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Consultation outcome

Ofsted's role in the Online Education Accreditation Scheme: a report on the responses to the consultation

Updated 31 January 2023

Introduction

In November 2021, Ofsted published a [consultation](#) on how we should fulfil our role as the quality assurance body for the Department for Education (DfE)'s Online Education Accreditation Scheme ('the scheme'). We were seeking the views of the public, including parents and pupils, online education providers, local authorities and others. The consultation closed in late January 2022.

We asked respondents to comment on:

- 5 proposals for how Ofsted should fulfil its role in the scheme
- a [draft handbook](#) for our quality assurance visits to online providers
- a draft equality, diversity and inclusion (EDI) statement setting out the impact of the proposals

In total, we received 76 responses to the consultation (75 responses to the consultation questionnaire and 1 written submission received by email). This report summarises those responses and sets out what we plan to do next.

Context

In September 2019, the DfE published a [consultation document](#) in which it proposed:

- to establish a set of non-statutory online education standards for online education provision ('the standards')
- to create a scheme through which providers that meet the standards could be accredited

In June 2020, the government confirmed that it would take forward these proposals. The revised standards are set out in [the DfE's guidance on the standards](#).

Ofsted is the quality assurance body for the scheme. Our role is to:

- carry out suitability checks on the proprietors of providers that apply for accreditation
- visit providers to find out whether they meet the standards
- publish a report that sets out which of the standards a provider met and which it failed to meet at the time of our visit

Whereas the DfE's 2019 consultation asked for views on its proposal to establish a non-statutory online education accreditation scheme, Ofsted's consultation asked for views on how it should fulfil its role as the quality assurance body for the scheme.

Executive summary

The responses to the consultation were overwhelmingly supportive. All of the proposals were supported by at least two thirds of respondents. As a result, we will implement the proposals as planned when the DfE launches the scheme.

In response to the comments made by respondents, we have made some changes to our handbook to give online providers more information about the fees that they pay to Ofsted during the quality assurance process.

The consultation exercise

The consultation ran for 9 weeks, from 24 November 2021 to 26 January 2022. It was open to the public, and was promoted on Ofsted's website, through social media and in a post on Ofsted's education inspection blog.

We consulted on a range of proposals on how we should fulfil our role as the quality assurance body for the scheme. In the consultation, we proposed that we should:

- base our assessment of a proprietor's suitability on a wide range of information, including checks with the Disclosure and Barring Service (DBS) (where applicable) and with local authorities' social services departments
- carry out suitability checks on all proprietors responsible for managing a provider
- when looking at leadership, gather evidence about how the provider assesses whether online education continues to be in the best interests of a pupil and how the provider supports its pupils to move to their next educational placement
- consider the impact that the provider's method of delivery has on pupils' social and emotional well-being, the development of their self-esteem and self-confidence, and the development of their speaking and listening skills
- require online providers to prove that they have at least a basic cybersecurity certification (such as [Cyber Essentials](#)) as part of our assessment of safeguarding

We also published a [draft handbook for our quality assurance visits to online providers](#) and an [equality, diversity and inclusion \(EDI\) statement](#) as part of the consultation, and invited respondents to comment on these documents.

The findings in full

The findings in this report are based on quantitative data gathered through 75 responses to the consultation questionnaire, as well as qualitative feedback gathered through:

- free-text comments received through the online questionnaire
- one written submission received by email
- informal meetings with stakeholders

We analysed all responses to enable us to gain a clear understanding of the issues they raised. A summary of the responses to each consultation question is set out in the following section.

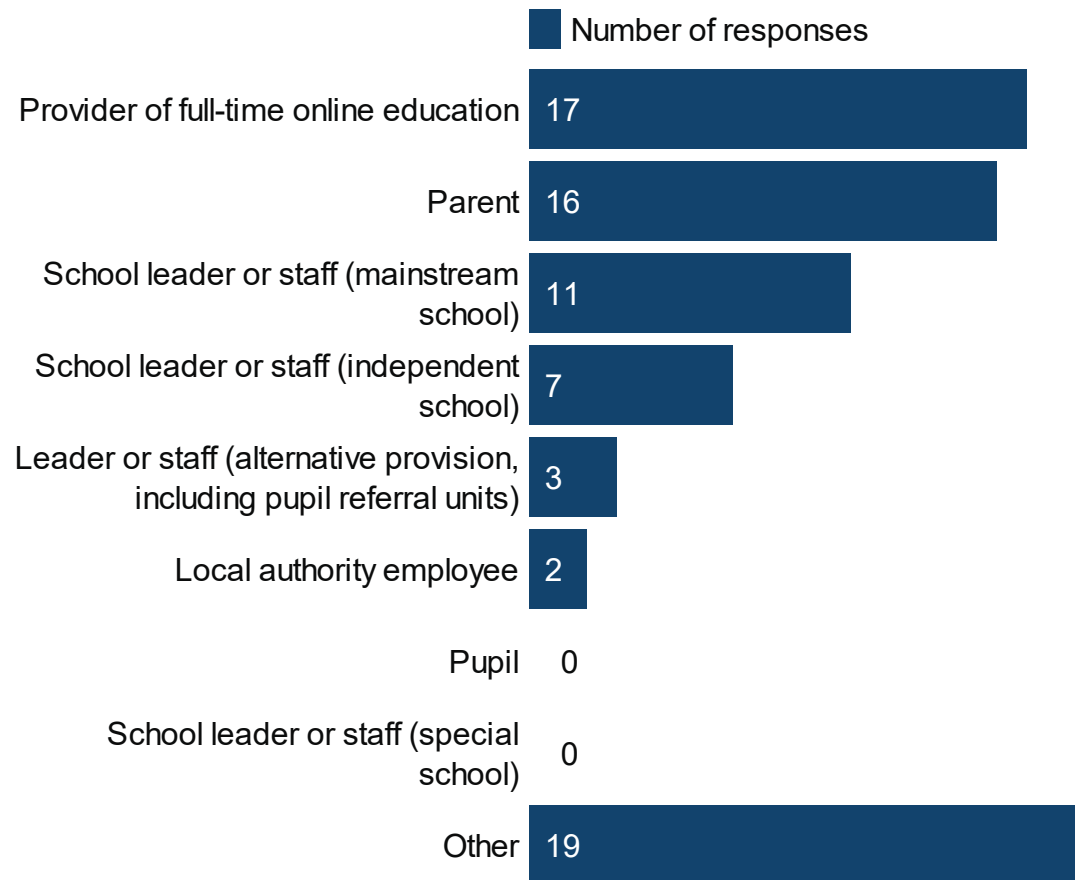
Respondents

Just under half (48%) of respondents were responding to the consultation on behalf of an organisation. All of these respondents identified the organisation they were representing. The remaining responses were from individuals.

The breakdown of respondent types is shown in table 1. Just over a fifth of the respondents identified themselves as providers of online education. Another fifth were parents. About 30% of respondents were leaders or staff of bricks-and-mortar schools. We also received responses from representative bodies (including a trade union), local authorities and an educational charity. We did not receive any responses directly from pupils.

Figure 1: Respondent categories

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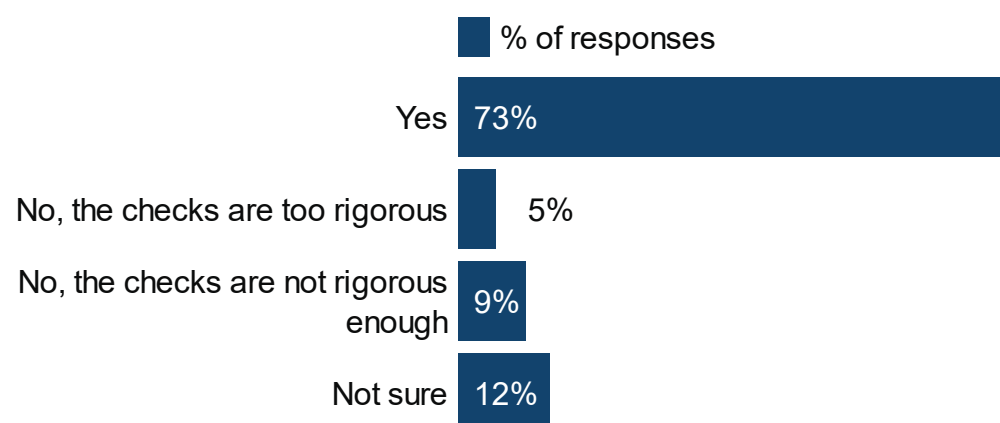
Proposal 1: the suitability checks we plan to carry out

Consultation question 1: Do you think that our plans for suitability checks on proprietors of online providers are proportionate?

We proposed that Ofsted should carry out a range of checks on proprietors of online providers that are similar to those we carry out for responsible individuals and managers in our work as the regulator of early years and children's social care services.

Figure 2: Responses to question 1

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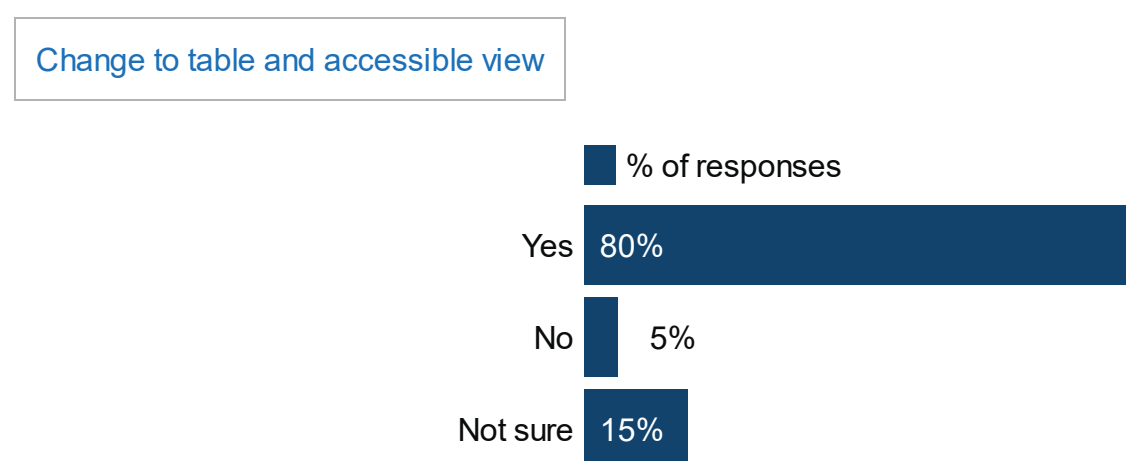
There was strong support for the checks proposed. Of those respondents who did not think that the checks were proportionate, more thought they were not rigorous enough than thought they were too rigorous. Within the comments, a number of respondents pointed out that safeguarding is paramount, particularly in light of the vulnerability of many children who are educated online.

We will therefore carry out the checks as planned when the scheme launches.

Consultation question 2: Do you agree that the information we plan to look at when assessing the suitability of proprietors is relevant?

We proposed that we should base our assessment of proprietors' suitability on a wide range of information, including checks with the DBS (where applicable) and with local authorities' social services departments.

Figure 3: Responses to question 2



There was very clear support for this proposal. Many comments expressed a view that the information we propose to look at is relevant. Comments in response to this proposal, as well as to the other 2 questions relating to suitability checks, asserted that the checks we carry out should be the same as for a school.

A notable theme in the comments was that it will be more difficult to check the suitability of proprietors who live or have lived overseas. In general, however, these comments did not suggest that we should not attempt to carry out these checks. We acknowledge that these checks are likely to take longer to complete and to be more difficult, which is why our handbook gives flexibility to ask for other documents, beyond the standard ['certificate of good conduct'](#). If we are not able to gather sufficient evidence to take a decision on a proprietor's suitability, we will write to the DfE to recommend that the application for accreditation is rejected.

Due to the level of support for this proposal, we will look at the range of information proposed – including checks with the DBS (where applicable) and with local authorities' social services departments – when carrying out our suitability checks.

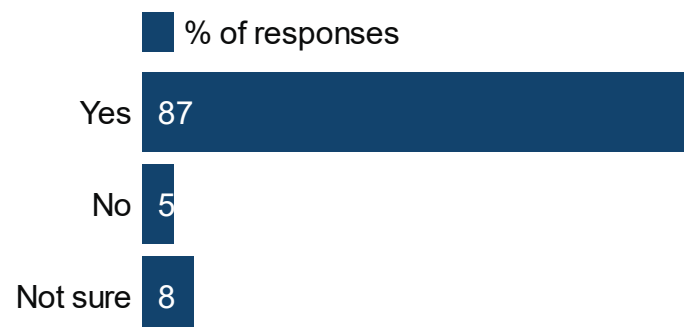
Proposal 2: whose suitability we plan to check

Consultation question 3: Do you agree that we should carry out suitability checks on all proprietors who have decision-making responsibilities for a provider?

We proposed that we should carry out suitability checks on all proprietors who have management responsibility for a provider.

Figure 4: Responses to question 3

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Given the strong support for this proposal, we will carry out suitability checks on all proprietors who have decision-making responsibilities for a provider, as planned.

In the comments, a minority of respondents expressed the view that we should also carry out suitability checks on members of staff at providers that apply for accreditation, particularly the headteacher. Where these members of staff are also the proprietor of a provider and have decision-making responsibility, we will carry out suitability checks on them. However, we do not currently intend to expand our checks to include members of staff who are not proprietors. This is because the standards require providers to carry out checks on their staff. Compliance with these standards will be assessed by our inspectors during quality assurance visits. In our view, this approach limits the administrative and financial burden on providers that apply for accreditation and is a proportionate means of checking the suitability of the staff they employ.

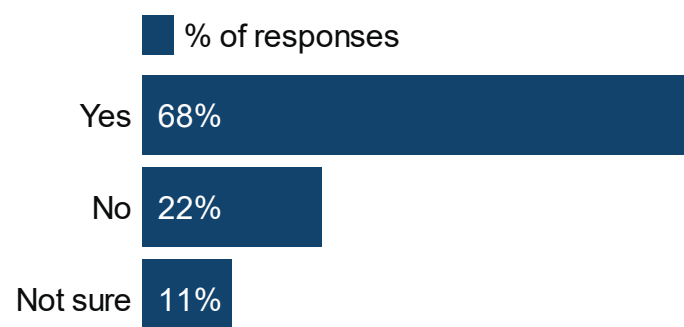
Proposal 3: assessing the quality of leadership in online providers

Consultation question 4: Do you agree that, when looking at leadership, we should gather evidence about how a provider assesses whether it continues to be in the best interests of a pupil to receive their education online, and how the provider supports its pupils to move to their next educational placement?

Since full-time online education is not suitable for all pupils and may be suitable for some on a temporary basis only, we proposed that Ofsted should consider how a provider assesses the suitability of placements and supports its pupils to move to their next educational placement. This would form part of our assessment of the effectiveness of leadership (section 8 of the standards).

Figure 5: Responses to question 4

[Change to table and accessible view](#)



A clear majority of respondents supported this proposal. This was reflected in the themes that came through in the comments, such as:

- the best interests of the child are paramount
- support for pupils reintegrating back into a school or moving on to the next step in their education is extremely important

However, just over a fifth of respondents disagreed with this proposal.

Some respondents felt that it should be for home-educating parents (as the commissioner of the placement) to decide what is in the best interests of their child. In our view, this is not incompatible with the proposal, which was that providers should be expected to:

- identify when it is no longer in a pupil's best interests to be educated online, and raise this with the commissioner of the placement
- refuse a commission from a local authority or school (or arrange to end such a placement at an appropriate time) if it is not able to meet a child or young person's needs
- work with the commissioner of the placement to support pupils as they move to their next educational placement

Home education is a valid choice for parents who wish to educate their children in an alternative way to school. Our proposals will not (and were not designed to) impinge on the rights and obligations of home-educating parents.

As this proposal was supported by a clear majority of respondents, we intend to take it forward.

Proposal 4: assessing methods of delivering online education

Consultation question 5: Do you agree that we should consider the impact that the provider's method of delivery has on the social and emotional well-being of pupils (under standard 8.4), the development of pupils' self-esteem and self-confidence (under standard 3.2) and the development of pupils' speaking and listening skills (under standard 1.4)?

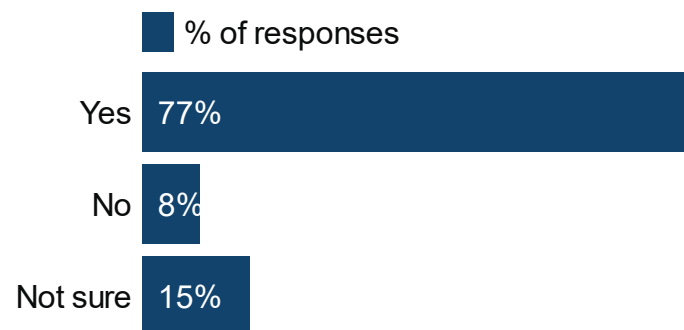
Providers of online education use many different delivery methods to educate their pupils, some of which may not normally include a live audio or video link to the pupil. The standards do not require providers to adopt a particular method of delivery.

We proposed that, when carrying out quality assurance visits, we should consider the impact that the provider's method of delivery has across all of the standards, not just those related to teaching, paying particular attention to:

- the social and emotional well-being of pupils
- the development of pupils' self-esteem and self-confidence
- the development of pupils' speaking and listening skills

Figure 6: Responses to question 5

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This proposal was supported by a clear majority of respondents. Some of those who were not supportive nonetheless agreed with the suggestion that the delivery methods used by online providers can have an impact (positive or negative) on:

- the social and emotional well-being of pupils
- the development of pupils' self-esteem and self-confidence
- the development of pupils' speaking and listening skills

Since the standards require Ofsted to assess these factors, we will take this proposal forward.

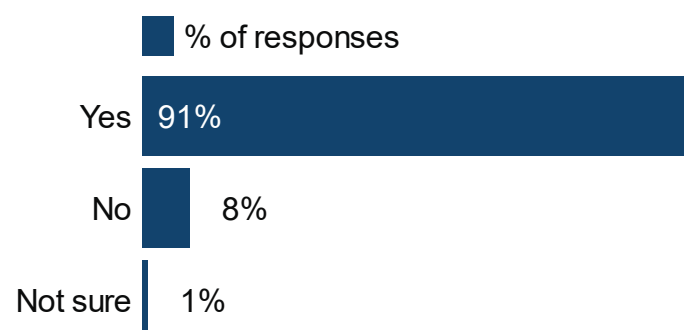
Proposal 5: assessing cybersecurity arrangements in online providers

Consultation question 6: Do you agree that we should require providers to attain at least a basic cybersecurity certification (such as Cyber Essentials) as part of our assessment of safeguarding?

Our view is that, in general, online providers are likely to have a high level of exposure to cybersecurity risks compared with other education providers. We proposed that, since most cyber-attacks can be avoided by adopting basic preventative measures, it would be proportionate to expect providers to attain at least a basic industry-standard cybersecurity certification, such as Cyber Essentials.

Figure 7: Responses to question 6

[Change to table and accessible view](#)



This was the most strongly supported of our 6 proposals, with many of the comments noting that children's safety is paramount.

Some respondents said that the bar should be set higher – that is, that Ofsted should require providers to prove that they have attained an advanced industry-standard cybersecurity certification. While we agree that providers should aspire to achieve a

more advanced level of cybersecurity as they grow, we plan to implement the original proposal when the scheme is launched because:

- the proposal had very clear support from respondents
- the proposal was a minimum requirement, and would therefore allow providers to pursue more advanced certification without discouraging those providers who are developing their expertise in this area from applying for accreditation under the scheme.

Recurring themes in responses

In addition to the 6 questions about the specific proposals set out in the consultation, respondents were also given the opportunity to submit free-text comments on our role in the scheme and our draft handbook.

We have considered these carefully. Though no strong themes emerged in the comments, there were topics that several respondents touched on.

The proposed fees are too high

The fees we propose to charge reflect the cost to Ofsted of carrying out our quality assurance work to a thorough standard. This is in the interests of parents and commissioners, as it will give them more assurance that providers are led by suitable people and are meeting the standards the DfE has set out. It will also benefit providers by more accurately identifying strengths in their provision as well as areas for improvement. The work we do as part of the scheme should neither make a surplus nor operate at a cost for taxpayers to subsidise.

In response to these comments, we have added more detail to Annex B in our handbook, so that potential applicants have more clarity about the arrangements for fees.

Ofsted's inspectors need to develop an in-depth knowledge of the sector

We recognise that the online education sector in England is varied and is likely to be developing rapidly, and that quality assurance of this sector differs in many respects from Ofsted's statutory education inspection. We therefore plan to carry out our accreditation visits using a small team of specialist inspectors.

Equality, diversity and inclusion

As part of the consultation, we published a draft EDI statement. Respondents were given the opportunity to submit free-text comments about the statement.

We received 35 comments in this section, all of which we have considered. In general, these comments echoed the analysis in our EDI statement or supported the conclusions that it reached. Two themes that arose in the comments were that:

- because some providers particularly aim to support children with special educational needs and/or disabilities (SEND), these children may make up a

significant proportion of the pupils in full-time online education

- online education can have a positive impact on children with SEND or additional needs, because packages can be tailored to the individual

As we have decided to take forward the proposals without amendment, we do not plan to revise the EDI statement at this stage. However, we may do so in future if we encounter information that suggests that a revision is necessary (for example, through our accreditation visits to online providers).

Other respondents asked for more information on how the law and guidance relating to equalities and SEND apply to online providers, and how specific standards should be interpreted. More information on these points will be made available in [the DfE's guidance on the scheme and standards](#).

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