically for the inspection
- carry out a specified amount of lesson observation
- use the Ofsted evaluation schedule to grade teaching or individual lessons
- ensure a particular frequency or quantity of work in pupils' books or folders
- include targets relating to the proportion of good or better teaching in the headteacher's objectives
- set teachers' performance targets based on commercially produced predictions of pupils' achievement, or any other data set, from which it would then hold teachers to account
- retrospectively apply for Disclosure and Barring Service (DBS) and other pre-employment checks for staff appointed before and continuously employed since the introduction of the DBS requirements
- take any specific set of steps with regard to site security; in particular, inspectors do not have a view about the need for perimeter fences
- carry out assessment or record pupils' achievements in any subject in a specific way, format or time
- use any particular format for policies relating to staff behaviour or have a separate code of conduct document
- produce a self-evaluation document or summary in a particular format. Any assessment that is provided should be part of the school's business processes and not be generated solely for inspection purposes

73. Ofsted does not specify:

- how planning (including curriculum and lesson planning) should be set out, the length of time it should take or the amount of detail it should contain
- that tutor groups/form time must include literacy, numeracy or other learning sessions
- the frequency, type or volume of marking and feedback
- the content of, or approach to, headteacher and staff performance management
- the format in which staff records should be maintained, beyond existing legal requirements

Notification and introduction

74. Ofsted will normally contact the school by telephone to announce the inspection around lunchtime on the day before the inspection is due to start.

75. If the headteacher is unavailable when the notification call is made, we will ask to speak to the most senior member of staff available. Once we have informed the school by telephone that the inspection will take place, we will send confirmation to the school by email.

76. During the initial notification phone call, the inspection support administrator will check the number of pupils on roll at the school, the governance arrangements for the school and whether the school has any special educational needs and/or disabilities (SEND) provision, alternative provision, nursery provision for 2- and 3-year-olds or additional resource provision.

77. We will also make clear that the inspectors will expect the proprietor(s) and the person(s) responsible for the day-to-day operation of the school to be present during the inspection. This is because inspectors will expect to interview them to judge their ability to promote and implement the relevant policies and procedures.

78. Where it appears that a school is no longer operating, we will check whether the DfE requires an inspection to be carried out to ascertain whether or not the school is still operating. If the DfE requires such an inspection, the standard inspection will be changed to an emergency inspection. The emergency inspection will be carried out in line with the guidance in the 'Handbook for additional inspections of independent schools'.

79. The inspection support administrator will then send the school a note setting out key information for leaders to be aware of before inspection. This will include:

- Ofsted's privacy notice
- informing the school that inspectors will use a range of technology to gather evidence electronically, including mobile devices, tablets and laptops
- informing the school that inspectors may request to take photographic evidence, for example of pupils' work and displays, but that inspectors will not take photographs of pupils

Information that schools must provide by the start of the inspection

80. The inspection support administrator will also send the school a note requesting that the following information is available to inspectors at the formal start of the inspection. This includes information required to comply with the independent school standards:

- the school timetable, current staff list (indicating newly qualified teachers) and times for the school day
- class lists showing pupils' names and year groups
- any information about previously planned interruptions to normal school routines during the inspection
- records and analysis of exclusions, pupils taken off roll, incidents of poor behaviour and any use of internal isolation
- the policies and other documents required by the independent school standards
- the single central record for the school
- records and analysis of sexual harassment or sexual violence
- records and analysis of bullying, discriminatory and prejudiced behaviour, either directly or indirectly, including racist, sexist, disability and homophobic/biphobic/transphobic bullying, use of derogatory language and racist incidents
- a list of referrals made to the designated person for safeguarding in the school and those that were subsequently referred to the local authority, along with brief details of the resolution
- a list of all pupils who have open cases with children's services/social care and for whom there is a multi-agency plan
- up-to-date attendance analysis for all groups of pupils
- documented evidence of the work of the proprietor and/or those responsible for governance and their priorities

- a summary of any school self-evaluation or equivalent
- the current school improvement plan or equivalent, including any planning that sets out the longer-term vision for the school, such as the school's strategy
- any reports from external evaluation of the school
- maps and other practical information
- access to wifi, if it exists, so that inspectors can connect to the internet

Preparation

81. In announced inspections, the lead inspector will contact the school and ask to speak to the headteacher. This will normally be later on in the afternoon following the inspection support administrator's initial notification call.

82. Inspectors' preparatory telephone conversations with headteachers will have 2 elements.

- a reflective, educationally focused conversation about the school's progress since the last inspection, including how COVID 19 has affected this
- a shorter inspection-planning conversation that focuses on practical and logistical issues

83. It may be that both these elements are discussed in a single telephone conversation. Alternatively, they may be carried out as 2 separate conversations with a break in between, as agreed between the lead inspector and the headteacher.

Discussing the school's progress since the last inspection

84. The call should include giving school leaders the opportunity to explain their school's specific context and challenges. Inspection experience shows that this helps both leaders and inspectors build stronger professional relationships.

85. Inspectors will use this conversation to understand:

- the school's context, and the progress it has made since the previous inspection, including any specific progress made on areas for improvement identified at previous inspections that remain relevant under the current inspection framework
- the headteacher's assessment of the school's current strengths and weaknesses, particularly in relation to: the curriculum, the way teaching supports pupils to learn the curriculum, the standards pupils achieve, pupils' behaviour and attitudes, and the personal development of pupils
- the specific areas of the school that should be focused on during inspection

86. This conversation will normally last up to 90 minutes. It may be longer where detailed discussions of the COVID-19 context are required. It will help inspectors and school leaders to establish a rapport before inspection and give them a shared understanding of the starting point of the inspection. It will also help inspectors to form an initial understanding of leaders' views of the school's progress and to shape the inspection plan. Our experience from implementing the EIF shows that this is the part of preparation that school leaders and inspectors often find to be the most helpful and constructive.

Inspection planning discussion

87. This discussion will be short and focused on practical issues. The lead inspector will:

- arrange a time during the afternoon of the next day to start the inspection
- make the school aware of the need to inform parents of the inspection, and that our Ofsted Parent View questionnaire is the main method for gathering parents' views at the point of inspection; inspectors will remind the school that our letter to parents containing the link to Ofsted Parent View may be sent electronically, or as a paper copy via pupils
- discuss the nature of any SEND provision
- discuss any nursery provision, before- and/or after-school care or holiday clubs led and managed directly by the school (see 'Registering school-based childcare provision', particularly if these take 2- to 8-year-olds
- establish whether the school operates from more than one site, for example if it offers early years or sixth-form provision on separate premises; inspectors must establish the full address of each site, record this on an evidence card and report it to the relevant Senior HMI
- invite the headteacher, curriculum leaders and other leaders to take part in joint visits to lessons and to observe the main inspection team meetings
- make arrangements for meetings with relevant staff
- confirm the identity of the individual proprietor or proprietor body of the school, arrange an appropriate time to speak to them during the inspection, and invite as many members of the proprietor body as possible to attend the final feedback meeting
- establish what the governance structure of the school is, and make arrangements for a meeting with the chair of governors and as many governors as possible (and/or representatives of those responsible for governance). Inspectors will request that as many governors as possible are also present at the final feedback meeting
- establish how the school will give the lead inspector access to its policy documents and records so that inspectors can check the school's compliance with the independent school standards. We expect all documents to be provided in English
- provide an opportunity for the school to ask any questions or to raise any concerns, such as perceived conflicts of interest
- let the school know if and when interpreters will be present during the inspection

88. The lead inspector will also use the discussion to establish whether the school has any pupils who attend off-site alternative provision, either full time or part time, run either by the school or in partnership with other schools. If the school uses off-site alternative provision, the lead inspector will request further details about this.

89. The lead inspector will also request that the school provides certain information as early as possible to aid preparation. This will include:

- a copy of the school timetable
- details of any relevant staff absence
- whether any teachers cannot be observed for any reason (for example, if they are subject to capability procedures)

90. If any issues arise, the lead inspector may also need further clarification from the school, for example if information is not available on the school's website.

Further inspection preparation carried out by the lead inspector

91. In addition to the information requested from the school, inspectors will review and consider:

- all relevant information held by Ofsted, including:[footnote 9]
  - inspection reports on the school, which may include boarding and early years inspection reports
  - any reports resulting from additional inspections carried out since the last standard inspection, in particular emergency inspections
  - the findings of any recent Ofsted survey
  - any complaints made about the school to Ofsted[footnote 10]
  - responses from Ofsted Parent View, Ofsted's online survey for parents
  - replies to questionnaires
  - information on our provider information portal[footnote 11]
  - the main findings from the relevant local area's special educational needs and disabilities (SEND) inspection
- relevant publicly available information, including information on the school's website, such as:
  - the presence of the safeguarding policy, as required by the independent school standards
  - the suitability of the safeguarding policy, taking into account current government requirements
  - curriculum information (so the lead inspector can start to assess the breadth and balance of the school's curriculum and whether it is likely to promote preparation for, and an appreciation of, life in modern Britain)
- information provided by the DfE, in particular any specific focus for the inspection, in the inspection commissioning form, where the DfE has commissioned:[footnote 12]
  - the inspection to be brought forward
  - an additional inspection that will form part of the standard inspection

- any complaints from parents or members of the public that the DfE has asked Ofsted to consider as part of the inspection[footnote 13]
- the school's census returns
- information on the school's registration status as recorded on the DfE's register 'Get information about schools', such as the number and age range of pupils that the school is registered to take, the name of the proprietor and whether the school is 'section 41 approved'[footnote 14]
- the register of licensed sponsors for Student and Child Student visas
- information from any other associated providers (which will be triangulated with evidence gathered during the inspection): this may include registered early years provision or, if the school is part of a chain of independent schools, any relevant information from recent inspections of these schools, such as any reported evidence about the suitability and capability of the proprietor
- any other information publicly available or available from relevant stakeholders such as local authorities and the police

92. The lead inspector will also check compliance with aspects of the independent school standards where that is possible before an inspection (such as in relation to part 6 of the standards, 'provision of information'.

93. The lead inspector must find out the identity of the school's proprietor before the inspection starts. This can be confirmed by looking at the previous inspection report, the current 'Get information about schools' record for the school, the school's last census returns and the school's website, if one exists (this may have a section that describes governance arrangements). Any discrepancies between 'Get information about schools' and other sources will be recorded on an evidence card and followed up on inspection.

94. If a registered school has moved its main or sole site to a different local authority area, the DfE's policy is that the school will not be treated as a new entity. However, the DfE will change the school's registration number, and consequently the school's URN. Therefore, the lead inspector will refer to the inspection history relating to the school's previous registration.

95. Other relevant information may be in the public domain and reported in the press. Inspectors will therefore conduct a brief internet search as part of their pre-inspection planning to see whether there are any safeguarding or other issues, such as a change of governance, that may need to be followed up during inspection.[footnote 15]

Requests for deferral or cancellation

96. A school may request a deferral of its inspection. It may make a request to the inspection support administrator when it is notified of the inspection, or to the lead inspector on the day it is notified of the inspection. We will not normally consider deferrals if we receive them after 4.30pm on the day the school is notified. The inspection support administrator or lead inspector must immediately contact the regional duty staff. We will consult the DfE and then decide whether to grant a deferral in accordance with our deferral policy.

97. Normally, if the school is providing education to pupils, an inspection will go ahead. In exceptional circumstances, however, an inspection might be cancelled or deferred after the school has been notified, following a request made by the school. We will aim to let the school know whether a request is granted on the same day it is made, but in some cases (particularly when the request for deferral comes later), this may happen by 8am the next morning.

98. The deferral policy makes clear that, if the inspection of a school has been deferred previously on 2 consecutive occasions because there were no pupils on roll, it will not be deferred for a third time.

99. If a school is within 6 months of confirmed closure, but the headteacher does not request a cancellation when the inspection support administrator makes contact, the inspection support administrator should call the regional duty staff to highlight this. The duty desk will ask the DfE to decide whether the inspection should still be carried out. Decisions will be made case by case.

100. In the case of unannounced inspections, any requests for a deferral will be passed to Ofsted's relevant regional director, who will decide whether the request can be granted.

No-notice inspections

101. We may carry out inspections without notice, at the DfE's request.[footnote 16] When this happens, we will not telephone the school before the inspection.

Pupils and staff questionnaires

102. The views of pupils and staff in schools are gathered through online questionnaires. The inspection support administrator sends online links to the school with the formal notification of inspection. The school is asked to encourage staff and pupils to complete the online questionnaires. Pupils and staff should complete their questionnaire by midday on the final on-site day of the inspection.

103. As well as through online questionnaires, inspectors may gather evidence from pupils, parents (or other stakeholders) in person. This may include informal meetings at the start and/or end of the day. These meetings must take place without the presence of the headteacher or senior staff. In drawing on evidence from these meetings, inspectors must make every attempt to protect the identity of individuals. There may be circumstances, however, in which it is not possible to guarantee the anonymity of the interviewee. Inspectors have a duty to pass on disclosures that raise child protection or safeguarding issues and/or where there are concerns about serious misconduct, bullying of staff or criminal activity.

The inspection

Days allocated to inspection and inspection team members

104. Standard inspections do not normally last longer than 3 days. Usually, the lead inspector will begin the inspection on the afternoon after the initial notification call. The size of the inspection team will vary according to the size and nature of the school. Any team inspectors will normally join the inspection for the second and third full days.

105. There is no requirement to deploy inspectors of a particular faith to inspect a school of the same faith. It would be unusual for an inspection team of a faith school to consist entirely of inspectors of that faith.

Seeking the views of registered parents and other stakeholders

106. When a school is notified of a standard inspection, it is asked to notify all registered parents of registered pupils at the school, including those who have been excluded, attend alternative provision, or are away from school.

107. Our email confirming the inspection includes a letter that formally notifies parents. It also explains how to use Ofsted Parent View and how parents can contact inspectors. Schools should encourage parents to complete Ofsted Parent View by placing a link to it on their website. In addition, inspectors will encourage the school to notify parents using its own electronic systems (such as text messages), where these are available.

108. Inspectors will review the evidence from Ofsted Parent View throughout the inspection to ensure that all online responses received during the inspection are taken into account. If the response rate for Ofsted Parent View is low, inspectors may take steps during the inspection to gather further evidence of parents' views.

109. Inspectors will also take into account any other evidence from parents, including the results of any past surveys the school has carried out or commissioned. If individual parents raise serious issues, inspectors should follow these up with the school and record its response.

110. During integrated inspections of boarding or residential special schools, social care regulatory inspectors will take account of the views that parents have given on Ofsted Parent View about the school's boarding or residential provision. Views of children and young people who are boarders or residential pupils, and those of boarding staff, will have been gathered through Ofsted's annual point-in-time surveys.

The role of an interpreter during inspection

111. Interpreters support inspections of schools that teach some or all of their curriculum in a language other than English. This ensures that inspectors are able to consider the school's evidence about how its curriculum and overall education meets the criteria set out. Please note that this does not apply to those schools that teach languages, for example French or Latin, to pupils; interpreters will only be used to support inspections where subjects other than languages themselves are taught in another language.

112. Interpreters support inspectors by interpreting what is said or written, but they will not contribute to the inspection judgements made about the school or decisions about whether the school complies with the independent school standards.[footnote 17]

113. Interpreters may be present for the entire duration of the inspection, or for only part of it, depending on how the school's provision is arranged. This will normally be confirmed during the lead inspector's initial telephone call to the school if appropriate.

114. Interpreters may accompany an inspector during any inspection activity. This could include, but is not limited to, visits to lessons; speaking to pupils, teachers, parents, governors and headteachers; looking at pupils' work; and reviewing curriculum materials, including schemes of work. The interpreter will take notes, which will be retained by the lead inspector and added to the evidence base.

Arrival time on the first day of inspection

115. On the first day of the inspection, inspectors will not arrive before 12pm.

Gathering and recording evidence

116. Although meetings with leaders are important, inspectors' first priority during inspections is to collect first-hand evidence.

117. Inspectors will gather evidence to assess the school's compliance with the independent school standards, and to secure the inspection judgements. Early in the inspection, they will review the school's policies and other documents required by the independent school standards, and the other information outlined in paragraphs 80 and 89.

118. Inspectors will visit lessons; scrutinise pupils' work; talk to pupils about their work, gauging both their understanding and their engagement in learning; and gather pupils' perceptions of the typical quality of education and other aspects of life at the school in a range of subjects.

119. During the inspection, it is important that pupils are able to express their views freely to inspectors. Therefore, inspectors must have the opportunity to speak to pupils with no other adults present. This is particularly important when inspectors ask pupils questions around safeguarding.

120. Inspectors will evaluate evidence of the impact of the curriculum, including on the most disadvantaged pupils. This includes pupils with SEND. It also includes children in need of help and protection, receiving statutory local authority support from a social worker.[footnote 18] Inspectors will give specific attention to the acquisition of knowledge and skills in lessons and on-site separate provision and evidence of learning in off-site alternative provision.

121. Other evidence gathered by inspectors will include discussions with pupils and staff; listening to pupils read; and looking at examples of pupils' work for evidence of progress in knowledge, understanding and skills towards defined endpoints. Inspectors will also scrutinise the school's records and documentation relating, for example, to the welfare and safety of pupils in alternative provision.

122. Inspectors will expect to meet with the proprietor(s) and the person(s) responsible for the day-to-day operation of the school during the inspection. Without meeting these individuals, inspectors may not be able to gather sufficient evidence to judge whether the school meets paragraph 34(1) of the independent school standards, which concerns the quality of leadership and management.

Evaluating different approaches to teaching

123. Ofsted does not advocate that any particular approach should be used exclusively in teaching. Different approaches to teaching can be effective. What is appropriate will depend on the aims of a particular lesson or activity and its place in the sequence of teaching a particular topic. Nevertheless, any approach used has features that must be present to ensure that it is delivered effectively. Our research commentary sets out our understanding of those factors.

Newly qualified teachers and trainees working in independent schools during standard inspections

124. When the lead inspector requests a copy of the current staff list, they must ask whether this includes:

- any newly qualified teachers (NQTs)
- any trainees on placement, including those on School Direct or School Direct (salaried) training routes

125. Inspectors will meet NQTs where possible and may wish to visit lessons given by NQTs. In doing so, inspectors should take into account the fact that NQTs have less experience than other teachers, but must assess the effectiveness of the support and professional development put in place for NQTs and early career teachers (ECTs), particularly in dealing with pupils' behaviour. This must include the quality of mentoring and what the school has done to support their development in areas for improvement identified by initial teacher training providers. Inspectors should discuss how NQTs are supported by the school in managing pupils' behaviour.

126. Inspectors will meet any trainees employed by the school on the School Direct (salaried) route to assess their support, mentoring and induction. Inspectors will not visit lessons given by trainees.

127. The teachers' standards state that providers will assess trainees against the standards in a way that is consistent with what could reasonably be expected of a trainee teacher before the awarding of qualified teacher status (QTS). Inspectors will not take trainees' performance into account when assessing the quality of education.

Overarching approach to inspection

128. This EIF seeks to put a single, joined-up conversation about education at the heart of inspection. It is built around the connectedness of curriculum, teaching, assessment and standards within the 'quality of education' judgement. As a result, the inspection methodology for this judgement is structured to ensure that inspectors can gather evidence of how a school's activities to provide a high-quality education for its pupils connect and work together to achieve the highest possible standards. At the same time, inspectors will gather evidence on whether or not the relevant curriculum independent school standards are met.

129. As set out in the 'Preparation' section above (paragraphs 81 to 86), inspections under the EIF always include in-depth discussions with school leaders and curriculum leaders about the school's curriculum. Inspectors ask leaders what they intend pupils to learn. What are the end points they wish them to reach; what are the key concepts that they need to understand; and in what order will they learn them? They will also ask about pupils' behaviour and attitudes and personal development.

130. During inspection, inspectors will probe leaders' understanding further but, most importantly, they will focus on gathering first-hand evidence. Inspectors will visit lessons, talk to individual teachers and pupils and look at pupils' work (in its widest sense) together with curriculum leaders to see whether it matches leaders' intentions. Inspectors will then draw all this evidence together from different pupils, classes and year groups.

131. The crucial element here is the connection between different pieces of evidence. Inspectors will not emphasise one specific type of evidence above all others. Instead, inspectors will focus on gathering evidence that is balanced and connected. Our research on work scrutiny and lesson visits has shown that having a variety of types of connected evidence strengthens the conclusions that inspectors are able to reach.

132. This evidence will always lead inspectors back to the overall quality of education on offer. The focus will not be on one particular lesson, book or pupil. Rather, the focus will be on the interconnection of all of these pieces of evidence and what they tell inspectors and leaders about whether pupils are learning the curriculum and making progress in the sense of knowing more, remembering more and being able to do more. The evidence from the first inspections under the EIF is that this approach enables inspectors and leaders to build up a clear picture of whether the school is meeting the criteria set out in the 'quality of education' judgement.

Joint visits to lessons

133. One element of the inspection will be visits to lessons. The lead inspector will invite the proprietor, headteacher, curriculum leaders and other leaders to take part in joint visits to lessons.

134. Inspectors will not take a random sample of lessons to visit. Instead, they will connect lesson visits to other evidence, such as discussions with curriculum leaders, teachers and pupils, and work scrutiny. Inspectors will visit several lessons where the same subject is being taught, wherever possible, including lessons to different year groups.

135. Where a school offers a specialist curriculum, inspectors will normally visit lessons in both the specialist and the non-specialist aspects of the school's provision (see the section 'Schools with a specialist curriculum' in part 2 of this document).

136. Lesson visits are not about evaluating individual teachers or their teaching; there will be no grading of the teaching observed by inspectors. Instead, inspectors will view lessons across a faculty, department, subject, key stage or year group and then aggregate insights as to how what is going on in lessons contributes to the school's curriculum intentions. This will then provide part of the evidence for an overall view of the quality of education or behaviour and attitudes.

137. In summary, lesson visits are primarily useful for gathering evidence about how lessons contribute to the quality of education. Inspectors can use these visits to gather evidence about how well the curriculum is implemented. They do this by looking at what is going on in lessons for one or more subjects or themes, and by triangulating this with evidence collected through discussions with the staff and pupils involved, and scrutinising pupils' work, wherever possible derived from the lessons visited and the relevant sequence of lessons (see below).

138. Lesson visits are also useful for gathering evidence that contributes to the 'behaviour and attitudes' judgement by providing direct evidence about how behaviour is managed within individual classrooms and how pupils respond. This evidence will complement the other evidence that inspectors gather about behaviour during inspection.

139. Alongside other evidence, inspectors will also use evidence gathered from visits to lessons to inform their judgements about whether the school meets the independent school standards. These include the standard about teaching (paragraph 3), the requirement to effectively implement a policy that promotes good behaviour among pupils (paragraph 9(b)) and the standard about the spiritual, moral, social and cultural development of pupils (paragraph 5).[footnote 19]

Work scrutiny

140. Another element of the inspection will be scrutinising pupils' work. The lead inspector will invite curriculum leaders and teachers to take part in joint scrutiny of pupils' work.

141. Inspectors will not take a random sample of exercise books/folders/sketchbooks/electronic files and so on (which we refer to as 'pupils' books and other work'). Instead, they will scrutinise pupils' books and other work across a faculty, department, subject, key stage or year group and aggregate insights to provide part of the evidence for an overall view of the quality of education. Inspectors will not evaluate individual workbooks or teachers. Inspectors will not use work scrutiny to evaluate teachers' marking. Inspectors will connect work scrutiny to lesson visits and, where at all possible, conversations with pupils and staff.

142. Inspectors can use work scrutiny to contribute to an evaluation of whether the work that pupils do over time reflects the intended curriculum. Work scrutiny will help inspectors to form a view of whether pupils know more and can do more, and whether the knowledge and skills they have learned are well sequenced and have developed incrementally. Inspectors will synthesise what they find in order to contribute to their overall assessment of the quality of education across a faculty, department, subject, key stage or year group.

143. Inspectors will also use evidence gathered from scrutiny of pupils' work to inform their judgements about whether the school meets the independent school standards. These include the standard about teaching (paragraph 3) and the standard about the spiritual, moral, social and cultural development of pupils (paragraph 5).[footnote 20]

Talking to and observing pupils outside lessons

144. Inspectors will ensure that they talk to and observe pupils in a range of situations outside normal lessons to evaluate other aspects of personal development, behaviour and attitudes, for example:

- at the start and finish of the school day
- during lunchtime, including in the dining hall, and breaktimes or playtimes
- during assemblies and tutor periods
- when moving between lessons
- during enrichment activities (including clubs and activities outside of the normal timetabled curriculum)

Meetings with pupils

145. Inspectors will take advantage of opportunities to gather evidence from a wide range of pupils, both formally and informally.[footnote 21] During informal conversations with pupils, inspectors must ask them about their experiences of teaching, learning and behaviour in the school, including the prevention of bullying and how the school deals with any form of harassment and violence, discrimination and prejudiced behaviour, if they happen. Inspectors will ensure that all questions are appropriate. They would not expect any adult to be present.

146. During the inspection, it is important that pupils are able to express their views freely to inspectors. Therefore, inspectors must have the opportunity to speak to pupils with no other adults present. This is particularly important when inspectors ask pupils questions around safeguarding. Inspectors will also try to ensure that they speak to at least some single-sex pupil groups to provide the opportunity for pupils to speak more freely about issues such as sexual harassment, online sexual abuse and sexual violence. If it is not possible to speak to pupils, it is unlikely that the school will be able to provide inspectors with the evidence they need to be able to conclude that these aspects of the school's provision meet the requirements of the independent school standards. See 'Inspectors talking to pupils on inspection'.

Meeting the proprietor and those responsible for governance

147. Inspectors will always seek to speak to the proprietor during the inspection. The purpose of this is to evaluate the effectiveness of the proprietor's work in monitoring how leaders at the school ensure that all the independent school standards are met.

148. Inspectors will also always seek to meet with governors (if the school has them) during the inspection.

149. The role that proprietors and governors play in the school's performance is evaluated as part of the judgement on the effectiveness of leadership and management, and each report will contain a separate paragraph that addresses the governance of the school.

150. As with the meetings between inspectors and pupils, parents and staff, meetings or telephone discussions with those responsible for governance should take place without the headteacher or other senior staff being present.

Meeting leaders

151. The lead inspector will meet the headteacher regularly throughout the inspection to:

- provide updates on emerging issues, including initial general findings about the quality of education, and to enable further evidence to be provided
- allow the headteacher to raise concerns, including any related to the conduct of the inspection or of individual inspectors
- alert the headteacher to any serious concerns

152. The inspection team will meet briefly at different points during the course of the inspection. In particular, the team should:

- meet briefly in the morning on day 2
- meet at the end of day 2 to discuss and record emerging findings; the proprietor and headteacher should be invited
- meet at the end of day 3 to finalise judgements and identify areas for improvement[footnote 22]

draw together the key inspection findings and write up the evaluation for team meetings

153. The lead inspector will invite the headteacher and proprietor to the final team meeting. It is important that the lead inspector makes it clear that observers who are invited to attend the final team meeting are there to listen to the scrutiny of evidence and agreed judgements made by the inspection team. As appropriate, the lead inspector may ask observers to clarify key points during the meeting.

154. If there is evidence that the school may be judged inadequate or requires improvement, the lead inspector will alert the headteacher and proprietor to this possibility. The inspector must emphasise that they do not make final judgements until the final team meeting at the end of the last on-site day.

Reaching final judgements

155. Inspection activity, including lesson visits, will continue during the second and third day. The team will also ensure that time is set aside to prepare for the final team meeting and the final feedback. During the final team meeting, an evaluation card will be completed. The main points for feedback to the school will be recorded as the meeting progresses.

Providing feedback

156. The on-site inspection ends with a final feedback meeting with the school. Those connected with the school who may attend include:

- the proprietor or, where there is a proprietor body, as many members as possible; the clerk to the proprietor body, or their delegate, may also attend to take notes
- the headteacher and other senior leaders, agreed by the lead inspector and headteacher
- if the school has a governing body, the chair, and as many representatives as possible from the governing body; the clerk to the governing body, or their delegate, may also attend to take notes
- in an aligned or integrated inspection, social care regulatory inspectors and education inspectors will give feedback together to both education and residential staff

157. Due to the diverse nature of school governance, in some schools a single individual may have more than one of the above roles.

158. During this meeting, the lead inspector will ensure that the headteacher, the proprietor, those responsible for governance and all attendees are clear:

- about the independent school standards that are met and those that are not met
- that the DfE will decide any action to take in respect of any standards that are not met
- about the provisional grades awarded for each key judgement
- about the key findings from the inspection, as summarised in the final summary evaluation card. The lead inspector must give sufficient detail to enable all attendees to understand how judgements have been reached and for those responsible for the governance of the school to play a part in planning how to tackle any areas for improvement
- that the grades are provisional and so may change as a result of quality assurance procedures or moderation and must, therefore, be treated as restricted and confidential to the relevant senior personnel (as determined by the school). They may be shared with all of those responsible for the governance of the school irrespective of whether they attended the meeting, so long as they are clearly marked as provisional, confidential and subject to quality assurance. Information about the inspection outcomes should be shared more widely only when the school receives a copy of the final inspection report
- that the main findings of the inspection and the main points provided orally in the feedback meeting, subject to any change, will be referred to in the text of the report, although the text of the report may differ slightly from the oral feedback
- about any recommendations for improvement
- that where the school has failed to comply with the independent school standards and has been judged requires improvement or inadequate, it is likely to receive a progress monitoring inspection
- that, on receipt of the draft report, they must ensure that it is not shared with anyone other than those outlined above, or published under any circumstances
- that the headteacher or proprietor is invited and encouraged to complete the post-inspection survey
- about the procedure for making a complaint about the inspection

Inadequate schools

159. If inspectors reach the conclusion that the school's overall effectiveness is inadequate, the lead inspector will complete 'Form A – initial advice to the registration authority that an independent school is not complying with the independent school standards'. Ofsted will normally provide the Form A to the DfE soon after the inspection and before the report is finalised and published.

160. The DfE will use the information to determine whether to take regulatory action and to prioritise those schools that require most urgent attention.

After the inspection

Arrangements for publishing the report[footnote 23]

161. The lead inspector is responsible for writing the inspection report, completing the independent school standards compliance record and submitting the evidence to Ofsted shortly after the inspection ends.[footnote 24] The text of the report should explain the judgements and reflect the evidence. The findings in the report should be consistent with the feedback given to the school at the end of the inspection.

162. Where an additional inspection has formed part of the standard inspection, the outcomes will normally be included in the report and independent school standards compliance record for the standard inspection.

163. Inspection reports will be quality assured before we send a draft to the school. In most circumstances, the school will receive the draft report within 18 working days after the end of the inspection. The draft report is restricted and confidential to the relevant personnel (as determined by the school), including those responsible for

governance, and should not be shared more widely or published. We may also send the draft report to the DfE and other bodies as necessary. This will only take place following moderation or quality assurance.

164. The school will have 5 working days to comment on the draft report, inspection process and findings. We will consider all comments. We will respond to them when we share the final report with the school within 30 working days after the inspection.

165. If the school wishes to make a formal complaint, it has 5 working days after we have shared the final report with the school (not necessarily the same as 5 school days) in which to do so. If a complaint is not submitted, we will normally publish the report on our reports website 3 working days later. If a complaint has been submitted, the publication of the report may be delayed.

166. Paragraph 32(1)(d) of the schedule to the Education (Independent School Standards) Regulations 2014 requires the proprietor to:

- ensure that a copy of the inspection report is published and maintained on the school's website
- provide a copy of the report to the registered parents of every registered pupil at the school by the date specified by Ofsted, which is 5 working days from receipt

167. The proprietor may send or give a copy of the report to parents. Alternatively, if parents have provided an email address, the school may either email an electronic copy of the report to them, or email a link to where the report is available to download from the internet.[footnote 25]

168. We will send the final version of the report to the DfE before publication. In all cases, the inspection process should not be treated as complete until all inspection activity has been carried out and the final version of the inspection report has been sent to the provider.

Suitability of the proprietor and other managers – reporting concerns to the DfE

169. If inspectors identify any concerns about the suitability of the proprietor or any other member of staff employed at the school in a management capacity, these will be recorded in the independent school standards compliance record and reported to the DfE, as the appropriate authority. This information is particularly relevant when it may have any bearing on the suitability of a person to participate in the management of an independent school. This includes when the person's conduct undermines British values or child safety, or where the inspector has concluded that the person's conduct is so inappropriate that it may make them unsuitable to take part in the management of an independent school.

The inspection evidence base

170. The evidence base for the inspection must be retained in line with Ofsted's retention and disposal policy. This is normally for 6 years from when the report is published. We may decide that retaining it for longer is warranted for research purposes.

Quality assurance and complaints

Quality assurance

171. All inspectors are responsible for the quality of their work. The lead inspector must ensure that inspections are carried out in accordance with the principles of inspection and the code of conduct.

172. We monitor the quality of inspections through a range of formal processes and HMI/Senior HMI visit some providers, or monitor remotely to quality assure inspections. We may also evaluate the quality of an inspection evidence base. The lead inspector will be responsible for giving team inspectors feedback about the quality of their work and their conduct.

173. All schools are invited to take part in a voluntary post-inspection survey in order to contribute to inspection development. The link to complete the survey is provided with the final copy of the school's inspection report.

Handling concerns and complaints

174. The great majority of our work is carried out smoothly and without incident. If concerns do arise during the inspection, they should be raised with the lead inspector as soon as possible in order to resolve issues before the inspection is completed. Any concerns raised, and actions taken, will be recorded in the inspection evidence.

175. If it is not possible to resolve concerns during the inspection or through submitting comments in response to the draft report, the school may wish to lodge a formal complaint on receipt of the final report. The lead inspector will ensure that the school is informed that it is able to make a formal complaint and that information about how to complain is available on GOV.UK.

Part 2. The evaluation schedule – how we will judge schools

176. The evaluation schedule is not exhaustive. It does not replace the professional judgement of inspectors. Inspectors must interpret the way that grades are described according to pupils' age, stage and phase of education.

177. Inspectors will make judgements on the following:

- overall effectiveness

and the 4 key judgements:

- the quality of education
- behaviour and attitudes
- personal development
- leadership and management

178. and, where relevant, judgements on the quality of provision in:

- early years education
- the sixth form

179. Inspectors use the following 4-point scale to make all judgements:

- grade 1: outstanding
- grade 2: good
- grade 3: requires improvement
- grade 4: inadequate

180. Inspectors will assess a school's entire provision, including any specialist provision offered, when reaching judgements in the following areas:

- overall effectiveness
- behaviour and attitudes
- personal development
- leadership and management

Reaching a judgement of outstanding

181. Outstanding is a challenging and exacting judgement. In order to reach this standard, inspectors will determine whether the school meets all the criteria for a judgement of good under that judgement, and does so securely and consistently. In other words, it is not enough that the school is strong against some aspects of the judgement and not against others, but it must meet each and every good criterion. In addition, there are further criteria set out under the outstanding judgement, which the school will also need to meet. Our aim in making this change is that schools should only be judged outstanding in a particular area if they are performing exceptionally, and this

exceptional performance in that area is consistent and secure across the whole school.

Reaching a judgement of good, requires improvement or inadequate

182. When considering a judgement of good or requires improvement, inspectors will consider whether the overall quality of the school is most closely aligned to the descriptors set out. A school will be inadequate under a particular judgement if one or more of the inadequate criteria apply in the case of that school, unless that inadequate criteria only applies solely due to the impact of COVID-19.

Overall effectiveness

183. Inspectors must use all their evidence to evaluate what it is like to attend the school. In making their judgements about a school's overall effectiveness, inspectors will consider whether the standard of education is good or whether it exceeds good and is outstanding. If it is not good, then inspectors will consider whether it requires improvement or is inadequate.

184. In judging the overall effectiveness, inspectors will take account of the 4 key judgements.

185. In coming to each of these key judgements, inspectors will also draw on evidence from the inspection of any early years provision or sixth-form provision and consider its impact in the wider context of the school.

186. Inspectors will then judge the effectiveness of any early years provision or sixth-form provision. For either case or both, inspectors must give a grade, summarise the key findings and explain the effectiveness grading in the inspection report. However, inspectors may decide not to give a grade and not to report on early years or sixth-form provision if there is the risk that it is possible to identify individual pupils because numbers are so small. Typically, this will be when there are fewer than 5 pupils.

187. The grade for early years and/or the grade for the sixth-form provision may be the same as, or higher or lower than, the overall effectiveness grade. Inspectors will take into account the size of the early years and sixth-form provision in relation to the size of the school when considering the impact of these judgements on the overall effectiveness grade. Inspectors will explain any difference between the early years and/or sixth-form provision grade(s) and the overall effectiveness grades in the report.

188. Inspectors will always make a written judgement about the effectiveness of the arrangements for safeguarding pupils.

189. Before making the final judgement on overall effectiveness, inspectors will always consider the spiritual, moral, social and cultural development of pupils at the school, and evaluate the extent to which the school's education provision meets different pupils' needs, including pupils with SEND.

190. Inspectors will assess a school's entire provision, including any specialist provision offered, when reaching a judgement about overall effectiveness.

Grade descriptors for overall effectiveness

Outstanding (1)

- The quality of education is outstanding.
- All other key judgements are likely to be outstanding. In exceptional circumstances, one of the key judgements may be good, as long as there is convincing evidence that the school is improving this area sustainably and securely towards outstanding. Typically, this will mean meeting each and every one of the good criteria but falling short on the outstanding for that key judgement.
- Safeguarding is effective.

Good (2)

- The quality of education is at least good.
- All other key judgements are likely to be good or outstanding. In exceptional circumstances, one of the key judgement areas may require improvement, as long as there is convincing evidence that the school is improving this area sustainably and securely towards good.
- Safeguarding is effective.

Requires improvement (3)

- Other than in exceptional circumstances, it is likely that, when the school is judged as requires improvement in any of the key judgements, the school's overall effectiveness will also be requires improvement.
- Safeguarding is effective. If there are any weaknesses in safeguarding, they are easily rectified and there are no serious failings that leave pupils either being harmed or at risk of harm.

Inadequate (4)

- The judgement on overall effectiveness will be inadequate when any one of the key judgements is inadequate and/or safeguarding is ineffective.

The quality of education

191. Inspectors will take a rounded view of the quality of education that a school provides to all its pupils, including the most disadvantaged pupils (see definition in paragraph 120) and pupils with SEND. Inspectors will consider the school's curriculum, which is the substance of what is taught, with a specific plan of what pupils need to know in total and in each subject.

192. Inspectors will consider the extent to which the school's curriculum sets out the knowledge and skills that pupils will gain at each stage (we call this 'intent'). They will also consider the way that the curriculum developed or adopted by the school is taught and assessed in order to support pupils to build their knowledge and to apply that knowledge as skills (we call this 'implementation'). Finally, inspectors will consider the outcomes that pupils achieve as a result of the education they have received (we call this 'impact').

Schools with a specialist curriculum

193. Some non-association independent schools offer a specialist curriculum and Ofsted recognises their autonomy to do so. For example, some schools offer a specialist faith-based curriculum, while others offer a specialist education in the performing arts.[footnote 26] Other independent schools, such as Steiner schools, take a distinct approach to the curriculum, even though the majority of the subjects on offer to do not differ significantly from other schools.

194. Alongside any specialist education provided, it is important that pupils study a broad, rich curriculum. This is supported by Ofsted's research, and is a requirement of paragraph 2(2)(a) of the independent school standards.

195. Inspectors will assess a school's entire provision, including any specialist provision offered, when assessing compliance with the independent school standards[footnote 27] and when reaching judgements in the following areas: overall effectiveness; behaviour and attitudes; personal development; and leadership and management.

196. When reaching a judgement under the quality of education judgement area, inspectors will work with school leaders to understand how the curriculum as a whole is structured, and where they can find evidence that the quality of education criteria are met. We expect that, in most schools, much of the evidence in support of the criteria will be drawn from the non-specialist curriculum, as most schools structure their curriculum such that the specialist curriculum supplements rather than directly delivers the academic core of subjects.

197. However, we will judge fairly those schools that take radically different approaches to the curriculum, including, for example, schools that teach a range of academic subjects through a faith-based curriculum. Inspectors will assess any school's curriculum favourably when leaders have built a curriculum with appropriate coverage, content, structure and sequencing and implemented it effectively. They are, however, likely to assess it negatively where the specialist curriculum is being delivered in a way that limits pupils' opportunities to study a broad range of subjects, or which fails to prepare them for life in modern Britain.

Intent

198. In evaluating the school's educational intent, inspectors will primarily consider the curriculum leadership provided by school, subject and curriculum leaders.

199. All pupils in independent schools are entitled to receive a broad, rich curriculum – this is a requirement of paragraph 2(2)(a) of the independent school standards. Schools should therefore provide inspectors with evidence that the minimum requirements for the intended coverage and ambition of an independent school's curriculum are met.

200. The judgement focuses on factors that both research and inspection evidence indicate contribute most strongly to an effective education in which pupils achieve highly. These factors are listed below.

- The school's curriculum is rooted in the solid consensus of the school's leaders about the knowledge and skills that pupils need in order to take advantage of the opportunities, responsibilities and experiences of later life. In this way, it can powerfully address social disadvantage.
- It is clear what end points the curriculum is building towards, and what pupils will need to know and be able to do at those end points.
- The school's curriculum is planned and sequenced so that new knowledge and skills build on what has been taught before, and build towards its clearly defined end points.
- The curriculum reflects the school's local context by addressing typical gaps in pupils' knowledge and skills. Curriculum planning accounts for delays and gaps in learning that arise as a result of the pandemic.
- The curriculum remains as broad as possible for as long as possible, including when delivered remotely. Pupils are able to study a strong academic core of subjects.
- There is high academic/vocational/technical ambition for all pupils, and the school does not offer disadvantaged pupils or pupils with SEND a reduced curriculum.

Curriculum flexibility

201. The curriculum sets out the aims of a programme of education. It also sets out the structure for those aims to be implemented, including the knowledge and skills to be gained at each stage. It enables the evaluation of pupils' knowledge and skills against those expectations.

202. We will judge schools taking radically different approaches to the curriculum fairly. We recognise the importance of schools' autonomy to choose their own curriculum approaches. If leaders are able to show that they have thought carefully, and built a curriculum with appropriate coverage, content, structure and sequencing, and

are able to show that it has been implemented effectively, then inspectors will assess the school's curriculum favourably.

Curriculum narrowing

203. Our research into the curriculum has shown that some schools narrow the curriculum available to pupils, particularly in key stages 2 and 3. Our research also shows that this has a disproportionately negative effect on the most disadvantaged pupils. In key stage 1, inspectors need to check that pupils are able to read, write and master mathematical knowledge, ideas and operations so that they are able to access a broad curriculum at key stage 2. Where early reading is delayed owing to an exemption from the learning and development requirements of the early years foundation stage (EYFS), the expectation would be that pupils are able to read and write fluently by Years 5 to 6 (see paragraphs 359 to 362).

204. In secondary education, inspectors will expect to see a broad, rich curriculum. Inspectors will be particularly alert to signs of narrowing in the key stage 2 and 3 curriculums. If a school has shortened key stage 3, inspectors will look for evidence that the school has made provision to ensure that pupils still have the opportunity to study a broad range of subjects in Years 7 to 9.

Cultural capital

205. As part of making the judgement about the quality of education, inspectors will consider the extent to which schools are equipping pupils with the knowledge and cultural capital they need to succeed in life. Our understanding of 'knowledge and cultural capital' is derived from the following wording in the national curriculum:

> " It is the essential knowledge that pupils need to be educated citizens, introducing them to the best that has been thought and said and helping to engender an appreciation of human creativity and achievement."

Sources of evidence specific to curriculum intent

206. Inspectors will draw evidence about leaders' curriculum intent principally from discussion with senior and subject leaders. Inspectors will explore:

- whether leaders are following a broad, rich and ambitious curriculum[footnote 28]
- how carefully leaders have thought about what end points the curriculum is building towards, what pupils will be able to know and do at those end points, and how leaders have planned the curriculum accordingly. This includes considering how the intended curriculum will address social disadvantage by addressing gaps in pupils' knowledge and skills
- how leaders have sequenced the curriculum to enable pupils to build their knowledge and skills towards the agreed end points
- how leaders have ensured that the subject curriculum areas contain content that has been identified as most useful, and ensured that this content is taught in a logical progression, systematically and explicitly enough for all pupils to acquire the intended knowledge and skills; this includes understanding how the pandemic may have led to gaps in pupils' knowledge, learning delays and a wide range of starting points
- how the curriculum has been designed and taught so that pupils read at an age-appropriate level

207. Inspectors will bear in mind that developing and embedding an effective curriculum takes time, and that leaders may only be partway through the process of adopting or redeveloping a curriculum. If leaders have an accurate evaluative understanding of current curriculum practice in their school and have identified appropriate next steps (taking into account any impact of COVID-19) to improve curriculum quality and develop curriculum expertise across the school, inspectors will evaluate 'intent' favourably when reaching the holistic quality of education judgement. They will recognise that the criteria for a judgement of good are the best fit. They will also, where relevant, take into account any transitional provisions that are in place.

208. Inspectors will also consider any documents that leaders normally use in their curriculum planning, but will not ask them to produce materials for the inspection or provide them in any specific format.

Implementation

209. In evaluating the implementation of the curriculum, inspectors will primarily evaluate how the curriculum is taught at subject and classroom level.

210. Research and inspection evidence suggest that the most important factors in how, and how effectively, the curriculum is taught and assessed are the following:

- Teachers have expert knowledge of the subjects that they teach. If they do not, they are supported to address these gaps so that pupils are not disadvantaged by ineffective teaching.
- Teachers enable pupils to understand key concepts, presenting information clearly and promoting appropriate discussion.
- Teachers check pupils' understanding effectively, and identify and correct misunderstandings.
- Teachers ensure that pupils embed key concepts in their long-term memory and apply them fluently.
- The subject curriculum that classes follow is designed and delivered in a way that allows pupils to transfer key knowledge to long-term memory. It is sequenced so that new knowledge and skills build on what has been taught before and pupils can work towards defined end points.
- Teachers use assessment to check pupils' understanding in order to inform teaching, and to help pupils embed and use knowledge fluently, and develop their understanding, and not simply memorise disconnected facts.
- Where remote education is in place, it is well integrated within course(s) of study, and is well designed to support the wider implementation of the school's curriculum.
- Their approach to teaching remains rooted in evidence and the key elements of effective teaching. Teachers consider the most important knowledge or concepts pupils need to know and focus on these. Feedback, retrieval practice and assessment are prioritised. The medium selected for remote education enables all pupils to access lessons and learn. Teachers monitor pupils' engagement and communicate effectively with parents and colleagues if there are concerns.[footnote 29]

Developing understanding, not memorising disconnected facts

211. Learning can be defined as an alteration in long-term memory. If nothing has altered in long-term memory, nothing has been learned. However, transfer to long-term memory depends on the rich processes described above. In order to develop understanding, pupils will connect new knowledge with existing knowledge. Pupils will also need to develop fluency and unconsciously apply their knowledge as skills. This must not be reduced to, or confused with, simply memorising facts. Inspectors will therefore be alert to unnecessary or excessive attempts to simply prompt pupils to learn glossaries or long lists of disconnected facts.

The school's use of assessment

212. When used effectively, assessment helps pupils to embed knowledge and use it fluently, and assists teachers in producing clear next steps for pupils. However, assessment is too often carried out in a way that creates unnecessary burdens for staff and pupils. It is therefore important that leaders and teachers understand its limitations and avoid misuse and overuse.

213. Inspectors will therefore evaluate how assessment is used in the school to support the teaching of the curriculum, but not substantially increase teachers' workloads by necessitating too much one-to-one teaching or overly demanding programmes that are almost impossible to deliver without lowering expectations of some pupils. This will include considering how the school responds to any gaps in learning that have arisen from the pandemic.

214. The collection of data can also create an additional workload for leaders and staff. Inspectors will look at whether schools' collections of attainment or progress data are proportionate, represent an efficient use of school resources and are sustainable for staff. The Teacher Workload Advisory Group's report, 'Making data work', recommends

that school leaders should not have more than 2 or 3 data collection points a year, and that these should be used to inform clear actions.

215. Schools choosing to use more than 2 or 3 data collection points a year should have clear reasoning for what interpretations and actions are informed by the frequency of collection; the time taken to set assessments, collate, analyse and interpret the data; and the time taken to then act on the findings. We understand that assessment arrangements may have been altered as a result of the COVID-19 pandemic. Inspectors will seek to understand how staff are supported and the steps that are being taken to remove the risk of additional workload. If a school's system for data collection is disproportionate, inefficient or unsustainable for staff, inspectors will reflect this in their reporting on the school.

Sources of evidence specific to curriculum implementation

216. The following activities will provide inspectors with evidence about the school's implementation of its intended curriculum:

- discussions with curriculum and subject leaders and teachers about the programme of study that classes are following for particular subjects or topics, the intended end points towards which those pupils are working, and their view of how those pupils are progressing through the curriculum
- discussions with subject specialists and leaders about the content and pedagogical content knowledge of teachers, and what is done to support them, including with remote teaching
- discussions with classroom teachers about how often they are expected to record, upload and review data
- observations of and interviews with pupils or classes who are following this curriculum in lessons, including scrutinising the pupils' work[footnote 30]
- where relevant, discussions with subject leaders and teachers about how the school curriculum has been delivered through remote education, reviews of pupils' work completed remotely
- reviews of schemes of work or other long-term planning (in whatever form subject leaders normally use them), usually in discussion with curriculum leaders

217. Inspectors should refer to the 'Lesson visits and work scrutiny' section in Part 1 of this handbook for guidance about what constitutes an appropriate sample of pupils.

218. In order to triangulate evidence effectively, inspectors will ensure that they gather a variety of these types of evidence in relation to the same sample of pupils. Inspectors will also ensure that the samples of pupils they choose are sufficient to allow them to reach a valid reliable judgement on the quality of education offered by the school overall. Guidance on how to ensure that this evidence is both sufficiently valid and reliable is set out under 'Overarching approach to inspection' in Part 1 of this handbook.

Impact

219. When inspectors evaluate the impact of the education provided by the school, their focus will primarily be on what pupils have learned.

220. Inspection experience and research show that the most important factors to consider are the following:

- A well-constructed, well-taught curriculum will lead to pupils learning more and so achieving good results. Therefore, such a curriculum contributes to evidence of impact. There need be no conflict between teaching a broad, rich curriculum and achieving success in examinations and tests
- Disadvantaged pupils and pupils with SEND acquire the knowledge and cultural capital they need to succeed in life
- Pupils are making progress in that they know more, remember more and are able to do more. They are learning what is intended in the curriculum
- All learning builds towards an end point. Pupils are being prepared for their next stage of education, training or employment at each stage of their learning. Inspectors will consider whether pupils are ready for the next stage by the point they leave the school or provision that they attend
- Pupils in sixth form are ready for the next stage and are going on to appropriate, high-quality destinations. Inspectors will also consider this

- If pupils are not able to read to an age-appropriate level and fluency, they will be incapable of accessing the rest of the curriculum, and they will rapidly fall behind their peers (see paragraphs 359 to 362)

National assessments and examinations are useful indicators of pupils' outcomes, but they only represent a sample of what pupils have learned. Inspectors will consider any published outcomes data, where this is available in published national data (this does not include teacher- or centre-assessed grades from 2020 and 2021). However, it does not constitute a substitute for inspectors' first-hand inspection activities.

Inspectors will not use schools' internal assessment data as evidence

221. Inspectors will not analyse schools' internal progress and attainment data[footnote 31] during an inspection.[footnote 32] This does not mean that schools cannot use data where they consider it appropriate. Inspectors will, however, put more focus on the curriculum and less on schools' generation, analysis and interpretation of data. Teachers have told us they believe this will help us play our part in reducing unnecessary workload. Inspectors will be interested in the conclusions drawn and actions taken from any internal assessment information, but they will not examine or verify that information first hand. Inspectors will use published national performance data as a starting point on inspection, where it is available.

222. Inspectors will, however, ask schools to explain why they have decided to collect whatever assessment data they collect, what they are drawing from their data and how that informs their curriculum and teaching.

Sources of evidence specific to curriculum impact

223. Evidence of impact should be drawn together from a combination of inspection activities. None of these on their own is sufficient to make an assessment of the impact. Inspectors will gather evidence of the impact of the quality of education offered by the school from the following sources:

- the progress that pupils are making in terms of knowing more, remembering more and being able to do more
- first-hand evidence of how pupils are doing, drawing together evidence from the interviews, lesson visits, work scrutinies and documentary review described above (see 'Implementation – sources of evidence')
- any information provided by the school or nationally published about the destinations to which their pupils progress when they leave the school
- in primary schools, listening to a range of pupils read
- discussions with pupils about what they have remembered about the content they have studied
- how well pupils with SEND are prepared for the next stage of education and their adult lives[footnote 33]

Reaching a single quality of education judgement, drawing together intent, implementation and impact

224. Inspectors will not grade intent, implementation and impact separately. Instead, inspectors will reach a single graded judgement for the quality of education, drawing on all the evidence they have gathered and using their professional judgement.

225. In making their judgements, inspectors will take into account any exemption a school has from the learning and development requirements of the early years foundation stage.

Grade descriptors for the quality of education

Note: Some sections of the criteria appear in [square brackets] below. This is to mark that they are transitional only, because we recognise that not all schools will have had the opportunity to complete the process of adopting or constructing their curriculum fully. We intend to review whether these transitional arrangements are still needed in

March 2022.

Outstanding (1)

- The school meets all the criteria for a good quality of education securely and consistently.

The quality of education provided is exceptional.

In addition, the following apply.

- The school's curriculum intent and implementation are embedded securely and consistently across the school. It is evident from what teachers do that they have a firm and common understanding of the school's curriculum intent and what it means for their practice. Across all parts of the school, series of lessons contribute well to delivering the curriculum intent.
- The work given to pupils, over time and across the school, consistently matches the aims of the curriculum. It is coherently planned and sequenced towards cumulatively sufficient knowledge and skills for future learning and employment.
- Pupils' work across the curriculum is consistently of a high quality.
- Pupils consistently achieve highly, particularly the most disadvantaged. Pupils with SEND achieve exceptionally well.

226. In order to judge whether a school is good or requires improvement, inspectors will use a 'best fit' approach, relying on the professional judgement of the inspection team.

Good (2)

Intent

- Leaders adopt or construct a broad, rich curriculum that is ambitious and designed to give all pupils, particularly disadvantaged pupils and including pupils with SEND, the knowledge and cultural capital they need to succeed in life in British society. Ofsted's definition of this is a curriculum that is of comparable breadth and ambition to the national curriculum. [If this is not yet fully the case, it is clear from leaders' actions that they are in the process of bringing this about and are making any necessary amendments in response to the pandemic.]
- The school's curriculum is coherently planned and sequenced towards cumulatively sufficient knowledge and skills for future learning and employment across a broad range of career options. [If this is not yet fully the case, it is clear from leaders' actions that they are in the process of bringing this about and are making any necessary amendments in response to the pandemic.]
- The curriculum is successfully adapted, designed or developed to be ambitious and meet the needs of pupils with SEND, developing their knowledge, skills and abilities to apply what they know and can do with increasing fluency and independence. [If this is not yet fully the case, it is clear from leaders' actions that they are in the process of bringing this about and are making any necessary amendments in response to the pandemic.]
- Pupils study the full curriculum (as it is described in paragraph 2(2)(a) of the independent school standards); it is not narrowed. Where the school teaches a specialist curriculum, it also teaches the full range of subjects for as long as possible.

Implementation

- Teachers have good knowledge of the subject(s) and courses they teach. Leaders provide effective support, including for those teaching outside their main areas of expertise.
- Teachers present subject matter clearly, promoting appropriate discussion about the subject matter being taught. They check pupils' understanding systematically, identify misconceptions accurately and provide clear, direct feedback. In so doing, they respond and adapt their teaching as necessary without unnecessarily elaborate or individualised approaches.
- Over the course of study, teaching is designed to help pupils to remember long term the content they have been taught and to integrate new knowledge into larger ideas.
- Any remote education is well integrated within course(s) of study, and is well designed to support the wider implementation of the school's curriculum.
- Teachers and leaders use assessment well, for example to help pupils embed and use knowledge fluently, or to check understanding and inform teaching, or to understand different starting points and gaps as a result of the pandemic. Leaders understand the limitations of assessment and do not use it in a way that creates unnecessary burdens on staff or pupils.
- Teachers create an environment that focuses on pupils. The textbooks and other teaching materials that teachers select – in a way that does not create unnecessary workload for staff – reflect the school's ambitious intentions for the course of study. These materials clearly support the intent of a coherently planned curriculum, sequenced towards cumulatively sufficient knowledge and skills for future learning and employment.
- The work given to pupils is demanding and matches the aims of the curriculum in being coherently planned and sequenced towards cumulatively sufficient knowledge.
- Reading is prioritised to allow pupils to access the full curriculum offer.
- A rigorous and sequential approach to the reading curriculum develops pupils' fluency, confidence and enjoyment in reading. At all stages, reading attainment is assessed and gaps are addressed quickly and effectively for all pupils. Reading books connect closely to the phonics knowledge pupils are taught when they are learning to read.
- The sharp focus on ensuring that younger children and those at the early stages of reading gain phonics knowledge and language comprehension necessary to read, and the skills to communicate gives them the foundations for future learning.
- Teachers ensure that their own speaking, listening, writing and reading of English support pupils in developing their language and vocabulary well.

Impact

- Pupils develop detailed knowledge and skills across the curriculum and, as a result, achieve well. This is reflected in the work pupils produce.
- Where available, impact is reflected in results from examinations, or in the qualifications obtained. Teacher assessed grades from 2020 and 2021 will not be used to assess impact.
- Pupils are ready for the next stage of education, employment or training. They have the knowledge and skills they need and, where relevant, they gain qualifications that allow them to go on to destinations that meet their interests and aspirations and the intention of their course of study. Pupils with SEND achieve the best possible outcomes.
- Pupils read widely and often, with fluency and comprehension appropriate to their age. They are able to apply mathematical knowledge, concepts and procedures appropriately for their age.

Requires improvement (3)

- The quality of education provided by the school is not good.

Inadequate (4)

The quality of education is likely to be inadequate if any one of the following applies.

- The school's curriculum has little or no structure or coherence and leaders have not appropriately considered sequencing. Pupils experience a jumbled, disconnected series of lessons that do not build their knowledge, skills or understanding.
- The pupils' experiences in lessons contribute weakly to their learning of the intended curriculum.
- The range of subjects is narrow and does not prepare pupils for the opportunities, responsibilities and experiences of life in modern Britain.
- Pupils cannot communicate, read, write or apply mathematics sufficiently well for their age and are therefore unable to succeed in the next year or stage of education, or in training or employment. (This does not apply for some pupils with SEND.)
- The progress that disadvantaged pupils make is consistently well below that of other pupils nationally and shows little or no improvement.
- Expectations of pupils with SEND are low and their needs are not accurately identified, assessed or met.
- Pupils have not attained, where relevant, the qualifications appropriate for them to progress to their next stages of education, training or employment.

Behaviour and attitudes

227. The behaviour and attitudes judgement considers how leaders and staff create a safe, calm, orderly and positive environment in the school and the impact this has on the behaviour and attitudes of pupils.

228. The judgement focuses on the factors that research and inspection evidence indicate contribute most strongly to pupils' positive behaviour and attitudes, thereby giving them the greatest possible opportunity to achieve positive outcomes. These factors are:

- a calm and orderly environment in the school and the classroom, as this is essential for pupils to be able to learn
- the setting of clear routines and expectations for the behaviour of pupils across all aspects of school life, not just in the classroom
- a strong focus on attendance and punctuality that disruption is minimised
- clear and effective behaviour and attendance policies, with clearly defined consequences that are applied consistently and fairly by all staff; children, and particularly adolescents, often have particularly strong concepts of fairness that may be challenged by different treatment by different teachers or of different pupils
- pupils' motivation and positive attitudes to learning as important predictors of attainment; the development of positive attitudes can also have a longer-term impact on how pupils approach learning tasks in later stages of education
- a positive and respectful school culture in which staff know and care about pupils
- an environment in which pupils feel safe, and in which bullying, discrimination, sexual harassment, sexual abuse and sexual violence – online or offline – are not accepted and are dealt with quickly, consistently and effectively whenever they occur

229. Our evidence for the importance of each of these factors comes from our inspection experience, areas of agreement in academic research and our own research. A full note of how the criteria relate to the available research can be found in our research commentary.

230. Inspectors will assess a school's entire provision, including any specialist provision offered, when reaching a judgement about behaviour and attitudes.

Pupils who have particular needs

231. The school may be working with pupils with particular needs in order to improve their behaviour or their attendance. When this is the case, 'behaviour and conduct that reflects the school's high expectations and their consistent, fair implementation' are likely to include demonstrable improvement in the attendance and behaviour of these pupils, taking account of the individual circumstances of the school.

Pupils who are not in the school during the inspection

232. Inspectors will gather evidence about the typical behaviour of all the pupils who attend the school, including those who are not present on the day of inspection. If there is evidence that a school has deliberately removed pupils from the school site on the day of inspection, or has arranged for them to be absent, and inspectors reasonably believe that this was done in order to have an impact on the inspection, then inspectors are likely to judge both behaviour and attitudes and leadership and management to be inadequate.

Exclusions

233. Headteachers have the right to exclude pupils when there are legitimate reasons for them to do so. Used correctly, exclusion is a vital measure for headteachers to use. Exclusions must be legal and justified. Permanent exclusions should only be used as a last resort, in response to a serious breach or persistent breaches of the school's behaviour policy, and when allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

234. If a school uses fixed-term and internal exclusions, inspectors will evaluate their effectiveness, including the rates, patterns and reasons for exclusion and whether any pupils are repeatedly excluded. Schools should have a strategy for reintegrating a pupil who returns to school following a fixed-term exclusion and for managing their future behaviour. Inspectors will consider how well the school is recognising and acting to address any patterns that exist, because disruptive behaviour or sudden changes in behaviour can be an indication of unmet needs or a change in another aspect of a young person's life.

235. Inspectors will consider whether the school is developing the use of alternative strategies to exclusion and taking account of any safeguarding risks to pupils who may be excluded. Inspectors will recognise when schools are doing all that they can to support pupils at risk of exclusion, including through tenacious attempts to engage local support services.

Sources of evidence specific to behaviour and attitudes

236. Inspectors will hold discussions with pupils and staff to gather evidence about school culture and practice in relation to pupils' behaviour, support for staff and other systems. In setting up discussions, inspectors will select a sample of staff who research suggests are most affected by pupils' challenging behaviour. These are trainees, supply staff, NQTs, administrative support staff and catering staff, as well as other members of staff. The discussions will provide inspectors with valuable information that includes the views of those who most urgently require the school's support in managing pupils' behaviour. Where practically possible, inspectors should carry out discussions with individuals, not groups, to allow members of staff to give clear evidence without being influenced by the views or expectations of others in the group when talking about a sensitive issue.

237. Inspectors will speak to pupils from a range of different backgrounds and who have different experiences of the school's approach to behaviour. This should include pupils who have experienced sanctions under the school's behaviour policy. Inspectors will take into account the views of these pupils, their experiences of others' behaviour and attitudes towards them, and their understanding of the importance of positive behaviour in school and beyond school.

238. Inspectors will evaluate the experience of particular individuals and groups, such as pupils for whom referrals have been made to the local authority (and check for a small sample of these pupils, how the referral was made and the thoroughness of the follow-up), pupils with SEND, children looked after, those with medical needs and those with mental health needs. In order to do this, inspectors will look at the experience of a small sample of these pupils and consider the way the school is working with the multi-agency group to ensure that the child receives the support they need. For pupils with SEND, this will include ensuring that appropriate reasonable adjustments are made in accordance with the Equality Act 2010 and the SEND code of practice.

239. The pupil and staff surveys used in inspection contain questions about safeguarding, behaviour and discipline, bullying, how respondents feel about the school and how well supported and respected they feel they are in the school. Inspectors will meet school leaders to account for the results of the interviews and surveys of pupils

and staff.

240. Over the course of inspection, inspectors will carry out evidence-gathering activities. In some cases, inspectors will be able to gather this evidence as part of other activities they are carrying out. The activities are:

- observing pupils' behaviour in a range of different classes at different times of the day
- observing pupils at breaktimes, lunchtimes, between lessons and, where they are led and managed by the school, before- and after-school clubs
- observing pupils' punctuality in arriving at school and at lessons
- observing pupils' respect for, and courtesy and good manners towards each other and adults, and their pride in themselves and their school
- evaluating the school's analysis of, and response to, pupils' behaviour over time, in whatever format the school already has
- analysing absence and persistent absence rates for all pupils, and for different groups compared with national averages for all pupils; this includes the extent to which low attenders are improving their attendance over time and whether attendance is consistently low
- evaluating the prevalence of permanent exclusion, the procedures surrounding this and the reasons for it, and the support given to make sure that it is a last resort
- evaluating the effectiveness of fixed-term and internal exclusions, including the rates and reasons for exclusion
- assessing the school's work to follow up and support fixed-term excluded pupils
- gathering the views of parents, staff, those with responsibility for governance and other stakeholders
- gathering evidence about the typical behaviour of pupils who are not in school during the inspection, for example whether they have had fixed-term or internal exclusions in the 2 years before inspection
- balancing evidence seen during the inspection and also evidence of trends over time
- visiting any off-site unit that the school runs (on its own or in partnership with other schools) for pupils whose behaviour is poor or who have low attendance. Inspectors will assess safeguarding procedures, the quality of education and how effectively the unit helps to improve pupils' behaviour, learning and attendance. For more information, see the 'Inspecting off-site provision' section (paragraphs 277 to 283)

Grade descriptors for behaviour and attitudes

241. In order for behaviour and attitudes to be judged outstanding, it must meet all of the good criteria securely and consistently and it must also meet the additional outstanding criteria.

Outstanding (1)

- The school meets all the criteria for good in behaviour and attitudes securely and consistently.
- Behaviour and attitudes are exceptional.

In addition, the following apply:

- Pupils behave with consistently high levels of respect for others. They play a highly positive role in creating a school environment in which commonalities are identified and celebrated, difference is valued and nurtured, and bullying harassment and violence are never tolerated.
- Pupils consistently have highly positive attitudes and commitment to their education. They are highly motivated and persistent in the face of difficulties. Pupils make a highly positive, tangible contribution to the life of the school and/or the wider community. Pupils actively support the well-being of other pupils.
- Pupils behave consistently well, demonstrating high levels of self-control and consistently positive attitudes to their education. If pupils struggle with this, the school takes intelligent, fair and highly effective action to support them to succeed in their education.

242. In order to judge whether a school is good or requires improvement, inspectors will use a 'best fit' approach, relying on the professional judgement of the inspection team.

Good (2)

- The school has high expectations for pupils' behaviour and conduct. These expectations are commonly understood and applied consistently and fairly. This is reflected in pupils' positive behaviour and conduct. Low-level disruption is not tolerated and pupils' behaviour does not disrupt lessons or the day-to-day life of the school. Leaders support all staff well in managing pupils' behaviour. Staff make sure that pupils follow appropriate routines.
- Leaders, staff and pupils create a positive environment in which bullying is not tolerated. If bullying, aggression, discrimination and derogatory language occur, they are dealt with quickly and effectively and are not allowed to spread.
- There is demonstrable improvement in the behaviour and attendance of pupils who have particular needs.
- Pupils' attitudes to their education are positive. They are committed to their learning, know how to study effectively and do so, are resilient to setbacks and take pride in their achievements.
- Pupils have high attendance within the context of the pandemic, come to school on time and are punctual to lessons. When this is not the case, the school takes appropriate, swift and effective action.
- Fixed-term and internal exclusions are used appropriately. The school reintegrates excluded pupils on their return and manages their behaviour effectively. Permanent exclusions are used appropriately as a last resort.
- Relationships among pupils and staff reflect a positive and respectful culture; pupils are safe and they feel safe.

Requires improvement (3)

- Behaviour and attitudes in the school are not good.
- Pupils are safe and they feel safe.

Inadequate (4)

Behaviour and attitudes are likely to be inadequate if any one of the following applies.

- Leaders are not taking effective steps to secure good behaviour from pupils and a consistent approach to discipline. They do not support staff adequately in managing behaviour.
- Pupils' lack of engagement and persistent low-level and/or high-level wilful disruption contribute to reduced learning and/or disorderly classrooms.
- A significant minority of pupils show a lack of respect for each other and/or staff and a lack of self-discipline. Pupils frequently ignore or rebut requests from teachers to moderate their conduct. This results in poor behaviour around the school.
- Pupils show negative attitudes towards the value of good manners and behaviour as important factors in school life, adult life and work.
- Attendance is consistently low for all pupils or groups of pupils and shows little sign of sustained improvement.
- Incidents of bullying or prejudiced and discriminatory behaviour, both direct and indirect, are frequent.
- Pupils have little confidence in the school's ability to tackle harassment, bullying, violence and/or discriminatory behaviour successfully.
- Poor behaviour means that pupils, or particular groups of pupils are not safe or do not feel safe at school and/or at alternative placements.

Personal development

243. The curriculum provided by schools should extend beyond the academic, technical or vocational. Schools support pupils to develop in many diverse aspects of life. The personal development judgement evaluates the school's intent to provide for the personal development of all pupils, and the quality with which the school implements this work. It recognises that the impact of the school's provision for personal development will often not be assessable during pupils' time at school.

244. At the same time as the school is working with pupils, those pupils are also being influenced by other factors in their home environment, their community and elsewhere. Schools can teach pupils how to build their confidence and resilience, for example, but they cannot always determine how well young people draw on this. Schools are crucial in preparing pupils for their adult lives, teaching them to understand how to engage with society and providing them with plentiful opportunities to do so. In this judgement, therefore, inspectors will seek to evaluate the quality and intent of what a school provides (either directly or by drawing on high-quality agencies and providers, for example the Duke of Edinburgh award scheme, Cadet Forces and the National Citizenship Service), but will not attempt to measure the impact of the school's work on the lives of individual pupils. Where usual opportunities have been disrupted by the pandemic, inspectors will look at whether the school has found alternative approaches to providing a rich range of personal development opportunities.

245. This judgement focuses on the dimensions of the personal development of pupils that our education system has agreed, either by consensus or statute, are the most significant. These are:

- developing responsible, respectful and active citizens who are able to play their part and become actively involved in public life as adults
- developing and deepening pupils' understanding of the fundamental British values of democracy, individual liberty, the rule of law and mutual respect and tolerance
- promoting equality of opportunity so that all pupils can thrive together, understanding that difference is a positive, not a negative, and that individual characteristics make people unique
- promoting an inclusive environment that meets the needs of all pupils, irrespective of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation
- developing pupils' character, which we define as a set of positive personal traits, dispositions and virtues that informs their motivation and guides their conduct so that they reflect wisely, learn eagerly, behave with integrity and cooperate consistently well with others. This gives pupils the qualities they need to flourish in our society
- developing pupils' confidence, resilience and knowledge so that they can keep themselves mentally healthy
- enabling pupils to recognise online and offline risks to their well-being – for example from criminal and sexual exploitation, domestic abuse, female genital mutilation, forced marriage, substance misuse, gang activity, radicalisation and extremism – and making them aware of the support available to them
- enabling pupils to recognise the dangers of inappropriate use of mobile technology and social media
- developing pupils' understanding of how to keep physically healthy, eat healthily and maintain an active lifestyle, including giving ample opportunities for pupils to be active during the school day and through extra-curricular activities
- developing pupils' age-appropriate understanding of healthy relationships through appropriate relationships and sex education (RSE)
- providing an effective careers programme in line with the government's statutory guidance on careers advice that offers pupils:
  - unbiased careers advice
  - experience of work, and
  - contact with employers
  - to encourage pupils to aspire, make good choices and understand what they need to do to reach and succeed in the careers to which they aspire[footnote 34]
- supporting readiness for the next phase of education, training or employment so that pupils are equipped to make the transition successfully

246. Inspectors will assess a school's entire provision, including any specialist provision offered, when reaching a judgement about personal development.

Spiritual, moral, social and cultural development

247. Inspectors will evaluate the effectiveness of the school's provision for pupils' spiritual, moral, social and cultural education. This is a broad concept that can be seen

across the school's activities, but draws together many of the areas covered by the personal development judgement.

248. Provision for the spiritual development of pupils includes developing their:

- ability to be reflective about their own beliefs (religious or otherwise), and perspective on life
- knowledge of, and respect for, different people's faiths, feelings and values
- sense of enjoyment and fascination in learning about themselves, others and the world around them
- use of imagination and creativity in their learning
- willingness to reflect on their experiences

249. Provision for the moral development of pupils includes developing their:

- ability to recognise the difference between right and wrong and to readily apply this understanding in their own lives, and to recognise legal boundaries and, in doing so, respect the civil and criminal law of England
- understanding of the consequences of their behaviour and actions
- interest in investigating and offering reasoned views about moral and ethical issues and ability to understand and appreciate the viewpoints of others on these issues

250. Provision for the social development of pupils includes developing their:

- use of a range of social skills in different contexts, for example working and socialising with other pupils, including those from different religious, ethnic and socio-economic backgrounds
- willingness to participate in a variety of communities and social settings, including by volunteering, cooperating well with others and being able to resolve conflicts effectively
- acceptance of and engagement with the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs. They will develop and demonstrate skills and attitudes that will allow them to participate fully in and contribute positively to life in modern Britain

251. Provision for the cultural development of pupils includes developing their:

- understanding and appreciation of the wide range of cultural influences that have shaped their own heritage and that of others
- understanding and appreciation of the range of different cultures in the school and further afield as an essential element of their preparation for life in modern Britain
- ability to recognise, and value, the things we share in common across cultural, religious, ethnic and socio-economic communities
- knowledge of Britain's democratic parliamentary system and its central role in shaping our history and values, and in continuing to develop Britain
- willingness to participate in and respond positively to artistic, musical, sporting and cultural opportunities
- interest in exploring, improving understanding of and showing respect for different faiths and cultural diversity and the extent to which they understand, accept and respect diversity. This is shown by their respect and attitudes towards different religious, ethnic and socio-economic groups in the local, national and global communities

252. The DfE has published 'The independent school standards: guidance for independent schools'. This includes previously published non-statutory advice to help schools understand their obligations relating to a school's provision for pupils' spiritual, moral, social and cultural development.

Relationships, sex and health education

253. Relationships education is compulsory for all primary school pupils and RSE is compulsory for all secondary school pupils. Health education is also compulsory for all state-funded schools only. Independent schools are already required to teach health education as part of the requirement to teach personal, social, health and economic education in paragraph 2(2)(d) of the independent school standards.

254. In light of the disruption to and partial closure of schools caused by the COVID-19 pandemic, the DfE has provided further clarification of the legal requirements, and where schools have flexibility, in the 'Schools coronavirus (COVID-19) operational guidance'.

255. All schools are required to have taught some of the new curriculum, and to have published a policy and consulted parents on this, during the academic year 2020 to 2021.

256. If a school is failing to meet its obligations, inspectors will consider this when reaching the personal development and leadership and management judgements.

257. Inspectors will be sympathetic to schools that, as a result of the pandemic, have not been able to fully implement the new curriculum, provided that they:

- have had regard to the statutory guidance
- have a good rationale for prioritising what they have implemented
- have clear and effective plans to address any gaps before the end of the 2021 to 2022 academic year

258. See the guidance 'Inspecting teaching of the protected characteristics' for more information.

Sources of evidence specific to personal development

259. Inspectors will use a range of evidence to evaluate personal development, including:

- the range, quality and take-up of extra-curricular activities offered by the school[footnote 35]
- how curriculum subjects such as citizenship, RE and other areas such as personal, social, health and economic education, and relationship and sex education, contribute to pupils' personal development
- how well leaders promote British values through the curriculum, assemblies, wider opportunities, visits, discussions and literature
- how well leaders develop pupils' character through the education that they provide
- where appropriate, the quality of debate and discussions that pupils have
- pupils' understanding of the protected characteristics and how equality and diversity are promoted (see the guidance 'Inspecting teaching of the protected characteristics')
- the quality of careers information, education, advice and guidance and how well it benefits pupils in choosing and deciding on their next steps[footnote 36]

Grade descriptors for personal development

260. In order for personal development to be judged outstanding, it must meet all of the good criteria securely and consistently, and it must also meet the additional outstanding criteria.

Outstanding (1)

- The school meets all the criteria for good in personal development securely and consistently.
- Personal development is exceptional.

In addition, the following apply:

- The school consistently promotes the extensive personal development of pupils. The school goes beyond the expected, so that pupils have access to a wide, rich set of experiences. Opportunities for pupils to develop their talents and interests are of exceptional quality.
- There is strong take-up by pupils of the opportunities provided by the school. The most disadvantaged pupils consistently benefit from this excellent work.
- The school provides these rich experiences in a coherently planned way, in the curriculum and through extra-curricular activities, and they considerably strengthen the school's offer.
- The way the school goes about developing pupils' character is exemplary and is worthy of being shared with others.

261. In order to judge whether a school is good or requires improvement, inspectors will use a 'best fit' approach, relying on the professional judgement of the inspection team.

Good (2)

- The curriculum extends beyond the academic, vocational or technical and provides for pupils' broader development. The school's work to enhance pupils' spiritual, moral, social and cultural development is of a high quality.
- The curriculum and the school's effective wider work support pupils to be confident, resilient and independent, and to develop strength of character.
- The school provides high-quality pastoral support. Pupils know how to eat healthily, maintain an active lifestyle, and keep physically and mentally healthy. They have an age-appropriate understanding of healthy relationships.
- The school provides a wide range of opportunities to nurture, develop and stretch pupils' talents and interests. Pupils appreciate these and make good use of them.
- The school prepares pupils for life in modern Britain effectively, developing their understanding of the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.
- The school promotes equality of opportunity and diversity effectively. As a result, pupils understand, appreciate and respect difference in the world and its people, including the things we share in common across cultural, religious, ethnic and socio-economic communities.
- Pupils engage with views, beliefs and opinions that are different from their own in considered ways. They show respect for the different protected characteristics as defined in law, and no forms of discrimination are tolerated.
- The school provides pupils with meaningful opportunities to understand how to be responsible, respectful, active citizens who contribute positively to society. Pupils know how to discuss and debate issues and ideas in a considered way.
- Secondary schools prepare pupils for future success in education, employment or training by providing unbiased information to all about potential next steps and high-quality careers advice and guidance.

Requires improvement (3)

- Personal development in the school is not good.

Inadequate (4)

Personal development is likely to be inadequate if any one of the following applies.

- A significant minority of pupils do not receive a wide, rich set of experiences.
- Leaders and those responsible for governance, through their words, actions or influence, directly and/or indirectly, undermine or fail to promote equality of opportunity in the school.
- Leaders and those responsible for governance are not protecting pupils from radicalisation and extremist views. Policy and practice are poor, which means that pupils are at risk.
- Leaders and those responsible for governance are actively undermining fundamental British values and are not protecting pupils from radicalisation and extremist views.
- Pupils or groups of pupils are discriminated against, and the school is not taking effective action to address this.
- Pupils are unprepared for life in modern Britain.

Leadership and management

262. The leadership and management judgement is about how proprietors, leaders, managers and those responsible for governance ensure that the education that the school provides has a positive impact on all its pupils. It focuses on the areas where inspection and research indicate that leaders and managers can have the strongest effect on the quality of the education provided by the school. Important factors include:

- leaders' high expectations of all pupils in the school, and the extent to which these are embodied in leaders' and staff's day-to-day interactions with pupils
- the extent to which leaders focus their attention on the education provided by the school. There are many demands on leaders, but a greater focus on this area is associated with better outcomes for pupils
- whether continuing professional development for teachers and staff is aligned with the curriculum, and the extent to which this develops teachers' content knowledge and teaching content knowledge over time, so that they are able to deliver better teaching for pupils
- the extent to which leaders create coherence and consistency across the school so that pupils benefit from effective teaching and consistent expectations, wherever they are in the school
- whether leaders seek to engage parents and their community thoughtfully and positively in a way that supports pupils' education. Also, whether leaders are thoughtful in drawing boundaries and resisting inappropriate attempts to influence what is taught and the day-to-day life of the school
- the extent to which leaders take into account the workload and well-being of their staff, while also developing and strengthening the quality of the workforce
- the extent to which leaders' and managers' high ambitions are for all pupils, including those who are harder to reach. This includes ensuring that practices such as 'off-rolling' do not take place
- whether leaders and those responsible for governance all understand their respective roles and perform these in a way that enhances the effectiveness of the school

263. Our evidence for the importance of each of these factors comes from our inspection experience, areas of consensus in academic research and our own research. A full note of how the criteria relate to the available research can be found in our research commentary.

264. Paragraphs 292 to 304 set out the importance and place of safeguarding.

265. Inspectors will also consider:

- whether the school meets all paragraphs in all parts of the independent school standards
- whether leaders are fulfilling all of their legal responsibilities associated with the running of the school, for example in relation to any international students

266. Inspectors will assess a school's entire provision, including any specialist provision offered, when reaching a judgement about leadership and management.

Leadership and management in school

267. Research suggests that leadership and management can be highly effective when they are shared by different individuals and distributed across different levels in a school. Inspectors will look at the work of headteachers, senior leaders, subject leaders and others with leadership and management roles when reaching this judgement.

Leadership and management in independent schools that are part of a group of schools

268. Where a school is part of a group of schools, it is important for inspectors to remember that the proprietor will be the head of this group and they are responsible for the quality of education provided in the school.

269. It is highly likely that parts of some of the leadership functions described in the grade criteria are performed by school leaders, although the proprietor may have responsibility for local governance. It is the responsibility of school leaders to give inspectors accurate and appropriate information about those roles and responsibilities. Inspectors should always seek to speak directly with the proprietor during the inspection.

270. Leaders of these groups of schools (for example, the chief executive or an education director) may ask to meet inspectors during the inspection, or to attend feedback meetings. These are appropriate requests and should be accommodated. These individuals, however, should abide by the same code of conduct as all others involved in the inspection.

Governance

271. Inspectors will seek evidence of the impact of those responsible for governance. This includes the impact of the proprietor. Where there is a proprietor body and/or governing body, inspectors will speak to as many members as possible.

272. Inspectors will consider whether those responsible for governance:

- ensure clarity of vision, ethos and strategic direction
- hold senior leaders to account for the educational performance of the organisation and its pupils, and the performance management of staff
- oversee the financial performance of the organisation and make sure that its money is well spent

273. Inspectors will explore how the proprietor and, where relevant, governors carry out each of these functions. For example, the clarity of the school's vision, ethos and strategic direction will have a significant impact on the decisions that leaders make about the curriculum. Inspectors will consider whether the work of the proprietor and, where relevant, governors in this respect is supporting the school to provide a high-quality education for its pupils.

274. The proprietor is responsible for ensuring that the school meets all paragraphs in all parts of the independent school standards. In addition, the proprietor and those responsible for governance are responsible for ensuring that the school fulfils its statutory duties, for example under the Equality Act 2010, and other duties, such as in relation to the 'Prevent' duty and safeguarding. Please note that, when inspectors consider whether the proprietor and, where relevant, governors are fulfilling this responsibility, they are not expected to construct or review a list of duties.

Use of catch-up funding for independent special schools

275. Inspectors will gather evidence about the use of the catch-up premium for independent special schools, particularly regarding how leaders have spent the funding, their rationale for this spending and its intended impact.

Evaluating the impact of external support

276. If the school has received external support, inspectors will not evaluate and report on the quality and the impact of the support and challenge on improvement in the school. Instead, they will comment on the action that the school has taken and the impact that this has had on the quality of the school's work.

Inspecting off-site provision

277. Inspectors must evaluate how well a school continues to take responsibility for its

pupils who attend alternative or off-site provision. Inspectors need to be assured that the proprietor has ensured that the alternative provision is a suitable and safe placement that will meet pupils' academic/vocational/technical and, if appropriate, SEND needs. Inspectors will speak to a selection of pupils who attend off-site provision, where possible, including through video/telephone calls.

278. Inspectors must ask the school about the registration status of any alternative providers that they use. Any provider of alternative provision must be registered as an independent school if it caters full time for 5 or more pupils of compulsory school age, or one pupil who is looked after or has an education, health and care (EHC) plan. If a school uses alternative provision that should be registered but is not, inspectors will carefully consider the likelihood that pupils are safeguarded effectively.

279. Inspectors will normally visit a sample of any part-time unregistered alternative providers during the inspection, as directed by the relevant Ofsted region. This may be completed remotely. This is to assess the adequacy of the school's quality assurance process. Inspectors should visit any registered alternative provision site that Ofsted has not yet inspected to assess the adequacy of the school's quality assurance process.

280. Inspectors will consider the quality of registered alternative provision using Ofsted's latest inspection report and assess its impact on the overall quality of education for pupils in a proportionate way.

281. Inspectors will consider:

- the reasons why the proprietor considered off-site provision to be the best option for the pupils concerned
- whether the proprietor has made the appropriate checks on the registration status of the provision
- what safeguarding checks the proprietor has made and continues to make to ensure that the provision is a safe place for their pupils to attend
- the extent to which the proprietor ensures that the school's pupils benefit from a well-planned and sequenced, well-taught, broad curriculum
- the attendance and behaviour of the pupils who attend the provision
- how well the provision promotes the pupils' personal development

282. If a school uses a provider that is not registered, the inspector must contact the duty staff so that they can notify Ofsted's unregistered schools team. Following the inspection, the team will determine if we need to take further action because there is reasonable cause to believe that the setting is operating as an unregistered school.

283. A school is likely to be judged inadequate for leadership and management if:

- it is making ineffective or inappropriate use of alternative provision
- it is using inappropriate alternative provision
- the proprietor has not taken the necessary steps to assure themselves of the suitability of a provision, including its COVID-19 safety arrangements
- the proprietor is not aware of how many of their pupils attend alternative provision
- the proprietor is not taking responsibility for their pupils who attend alternative provision

Gaming

284. Inspectors will challenge leaders and managers about unusual patterns of examination entry that appear to 'game the system', for example if they are entering pupils for courses that are not in their educational best interest. If inspectors uncover evidence that deliberate gaming is taking place, the leadership and management judgement is likely to be inadequate.

285. Inspectors will also challenge leaders and managers about unusual patterns in the way that the school records attendance, including the use of inaccurate register codes or changes to when the register is taken. For example, if inspectors reasonably believe that a school is inaccurately recording attendance, has changed the timing of session registration to game attendance rates or is using part-time timetables inappropriately, then inspectors are likely to judge leadership and management to be inadequate.

Inclusion and off-rolling

286. Schools should have an inclusive culture that supports arrangements to:

- identify early those pupils who may be disadvantaged or have additional needs or barriers to learning
- meet the needs of those pupils, drawing, when necessary, on more specialist support, and help those pupils to engage positively with the curriculum
- support those pupils to attend school when it is closed to other pupils due to COVID-19 restrictions, and prioritise those pupils during any wider reopening
- ensure that pupils have a positive experience of learning, and achieve positive outcomes

287. There is no legal definition of 'off-rolling'. However, we define 'off-rolling' as:

The practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil. Off-rolling in these circumstances is a form of 'gaming'. This would include delaying the return of a pupil to school during the pandemic when it is not in their best interests.

288. When an inspection finds evidence of off-rolling taking place, by our definition, inspectors should always address this in the inspection report. They may, depending on the scale and impact, need to consider it when reaching the judgement. If the off-rolling is lawful, inspectors must be careful to consider the context of the off-rolling and be clear about what impact the off-rolling has had on pupils involved and on the school. There are many different activities that can constitute off-rolling, so there can be no hard and fast rules as to how it should be addressed. However, if inspectors determine the school to be off-rolling according to our definition, then the leadership and management of the school are likely to be judged inadequate.

289. There are other reasons why a school might remove a pupil from the school roll, such as when a pupil moves house or a parent decides, without encouragement or coercion by the school, to home educate their child. This is not off-rolling. If the pupil transfers to the roll of their alternative provision, and this is genuinely in the best interest of the pupil, this is not off-rolling. If a school appropriately removes a pupil from the roll due to a formal permanent exclusion and follows the proper processes, this is not off-rolling. Headteachers have the right to exclude pupils when there are legitimate reasons for them to do so. Used correctly, exclusion is a vital measure for headteachers to use.

290. Dual-registering or dual-coding a pupil in 2 schools or providers, or using alternative provision while they remain registered at the school, is not off-rolling because the pupil has not left the roll of their school. However, this may still be a form of gaming if it is not in the best interests of the pupil. Managed moves can be an effective tool in breaking a cycle of poor pupil behaviour, but they can also be a form of off-rolling. Managed moves are not off-rolling only when they are genuinely used in a pupil's best interests, within the statutory guidance. If a school uses managed moves, inspectors may ask to see evidence of the ways in which these have been carried out.

291. Inspectors will be interested in high numbers of pupils moving on- and off-roll, but this may not in itself mean that off-rolling is taking place.

Safeguarding

292. All schools should have a culture of safeguarding. This means they should have effective arrangements to:

- always act in the best interests of children, pupils and students to protect them online and offline, including when they are receiving remote education or self isolating due to COVID-19 (see 'Safeguarding and remote education during coronavirus (COVID-19)'
- identify children, pupils and students who may need early help and who are at risk of harm or have been harmed. This can include, but is not limited to, neglect, abuse (including by their peers), grooming or exploitation
- secure the help that children, pupils and students need, and if required referring in a timely way to those who have the expertise to help
- manage safe recruitment and allegations about adults who may be a risk to children, pupils, students and vulnerable adults

293. Inspectors will not grade this aspect of a school's work. However, inspectors will always make a written judgement under 'leadership and management' in the report about whether the arrangements for safeguarding children and pupils are effective.

294. Inspectors must go beyond ensuring that schools meet statutory requirements, and beyond simply reviewing documents, to evaluate the safeguarding culture that has been established in the school.

295. As well as understanding Ofsted's inspecting safeguarding policies, inspectors should be familiar with the relevant, including statutory, guidance on safeguarding:

- 'Keeping children safe in education: statutory guidance for schools and colleges'
- 'Working together to safeguard children'
- 'Positive environments where children can flourish'

296. On all inspections, inspectors need to determine whether there have been any safeguarding incidents or allegations since the last inspection, and whether the school has taken appropriate action to safeguard the children affected and/or deal with allegations.

297. On a very small number of occasions, inspectors may come across, during an inspection, evidence or allegations of child abuse. Inspectors must not attempt to investigate any incident of child abuse but will satisfy themselves that concerns about a child's safety are referred, as appropriate, to the relevant local authority's children's services department (see 'Safeguarding concerns: guidance for inspectors. The referral will normally be made by the safeguarding lead for the school. Inspectors must be satisfied that the correct referral has taken place and record this in their evidence base.

298. If a child discloses to an inspector that they are suffering or at risk of abuse, the inspector will stop all other activity and focus on ensuring that the child receives the help they need. Specific guidance on what to do in this situation can be found in 'Safeguarding concerns: guidance for inspectors'.

299. The guidance 'Inspecting safeguarding in early years, education and skills settings' explains how incidents will be covered in the inspection report.

300. Safeguarding is ineffective when there are serious or widespread failures in the school's/setting's safeguarding arrangements that give cause for concern because children are not protected and statutory requirements are not being met, or because insufficient action is being taken to remedy weaknesses following a serious failure of safeguarding arrangements.

301. The following are examples of what ineffective safeguarding might include.

- Safeguarding allegations about staff members are not being handled appropriately.
- Children, pupils and students or particular groups of children, pupils and students do not feel safe in school/the setting.
- Children, pupils and students have little confidence that the school/setting will address concerns about their safety, including risk of abuse.
- Pupils are frequently missing from school (including for part of the school day), but this is not addressed appropriately by staff.
- Incidents of bullying or prejudiced and discriminatory behaviour are common

302. The school must provide opportunities for inspectors to speak to pupils with no other adults present, as it is important that pupils are able to express their views freely to inspectors. This is set out in our guidance 'Inspectors talking to pupils on inspection'.

303. If inspectors cannot corroborate the evidence that they gather about the effectiveness of the school's arrangements to safeguard pupils, by talking to pupils during the inspection, then they will judge:

- safeguarding as ineffective
- the relevant independent school standards as not met

304. If inspectors judge that standard 7 of the independent school standards is not met (for any reason; not solely if inspectors have not been able to talk to pupils), then they will judge safeguarding as ineffective.

Sexual harassment, online sexual abuse and sexual violence

305. As part of assessing safeguarding, inspectors will consider how the school handles allegations and instances of sexual harassment, online sexual abuse and sexual violence. This includes checking that:

- the school has appropriate school-wide policies in place that make it clear that sexual harassment, online sexual abuse and sexual violence (including sexualised language) is unacceptable, with appropriate sanctions in place
- the school's policies are reflected in its curriculum (see relationships, sex and health education section), which specifically addresses sexual harassment, online abuse, sexual violence and issues of consent
- that the school's staff have appropriate knowledge of part 5 the government's 'Keeping children safe in education' guidance
- all pupils are supported to report concerns about harmful sexual behaviour freely
- concerns are taken seriously and dealt with swiftly and appropriately, and pupils are confident that this is the case
- comprehensive records of all allegations are kept

306. Inspectors will also look at how schools work to prevent sexual harassment, online sexual abuse and sexual violence through a whole-school approach that includes an effective behaviour policy, pastoral support and a carefully planned relationships, sex and health education curriculum. Inspectors will expect schools to be alert to factors that increase vulnerability or potential vulnerability such as mental ill health, domestic abuse, children with additional needs, and children from groups at greater risk of exploitation and/or of feeling unable to report abuse (for example girls and LGBT children). Inspectors will also seek to understand how any barriers that could prevent a pupil from making a disclosure, for example communication needs, are identified and addressed.

307. As set out in 'Inspecting safeguarding in early years, education and skills settings', inspectors will expect, among other things, schools to:

- assume that sexual harassment, online sexual abuse and sexual violence are happening in and around the school, even when there are no specific reports, and put in place a whole-school approach to address them
- where incidents are reported, understand how to handle reports of sexual violence and harassment between children, both on and outside school premises, in line with the DfE's guidance, and train their staff accordingly (including teachers delivering relationships, sex and health education)
- have good awareness of the signs that a child is being neglected or abused, as described in 'What to do if you're worried a child is being abused'
- be confident about what to do if a child reports that they have been sexually abused by another child
- ensure that children are taught about safeguarding risks, including online risks
- support pupils to understand what constitutes a healthy relationship, both online and offline

308. Inspectors will not investigate allegations of harmful sexual behaviour themselves, but will ensure that allegations are reported to the appropriate authority, where that has not already happened.

309. Where schools do not have adequate processes in place, it is likely that safeguarding will be considered ineffective. This will impact on the leadership and management judgement, as explained below. Inspectors may also, depending on the circumstances, take this evidence into account when considering personal development and behaviour and attitude judgements (particularly in respect of pastoral support and pupils feeling safe respectively).

The impact of safeguarding on the leadership and management judgement

310. When safeguarding is ineffective, this is likely to lead to an inadequate leadership and management judgement. However, there may be circumstances when it is appropriate to judge a setting as requires improvement, rather than inadequate, if there are minor weaknesses in safeguarding arrangements that are easy to put right and do not leave children either being harmed or at risk of harm.

Separation

311. It is unlawful for schools to separate pupils on the basis of any protected characteristics such as sex, race or faith while at school, unless permitted by the Equality Act 2010 for:

- positive action to alleviate a disadvantage associated with a certain characteristic.

This could, for example, include pupils of one race or sex getting additional work experience in a sector in which they are under-represented, or separating the pupils by gender for teaching in subjects if the school has evidence that this improves their academic outcomes (section 158)
- competitive sport, games or other competitive activities in which physical strength, stamina or physique are significant factors in determining success or failure. A school is allowed to organise separate events for boys and girls (section 195)

312. If an inspector believes that a school may be segregating pupils, they will contact the duty staff. If separation is taking place, inspectors will write about this clearly in the inspection report.

- A school is unlikely to be judged as good or outstanding in leadership and management if it is segregating pupils unlawfully.
- If the school has genuine and imminent plans to reintegrate pupils, a judgement of requires improvement will normally be appropriate.
- In other cases, the grade will likely be inadequate for leadership and management.

313. Where appropriate, inspectors will also refer to the following guidance:

- Inspecting teaching of the protected characteristics in schools
- Separation by sex: implications for the inspections of mixed sex/co-educational schools

Inspecting teaching of the protected characteristics

314. From the summer term 2021, how a school meets the expectations of the DfE's statutory guidance on relationships education, RSE and health education will contribute to the leadership and management judgement.

315. Inspectors will be sympathetic to schools that, as a result of the COVID-19 pandemic, have not been able to fully implement the new curriculum, provided that they:

- have had regard to the statutory guidance
- have a good rationale for prioritising what they have implemented
- have clear and effective plans to address any gaps before the end of the 2021 to 2022 academic year

316. If a primary school does not teach about LGBT relationships, this will not have an impact on the leadership and management judgement as long as the school can satisfy inspectors that it has still fulfilled the requirements of the DfE's statutory guidance. If it cannot do this, for example if it has failed to consult with parents, inspectors will consider this when making the leadership and management judgement. The school will not ordinarily receive a judgement for this better than requires improvement.

317. If a secondary school does not teach about LGBT relationships, it will not be meeting the expectations of the DfE's statutory guidance. Inspectors will consider this when making the leadership and management judgement. The school will not ordinarily receive a judgement for this better than requires improvement.

318. See 'Inspecting teaching of the protected characteristics' for further guidance.

Sources of evidence specific to leadership and management

319. Evidence used to evaluate the impact of leaders' work, both currently and over time, includes, but is not limited to:

- meetings with leaders, including the proprietor, to discuss how well they know the school and the quality of education that it provides for pupils
- meetings with the proprietor and those responsible for governance as appropriate to evaluate how well they fulfil their statutory duties, including their duties under the Equality Act 2010 and in relation to safeguarding
- documentary evidence provided by the school that demonstrates the effectiveness of the school's provision
- interviews with staff and pupils to evidence how well leaders have created a positive culture
- first-hand evidence gathered during the course of inspection

- responses to the staff and pupil questionnaires and Ofsted Parent View; these will be particularly useful for judging the culture that has been established in the school by leaders and managers
- any evidence the school has from regularly surveying its staff and the way in which leaders and managers have responded to concerns raised by staff or parents, for example about how senior leaders support teachers to tackle low-level disruptive behaviour.
- if there are unusual patterns of pupil movement, discussions with school leaders and the local authority about those movements

320. Inspectors will always report on the school's activity to gather the views of staff, whether through the school's internal procedures or through it using the Ofsted questionnaire. They will do this in the 'Information about this inspection' section.

Grade descriptors for leadership and management

321. In order for the leadership and management of a school to be judged outstanding, it must meet all of the good criteria securely and consistently, and it must also meet the following additional outstanding criteria.

Outstanding (1)

- All of the independent school standards (and, where relevant, statutory requirements of the early years foundation stage) are met.
- The school meets all the criteria for good in leadership and management securely and consistently.

Leadership and management are exceptional.

In addition, the following apply:

- Leaders ensure that teachers receive focused and highly effective professional development. Teachers' subject, pedagogical and pedagogical content knowledge consistently build and develop over time. This consistently translates into improvements in the teaching of the curriculum.
- Leaders ensure that highly effective and meaningful engagement takes place with staff at all levels and that issues are identified. When issues are identified, in particular about workload, they are consistently dealt with appropriately and quickly.
- Staff consistently report high levels of support for well-being issues.

322. In order to judge whether a school is good or requires improvement, inspectors will use a 'best fit' approach, relying on the professional judgement of the inspection team.

Good (2)

- All of the independent school standards (and, where relevant statutory requirements of the early years foundation stage) are met.
- Leaders have a clear and ambitious vision for providing high-quality education to all pupils. This is realised through strong, shared values, policies and practice. This vision has been maintained through the pandemic and beyond/during the transitional period.
- Leaders focus on improving teachers' subject, pedagogical and pedagogical content knowledge in order to enhance the teaching of the curriculum and the appropriate use of assessment. The practice and subject knowledge of staff, including newly qualified teachers, build and improve over time. This includes building teachers' expertise in remote education.
- Leaders aim to ensure that all pupils successfully complete their programmes of study. They provide the support for staff to make this possible. They create an inclusive culture, and do not allow gaming or off-rolling.
- Leaders engage effectively with pupils and others in their community, including, when relevant, parents, employers and local services. Engagement opportunities are focused and have purpose.
- Leaders engage with their staff and are aware and take account of the main pressures on them. They are realistic and constructive in the way they manage staff, including their workload. This includes managing staff workloads proactively in response to COVID-19 and beyond/during the transitional period.
- Leaders protect staff from bullying and harassment.
- Those responsible for governance understand their role and carry this out effectively. The proprietor/those responsible for governance ensure that the school has a clear vision and strategy, that resources are managed well and that leaders are held to account for the quality of education.
- Those with responsibility for governance ensure that the school fulfils its other statutory duties, for example under the Equality Act 2010, and other duties, for example in relation to the 'Prevent' duty and safeguarding.
- The school has a culture of safeguarding that supports effective arrangements to: identify pupils who may need early help or who are at risk of neglect, abuse, grooming or exploitation; help pupils reduce their risk of harm by securing the support they need, or referring them in a timely way to those who have the expertise to help; and manage safe recruitment and allegations about adults who may be a risk to pupils.

Requires improvement (3)

- All of the independent school standards may be met, but the school is not yet demonstrating the characteristics of a good judgement.
- Leadership and management are not good.
- Safeguarding is effective, or there are minor weaknesses in safeguarding arrangements that are easy to put right and do not leave children either being harmed or at risk of harm.

Inadequate (4)

Leadership and management are likely to be inadequate if one or more of the following applies.

- There are one or more un-met independent school standards (or, where relevant, statutory requirements of the early years foundation stage) that may have a serious impact on pupils' welfare, health and safety, academic or personal development.
- The school's capacity to improve the quality of education, pupils' personal development or pupils' behaviour and attitudes is poor, or leaders are overly dependent on external support.
- Leaders are not doing enough to tackle weaknesses in the school.
- The improvements that leaders and those responsible for governance have made are unsustainable or have been implemented too slowly.
- The school is systematically gaming its results, entering pupils for courses that are not in their educational best interest.
- There is evidence that pupils have been removed from the school roll without a formal, permanent exclusion or by the school encouraging a parent to remove their child from the school roll, and leaders have taken insufficient action to address this.
- Leaders are not aware of, or are not taking effective action to stem, the decline in the attainment or progress of disadvantaged pupils.
- There is a clear breach of one or more of the other legal responsibilities of the proprietor/those responsible for governance, and that breach is serious because of the extent of its actual or potential negative impact on pupils. The proprietor/governing body either is unaware of the breach, or has taken

insufficient action to correct it and/or to remedy the negative or potential negative impact on pupils and/or to ensure that a suitable system is in place to prevent a similar breach in the future.

- Safeguarding is ineffective. The school's arrangements for safeguarding pupils do not meet statutory requirements, or they give serious cause for concern, or the school has taken insufficient action to remedy weaknesses following a serious incident.

Evaluating the quality of early years education in schools

323. Paragraphs 32 to 38 outline our approach to evaluating the quality of early years education in schools within the COVID-19 context.

324. Inspectors are required to grade the standards of education and care in any early years provision in schools and to write about its effectiveness in the inspection report.

325. Inspectors must use all their evidence to evaluate what it is like to be a child in the early years provision, taking account of the ages of the children and whether they attend part time or full time.

326. The effectiveness of the arrangements for safeguarding children is reflected in the main judgement for the school.

327. Inspectors should take account of all the judgements made across the evaluation schedule. In particular, they should consider:

- the extent to which leaders and staff plan, design and implement the curriculum
- the extent to which the curriculum and care practices meet the needs of the range of children who attend, particularly any children with SEND
- the progress all children make in their learning and development relative to their starting points and their readiness for the next stage of their education

children's personal, social and emotional development, including whether they feel safe and are secure, stimulated and happy

328. Inspectors will particularly consider the intent, implementation and impact of the school's early years curriculum. They will evaluate the impact that the quality of education has on children, particularly the most disadvantaged and those with SEND.

329. Inspectors will look at the children's achievements at the end of Reception over time, by the proportions reaching a good level of development. However, inspectors need to get beyond the data as quickly as possible to ascertain how well the curriculum is meeting children's needs. This will be evident in how well children know and remember more. Inspectors need to make careful inferences about children's current progress by drawing together evidence from a range of sources.

330. Schools that take 2- and 3-year-olds as part of their early years provision do not need to register that provision with Ofsted. We will inspect provision for 2- and 3-year olds as part of a standard inspection. Inspectors should ensure that the judgement on the effectiveness of early years provision includes evaluation of the provision for 2- and 3-year-olds. Inspectors should also note if any children receive additional funding.

331. Any care that a school provides for children, in the early years age range, before and/or after the school day or during school holidays, is considered as part of the evaluation of early years provision.

332. Inspectors will consider how well:[footnote 37]

- leaders assure themselves that the aims of the early years foundation stage (EYFS) are met and that it is sufficiently challenging for the children it serves. Staff ensure that the content, sequencing and progression in the 7 areas of learning are secured as appropriate
- the content of the EYFS curriculum is taught in a logical progression, systematically and in a way that is explained effectively, so that it gives children the necessary foundations for the rest of their schooling
- children develop, consolidate and deepen their knowledge, understanding and skills across all the areas of learning in the EYFS. In Reception, staff teach children to read systematically by using synthetic phonics[footnote 38] and books that match the children's phonic knowledge

- staff develop children's communication and language through singing songs, nursery rhymes and playing games
- staff develop children's love of reading, through reading aloud and telling stories and rhymes
- children demonstrate their attitudes and behaviours through the key characteristics of effective learning:
  - playing and exploring
  - active learning
  - creative thinking and thinking critically

Teaching should not be taken to imply a 'top down' or formal way of working. It is a broad term that covers the many different ways in which adults help young children learn. It includes: their interactions with children during planned and child-initiated play and activities, communicating and modelling language, showing, explaining, demonstrating, exploring ideas, encouraging, questioning, recalling, providing a narrative for what they are doing, facilitating and setting challenges. It takes account of the equipment that adults provide and the attention given to the physical environment, as well as the structure and routines of the day that establish expectations. Integral to teaching is how practitioners assess what children know, understand and can do, as well as taking account of their interests and dispositions to learn (characteristics of effective learning), and how practitioners use this information to plan children's next steps in learning and to monitor their progress.

333. In addition, when observing provision for 2- and 3-year-olds, inspectors will consider the extent to which leaders and staff are:

- knowledgeable about the typical development and characteristics of learning for 2- and 3-year-olds, including their emotional and physical dependence on adults
- aware of the large difference in development between children who are just 2 and those approaching their fourth birthday
- responsive when children need comforting, and provide support appropriate to the individual needs of the child
- attentive to children's care needs and use times caring for them as an opportunity to help children's learning
- giving children time to be in familiar, small groups and opportunities to be in smaller, quieter areas for play
- patient and attentive when allowing 2- and 3-year-olds to express their ideas
- listening to children and responding to their verbal and non-verbal communication rather than interrupting them

Grade descriptors

Outstanding (1)

- The school meets all the criteria for good in the effectiveness of early years securely and consistently.
- The quality of early years education provided is exceptional.

In addition, the following apply:

- The EYFS curriculum provides no limits or barriers to the children's achievements, regardless of their backgrounds, circumstances or needs. The high ambition it embodies is shared by all staff.
- The impact of the curriculum on what children know, can remember and do is strong. Children demonstrate this through being deeply engaged and sustaining high levels of concentration. Children, including those from disadvantaged backgrounds, do well. Children with SEND achieve the best possible outcomes.
- Children are highly motivated and are eager to join in. They share and cooperate well, demonstrating high levels of self-control and respect for others. Children consistently keep on trying hard, particularly if they encounter difficulties.

334. In order to judge whether a school is good or requires improvement, inspectors will use a 'best fit' approach, relying on the professional judgement of the inspection team.

Good (2)

Intent

- Leaders adopt or construct a curriculum that is ambitious and designed to give children, particularly the most disadvantaged, the knowledge, self-belief and cultural capital they need to succeed in life.
- The curriculum is coherently planned and sequenced. It builds on what children know and can do, towards cumulatively sufficient knowledge and skills for their future learning.
- There is a sharp focus on ensuring that children acquire a wide vocabulary, communicate effectively and, in Reception, secure a knowledge of phonics, which gives them the foundations for future learning, especially in preparation for them to become confident and fluent readers.
- The school's approach to teaching early reading and synthetic phonics is systematic and ensures that all children learn to read words and simple sentences accurately by the end of Reception.
- The school has the same academic ambitions for almost all children. For children with particular needs, such as those with SEND, their curriculum is designed to be ambitious and to meet their needs.

Implementation

- Children benefit from meaningful learning across the curriculum.
- Staff are knowledgeable about the areas of learning they teach. They manage the EYFS curriculum and pedagogy in relation to the learning needs of their children. Staff are expert in teaching systematic synthetic phonics and ensure that children practise their reading from books that match their phonics knowledge.
- Staff present information clearly to children, promoting appropriate discussion about the subject matter being taught. They communicate well to check children's understanding, identify misconceptions and provide clear explanations to improve their learning. In so doing, they respond and adapt their teaching as necessary.
- Staff read to children in a way that excites and engages them, introducing new ideas, concepts and vocabulary.
- Staff are knowledgeable about the teaching of early mathematics. They ensure that children have sufficient practice to be confident in using and understanding numbers. The mathematics curriculum provides a strong basis for more complex learning later on. Over the EYFS, teaching is designed to help children remember long term what they have been taught and to integrate new knowledge into larger concepts. This is checked well by staff and leaders. Leaders understand the limitations of assessment and avoid unnecessary burdens on staff or children.
- Staff create an environment that supports the intent of an ambitious, coherently planned and sequenced curriculum. The resources are chosen to meet the children's needs and promote learning.
- The curriculum and care practices promote and support children's emotional security and development of their character. Staff teach children 'the language of feelings, helping them to appropriately develop their emotional literacy' (see pages 8 to 9 of the 'Statutory framework for the early years foundation stage (applies from 1 September 2021)', which set out the personal, social and emotional development (PSED) area of learning). Leaders and staff are particularly attentive to the youngest children's needs.
- Staff give clear messages to children about why it is important to eat, drink, rest, exercise and be kind to each other. They teach children to take managed risks and challenges as they play and learn, supporting them to be active and develop physically.
- Staff provide information for parents about their children's progress, in line with the requirements of the EYFS. They provide information to parents about supporting their child's learning at home, including detail about the school's method of teaching reading and how to help their children learn to read.

Impact

- Children develop detailed knowledge and skills across the 7 areas of learning in an age-appropriate way. Children develop their vocabulary and use it across the EYFS curriculum. By the end of Reception, children use their knowledge of phonics to read accurately and with increasing speed and fluency.
- Children are ready for the next stage of education, especially Year 1 in school, if applicable. They have the knowledge and skills they need to benefit from what school has to offer when it is time to move on. By the end of Reception, children achieve well, particularly those children with lower starting points.
- By the end of Reception, children have the personal, physical and social skills they need to succeed in the next stage of their education. Most children achieve the early learning goals, particularly in mathematics and literacy.
- Children enjoy, listen attentively and respond with comprehension to familiar stories, rhymes and songs that are appropriate to their age and stage of development. Children develop their vocabulary and understanding of language across the 7 areas of learning.
- Children demonstrate their positive attitudes to learning through high levels of curiosity, concentration and enjoyment. They listen intently and respond positively to adults and each other. Children are developing their resilience to setbacks and take pride in their achievements.
- Children are beginning to manage their own feelings and behaviour, understanding how these have an impact on others. They are developing a sense of right from wrong.

Requires improvement (3)

- The effectiveness of the early years is not yet good.

Inadequate (4)

The effectiveness of the early years is likely to be inadequate if one or more of the following applies.

- A poorly designed and implemented curriculum does not meet children's needs or provide the necessary foundations for the rest of their schooling.
- Leaders and/or staff have a poor understanding of the areas of learning they teach and the way in which young children learn.
- Assessment is overly burdensome. It is unhelpful in determining what children know, understand and can do.
- By the end of Reception, children cannot communicate, read or spell phonically decodable words as well as they should. They do not have basic fluency in number and shape, space and measure.
- Children are not well prepared for the next stage of their learning, particularly those who receive additional funding or have SEND. Strategies for engaging parents are weak and parents do not know what their child is learning or how to help them improve.
- The attainment and progress of children, particularly those who are disadvantaged, are consistently low and show little or no improvement, indicating that children are underachieving considerably.

Independent schools with exemptions from the learning and development requirements of the EYFS

335. Section 46 of the Childcare Act 2006 gives the Secretary of State the power to confer exemptions from the learning and development requirements of the EYFS in prescribed circumstances.[footnote 39]

336. All independent schools that have early years provision must deliver the EYFS in full, unless they have an exemption or have applied for an exemption through the independent schools route and meet the quality threshold.

337. There are 2 routes for applying for an exemption: the independent schools route and the established principles route.

Independent schools route

338. Registered independent schools that meet the 4 conditions below can take up an exemption from all of the learning and development requirements.

- Quality threshold – in the most recent standard inspection report the school must have:
  - a separate judgement of good or outstanding for the early years provision, or
  - met all the requirements in the standard in part 2, and the requirement in paragraph 2(2)(f) in part 1 of the independent school standards[footnote 40]
- The other 3 conditions (seeking the views of parents, informing the local authority and notifying the DfE) are set out in the DfE's guidance 'The early years foundation stage (EYFS) learning and development requirements: guidance on exemptions for early years providers'

339. Exemptions will only be granted for pupils aged 3 and upwards; however, pupils who are 'rising 3' (that is, children who will turn 3 within the first term that they attend the school) should be treated in the same way as 3-year-olds.

340. An exemption via the independent schools route is 'taken up' on the date that the school notifies the DfE, provided that it has met all the conditions. The DfE will contact the school to confirm that it has received the notification.

Established principles route

341. Some independent schools are governed by 'established principles' that cannot be reconciled with some or all of the EYFS learning and development requirements. Such schools can be granted exemption from some or all of the EYFS learning and development requirements via the established principles route, if they meet the following conditions.

- In their application to the DfE, the school must explain why its established principles cannot be reconciled with one or more of the learning and development requirements. The school must set out how the early learning goals, educational programmes, or aspects of the EYFS profile assessment conflict with its established principles.
- The other 3 conditions (seeking the views of parents, informing the local authority and notifying the DfE) are set out in the DfE's guidance 'The early years foundation stage (EYFS) learning and development requirements: guidance on exemptions for early years providers'.

342. Under the established principles route, exemptions can be granted, and modifications can be made, against the learning and development requirements. These in turn may be classified as educational programmes, early learning goals and assessment arrangements.

343. If an exemption is granted under the established principles route, it will take effect from the date of the letter from the DfE granting the provider exemption. During the period between applying and receiving the response, the school is not exempt from the EYFS learning and development requirements.

What happens after exemption?

344. Schools that have taken up an exemption must continue to meet the conditions. They must notify the DfE and the local authority if, after taking up an exemption, they cease to meet the conditions and therefore are no longer eligible for an exemption. Any school that is no longer eligible for an exemption will be required to re-introduce and meet the learning and development requirements of the EYFS.

345. Independent schools that take up full exemption from the EYFS learning and development requirements can still practise in a way that meets the EYFS learning and development requirements but they will be classified officially as exempt and will not be subject to local authority moderation.

Before an inspection

346. During the on-site preparation, the lead inspector will ask the headteacher whether the school has, or has applied for, an exemption from the learning and development requirements of the EYFS, and if so, whether the exemption is via the independent schools route or the established principles route and, if the latter, whether the exemption covers all or part of the EYFS learning and development requirements.

347. If the school has applied for an exemption under the independent schools route and meets the quality threshold, the inspection will proceed as if the exemption has been granted.

348. However, if the school has applied through the established principles route, and has not yet received a letter from the DfE granting the exemption, the school is not exempt from the EYFS learning and development requirements, and will therefore be inspected against them.

On-site inspection activity

349. Where an independent school has an exemption (or has applied through the independent schools route and meets the quality threshold), EYFS provision for children aged 3 and over will only be inspected against the independent school standards, rather than the learning and development requirements of the EYFS.

350. Exempted independent schools must continue to comply with the independent school standards for children aged 3 and over and the EYFS safeguarding and welfare requirements. The Childcare Act 2006 does not allow for any exemptions from the safeguarding and welfare requirements of the EYFS.

351. Inspectors are likely to ask to see copies of letters granting exemptions via the established principles route.

Evaluating sixth-form provision in schools

352. Inspectors are required to grade the quality of education in any sixth-form provision in schools and to write about the sixth form in the inspection report. Inspectors must use all their evidence to evaluate what it is like to be a student in the sixth form.

353. The effectiveness of the arrangements for safeguarding students is reflected in the main judgement for the school.

354. Inspectors should take account of the key judgement areas in the evaluation schedule. They should consider:

- the extent to which leaders and teachers have high expectations for attainment and progress and the effectiveness of the systems they use to monitor and develop the quality of sixth-form programmes for all students, including the most disadvantaged and those with high needs
- how leaders and teachers develop a curriculum that provides progression, stretch and challenge for those pupils who do not have GCSE mathematics and English at grades 9 to 4 (or legacy grades A* to C); this may also include opportunities for work experience or industry placements and non-qualification activities[footnote 41]
- the effectiveness of high-quality, impartial careers guidance in enabling all students to make progress and move on to a higher level of qualification, employment or further training when they are ready to do so

355. Through observing teaching and training activities and by holding discussions with students, teachers and support staff, inspectors will consider how well:

- students develop personal, social and independent learning skills
- students achieve high levels of punctuality and attendance
- students' conduct and attitudes, including in non-qualification or enrichment activities and/or work experience, prepare them for employment or progress to higher levels of study

356. Inspection of apprenticeships training is not in the scope of standard inspections of independent schools.

Provision for students aged 19 and over

357. An independent school may have students aged 19 and over on roll. Inspectors will only inspect and take account of provision for these students if they began their studies before the age of 18. However, as these students are essentially adults studying alongside children, inspectors will always report on whether or not safeguarding is effective.

Grade descriptors

Outstanding (1)

- The school meets all the criteria for good in the effectiveness of sixth-form provision securely and consistently.
- The quality of sixth-form provision provided is exceptional.

In addition, the following apply:

- The work that sixth-form students do over time embodies consistently demanding curriculum goals. It matches the aims of the curriculum in being coherently planned and sequenced towards building sufficient knowledge and skills for future learning and destinations.
- The impact of the taught curriculum is strong. Students acquire and develop high-quality skills and produce work of a consistently high standard.
- Sixth-form students demonstrate consistently highly positive attitudes and commitment to their education. They have consistently high levels of respect for others.
- The sixth form consistently and extensively promotes learners' personal development. The sixth form goes beyond the expected, so that learners have access to a wide, rich set of experiences that teach learners why it is important to contribute actively to society. This is achieved through activities that strengthen considerably the sixth form's offer.

358. In order to judge whether a school is good or requires improvement, inspectors will use a 'best fit' approach, relying on the professional judgement of the inspection team.

Good (2)

- Leaders adopt or construct study programmes that are ambitious, appropriately relevant to local and regional employment and training priorities and designed to give sixth-form students, particularly those with high needs and the most disadvantaged, the knowledge and skills they need to succeed in life. [If this is not yet fully the case, it is clear from leaders' actions that they are in the process of bringing this about, and are making any necessary amendments in response to the pandemic.]
- The curriculum is coherently planned and sequenced towards cumulatively sufficient knowledge and skills for future learning and employment. [If this is not yet fully the case, it is clear from leaders' actions that they are in the process of bringing this about, and are making any necessary amendments in response to the pandemic.]
- The school is ambitious for all its sixth-form students, including those with SEND and those who have high needs. This is reflected in the curriculum. The curriculum remains ambitious and is tailored, where necessary, to meet individual needs. [If this is not yet fully the case, it is clear from leaders' actions that they are in the process of bringing this about.]
- Sixth-form students study the intended curriculum. The school ensures this by teaching all components of the full programmes of study. Any remote education is integrated into course(s) of study, and is well designed to support the wider implementation of the school's curriculum.
- Teachers have expert knowledge of the subject(s) and courses they teach. Leaders provide effective support for those teaching outside their main areas of expertise. When relevant, teachers have extensive and up-to-date vocational expertise.
- Teachers present information and/or demonstrate skills clearly, promoting appropriate consideration of the subject matter being taught. They check students' understanding systematically, identify misconceptions and provide clear, direct feedback. In doing this, they respond and adapt their teaching as necessary without recourse to unnecessary, time-consuming, individualised approaches to subject matter.
- The work that teachers give to sixth-form students is demanding. It ensures that students build knowledge and acquire skills, improving and extending what they already know and can do.
- Teachers encourage students to use subject-specific, professional and technical vocabulary well.
- Over the course of study, teachers design and use activities to help students to remember long term the content they have been taught, to integrate new knowledge into larger concepts and to apply skills fluently and independently.

- Teachers and leaders use assessment well. For example, they use it to help students embed and use knowledge fluently and flexibly, to evaluate the application of skills, or to check understanding and inform teaching or to understand different starting points and gaps as a result of the pandemic. Leaders understand the limitations of assessment and do not use it in a way that creates unnecessary burdens on staff or students.
- Teachers create an environment that allows sixth-form students to focus on learning. The resources and materials that teachers select and produce – in a way that does not create unnecessary workload for staff – reflect the school's ambitious intentions for the course of study. These materials clearly support the intent of a coherently planned curriculum, sequenced towards cumulatively sufficient knowledge and skills for future learning, independent living and employment.
- Students develop detailed knowledge across the curriculum and, as a result, achieve well in their study programmes. Students make substantial and sustained progress from their identified and recorded starting points in their study programmes. Where appropriate, this is reflected in results in national examinations that meet government expectations, or in the qualifications obtained.
- Students are ready for the next stage of education, employment or training. They have gained qualifications or met the standards that allow them to go on to destinations that meet their interests, aspirations and intended course of study. Students with high needs have greater independence in making decisions about their lives.
- Students have high attendance and are punctual. Their attitudes to their education are positive. Where relevant, attitudes improve over time.
- The sixth form prepares its students for future success in education, employment or training. It does this through providing: unbiased information to all about potential next steps; high-quality, up-to-date and locally relevant careers guidance, and opportunities for good-quality, meaningful encounters with the world of work.

Requires improvement (3)

- The quality of education in the sixth form is not yet good.

Inadequate (4)

The quality of education is likely to be inadequate if any one of the following applies.

- The design, coverage or teaching of the curriculum does not provide adequately for all students.
- The curriculum does not prepare students for the opportunities, responsibilities and experiences of life in modern Britain.
- Weak assessment practice means that teaching fails to meet students' needs.
- The attainment and progress of students are consistently low and show little or no improvement over time, indicating that students are underachieving considerably.
- Students do not develop or improve the English and mathematical skills they need to succeed in the next year or stage of education, training or

employment.

- Students have not attained the qualifications, skills or behaviours appropriate for them to progress to their next stage of education, training or employment.
- Students' attendance is consistently low and shows little sign of sustained improvement. Their lack of engagement, motivation or enthusiasm inhibits their progress and development.

Part 3. Applying the EIF in different contexts

Applying the EIF to the teaching of early reading in schools with pupils up to Year 3 (or up to Years 5 to 6 for those schools where early reading is delayed due to an exemption)

359. During all inspections of schools with pupils up to key stage 3, inspectors must focus on how well pupils are taught to read as a main inspection activity. They will pay particular attention to pupils who are reading below age-related expectations (the lowest 20%) to assess how well the school is teaching phonics and supporting all children to become confident, fluent readers. This will include understanding how reading is taught remotely, where applicable.

360. Except where paragraph 361 applies, inspectors will listen to several low-attaining pupils in Years 1 to 3.[footnote 42] They should also draw on information from the school's policy for teaching reading, phonics assessments, phonics screening check results and lesson visits.

361. The formal teaching of reading may be delayed by an exemption from the learning and development requirements of the EYFS.[footnote 43] In these cases, inspectors will hear children from Years 5 to 6 read instead of Years 1 to 3. They will listen to pupils read from unseen books appropriate to their stage of progress to see whether they have the reading knowledge and skills, including the phonic knowledge, appropriate for a child in Years 5 to 6. This will inform the quality of education judgement.

362. In reaching an evaluation against the 'quality of education' judgement, and taking account of any relevant exemption from the learning and development requirements of the EYFS, inspectors will consider whether:

- the school is determined that every pupil will learn to read, regardless of their background, needs or abilities. All pupils, including the weakest readers, make sufficient progress to meet or exceed age-related expectations
- stories, poems, rhymes and non-fiction are chosen for reading to develop pupils' vocabulary, language comprehension and love of reading. Pupils are familiar with and enjoy listening to a wide range of stories, poems, rhymes and non-fiction
- the school's phonics programme matches or exceeds the expectations of the national curriculum and the early learning goals. The school has clear expectations of pupils' phonics progress term-by-term, from Reception to Year 2 (except where paragraph 361 applies)
- the sequence of reading books shows a cumulative progression in phonics knowledge that is matched closely to the school's phonics programme. Teachers give pupils sufficient practice in reading and re-reading books that match the grapheme-phoneme correspondences they know, both at school and at home
- reading, including the teaching of systematic, synthetic phonics, is taught from the beginning of Reception (except where paragraph 361 applies)
- the ongoing assessment of pupils' phonics progress is sufficiently frequent and detailed to identify any pupil who is falling behind the programme's pace. If they do fall behind, targeted support is given immediately
- the school has developed sufficient expertise in the teaching of phonics and reading

Applying the EIF to the teaching of mathematics

363. When inspectors look at mathematics, they will evaluate the quality of a school's mathematics education through lesson visits, discussions with pupils and scrutiny of their work, reviewing curriculum plans, discussions with curriculum leaders, and examining any published data. This will include understanding how mathematics is taught remotely, where applicable.

364. Inspectors will consider what steps the school has taken to ensure that:

- pupils understand and remember the mathematical knowledge, concepts and procedures appropriate for their starting points, including knowledge of efficient algorithms. This should also ensure that pupils are ready for the next stage, whether that is the next lesson, unit of work, year or key stage, including post-16 mathematics
- the school's curriculum planning for mathematics carefully sequences knowledge, concepts and procedures to build mathematical knowledge and skills systematically and, over time, the curriculum draws connections across different ways of looking at mathematical ideas
- the curriculum divides new material into manageable steps lesson by lesson
- the school's curriculum identifies opportunities when mathematical reasoning and solving problems will allow pupils to make useful connections between identified mathematical ideas or to anticipate practical problems they are likely to encounter in adult life. Pupils have sufficient understanding of and unconscious competence in, prerequisite mathematical knowledge, concepts and procedures that are necessary to succeed in the specific tasks set
- within the curriculum, there are sufficient opportunities planned to revisit previously learned knowledge, concepts and procedures; this is to ensure that, once learned, mathematical knowledge becomes deeply embedded in pupils' memories. This then allows rapid and accurate recall and frees pupils' attention so they can work with increasing independence, apply their mathematical knowledge to more complex concepts and procedures and gain enjoyment through a growing self-confidence in their ability
- there is flexibility in curriculum planning so that the school can address identified gaps in pupils' mathematical knowledge that hinder their capacity to learn and apply new content. Those pupils behind age-related expectations are provided with the opportunities to learn the mathematical knowledge and skills necessary to catch up with their peers
- there are objective assessments that can identify when all pupils have gained the intended understanding and unconscious competence in knowledge, concepts and procedures necessary before they move on to new or more complex content
- teaching models new procedures and uses resources and approaches that enable pupils to understand the mathematics they are learning
- all teachers of mathematics, including non-specialist teachers of mathematics, have sufficient mathematical and teaching content knowledge to deliver topics effectively
- pupils' mathematical knowledge is developed and used, where appropriate, across the curriculum

Evaluating special schools and SEND provision

Section 41 approval

365. Independent schools that are organised to cater specifically for pupils with SEND are normally registered with the DfE as an 'independent special school'; however, there is no legal definition of this term.

366. Under section 41 of the Children and Families Act 2014, the DfE can approve independent schools that are organised to cater specifically for pupils with SEND for the purpose of enabling the school 'to be the subject of a request for it to be named in an EHC plan'.

367. Independent schools that are not approved under section 41 can still admit pupils with SEND.

368. If an approved independent special school is named in an EHC plan, the local authority must comply with the request to place the pupil at the school, and the school must admit the pupil. If a school is not approved under section 41, and is named in an EHC plan, there is no duty for the local authority to place the pupil in the school.

Applying the EIF in independent special schools and in mainstream independent schools' provision for pupils with SEND

369. Pupils with SEND have a range of different needs and starting points. Some pupils have severe, complex or profound needs that have a significant impact on their cognitive development, especially the way that they are able to make alterations to their long-term memory. Other pupils have starting points as high as other pupils of their age, for instance some pupils with sensory impairments.

370. All parts of the EIF apply to independent special schools, and to SEND provision in mainstream independent schools. However, as with all provision, SEND provision has some specific factors that should be taken into account. Inspectors will gather and evaluate evidence about:

- whether leaders are ambitious for all pupils with SEND
- how well leaders identify, assess and meet the needs of pupils with SEND, including when pupils with SEND are self-isolating and/or receiving remote education
- how well leaders develop and adapt the curriculum so that it is coherently sequenced and meets all pupils' needs, starting points and aspirations for the future
- how successfully leaders involve parents, carers and, as necessary, other professionals/specialist services in deciding how best to support pupils with SEND, including when agreeing the approach to remote education
- how well leaders include pupils with SEND in all aspects of school life
- how well the school assesses learning and development of pupils with SEND, and whether pupils' outcomes are improving as a result of the different or additional provision being made for them, including any reasonable adjustments in remote education provision. This covers outcomes in:
  - communication and interaction
  - cognition and learning
  - physical health and development
  - social, emotional and mental health
- how well pupils with SEND are prepared for their next steps in education, employment and training, and their adult lives including further/higher education and employment, independent living, participating in society and being as healthy as possible in adult life[footnote 44]

371. Because of the often vastly different types of pupils' needs, inspectors will not compare the outcomes achieved by pupils with SEND with those achieved by other pupils with SEND in the school, locally or nationally.

372. Pupils with SEND often have significant and complex vulnerabilities and can face additional safeguarding challenges. Inspectors will evaluate the ways in which leaders have made appropriate and effective safeguarding arrangements that reflect these additional vulnerabilities, including during the COVID-19 pandemic.

Applying the EIF to alternative provision

373. All parts of the EIF apply to alternative provision that is registered as an independent school or that is used by registered independent schools. However, in the same way that all school contexts are different, so are providers of alternative provision. Inspectors will gather and evaluate evidence about:

- how well leaders identify, assess and meet the needs of pupils when they first begin to attend the alternative provider, including pupils with SEND
- how well leaders develop and adapt the curriculum so it is coherently sequenced and meets all pupils' needs, starting points and aspirations for the future, including through remote education
- how successfully leaders involve parents, carers and, as necessary, other professionals/specialist services in deciding how best to support pupils
- whether leaders are ambitious for all pupils, and the extent to which those responsible for governance understand the particular context of the provision
- how well leaders include pupils in all aspects of school life, giving particular emphasis to how well they are prepared for their next steps in education, employment and training, and adult lives
- how well schools assess pupils' learning and development, and whether pupils' outcomes are improving as a result of the different or additional provision being made for them, including outcomes for pupils with SEND

374. Pupils in alternative provision often have significant, complex vulnerabilities. In the same way as with other schools, inspectors will evaluate the ways in which leaders have made appropriate and effective safeguarding arrangements for pupils in the light of their higher vulnerability to safeguarding risks, including during the COVID-19 pandemic.

375. If pupils in registered independent schools attend off-site alternative provision, inspectors will evaluate the extent to which these placements are safe and effective in promoting pupils' progress. Inspectors must visit a sample of the alternative providers used by the school.

376. Alternative providers may have different objectives in their work, related to the reasons why a pupil is placed in alternative provision, the needs of the pupil, the duration of placements and the proportion of time that pupils stay with the provider each week. For instance, in alternative provision that provides short-term placements for excluded pupils or those at risk of exclusion, the core work may emphasise specific improvements in pupils' attitudes, behaviour and/or attendance alongside their academic/vocational/technical achievement or be aiming to reintegrate pupils into mainstream independent schools. Alternative providers may also offer services to registered independent schools and other educational settings to help them support children with additional needs in their settings. An alternative provision setting may be the permanent destination for some pupils. Inspectors will evaluate schools' success in these areas while bearing in mind that we expect high academic/vocational/technical aspirations for all pupils.

377. Inspectors will take the school's official records as a starting point for discussions about attendance. They must evaluate pupils' attendance as a percentage of a full-time timetable, even when temporary part-time arrangements are in place. Leaders may have a range of ways of evaluating pupils' attendance, given that pupils often join and leave the school roll at various times of the year. Inspectors will take into account the turnover of pupils in the provision when considering evidence for attitudes and behaviour.

378. Often, pupils attending alternative provision have had poor attendance in the past. Inspectors will evaluate the improvement in pupils' attendance from their starting points when this is relevant. Inspectors will also evaluate the ways in which leaders take account of pupils' weak attendance in their safeguarding systems and the clarity of their attendance recording. If schools use part-time timetables, and pupils are not attending other provision or placements in addition to their school, inspectors will evaluate the extent to which they are well monitored, aspirational and effective in getting pupils into education full time, quickly and in line with the DfE guidance. These timetables should not be open-ended and should result in swift full-time education for the pupils.

379. Transitions into alternative provision are often complex, involving dual registration, periods of non-attendance and meetings with a range of services and families. When evaluating pupils' attainment and progress, inspectors will consider the ways in which leaders have identified, assessed and met the needs of pupils. They will evaluate the progress that pupils have made since they began to attend the alternative provision. For pupils have left the alternative provision, inspectors will consider how well the progress they made at the alternative provision enabled them to move on to suitable destinations and, post-16, to take courses at an appropriately demanding level. They will also look closely at how effective liaison is with other schools to ensure that there are appropriately high expectations and, as far as reasonably possible, continuity in pupils' education programmes. Inspectors will also look at whether the provider works closely with families, schools and other agencies to ensure a smooth transition to and from alternative provision. They will look at whether it sets expectations that reintegration back into mainstream education is a key component of a placement. Inspectors will also look at whether the provider has adapted its approach to transition in the light of the COVID-19 pandemic.

Applying the EIF when evaluating the quality of boarding and residential provision

in schools

380. When the full inspection of a school's education provision and the full residential inspection are both due at the same time, we usually combine them into one inspection of the whole school. These are integrated inspections and are carried out by one team, leading to one published report.

381. Integrated inspections take place:

- in a boarding or residential special school when both inspections are due during the same year
- when we carry out an emergency or monitoring inspection of both the boarding/residential and education provision

382. In integrated inspections, lead inspectors will consider the timing of team meetings so that the social care regulatory inspector is available to join them. It is important that the findings of the social care regulatory inspector contribute to judgements about the school.

383. Inspectors must work closely together to plan sufficient time to discuss their findings throughout the inspection. The lead education inspector will join the social care regulatory inspector on some inspection activities so that they can gain a full picture of provision at the school. This is particularly important in assessing personal development, behaviour and attitudes and the strength of the links between the day school and boarding provision.

384. The inspection of education in a school that is also registered as a children's home may take place as a stand-alone inspection of the education provision or be aligned with the full inspection of the children's home. When possible, we will attempt to align both inspections so that inspectors may work together and share evidence.

385. When the education inspection takes place as a stand-alone event, inspectors must read the most recent education and children's home reports on the preparation day. They must make themselves aware of any current issues concerning children's welfare that may affect aspects of the school inspection and ensure that they take these into consideration during the inspection.

386. When the education and children's homes inspections are aligned, the education and social care regulatory inspectors will work together to share evidence.

387. If the school provides boarding or residential provision, inspectors will make the 3 key judgements on that provision. These judgements are made in accordance with the guidance and grade descriptors in the 'Social care common inspection framework (SCCIF): boarding schools and residential special schools'.

388. If the provision does not meet one or more of the national minimum standards, this will be set out in the inspection report.

389. Inspectors must consider the impact of the judgements on the boarding/residential provision on the judgements for the whole school. In order to do this, they will need to take account of the proportion of boarders/residential pupils in the school and the seriousness of the issues found.

390. For the effectiveness of leadership and management, the grades for the school and boarding should either be the same as, or within one grade of, each other. The report will clearly state the reasons for any differences.

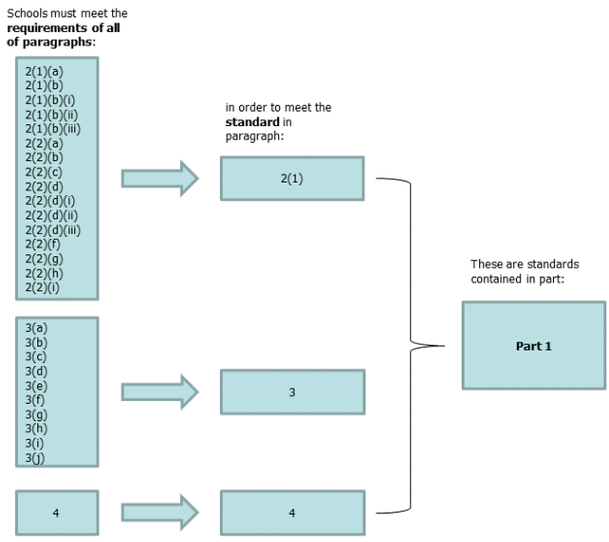
Part 4. Inspecting against the independent school standards and other requirements

Technical information about the standards

391. The standards are set out in the schedule to the Education (Independent School Standards) Regulations 2014 as amended by the Independent Educational Provision in England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018.

392. The standards are structured in 8 parts. Each part contains one or more standards relating to that particular part. For example, part 1 contains 3 standards, and part 2

contains one standard. Each standard is set out in one or more paragraphs. For example, paragraph 12 contains a standard in its own right, and paragraph 5(a) is an element of the standard in paragraph 5. Schools must comply with each requirement in each paragraph to meet the standard.



393. Inspectors check schools' compliance with the requirements of the paragraphs of the standards. They report to the DfE on a school's compliance with the standards, setting out which requirements of which paragraph the school does not meet.

Recording compliance and non-compliance

394. In standard inspections, inspectors check compliance with all paragraphs of the standards, and record 'met', 'not met' or 'not applicable' in the 'independent school standards compliance record'. For pre-registration inspections, inspectors report whether the school is likely to meet all of the standards should the DfE decide to register it. In the rare case that it is not possible to gather sufficient evidence to make a secure judgement on whether a standard is met or likely to be met, inspectors will record 'insufficient evidence'. On a standard inspection, this might happen where there are no pupils on roll, and in pre-registration inspections, in respect of the standard about teaching.[footnote 45]

395. In material change, emergency and progress monitoring inspections, inspectors only check compliance with the paragraphs of the standards specified by the DfE.

396. For all inspection types, where the requirement of a paragraph is not met and the paragraph is introduced by a stem, inspectors will record non-compliance with the stem itself, in addition to non-compliance with the specific paragraph, as illustrated in the examples below.

- Where a school does not comply with paragraph 3(c), this means that it does not meet the standard contained in paragraph 3. Both paragraphs must be reported as not being met:

3 The standard in this paragraph is met if the proprietor ensures that the teaching at the school – 3(c) involves well planned lessons and effective teaching methods, activities and management of class time.

397. If paragraph 18(2)(c)(ii) is not met, inspectors will record non-compliance with 18(2)(c)(ii), 18(2)(c) (which contains the stem) and 18(2) (which contains the standard). All 3 paragraphs must be reported as not being met.

398. The independent school standards compliance record will contain evidence that justifies any judgement that the requirement of a paragraph of the standards, and the standard to which it relates, has not been met. For example, if paragraph 3(c) is not met, the evidence will make clear that the standard in paragraph 3 is not met because the requirement in paragraph 3(c) is not met.

399. Where there are several elements to a paragraph of the standards, connected by 'and', all elements of the paragraph must be fulfilled for the requirement to be met. For example, paragraph 3(c) requires the proprietor to ensure that the teaching at the school 'involves well planned lessons and effective teaching methods, activities and management of class time'. If the school fails to meet one element of a 'multi-element'

paragraph, inspectors will record that the school does not comply with the whole paragraph, and record supporting evidence about the extent of non-compliance, for example explaining that effective teaching methods are not always used and the impact that this has on the pupils.

Gathering and recording evidence

400. Inspectors consider each paragraph of the standards on its own. Particular strengths in one area of a school cannot be used to compensate for evidence that a standard is not met elsewhere.

401. As with all inspection activity, inspectors use a range of technology to gather evidence electronically, including mobile devices, tablets and laptops to record the evidence gathered to inform their judgements on whether schools comply with the standards.

402. Inspectors will be clear in their feedback to schools, written evidence and the report or advice note about the evidence gathered that led to the judgement that a standard is not met. The evidence will be linked directly to the wording of the standard.

403. Evidence to support the judgement that standards are met is only recorded in the evidence base, not the inspection report.

Paragraphs of the standards where compliance is not recorded

404. Compliance is sometimes not recorded against paragraphs that provide information about other paragraphs in the standards.

405. For example, in part 4, paragraphs 18(4)(a)–18(4)(c) set out the instances when the checks specified in paragraphs 18(2)(d)–18(2)(f) do not need to be carried out. Some paragraphs in part 4 – for example 20(1) to 20(5)(b)(iii) – set out the checks that the Secretary of State carries out in relation to a proprietor of an independent school.

406. Some paragraphs provide an introduction to other paragraphs. For example, paragraph 1 states that the standards about the quality of education are contained in part 1.

407. There is normally no action for inspectors to take in relation to these paragraphs.

Definitions of terms used in the standards

408. Regulation 2 of the Education (Independent School Standards) Regulations 2014 provides the definition of some of the terms used in the standards.

References made in the standards, other published resources for schools and technical notes

409. In checking compliance with the standards, inspectors will refer to the non-statutory DfE guidance 'The independent school standards: guidance for independent schools'. Although this document is non-statutory, its aim is to set out the DfE's understanding of the standards, provide supplementary guidance on best practice in complying with the standards and give additional detail in some areas for which questions are sometimes raised by schools.

410. Inspectors may also refer to the published resources referred to below. The published resources include pieces of legislation, statutory frameworks of guidance, non-statutory guidance or departmental advice, as indicated in brackets below.

411. Some of the resources referred to in paragraph 410 are statutory guidance, with which the standards require schools to comply. Other resources are good practice guides that are available to advise schools. Schools do not have to follow them. Inspectors will not deem a standard to be un-met only because the school has not

followed exactly what is set out in a published non-statutory guidance document; these documents provide best practice in complying with requirements. They will be clear about how the evidence gathered – for example the school's action, or inaction – means that the standard is not met. It is the standards that schools have to comply with, not non-statutory departmental guidance and advice.

412. If appropriate, inspectors may also refer to the following Ofsted guidance:

- 'Inspecting teaching of the protected characteristics in schools'
- 'Separation by sex: implications for the inspections of mixed sex/co-educational schools'

Groups of schools

413. The standards require schools to have and implement several policies. Some schools that are part of a group may have policies that are common to the group. This is acceptable to the DfE, provided that the policies are tailored so far as needed to each individual school – for example, by giving contacts in relevant local authorities – and are fully implemented. If there are separate websites for the schools, the policies should be available on the schools' websites. However, if there is only one website for the group, which is clearly identifiable as the only website for the schools, it is acceptable to the DfE that the policies are published there.

Key resource applicable to all parts of the standards

- 'The independent school standards: guidance for independent schools (non-statutory guidance)
- 'Registration of independent schools'

Part 1. Quality of education provided

Paragraph 2(2)(a)

Section 8 of the Education Act 1996 (compulsory school age) (legislation)

Paragraph 2(2)(d)(ii) (and paragraph 5(b)(vi) in part 2)

- The protected characteristics are set out in Chapter 1 of Part 2 of the Equality Act 2010 (legislation):
  - age
  - disability
  - gender reassignment
  - marriage and civil partnership
  - pregnancy and maternity
  - race
  - religion or belief
  - sex
  - sexual orientation

Paragraph 2(2)(f)

- 'Statutory framework for the early years foundation stage' (statutory framework)

'The early years foundation stage (EYFS) learning and development requirements:

guidance on exemptions for early years providers' (non-statutory guidance)

Paragraph 2(2)(i)

'Gender separation in mixed schools' (non-statutory guidance)

Paragraph 3(j)

- Part 6 of the Equality Act 2010 – see extract below (legislation)
- Schools with religious ethos and schools designated by order as having a religious character:
  - Get information about schools (DfE's register of schools)
  - Part G of 'Registration of independent schools', DfE, 2019 (departmental advice)
  - Schedule 11 of the Equality Act 2010 (legislation).
- 'Equality Act 2010: advice for schools' (departmental advice)

Equality and Human Rights Commission guidance (guidance)

414. Paragraph 3(j). Schedule 11 of the Equality Act 2010 sets out that sections 85(1) and (2)(a) to (d) do not apply to an independent school registered as having a religious ethos. This is explained in part G of the DfE's 'Registration of independent schools'.

" 85 Pupils: admission and treatment, etc.

(2) The responsible body of such a school must not discriminate against a pupil–
in the way it provides education for the pupil;
in the way it affords the pupil access to a benefit, facility or service;
by not providing education for the pupil;
by not affording the pupil access to a benefit, facility or service;
by excluding the pupil from the school;
by subjecting the pupil to any other detriment."

415. Refer to paragraphs 440 to 441 of this document regarding schedule 10 of the Equality Act 2010.

Part 2. Spiritual, moral, social and cultural development of pupils

'The independent school standards, guidance for independent schools' (non-statutory guidance)

Part 3. Welfare, health and safety of pupils

- 'Keeping children safe in education' (this is the statutory guidance referred to in paragraph 7(b)

'Working together to safeguard children' (statutory guidance)

Paragraph 8–8(b) (and paragraphs 19(2)(e) and 21(5)(b) in part 4 and paragraph 30 in part 5)

- Welfare of children in boarding schools and colleges. Section 87(1) Children Act 1989 (legislation); section 105; and section 1A was inserted by section 43 of the Education Act 2011.
- 'National minimum standards for boarding schools'
- 'National minimum standards for residential special schools'

The 'Accommodation of Students Under Eighteen by Further Education Colleges: national minimum standards, inspection regulations' no longer apply to schools. The national minimum standards for boarding schools now cover pupils up to the age of 18, even where there are no boarders under the age of 16.

Paragraph 9–9(c)

- Section 548 Education Act 1996 prohibits corporal punishment in independent schools (legislation)

'Use of reasonable force in schools: advice for headteachers, staff and governing bodies' (departmental advice)

Paragraph 10

'Preventing and tackling bullying: advice for headteachers, staff and governing bodies'

Paragraph 11

- 'Health and safety: responsibilities and duties for schools' (departmental advice)
- 'Supporting pupils at school with medical conditions' (statutory guidance)
- 'School trips and outdoor learning activities: tackling the health and safety myths' (guidance)

The HSE website contains the following information about pupil to staff ratios on school trips: 'Pupil to staff ratios for school trips are not prescribed in law. Those planning trips, on the basis of risk assessment, should decide the ratios, taking into account the activity to be undertaken and the age and maturity of the pupils.'

Paragraph 12

- Regulatory Reform (Fire Safety) Order 2005 S.I. 2005/1541, to which there are amendments not relevant to these Regulations (legislation)
- Fire safety risk assessment – educational premises (guidance)
- Fire safety risk assessment: sleeping accommodation (guidance)

Fire safety law and guidance documents for business (guidance)

Paragraph 13

'Guidance on first aid for schools: advice for governing bodies, school leaders and school staff' (departmental advice)

Paragraph 14

Ratios of qualified staff to children in early years provision for children aged 2 to 5 must meet the welfare requirements of the 'Statutory framework for the early years foundation stage'

Paragraph 15

Education (Pupil Registration) (England) Regulations 2006 S.I. 2006/1751, to which there are amendments not relevant to these Regulations (legislation)

Part 4. Suitability of staff, supply staff and proprietors

- 'Keeping children safe in education' (statutory guidance)
- 'Regulated activity in relation to children: scope' (guidance)
- Disclosure and Barring Service (executive non-departmental public body website)

Paragraph 18(2)(b), 20(6)(a)(ii)

- Under section 142(1)(a) of the Education Act 2002, the Secretary of State may direct that a person may not provide education at an independent school (legislation).
- The authority for making a prohibition order is section 141B(2) Education Act 2002 (as inserted by section 8 of the Education Act 2011. Any person that is subject to a prohibition order is prohibited from carrying out teaching work in an independent school (legislation).

The Secretary of State may make a direction under section 128 of the Education and Skills Act 2008 prohibiting an individual from taking part in the management of independent educational institutions in England (legislation).

Checks on non-proprietor governors

416. The DfE's view is that any governor is part of the management arrangements for a school, even if they are not part of the proprietor body. Therefore, all governors must be subject to a section 128 prohibition from participation in management check (paragraph 18(2)(b)). This includes unpaid governors working on a voluntary basis.

417. Any governors who are paid by a school must also be subject to a DBS check (paragraph 18(2)(d)). The definition of 'staff' in regulation 2 of the independent school

standards makes it clear that this includes people without a contract of employment. [footnote 46]

418. Paid governors should also be subject to a barred list check (paragraph 18(2)(a)) if they have regular unsupervised contact with the children. This will normally be the case.

419. A DBS certificate with a barred list check is also required for any unpaid governors who are engaged in regulated activity. (This falls under paragraph 7 of the standards, but not paragraph 18(2)(a) or 18(2)(d) – the DfE's view is that unpaid governors do not fall into the definition of staff because they work on a voluntary basis.)

Teaching prohibition orders and prohibition from management of independent schools orders

420. The DfE wrote to all independent schools in May 2018 to set out the arrangements for making the checks in 18(2)(b) and 20(6)(a)(ii).

> " 2. The standard relating to checks for staff is only met provided that no-one works at the school in contravention of a teacher prohibition order issued by the Teaching Regulation Agency on behalf of the Secretary of State. This effectively means that schools need to make checks for such orders when appointing into teaching positions. If a school has not previously done so they should also check that no existing members of teaching staff are subject to such orders, which began to be made from April 2012.
>
> 3. The standard relating to checks is also only met provided that no-one works at the school in contravention of a direction made by the Secretary of State under s.128 of the Education and Skills Act 2008 barring an individual from taking part in the management of an independent school. This effectively means that schools need to make checks for such directions when appointing into management positions, either from outside the school or by internal promotion. See paragraph 7 for information about the position of existing staff in management positions.
>
> 4. When a Disclosure and Barring Service check, which includes children's barred list information, is made for any member of staff, details of any s.128 direction made by the Secretary of State will also be disclosed as part of that check. As DBS barred list checks can only be made if an individual is engaging in regulated activity, s.128 direction checks for all "management in independent schools" roles can also be made using the TRA's Secure Access Portal via the Teacher Services' web page.
>
> What constitutes taking part in the management of an independent school?
>
> 5. Individuals taking part in 'management' are likely to include individuals who are members of proprietor bodies (including governors…), and such staff positions as: head teacher, any teaching positions on the senior leadership team, and any teaching positions which carry a department headship. Whether other individuals such as teachers with additional responsibilities could be prohibited from 'taking part in management' depends on the facts of each case – so schools may wish to check them anyway. For non-teaching staff, posts which are part of the senior leadership team are likely to be regarded as 'management' for the purposes of checking for the existence of a barring direction. However, whether non-teaching staff are 'taking part in management' depends on the facts of each case. All employed school staff who work regularly in the school during school hours may be regarded as being in 'regulated activity' for the purposes of these checks.
>
> 7. Except where a person is being promoted internally to a management post, it is not necessary to carry out checks for s.128 directions for existing staff or members of the proprietor bodies. If an individual already at a school is the subject of a s.128 direction, that would be taken up by the department with the school concerned. If an individual barred under s.128 occupies a management position at an independent school, then that may be grounds for removal of the school from the register of independent schools (s.119 of the Act), leading to closure.
>
> 15. Any enquiries about barring directions and section 128 should be sent to registration.enquiries@education.gov.uk."

Suitability of all members of staff (other than the proprietor, members of the proprietor body and supply staff)

> Paragraphs to be checked by inspectors: 18(2)–(3).

> Paragraphs 18(2)(d), 18(2)(e) and 18(2)(f) do not need to be carried out where 18(4) applies.

> In order to meet paragraph 18(3), the checks in paragraphs:
>
> - 18(2)(c) and
> - 18(2)(e), except where paragraph 18(4) applies
>
> must have been carried out before each staff member's appointment.

421. Paragraph 18(2)(a) relates to the inclusion of a person's name in:

- the DBS barred list, for appointments made from December 2012
- the Independent Safeguarding Authority barred list, for appointments made from 2009 to November 2012

List 99 for appointments made before 2009

422. or included in a corresponding list maintained under the law of Scotland or Northern Ireland:

- a list maintained under either Article 6(1)(a) or (b) of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007
- a list maintained under either section 1(1)(a) or (b) of the Protection of Vulnerable Groups (Scotland) Act 2007

423. The check in paragraph 18(2)(c)(i) has been required by the independent school standards since 1 September 2003.

424. The check in paragraph 18(2)(c)(iii) has been required by the independent school standards since 1 May 2007.

425. The check in paragraph 18(2)(d) has been required by the independent school standards since 1 September 2003. Until 1 May 2007, an enhanced check was only required for staff regularly caring for, training, supervising or in sole charge of children. From 1 September 2003 to 30 November 2012, enhanced criminal records checks were performed by the Criminal Records Bureau. Since 1 December 2012, they have been carried out by the DBS.

426. The check required in paragraph 18(2)(f) has been required by the independent school standards since 1 September 2003.

427. Paragraph 18(3) sets out that the checks in paragraphs 18(2)(c) and, except where paragraph 18(4) applies, paragraph 18(2)(e) must be completed before a person's appointment. However, 18(2)(c)(ii) – checks on medical fitness – should not be made before the person is appointed. The DfE has issued the following advice to proprietors of independent schools.

> " From 1 October 2010, in accordance with Section 60 of the Equality Act 2010, it is unlawful for employers to ask health-related questions of applicants before job offer, unless the questions are specifically related to an intrinsic function of the work. This means that schools should no longer, as a matter of course, require job applicants to complete a generic health questionnaire as part of the application procedure. Independent schools are advised to review their existing practices to ensure they are complying with both the Education (Independent School Standards) Regulations 2014 and Section 60 of the Equality Act. Schools may decide to ask necessary health questions after job offer. In any case, they should ensure that any health-related questions are targeted, necessary and relevant to the job applied for."

428. Refer to paragraph 178 of 'Keeping children safe in education' for information on checks for existing staff (as opposed to new staff).

Suitability of all members of supply staff

> Paragraphs to be checked by inspectors: 19(2)–(3).

In order to meet paragraph 19(2)(a)(i)(aa), the checks in paragraphs 21(3)(a)(i)–(iv),(vii) and 21(3)(b) must have been made in respect of each member of supply staff appointed.

In order to meet paragraph 19(2)(a)(i)(dd), additional checks for the relevant countries must have been made by the employment business as appropriate, and written confirmation to that effect must be obtained from the employment business for any member of staff supplied by the business who has lived abroad.

There are some countries for which checks are not possible. The school should ensure that the employment business has considered this and notified the school accordingly. As with the UK checks already needed for supply staff, it will be for the school to decide whether to accept supply of the staff member, given the outcome of checks (or the lack of them).

In order to meet paragraph 19(2)(d)(i), the 'contract or other arrangements which the proprietor makes with any employment business' must require the employment business to provide the notification from the employment business referred to in paragraph 19(2)(a)(i).

In order to meet paragraph 19(3), the certificate in paragraph 19(2)(a)(i)(bb) 'must have been obtained not more than 3 months before the date on which the person is due to begin work at the school', except where paragraph 19(4) applies.

Suitability of proprietors

429. Paragraphs 20(3)(b)(i)–(iii) and 20(5)(b)(i)–(iii) set out the checks on proprietors that are carried out by the DfE. Normally inspectors do not check compliance with these paragraphs. If there has been a recent change in the proprietor and it appears that the DfE has not been notified, the inspector will record this to inform the DfE.

Suitability of all members of the proprietor body

430. Where there is a proprietor body, the DfE will only have checked the chairperson, and it is for the chairperson to carry out checks on other members of that body. Inspectors will ensure that all checks in 20(6)–20(6)(c) have been carried out for all members of the proprietor body, with the exception of the chairperson.

431. Refer to paragraphs 18(2)(b) to 20(6)(a)(ii) regarding the checks in paragraph 20(6)(a)(ii) of the standards.

432. Refer to paragraph 178 of 'Keeping children safe in education' for information on checks for existing staff (as opposed to new staff).

Paragraphs to be checked by inspectors: 20(6)–(c).

Paragraph 20(6)(b) is treated as being complied with, where paragraphs 20(7) (pre-registration inspection) or 20(8) (standard inspection) apply.

Single central register

433. The proprietor of the school must keep a central register, which shows the information referred to in paragraph 21(3) to (7) as applicable for the school for staff, supply staff or a member of the body corporate or unincorporated that is the proprietor (but not the chair of the school).

Paragraphs to be checked by inspectors: 21(1)–(7)(b).

Each member of staff (other than the proprietor, members of the proprietor body and supply staff)

Paragraphs 21(3)–(b) set out the checks required in relation to each member of staff appointed on or after 1 May 2007 that are required to be recorded on the single central register.

In order to meet paragraph 21(4), for each member of staff in post on 1 August 2007 who was appointed at any time before 1 May 2007, the following information should be recorded on the single central register:

- the checks in paragraphs 21(3)–21(3)(b)

and

- whether an enhanced criminal record certificate was obtained, together with the date on which any check was completed or certificate obtained

Each member of supply staff

Paragraphs 21(5)–(c) set out the checks required in relation to each member of supply staff that are required to be recorded on the single central register.

In order to meet paragraph 21(5)(a)(i), the information in the following paragraphs should be recorded on the single central register, in respect of each member of supply staff:

- 21(3)(a)(i)–(iv)
- 21(3)(a)(vi) which refers to paragraph 18(2)(d)
- 21(3)(a)(vii)

Each member of the proprietor body

Paragraph 21(6) sets out the checks required in relation to each member of the proprietor body appointed on or after 1 May 2007 that are required to be recorded on the single central register:

- 20(6)(b)
- 'the date they were made and the date on which the resulting certificate was obtained'

Paragraphs 21(7)–(b) set out the checks required in relation to each member of the proprietor body in post on 1 August 2007 who was appointed at any time before 1 May 2007 that are required to be recorded on the single central register:

- 20(6)(b)
- 'the date they were made and the date on which the resulting certificate was obtained'

and

- 21(7)(b)

Part 5. Premises of and accommodation at schools

'Standards for school premises' (departmental advice)

434. In considering compliance with the standards about the premises and accommodation of schools, please also refer to paragraphs 440 to 441 of this document regarding schedule 10 of the Equality Act 2010.

435. If a right of way passes through a school's playground, the school must have suitable safeguards in place – for example proper supervision – in order for the standard in paragraph 25 to be met. The presence of the right of way itself does not constitute evidence of non-compliance.

Part 6. Provision of information

Paragraph 32(1)(j)

- Section 119 of the Education and Skills Act 2008 (legislation)
- Education (Independent Educational Provision in England) (Unsuitable Persons) Regulations 2009 (legislation)

Paragraph 32(1)(a) refers to the information specified in paragraph 32(2)(a)–32(2)(d).

Paragraph 32(1)(b) refers to paragraph 32(3)(a)–32(3)(g), and:

- paragraph 32(3)(c) refers to paragraph 2 in part 1 of the standards
- paragraph 32(3)(d) refers to paragraphs 9, 10, 11 and 13 in part 3 of the standards
- paragraph 32(3)(f) refers to paragraph 33 in part 7 of the standards
- paragraph 32(3)(g) refers to reports following standard, progress monitoring and emergency inspections, carried out by Ofsted or one of the independent inspectorates and reports following inspections of boarding or residential provision, carried out by Ofsted or, in the case of boarding schools that are members of Independent Schools Council, the Independent Schools Inspectorate.

Paragraph 32(1)(c) refers to paragraph 7 in part 3 of the standards.

Paragraph 32(1)(d) refers to reports following standard, progress monitoring and emergency inspections, carried out by Ofsted or one of the independent inspectorates.

Paragraph 32(1)(e) refers to reports following inspections of boarding or residential provision, carried out by Ofsted or, in the case of boarding schools that are members of Independent Schools Council, the Independent Schools Inspectorate.

Paragraph 32(1)(g) applies to standard, progress monitoring and emergency inspections (not pre-registration inspections, which are carried out under section 99 of the Education and Skills Act 2008, or material change inspections, which are carried out under section 162(4) of the Education Act 2002). However, under the Education (Pupil Registration) (England) Regulations 2006, independent schools are required to keep admission and attendance registers and make them available to inspectors during any type of inspection.

Paragraph 32(1)(j) refers to paragraph 32(4)(a)–32(4)(c) and:

- paragraph 32(4)(a) refers to the sections of the Education and Skills Act 2008 under which the Secretary of State may decide to remove a school from the register
- paragraph 32(4)(b) refers to section 116 of the Education and Skills Act 2008, under which the Secretary of State may impose a 'relevant restriction' where a proprietor has failed to meet one or more of the independent school standards (legislation)
- paragraph 32(5) provides information about paragraph 32(4)(b), and refers to section 117(1) of the Education and Skills Act 2008, which defines the 'relevant restriction' in section 116 (legislation)
- paragraph 32(4)(c) refers to section 120 of the Education and Skills Act 2008, under which the Secretary of State may apply to a justice of the peace for an order to remove a school from the register.

436. In order to meet the standards in part 6, the school must provide the information specified in the paragraphs. The content and the quality of the information itself, or its

implementation, do not influence compliance with the standards in part 6. These are covered by other parts of the standards. The only exceptions are where the school has provided information that is irrelevant to the requirement of the paragraph, or where the information is relevant but is significantly out of date.

437. The DfE has confirmed that the requirement of paragraph 32(1)(a) and 32(1)(b) is met if a school has placed the information on the school's website (where one exists) and has told parents that this is where it can be found. If a school does not have a website or has decided not to place a copy on its website, then it must make a copy available in the school, inform parents of its availability and provide the required information on request. Schools with boarding pupils frequently have additional information, such as a booklet for boarders, aimed specifically at boarders or their parents.

Part 7. Manner in which complaints are handled

> Paragraph 33(e) refers to paragraph 33(d).

> Paragraph 33(f) refers to paragraph 33(e).

> Paragraph 33(j) refers to paragraph 33(e).

> Paragraph 33(k) applies to standard, progress monitoring, emergency and material change inspections (not pre-registration inspections, which are carried out under section 99 of the Education and Skills Act 2008).

Part 8. Quality of leadership in and management of schools

> **34(1)(c)**
>
> The definition of 'well-being' in section 10(2) of the Children Act 2004:
> (2) The arrangements are to be made with a view to improving the well-being of children in the authority's area so far as relating to–
> (a) physical and mental health and emotional well-being;
> (b) protection from harm and neglect;
> (c) education, training and recreation;
> (d) the contribution made by them to society;
> (e) social and economic well-being.

438. If there are any unmet standards in parts 1 to 7 of the independent school standards, paragraphs 34(1)(a) and 34(1)(b) are also unmet, and so too is 34(1).

439. The quality of leadership and management standard is not met automatically if all the other standards are met. The school must demonstrate that it can consistently meet standards.

Other requirements checked by inspectors

Safeguarding procedure

- Safeguarding Vulnerable Groups Act 2006 (legislation)

DBS referral guides and factsheets (guidance)

Duties under schedule 10 of the Equality Act 2010

- Schedule 10 of the Equality Act 2010 (legislation)
- Equality Act 2010: advice for schools (departmental advice)

Paragraph 44 of 'Keeping children safe in education' (statutory guidance)

440. Schools are required to ensure that they comply with the requirements of schedule 10 of the Equality Act 2010. Schedule 10 relates to accessibility. Paragraph 3 of schedule 10 requires that schools have an accessibility plan and defines an accessibility plan as follows.

" 3(2) An accessibility plan is a plan for, over a prescribed period–

3(2)(a) increasing the extent to which disabled pupils can participate in the school's curriculum,

3(2)(b) improving the physical environment of the school for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and benefits, facilities or services provided or offered by the school, and

3(2)(c) improving the delivery to disabled pupils of information which is readily accessible to pupils who are not disabled."

441. Disability is defined in section 6 of the Equality Act 2010 as follows.

" (1) A person (P) has a disability if—

(a) P has a physical or mental impairment, and

(b) the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.

(2) A reference to a disabled person is a reference to a person who has a disability."

Statutory requirements of the EYFS

- 'Statutory framework for the early years foundation stage' (statutory framework)
- 'The early years foundation stage (EYFS) learning and development requirements: guidance on exemptions for early years providers' (non-statutory guidance)

442. Early years provision for children aged 2 and above, who are on the school's roll, is inspected as part of the school inspection. This provision must comply with:

- the independent school standards
- the safeguarding and welfare requirements of the EYFS
- unless the school has been granted an exemption, the learning and development requirements of the EYFS

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1. The Education (Independent School Standards) Regulations 2014 as amended by the Independent Educational Provision in England (Inspection Fees) and Independent School Standards (Amendment) Regulations 2018 and the Independent Educational Provision in England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018. ↩

2. Ofsted defines the recovery period as the period for which transitional arrangements remain in place. We intend to review them in March 2022. ↩
3. The Secretary of State for Education decided that the EYFS profile assessment was not mandatory for any provider in 2021. However, all providers were required to use their 'best endeavours' to complete it and provide the information to Year 1 teachers and to parents, if this was possible. The EYFS profile was disapplied and a 'best endeavours' requirement introduced for the academic year 2020 to 2021 only. ↩
4. The timing of the school's next inspection is calculated from the date that the final report from the previous standard inspection was sent to the school, which is the definition of a complete inspection (see paragraph 168). ↩
5. This applies to all schools judged as requires improvement or inadequate in inspections since January 2015 (which was the start of the previous inspection cycle). ↩
6. The inspection cycle for all non-association independent schools will be extended to take account of the temporary suspension of routine inspections owing to COVID-19. Therefore, inspections of new schools within the current cycle will not reflect the timescales published above. ↩
7. See the 'Applying the EIF when evaluating the quality of boarding and residential provision in schools' section in this handbook for further information. ↩
8. The boarding/residential provision will be inspected under the Children Act 1989, as amended by the Care Standards Act 2000, having regard to the appropriate national minimum standards. The inspection will follow 'Social care common inspection framework (SCCIF): boarding schools and residential special schools'. ↩
9. Inspectors should refer to the case records that are uploaded to the pre-inspection documents for use during preparation. ↩
10. We refer all complaints about independent schools to the DfE in a timely manner. See 'Memorandum of understanding between Ofsted and DfE: independent schools'. ↩
11. The provider information portal (PIP) gives inspectors a high-level view of information about the providers that we inspect and regulate. ↩
12. The lead inspector should review the ICF for completeness; if they think it needs to be amended or added to, they should discuss this with the regional SHMI, who can raise with the DfE. ↩
13. From now on in this handbook, 'parents' will refer to mothers, fathers and/or carers. ↩
14. A registered independent school can be approved by the Secretary of State under section 41(1) of the Children and Families Act 2014 to enable the school 'to be the subject of a request for it to be named in an EHC plan'. ↩
15. A change in proprietor constitutes a material change to the school's registration, which must be agreed with the DfE before being implemented. ↩
16. Inspection without notice will be considered where there are serious concerns about one or more of the following: the breadth and balance of the curriculum; rapidly declining standards; safeguarding, including a decline in standards of pupils' behaviour and the ability of staff to maintain discipline; and standards of leadership or governance. ↩
17. We expect the school to provide all policies, schemes of work and plans and all other documents required by the independent school standards in English. ↩
18. In line with government policy, pupils who face educational disadvantage may include those who are children in need of help and protection and are receiving statutory support from local authority social care. See 'Review of children in need'. ↩
19. The Education (Independent School Standards) Regulations 2014, as amended by the Independent Educational Provision in England (Inspection Fees) and Independent School Standards (Amendment) Regulations 2018 and the Independent Educational Provision in England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018. ↩
20. The Education (Independent School Standards) Regulations 2014, as amended by the Independent Educational Provision in England (Inspection Fees) and Independent School Standards (Amendment) Regulations 2018 and the Independent Educational Provision in England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018. ↩
21. Inspectors will respect COVID-19 safety measures agreed with the school leadership when engaging with pupils, formally and informally. ↩
22. This meeting will be at the end of day 2 in the case of inspections of small schools, which are those with up to 4 pupils on the school's roll. ↩

23. The term 'report' is used to describe the formal written outcome of the inspection. ↩
24. The inspector records whether or not the school meets every paragraph of the independent school standards and other relevant statutory requirements in the independent school standards compliance record. ↩
25. The Education (Independent School Standards) Regulations 2014, as amended by the Independent Educational Provision in England (Inspection Fees) and Independent School Standards (Amendment) Regulations 2018 and the Independent Educational Provision in England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018. ↩
26. This section of the handbook is not primarily for independent special schools, which often provide a highly specialised education designed to meet SEND pupils' needs. Independent special schools should refer to paragraphs 363 to 364 of the handbook for further information on how the EIF will apply in independent special schools and to SEND provision. ↩
27. Ofsted expects the school to provide all policies, schemes of work and plans and all other documents required by the independent school standards in English. ↩
28. Ofsted's definition of this is a curriculum that is of comparable breadth and ambition to the national curriculum. ↩
29. You can find more information about Ofsted's interpretation of remote education in 'What's working well in remote education'. ↩
30. Work for some pupils, such as those who have profound or multiple learning difficulties, includes relevant assessment information such as photographs, video and records of observations made by teachers and teaching assistants. ↩
31. This does not include relevant assessment information (such as photographs, video and records of observations) made by teachers and teaching assistants for pupils who have profound or multiple learning difficulties. ↩
32. Inspectors will consider the school's use of assessment (see paragraphs 212 to 215). ↩
33. See 'Special educational needs and disability code of practice: 0 to 25 years'. ↩
34. See the government's statutory careers guidance: 'Careers guidance and access for education and training providers'. ↩
35. Inspectors will consider how successfully the curriculum is enriched and extended for pupils in special schools, taking into account specific factors such as the local area's arrangements for providing home to school transport for children and young people with SEND. ↩
36. Forming part of the government's careers strategy, the Gatsby Charitable Foundation has set out 8 clear benchmarks to support schools in providing students with the best possible careers education, information, advice, and guidance. ↩
37. Taking into account any exemptions from the learning and development requirements of the EYFS. ↩
38. Synthetic phonics teach children to recognise the sounds that individual letters and combinations of letters make. Pupils learn to blend these sounds together to read words. They go on to use this knowledge when writing. A systematic approach starts with the easiest sounds, progressing to the most complex. ↩
39. See The Early Years Foundation Stage (Exemptions from Learning and Development Requirements) Regulations 2008 and The Early Years Foundation Stage (Exemptions from Learning and Development Requirements) (Amendment) Regulations 2012. ↩
40. Paragraph 2(2)(f) is the requirements for the curriculum to provide: 'where the school has pupils below compulsory school age, a programme of activities which is appropriate to their educational needs in relation to personal, social, emotional and physical development and communication and language skills'. ↩
41. Non-qualification activities may include tutorials, work to develop study, leadership teamwork, self-management skills and volunteering. ↩
42. Wherever possible, inspectors should listen to children read in a classroom or in an open area with which pupils are familiar. The length of time a pupil has attended the school should be taken into consideration. ↩
43. See: 'EYFS learning and development requirements: exemptions for providers', Department for Education. ↩
44. See 'Special educational needs and disability code of practice: 0 to 25 years'. ↩
45. Where this document refers to meeting or not meeting a standard, this applies to a proposed new school or a changing school being 'likely to meet' and 'not likely to meet' a standard in the case of pre-registration and material change inspections. ↩
46. Regulation 2 in the Education (Independent School Standards) Regulations 2014, as

amended by the Independent Educational Provision in England (Inspection Fees) and Independent School Standards (Amendment) Regulations 2018 and the Independent Educational Provision in England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018. ↩

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