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Guidance

# Social care common inspection framework (SCCIF): boarding schools and residential special schools for April 2022

Updated 11 March 2022

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This guidance applies from 1 April 2022. See guidance on inspections carried out until 31 March 2022.

#### Introduction

The social care common inspection framework (SCCIF) applies to inspections of:

- children's homes
- secure children's homes
- independent fostering agencies

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- boarding schools and residential special schools
- voluntary adoption agencies
- adoption support agencies
- residential family centres
- residential holiday schemes for disabled children
- residential provision in further education colleges

The SCCIF means that:

- we apply the same judgement structure across the range of settings listed above
- the experiences and progress of children and other service users, wherever they live or receive help, are central to inspections
- there are key areas of evidence that we usually report on at each inspection

The SCCIF is not a 'one-size-fits-all' framework. Where necessary, the SCCIF reflects and addresses the unique and distinct aspects of each type of setting. However, the evaluation criteria we use to make judgements and the accompanying guidance are, wherever possible, consistent across settings.

#### The inspection principles

Ofsted's corporate strategy outlines how we will carry out inspection and regulation that are:

- intelligent
- responsible
- focused

Our approach is further underpinned by the following 3 principles that apply to all social care inspections.

#### To focus on the things that matter most to children's lives

We have reached a general consensus with the main social care stakeholders that social care inspections should focus on the experiences and progress of children. We regularly ask children, and the adults who look after them, what matters most about children's experiences and progress.

Using this to guide us, we focus the criteria for our judgements on the difference that providers are making to children's lives. Adults can only support children well if they're given the time, resources and information they need to do this, so we also take account of the quality of the support that the adults who care for children receive.

#### To be consistent in our expectations of providers

It's important that professionals and members of the public can compare services that do similar things. We make this possible by being consistent in what we expect from providers. We make our expectations consistent by basing our judgements on criteria that share the same underlying principles and focus.

Our inspection methods and published guidance only differ when there is a good

reason. This includes taking a similar approach to deciding on the frequency of inspections.

### To prioritise our work where improvement is needed most

We are committed to inspecting in a way that focuses our resources where they are needed most.

If leaders and managers have shown that they can consistently deliver services for children well, we may decide to return less often or do a more proportionate inspection. However, we always take into account the risk to children of not inspecting as frequently. We use a broad range of information to tell us whether standards are slipping. We are always able to go back to good and outstanding providers more quickly if we have concerns.

#### The focus of inspections

The SCCIF has a consistent and clear focus on evaluating the impact of care and support on the experiences and progress of children, largely through case tracking and sampling. This means that:

- inspectors spend less time looking at policies and procedures and more time looking at the impact of services on children's lives
- we give the minimum notice of inspection, so that we can see settings as they are
  on a day-to-day basis, and so that the time providers may spend preparing for
  inspection is reduced as much as possible; we will be reviewing whether to reduce
  the notice period for settings that still have relatively lengthy notice arrangements
- we have set out as clearly as possible the details of the information required by inspectors to assist their inspection; this will enable providers to produce their best evidence whenever we give notice of inspection

# How inspectors make judgements under the SCCIF

#### Judgement structure

Our judgement structure stems from our first principle of inspection – to focus on the things that matter most to children's lives – and places the progress and experiences of children and other people who use children's services at the core of inspections.

All SCCIF inspections follow the 4-point scale (outstanding, good, requires improvement to be good and inadequate) to make judgements on the overall experiences and progress of children, taking into account:

- how well children are helped and protected
- the effectiveness of leaders and managers

Inspections of adoption support agencies, voluntary adoption agencies and

residential family centres also look at, as appropriate, the experiences of adult service users.

The judgement about how well children are helped and protected is a limiting judgement. This means that, if inspectors judge this area to be inadequate, then the 'overall experiences and progress' judgement will always be inadequate.

The judgement of the effectiveness of leaders and managers is a graded judgement. If inspectors judge this area to be inadequate, this is likely to lead to a judgement of inadequate, and certainly no more than requires improvement, for 'overall experiences and progress'.

Inspectors will make the limiting and graded judgements first so that they can take these into account for the 'overall progress and experiences' judgement.

#### How inspectors use the evaluation criteria

Inspectors will use the descriptions of what 'good' looks like as the benchmarks against which to grade and judge performance. The judgement, however, is not derived from a checklist. It is a professional evaluation of the effectiveness and impact of the care and support provided on the experiences and progress of children. Failure to meet all of the criteria for good will not automatically lead to a judgement of requires improvement to be good.

Some criteria will have less relevance than others in some settings because of the nature of the setting and the needs of the children.

Even when all the criteria are relevant, there is always a degree of professional judgement in weighing and balancing evidence against the evaluation criteria.

The inspector judges a setting to be good if they conclude that the evidence sits most appropriately with this finding. We call this the 'best fit'.

The evaluation criteria for SCCIF inspections are broadly consistent across different types of setting but, where necessary, they have been adapted to reflect the varying and unique nature of each type of provision.

#### Required evidence

Inspectors look at several areas of required evidence for each judgement. Some areas are common to all SCCIF inspections, but others are specific to the specific type of provision. The areas of required evidence are set out in the bullet points at the beginning of the <u>evaluation criteria</u> for each judgement.

#### **Evaluation criteria**

Inspectors use the following criteria to make judgements, including benchmarks of what good looks like.

#### The overall experiences and progress of children

Areas of required evidence are:

- the quality of individualised care and support provided and the influence and impact of the school on children's progress and experiences
- the quality of relationships between professionals, carers and children and parents
- the progress children make in relation to their health, education, and emotional, social and psychological well-being
- how well children's views are understood and taken into account
- the quality of children's experiences on a day-to-day basis
- how well children are prepared for their futures and how well transitions are managed

#### Good

The experiences and progress of children are likely to be judged good if there is evidence of the following:

Children are enabled to build trusted and secure relationships with the adults who are looking after them. Staff know the children well, listen to them, spend time with them, protect them and promote their welfare. Children are able to develop an appropriate sense of belonging. They make progress and have a range of positive experiences.

Children, including those who communicate non-verbally, are supported to actively participate in day-to-day and more complex decisions about their lives, as appropriate. They are sensitively helped to understand where it may not be possible to act on their wishes and why other action is taken that is in their best interests. Children have access to, and are actively encouraged to involve, an independent advocate and, where appropriate, an independent visitor.

Children know how to complain. The school's complaints policy is easy to understand, accessible and child-focused. Children understand what has happened as result of their complaint. Their complaints are treated seriously and responded to clearly. Urgent action is taken, and practice and services improve accordingly.

Children attend school or other educational provision; they are learning and making good progress from their starting points. Staff are ambitious for children and support them to attend and do well in their education. There is effective liaison between the boarding provision, teaching staff and headteacher.

Children enjoy access to a range of social, educational and recreational opportunities, including activities in the local community, as appropriate, irrespective of any disability they may have. They are able to participate in after-school activities, community-based activities and school trips and holidays. They are supported to engage in faith-based activities if they wish.

Children are supported to develop their independence according to their individual needs, while protecting themselves from being in unsafe situations or with unsafe people.

Children are in good health or are being helped to improve their health or to manage lifelong conditions. Their health needs (including their mental and sexual health needs, when this is appropriate for their age and understanding) are identified. They have access to local health services when they need them. Arrangements for managing medication are safe and effective and promote independence wherever possible. Staff develop effective relationships with health professionals to promote good health.

Specialist help is made available according to the individual needs of children, including those who live away from their 'home' authority. The help is available as soon as it is needed, at the intensity required and for as long as it is required. If services are not available, or children are waiting for a long time for help, the school is proactive in challenging and escalating concerns with the placing authority, health authority or parents.

Any specific type or model of care delivered or commissioned by the school is provided by staff who are suitably trained, experienced, qualified and supervised. The benefits of this to children are clearly evident. The care is reviewed regularly.

Children who are new to the boarding provision are welcomed sensitively and with careful and considered planning. When children leave the school, staff promote positive endings. When endings are unplanned, the welfare and well-being of children remain paramount and staff act at all times with this in mind.

Children develop skills and strategies to manage their own conflicts and difficult feelings through developing positive relationships with staff. There are clear, consistent and appropriate boundaries for children.

Children are treated with dignity and respect. They experience care and help that are sensitive and responsive to their identity and family history including age, disability, faith or belief, sex, gender identity, language, race and sexual orientation. The care and help assist them to develop a positive self-view and to increase their ability to form and sustain positive relationships and build

emotional resilience and a sense of their own identity. They also help them to overcome any previous experiences of neglect and trauma.

Staff always place the well-being of individual children at the centre of their practice. Children's achievements are celebrated and appropriately rewarded. Their day-to-day needs are met, such as routine, privacy, personal space, nutritious meals and enjoyable mealtimes.

Children have appropriate contact with their family, friends and other people who are important to them. There are no unnecessary restrictions in place. Staff work proactively and positively with parents and former carers to promote contact and continuity of care where appropriate.

If there are any breaches of the national minimum standards (NMS), these do not directly impact on the safety or welfare of children.

#### Requires improvement to be good

The experiences and progress of children are likely to be judged requires improvement to be good if there is evidence of the following:

The school is not yet delivering good help and care for children. The weaknesses identified need to be addressed to fully support children's progress and experience and to mitigate risk in the medium and long term. However, there are no serious or widespread failures that result in their welfare not being safeguarded and promoted.

#### Inadequate

The experiences and progress of children are likely to be judged inadequate if there is evidence of the following:

There are serious or widespread failures that mean that children are not protected or their welfare is not promoted or safeguarded. Their care and experiences are poor and they are not making progress.

#### Outstanding

The experiences and progress of children are likely to be judged outstanding if, in addition to meeting the requirements of a good judgement, there is evidence of the following:

Professional practice consistently exceeds the standard of good and results in sustained improvement to the lives of children even where children have complex or challenging needs. There are examples of excellent practice that are worthy of wider dissemination.

There is significant evidence of change and improvement for children because of the actions of the staff working at the school. The progress of children is exceptional, taking into account their starting points.

The experience of staying at the school enhances children's life opportunities. For children with the most complex needs, staff are able to evidence the sustained benefit they have had in making a difference to the lives of children in their care.

Research-informed practice, some of which may be innovative, continues to develop from a strong and confident base, making an exceptional difference to children's experiences and progress.

There are no breaches of the NMS.

#### How well children are helped and protected

Areas of required evidence are:

- how well risks are identified, understood and managed and whether the support and care provided help children to become increasingly safe
- the provider's actions in response to children who may go missing or may be at risk of harm, including from exploitation, neglect, abuse, self-harm, bullying and radicalisation
- how well staff manage situations and behaviour and whether clear and consistent boundaries contribute to a feeling of well-being and security for children
- whether safeguarding arrangements to protect children meet all statutory and other government requirements and promote their welfare and prevent radicalisation and extremism

#### Good

The help and protection offered to children are likely to be judged good if there is evidence of the following:

Children feel protected and are protected from harm, including neglect, abuse, sexual exploitation, accidents, bullying and radicalisation. There is a strong and proactive response from all those working with children that reduces actual harm or the risk of harm to them, including self-harm. That response includes regular and effective contact and planning with the child's allocated social worker (if appointed) and their family.

Children can identify a trusted adult they can talk to about any concerns. They report that adults listen to them, take their concerns seriously and respond appropriately.

Any risks associated with children offending, misusing drugs or alcohol, self-harming, going missing, being affiliated with gangs or being sexually exploited are known and understood by the adults who look after them. There are plans and help in place that are reducing harm or the risk of harm and there is evidence that these risks are being minimised.

Children who go missing experience well-coordinated responses that reduce harm or risk of harm to them. Risks are well understood and minimised. There is a clear plan of urgent action in place to protect them and reduce harm or the risk of harm.

The school is aware of, and implements in full, the requirements of the statutory guidance for children who are missing. It challenges the local authority if an independent return home interview is not offered or arranged by that local authority. It takes appropriate steps to escalate concerns. Parents are made aware of incidents where the child has been or is missing. Staff look for children when they are missing.

Plans and risk assessments are timely and address effectively any known vulnerabilities each child may have. Risk assessments are known to the staff team and regularly reviewed and updated. Children are supported to take age-appropriate risks as part of their development of independent living skills.

Children are protected, and helped to keep themselves safe from bullying, homophobic behaviour, racism, sexism, radicalisation and other forms of discrimination. Any discriminatory behaviours are challenged and help and support are given to children about how to treat others with respect.

Children receive help and support to manage their behaviour and feelings safely. Staff looking after children respond with clear boundaries about what is safe and acceptable and seek to understand the triggers for behaviour.

Positive behaviour is promoted consistently. Staff use effective de-escalation techniques and creative alternative strategies that are specific to the needs of each child and designed in consultation with them where possible.

Restraint is used only in strict accordance with the legislative framework to protect the child and those around them. All incidents are reviewed, recorded and monitored and the views of the child, dependent on their age and understanding, are sought and understood.

Conflict management is effective and includes the appropriate use of restorative practices that improve relationships, increase children's sense of personal responsibility and reduce the need for formal police intervention.

Proactive and effective working relationships with the police help to support and protect children. Staff work with the police to protect the children living in the school from any unnecessary involvement in the criminal justice system.

Staff understand the risks that using the internet may pose for children, such as bullying, grooming, abuse or radicalisation. They have well-developed strategies in place to keep children safe and support them in learning how to keep themselves safe.

Careful recruitment and regular monitoring of staff, agency staff and volunteers prevent unsuitable people from being recruited and having the opportunity to harm children or to place them at risk. The relevant authorities are informed of any concerns about inappropriate adults.

Staff, including the designated lead for safeguarding, know and follow procedures for responding to concerns about the safety of a child. Any child protection concerns are immediately shared with the placing and/or host local authority as required and a record of that referral is retained.

There is evidence that the designated lead for child protection follows up the outcome of the referral quickly and that appropriate action has been taken to protect the child from further harm. If the school is not satisfied with the response from either its own local authority or the placing authority, it escalates concerns appropriately, including (where relevant) by writing to the director of children's services (DCS) in the local authority placing the child.

Investigations into allegations or suspicion of harm are shared with the appropriate agencies and are handled fairly, quickly and in accordance with statutory guidance. Children are supported and protected. Support is given both to the person making the allegation and the person who is the subject of the allegation.

The school has effective links with local authorities, designated officers and

other important safeguarding agencies. There is good communication about safeguarding issues, such as any injuries sustained during restraints or allegations against staff. The school has good relationships with relevant local voluntary sector organisations that may be able to offer specialist support to children in keeping themselves safe.

The physical environment for children is safe and secure and protects them from harm or the risk of harm. Risk assessments for the physical environment are regularly reviewed and updated and comply with statutory requirements.

If there are any breaches of the NMS, these do not directly impact on the safety or welfare of children.

#### Requires improvement to be good

The help and protection offered to children are likely to be judged requires improvement to be good if there is evidence of the following:

Children are not yet receiving good help and protection but there are no serious failures leave them either being harmed or at risk of harm.

#### Inadequate

The help and protection offered to children are likely to be judged inadequate if there is evidence of the following:

There are serious or widespread failures that mean children are being harmed, at risk of harm or their welfare is being safeguarded.

#### **Outstanding**

The help and protection offered to children are likely to be judged outstanding if, in addition to meeting the requirements of a good judgement, there is evidence of the following:

Professional practice results in sustained improvement to the lives of children. Highly effective planning manages and minimises risks inside and outside of the school. Where children are new to the school, any risks are well understood and are being significantly reduced.

Proactive and creative safeguarding practice means that all children, including the most vulnerable, have a strong sense of safety and well-being and they are unlikely to be missing from the school on a regular basis. Children are involved in creating ways to de-escalate situations and finding creative

alternative strategies that are effective.

There are no breaches of the NMS.

#### The effectiveness of leaders and managers

Areas of required evidence are:

- whether leaders and managers show an ambitious vision, have high expectations for what all children can achieve and ensure high standards of care
- how well leaders and managers prioritise the needs of children
- the extent to which leaders and managers have a clear understanding of the progress children are making in respect of any plans for them
- whether leaders and managers provide the right supportive environment for staff through effective supervision and appraisal and high-quality induction and training programmes, tailored to the specific needs of the children
- how well leaders and managers know and understand the school's strengths and weaknesses, prevent shortfalls, identify weaknesses and take decisive and effective action
- whether the boarding/residential provision is achieving its stated aims and objectives
- the quality of professional relationships to ensure the best possible all-round support to children in all areas of their development
- whether leaders and managers actively challenge when the responses from other services are not effective
- the extent to which leaders and managers actively promote tolerance, equality and diversity
- how well the school takes into account the views of children

#### Good

The effectiveness of leaders and managers is likely to be judged good if there is evidence of the following:

The provision is led effectively and efficiently by suitably trained and experienced leaders and managers. Urgent action is taken to address any vacancy of the head of boarding (or equivalent).

The provision is properly staffed and resourced. Staff, including agency staff, are suitably vetted, qualified and able to deliver high-quality services to children. Arrangements for recruitment and appraisals are robust.

Leaders and managers actively and regularly monitor the quality of care provided. They use learning from practice and feedback to improve the experiences and care of children. They learn from complaints, staff

feedback, successes and breakdowns, and any serious events. They identify strengths and areas for improvement and implement development plans that continually improve the experiences and care of children.

Action is taken to address all issues of concern, including concerns or complaints from children, parents and other professionals. Proper investigations are carried out. Placing and host authorities are engaged as necessary. Effective action has been taken to address all recommendations and areas to improve from previous inspections.

Leaders and managers ensure that plans for individual children comprehensively address their needs. Leaders and staff work proactively with other agencies and professionals.

Leaders and managers seek to build effective relationships with parents, with social workers from placing authorities, and with their own local authority to secure positive outcomes for children. The nature and extent of the relationships will vary depending on the legal status of the children, the future plans for the children and the relationships they have with their parents, including the contact arrangements that are in place.

Leaders and staff work proactively with the local community including neighbours, faith groups, leisure organisations and local businesses to support children to use the facilities and to develop a sense of belonging, security and purpose.

If children are not settling in, leaders and managers take steps to ensure that the plan is reviewed with the placing authority and/or parents, as appropriate, to consider the best steps to take next. They challenge effectively and take action when they are concerned that placing authorities are not making decisions that are in children's best interests, when the statutory requirements for looked-after children are not met or when they cannot keep children safe.

Leaders and managers understand any plans for the children and drive the achievement of important milestones, goals and permanence for their futures. Leaders and managers monitor the progress that individual children make and can demonstrate the positive impact that living at the school has had on individual children's progress and life chances.

Managers and staff receive regular and effective supervision focused on children's experiences, needs, plans and feedback. Supervision is recorded effectively.

Staff and leaders receive effective support and challenge, including through team and management meetings, to ensure that their professional development results in the right environment for good practice to thrive. The emotional impact of the work on staff is recognised and managed well by leaders and managers.

Training, development and induction activities are effective. They are focused on ensuring that staff and volunteers can meet the specific needs of children. Activities are evaluated to ensure that they lead to effective practice. Leaders, managers and staff are up to date with current practice in their specialist area.

Staff work collaboratively to provide consistency and stability. There are clear responsibilities and accountabilities and staff have a sense of shared ownership about its practice. Staff report that they are well led and managed and there is other evidence to support this.

Leaders and managers make child-centred decisions about children coming to stay at the school. They prioritise the safety and stability of the group environment and take account of the likely impact of new children joining the school.

The statement of principles and practice is kept under review and clearly sets out the ethos and objectives of the school.

The head of school ensures that the physical environment is maintained to a high standard, is comfortable and meets the needs of the children. Any damage or wear and tear is quickly and regularly repaired.

The school is financially viable and can provide high-quality, stable care for children.

Volunteers, gap-year students or other adults who work with children at the school are trained, supervised and supported to carry out their roles appropriately and to provide a high-quality service that enhances the experiences of children.

The ethos and objectives of the school are characterised by high expectations and aspirations for all children. This is demonstrated in practice.

Leaders and managers regularly review and act on any known risks to children, taking advice and guidance from local partners and agencies.

There are effective relationships with parents or carers so that they feel confident leaving their child at the school and they understand what the service can offer. Parents feel involved in the running of the school and are able to raise concerns and complaints. Staff are accessible and keep parents informed about their child's stay at the school.

There is robust external scrutiny from governors and/or those with responsibility for the school, who regularly review and monitor the school's policies, practice and records, including those that address safeguarding.

If there are any breaches of the NMS, these do not directly impact on the safety or welfare of children.

#### Requires improvement to be good

The effectiveness of leaders and managers is likely to be judged requires improvement to be good if there is evidence of the following:

The characteristics of good leadership and management are not in place. Where there are weaknesses in practice, leaders and managers have identified the issues. They have plans in place to address them or they are less serious and there is capacity to take the necessary action.

#### Inadequate

The effectiveness of leaders and managers will be judged inadequate if there is evidence of the following:

The experiences, progress or protection of children are inadequate and leaders and managers do not know the strengths and weaknesses of the provision. They have been ineffective in prioritising, challenging and making improvements.

The school fails to work effectively in partnership with others in the best interests of children.

The effectiveness of leaders and managers is likely to be judged outstanding if, in addition to meeting the requirements of a good judgement, there is evidence of the following:

Leaders and managers are inspirational, confident and ambitious for children and influential in changing the lives of those in their care.

Leaders and managers create a culture of aspiration and positivity. They have high expectations of their staff to change and improve the lives of the children they are responsible for.

Leaders and managers lead by example, innovate and generate creative ideas to sustain the highest quality care for children.

Leaders and managers know their strengths and weaknesses well and can provide evidence of improvement over a sustained period.

Leaders and managers develop and maintain professional relationships between the school and partner agencies that ensure the best possible care, experiences and futures for children.

There are no breaches of the NMS.

#### Legal context

Under the <u>Education and Inspections Act 2006</u>, Ofsted carries out its work in ways that encourage the services it inspects to:

- improve
- be user-focused
- be efficient and effective in the use of resources

Section 87 of the Children Act 1989 and the <u>National Care Standards Commission</u> (<u>Inspection of Schools and Colleges</u>) <u>Regulations 2002</u> set out the legal basis for the inspection of boarding and residential provision in schools. This applies to:

- maintained and non-maintained schools
- academies
- free schools
- pupil referral units

It does not apply to schools that are registered as children's homes.

When inspecting boarding and residential special schools, Ofsted considers the knowledge and understanding gained from previous inspections, and:

- the <u>Children Act 1989</u>
- the national minimum standards for boarding schools or residential special schools
- statutory guidance issued by the Department for Education (DfE)

Ofsted inspects boarding and residential provision in schools but does not regulate it. This means that, unlike some other types of social care or welfare provision, we do not inspect boarding and residential provision in schools against a set of regulations or raise actions when these regulations are not met.

The SCCIF does not apply to the boarding and residential provision of independent schools that is inspected by the Independent Schools Inspectorate (ISI).

If, during the course of the inspection, the inspector finds evidence of an unregistered children's home or any other unregistered provision being operated elsewhere, they should record the details, including the provider's name, the address and any other evidence that indicates there is an unregistered service operating. The inspector should inform the provider/manager that they have recorded this information and will pass this on to their regional team to investigate.

The inspector should make it clear that any information they gather on unregistered provision being operated elsewhere will not form any part in determining the outcome of the inspection or inspection judgement.

#### **Notice of inspection**

For a standalone inspection of boarding or residential provision, schools are notified by a telephone call from the lead inspector at least 1 hour and no more than 4 hours before the inspection team arrives on the first day of the inspection. We then email the letter of notice to the school.

If serious welfare or safeguarding concerns have been identified before the inspection, the inspection will usually be unannounced.

For all other types of inspection, the notice period may be longer. Some inspections, for example material change inspections, may be agreed in advance (see <u>'Pre-registration or material change inspections of independent schools'</u>).

We ask schools to give the inspector access to premises and records and space for them to work. Inspectors may need some help to navigate the system if records are electronic. Schools do not need to provide files in hard copy unless these are already used, although the inspector may ask for specific reports or documents to be printed.

#### Request for information at an inspection

At the start of inspection, inspectors email the school with a copy of <u>Annex A</u>, which requests information about the children, staffing and records. Inspectors agree with school leaders when the completed information will be available, at which time the school should email them a copy of the final version. This should be no later than the end of the inspectors' first day on site.

If the inspection is unannounced, the inspector will email the school with a copy of Annex A on arrival at the school.

The information supports the inspection process and informs the inspection findings. It may generate extra lines of enquiry.

The inspector will also provide a letter for the school to send to the parents and carers of all pupils inviting them to fill in Parent View.

The inspector will also provide a letter for the school to send to all staff who work at the school. It provides contact details of the inspector(s) should staff wish to contact them during the inspection.

Schools can download a copy of <u>Annex A</u> and keep this updated in preparation for their inspection and send this electronically to the inspector during the inspection. Some of the information will be stored by Ofsted for data analysis purposes. No personal data is stored.

#### Scheduling and the inspection team

#### Frequency of inspections

We usually inspect the residential provision of residential special schools annually. We inspect the residential provision of boarding schools at least once in a 3-year cycle.

#### If a boarding school is judged as requires improvement to be good

If a boarding school is judged as requires improvement to be good, the next inspection will be within 2 years of the last inspection.

#### If there is a cause for concern

We may decide to inspect the residential provision in a boarding or residential special school when we have a cause for concern, or at the request of the DfE.

#### If the judgement is inadequate

If a boarding or residential special school is judged to be inadequate, it will be subject to monitoring and further inspection.

How often Ofsted should inspect residential provision in boarding and residential special schools is not prescribed by law. We may inspect at any time if there are concerns about the boarding/residential provision.

#### **Scheduling**

The scheduling of inspections takes account of:

- legal requirements
- previous inspection findings
- · complaints and concerns about the service
- questionnaire responses from children, parents, social workers and other stakeholders

a request by the DfE to inspect an independent school

Where possible, the same inspector will not inspect the residential provision in a boarding or residential special school for more than 3 consecutive inspection cycles. However, in certain instances, for example, if DfE is taking enforcement action, it may be important for continuity purposes to retain the same inspector until the enforcement action has finished.

#### Length of inspection

For a full inspection of boarding or residential provision, one or more inspectors will usually spend up to 3 days on site, including 2 evenings. Schools with a small number of boarders or boarding houses may be inspected within less time and usually include only one evening.

T The regulatory inspection and inspectors should consider whether:

- the amount of time on site should be reduced for inspections of schools with only a small number of children on roll
- additional resources, such as more inspectors or more time, or both, should be deployed for inspections of larger schools or schools on a large site, or where there are specific issues such as a serious incident to consider

#### **Deferrals**

We will grant deferrals in line with our <u>deferral policy</u>.

#### Types of inspection

### Standalone inspections of boarding or residential accommodation

Inspections of boarding or residential accommodation are carried out by at least one social care regulatory inspector (SCRI). The inspector carries out the inspection activities as set out in this guidance.

#### Aligned inspections

Aligned inspections are inspections of the boarding or residential provision that take place at the same time as the education inspection. The inspectors work together and, wherever possible, share findings and feedback at the same time.

Aligned inspections take place when:

- the education provision in a school is subject to a full inspection
- the education provision is subject to a Section 8 short or emergency inspection (Education Act 2005)
- the DfE may require Ofsted, in rare instances, to carry out an emergency

inspection of an independent school with the ISI

If a residential special school is also registered as a children's home, and both the education provision and the children's home are inspected at the same time, we may align elements of the two inspections. We will not announce the inspection of the children's home, and we will produce separate reports with judgements that may not align).

#### Activities specific to aligned inspections

The SCRI should liaise with the lead education inspector to share evidence and discuss activity as necessary, such as the timing of the inspection announcement, start and finish times and time of feedback. The relevant Senior Her Majesty's Inspector (HMI) is responsible for ensuring that this is managed effectively. Both inspection teams will arrive at the same time.

We will notify the school of aligned inspections by telephone the day before the inspection starts, giving a minimum of 4 hours' notice. The SCRI should liaise with the lead education inspector to agree the precise time of notification. Either Ofsted's education inspection support team or one of the inspectors will notify the school.

Inspectors usually spend up to 3 days on site.

The lead/reporting inspectors must set aside time throughout the inspection to share evidence so that each is aware of emerging issues, especially when they are relevant to the other's work.

Social care and education inspectors follow their respective frameworks and procedures during aligned inspections. However, they work together as far as possible. Information provided by the school is shared in order to keep demands on the school to a minimum and make efficient use of resources. Lead/reporting inspectors discuss the main judgements to ensure consistency, particularly on matters concerning the independent school standards and the NMS.

On the rare occasions that either inspector change their judgement post-inspection as a result of quality assurance, the lead/reporting inspectors will notify the other of the change.

The lead/reporting inspectors must set aside time throughout the inspection to share evidence, so that each is aware of emerging issues when they are relevant to each other's work.

A school with teaching judged as good may be judged as requires improvement for its boarding provision. However, judgements about areas that relate to both the education and boarding/residential provision, such as care, welfare, health, safety and safeguarding, should be agreed in most cases by both inspection teams in order to give a consistent and clear message to the school.

Following the aligned inspection, we will publish 2 reports: one about the education provision (under the education inspection framework) and one for the boarding or residential provision (under this SCCIF). These will be published on the Ofsted reports website.

We will also publish a joint summary report about the overall school and residential experience of a child who stays in the boarding or residential provision.

### Emergency inspections of boarding or residential provision (independent schools)

The relevant Ofsted regional director may decide to inspect under <u>section 87 of the</u>

<u>Children Act 1989</u> as a result of a specific concern or following an inadequate inspection judgement. The regional director decides whether the inspection is unannounced. If we decide to carry out an emergency inspection of an independent school, we will notify the DfE's independent schools' team.

We have to inspect if the DfE asks us to carry out an emergency inspection of a boarding or residential provision. The DfE may specify that no notice is given.

For these inspections, one or more SCRIs spend 1 or 2 days on site and produce a short report, which we publish.

#### Aligned emergency inspections of independent schools

The regional director may decide to inspect the boarding/residential provision under section 87 but consider that it is more appropriate to carry out aligned inspections because of the overall concerns about the school.

In these situations, the region should request a commission from the DfE to inspect the education provision at the same time as the section 87 inspection of boarding/residential provision.

The DfE may direct Ofsted to carry out these as aligned emergency inspections because of a specific concern or a previous inadequate judgement.

We inspect the residential and education provision at the same time but produce 2 separate reports. Both reports are published. The inspections are usually unannounced. The team may all arrive on site at the same time. Inspectors may also give joint feedback.

#### Monitoring visits (residential only)

#### Independent schools

If an independent school was judged to be inadequate, we may carry out a monitoring visit to review progress made since the last inspection.

The DfE may also request that we carry out a progress monitoring inspection visit.

Progress monitoring inspection visits review the progress made on either:

- meeting requirements made by the DfE through a notice
- the actions stated in an action plan submitted to the DfE by the school

The inspections are usually unannounced. One or more SCRIs spend one day on site and produce a short report. The DfE may request that we publish the report.

#### Maintained schools, non-maintained special schools, pupil referral units, academies and free schools

We carry out a monitoring visit of these types of schools to review the progress made on meeting recommendations from the most recent inspection and the progress of the school's action plan. We publish the report.

The monitoring visit is usually unannounced but may be agreed in advance if the inspectors want to speak to particular members of staff or local authority representatives. We do not need a commission from the DfE or need to notify the DfE's independent school's team for these visits.

#### Monitoring visits (aligned)

There are 2 types of aligned monitoring visits we carry out.

#### Independent schools

Independent schools' aligned progress monitoring visits monitor the progress made on any notice served by the DfE and cover both the school's educational and residential provision. These visits are usually unannounced. Inspectors usually arrive on site at the same time. Inspectors may give joint feedback but write 2 reports. The DfE may request that we publish the reports.

# Maintained boarding schools, non-maintained special schools, maintained and independent residential special schools, pupil referral units, free schools and boarding academies

Education and social care inspectors should work together to agree the most practical and suitable arrangements for monitoring visits of both the education and residential provision, including the visit announcement as necessary.

If the visit is announced, the social care inspector should give a minimum of 4 hours' notice. Inspectors may arrive on site at the same time.

# Pre-registration or material change visits of independent schools, free schools and boarding academies

We carry out these visits when a school wishes to:

- start to provide residential accommodation
- change its residential arrangements

These are carried out at the request of the DfE and under <u>The Education and Skills</u> <u>Act</u>.

For residential-only pre-registration or material change visits, there is a minimum of 2 days' notice of the inspection and this is usually agreed in advance with the school. One or more SCRIs spend 1 day on site and produce a short report. The DfE may request that we publish the report.

For aligned pre-registration or material change visits, arrangements are similar, but they are carried out by one regulatory inspector and one education HMI. We expect the proprietor of a school to attend the pre-registration visit, so that we can establish their understanding of their role in the school. If the proprietor is unable to attend this visit without good reason, then the inspector will be unable to make a judgement on the school's capacity to meet the NMS for leadership and management.

Material change visits can be carried out at the same time as a full inspection of the boarding/residential provision if it is sensible to do so. However, we must write a separate report on the material change. An inspector will be given additional time, as agreed by the RIM, in order to carry out the material change inspection work.

If the judgement of the last inspection of the residential provision was inadequate, it is unlikely that a material change request would be agreed, unless this would enhance the provision or address inadequacies.

#### **Timeframe**

#### Full inspection activity Day 1 Preparation Inspection on site as required 2 up to 4 **Drafting report** 5 and 6 7 to Inspection evidence and report submitted for quality assurance 10 23 Draft report sent to the school for any comments within a maximum of 18 working days of the end of the inspection 28 School returns the report within 5 working days with any comments 35 Final report sent to the school provider within 30 working days of the end of the inspection 40 School may submit a formal complaint within 5 working days of the issue of the final report 43 The final report will be published on the Ofsted reports website within a maximum of 38 working days of the end of the inspection

#### Preparing for an inspection

#### **Analysis and planning**

Inspectors are allocated one day to prepare for a full inspection and half a day to prepare for any other type of inspection. They should use this time to review the information held by Ofsted and to ensure that the fieldwork is properly focused and used to best effect in collecting first-hand evidence.

Inspectors will look at the information that Ofsted already holds and/or that is publicly available about the school and its boarding provision, including:

- previous inspection reports for both the boarding/residential provision and the education provision
- the last inspection report for the local authority area in which the school is based
- any concerns and complaints received either about the boarding/residential provision or the school through Ofsted's provider information portal
- the school's own website, which may contain relevant policies and procedures
- the school's child protection policy (if available on its website) to ensure that it
  adequately reflects the needs of children and provides sound and comprehensive
  guidance that meets those needs
- the analysis of views of children in boarding/residential provision, boarding staff and, where relevant, placing authorities from the point-in-time surveys
- responses from <u>Ofsted Parent View</u>

In addition, the inspector takes account of relevant background and context information, such as the most recent inspection of the local authority in which the school is situated.

Some of this information is drawn together in the provider information portal.

The inspector carries out an analysis of the available evidence and information. They must record their planning notes on our inspection database.

The plan for the inspection should identify:

- lines of enquiry
- any areas of apparent weakness or significant strength
- areas where further evidence needs to be gathered

The focus of the inspection may change during its course as further evidence emerges.

#### **Questionnaires**

Each year, Ofsted uses online <u>questionnaires</u> to gather a range of views about different types of setting. Where relevant, this includes the views of:

- children
- parents and carers
- staff
- foster carers
- adopters
- adult service users
- other interested parties, such as placing social workers and independent reviewing officers

We send links to the questionnaires annually to each provider by email and ask them to distribute those links on our behalf. The responses are submitted directly to Ofsted.

We share responses with the inspector for the service or setting and are used to inform the planning and scheduling of inspections.

If there are no responses for a service or setting, this also forms a line of enquiry for the inspection.

#### **Ofsted Parent View**

The online service <u>Ofsted Parent View</u> is available for the parents and carers of children in schools to give their opinion of the school, including its boarding/residential provision.

As part of their preparation, the lead inspector checks the responses for the school. If no responses have been entered, inspectors will try to gather the views of parents and carers by other means. For example, they may telephone some parents and carers during the course of the inspection.

#### The on-site inspection

#### The start of the inspection

At the start of all inspections, inspectors confirm their identity by producing their Ofsted identification. They do not need to carry paper copies of Disclosure and Barring Service (DBS) checks.

Inspectors always meet with the head of care/head of boarding or the member of staff in charge of residential provision, and usually the headteacher, at the beginning of the inspection to:

- · outline the plan for the inspection and lines of enquiry
- provide the headteacher and/or the member of staff in charge of residential provision with the opportunity to share any current information or personal issues relating to any of the children or members of staff that the inspectors need to be aware of during the inspection
- discuss the case-tracking process and which children are most suitable for case tracking
- ensure that Ofsted holds the correct details on the inspection database, including email address and contact telephone numbers for the school
- arrange the approximate time that verbal feedback will be given and who is to receive this; feedback is normally given to the headteacher and head of boarding/head of care; additional senior staff linked to the boarding/residential provision may also attend at the discretion of the inspector, if agreed in advance

#### Case tracking and sampling

Evaluating the experiences and progress of children is a core inspection activity. This will be largely based on evidence from case tracking and sampling.

For tracked cases, inspectors take an in-depth look at the quality of the help, care and protection that individual children have experienced. For sampled cases, inspectors look at areas of practice within individual cases, usually to follow lines of enquiry.

Ofsted considers it very important that children experience high-quality help and care and make progress.

We take into account children's individual starting points and circumstances during inspections. We recognise that even slight progress in a particular aspect of their lives may represent a significant improvement for some children. We also recognise that for some children, because of their experiences of trauma, abuse or neglect, progress is not always straightforward. Progress in one area may result in deterioration in another as they work through the impact of their past experiences.

Children's overall experiences and progress are, in part, a result of how well they are helped and protected and the effectiveness of leaders and managers. Inspectors consider the 'help and protection' and 'leadership and management' judgements first so that they can take these into account when reaching the 'overall experiences and progress' judgement.

Inspectors track the experiences and progress of some children, dependent on the size of the boarding provision. This is usually at least 4 children for large schools and fewer for smaller schools.

Inspectors also sample elements of other cases to follow specific lines of enquiry.

The size of the provision and the nature of any lines of enquiry will determine how many cases are sampled.

Tracked and sampled cases are selected by the inspector from information provided by the school. Tracked cases should be representative of the current group of resident children and may include, where relevant:

- a child from a foreign country, especially when the population of children shows high numbers of a particular national group or if there is only one child from a particular national group (usually restricted to boarding schools only)
- children who are from the older and younger age groups of the school
- a child who lives in lodgings (as applicable)
- a child who lives in residential accommodation that is not on the school site
- a child who has complex disabilities and/or health needs
- a child who has frequently gone missing from the school
- a looked-after child or a child subject to a child protection or a child in need plan
- a child who has made or is making good progress
- a child who has recently joined the school
- a child who is preparing for a planned exit from the school

Inspectors increase their understanding of children's experiences through evidence from other sources. These sources include observing practice and holding discussions with key individuals, including children where appropriate.

Inspectors want to speak to the children, relevant staff, any relevant external professionals and parents to understand what contribution the school has made to the overall progress and experience of children across all aspects of their lives. Written records are only one aspect of tracking children's journeys, and inspectors will look at key documents required to enhance their understanding or clarify some information.

Inspections also usually assess the management of a recent serious incident (where relevant). This is so that they can understand how the staff team responds to complex and difficult circumstances and whether the actions and responses of leaders, managers and staff are focused on promoting and safeguarding the welfare of children.

Inspectors examine, discuss and evaluate cases in line with the evaluation criteria. They look for evidence that the provision has had a positive impact on the experiences and progress of children and how managers and staff know they are making a difference to children's lives.

The detail of activities carried out and discussions held varies depending on the lines of enquiry for each individual inspection.

Inspectors must record the initials of children, professionals or carers who have been tracked, sampled and/or interviewed as part of an inspection within the evidence base.

#### Listening and talking to children

The views of children who live in or stay at the school provide important evidence of their experiences and progress.

Inspectors assess how well the school consults with resident children. Children's views gathered by the school are taken into account as part of the inspection

evidence.

Inspectors must meet with children during the inspection. Inspectors may make alternative arrangements to speak to children, such as telephone calls at a prearranged time.

Many of the experiences of children living in the school take place after the normal school day and it is essential that inspectors are present at this time.

Inspectors should involve children in inspection activity wherever they can.

Opportunities to gather the views and experiences of children should include:

- asking children to show inspectors around some of the boarding/residential provision
- meeting groups of children (this may be by year or house group)
- spending mealtimes with children
- spending time observing and talking informally to children in the boarding/residential house(s)
- observing or participating in recreational activities that children do after the end of the school day – this is particularly important in order to gather the views and experiences of those children who communicate non-verbally

#### **Communication methods**

Children can use a range of non-verbal methods for communicating with their families, other children and the adults who care for them. For example, these methods can include their behaviour and sounds, signs and symbols or a variety of specialist electronic devices, and any combination of these.

Inspectors should bear in mind the limits of verbal consultation with some children, particularly those who are disabled or have complex health care needs, and they should take this into account in their evaluation. In these cases, inspectors would expect to see the school using appropriate alternative means of gathering children's views and providing them with feedback about the impact of their consultation.

Inspectors must take into account the specific communication needs of individual children. For some children, the inspectors may request the assistance of staff who know and understand the child's preferred means of communication, particularly if this is unique to the child. In other instances, it may also be appropriate for inspectors to spend time observing children and how they interact with staff and respond to their environment.

Sometimes, inspectors will spend time observing activities and situations where children are present rather than engaging in direct communication with them. This is to limit any stress caused to children. These approaches will be discussed throughout the inspection as necessary.

Inspectors are required to discuss with staff the individual communication methods used by a child, review any communication/sensory assessments plan and determine if this informs staff's approach and practice throughout the care plan. They will use this knowledge when they observe any interaction between staff and children. Inspectors are particularly interested in the quality of interaction between them – to understand how staff recognise and respond to children's changing needs. For example, they want to know that staff understand when a child may be in distress or pain, confused, or happy and content. Inspectors will use this evidence to contribute to their overall inspection judgement when evaluating how well staff help children to enjoy positive experiences and make progress.

Inspectors have to balance spending sufficient time observing interaction between staff and children and avoiding causing children distress or confusion because an adult who is unfamiliar to them is upsetting their routines and feelings of security. Inspectors will follow up with staff separately to explore any lines of enquiry arising from their observations.

Some children use a form of sign language, for example Makaton or British Sign Language. An independent trained signer will accompany the inspector if this is necessary. However, in many schools, the children use localised signs known only to their community, staff or parents and they may be reluctant to sign to someone who is unfamiliar to them or who does not understand their particular 'accent' or vocabulary.

Inspectors can request the services of an interpreter to join the inspection. This is helpful when the children and/or staff are fluent in British Sign Language. Inspectors request this service through the inspection support team and give 2 weeks' notice where possible.

Children, including those with limited or no verbal communication, may wish to share their views in a letter to the inspector.

#### Practice when gathering the views of children

Inspectors demonstrate safe and sensitive practice by:

- telling staff when and where conversations with children are taking place and who is involved
- being sensitive to the fact that some children may not want to be involved in the inspection
- explaining to children that they will not include comments that will identify them in the inspection report or in feedback to staff without their permission
- ensuring that staff are aware of any arranged meetings with children, and that children may leave the meeting at any time
- where appropriate, explaining to children that information suggesting that they or another child is at risk of harm will be passed by the inspector to an appropriate person able to take necessary action about that concern

Inspectors respect the privacy and confidentiality of personal information at all times. They always involve staff in any decisions about children's involvement in the inspection.

#### Inspecting the accommodation and facilities

Inspectors are required to judge the suitability of the school's premises, including any residential or boarding accommodation and the areas used for out-of-school study and recreation.

In the case of a school with a very large number of boarding/residential houses, inspectors will visit a representative sample. This activity works best when children are asked to accompany the inspector(s) on the tour of the boarding accommodation. When touring premises or grounds, the inspector(s) may take the opportunity to speak to staff or pupils they meet.

Inspectors should record which houses have not been visited so that they may be prioritised on the next inspection.

Inspectors may see a number of extra-curricular or leisure activities and spend time talking to children about their experiences, including about what happens at weekends.

#### **Children living in lodgings**

When inspecting a boarding school that arranges lodgings for children to live in (as indicated in <u>NMS 20 for boarding schools</u>), the inspector should ask the school for a list of the adults who provide the lodgings and the children placed there.

Inspectors will only visit a sample of lodgings if this is a specific line of enquiry.

Inspectors may consider a sample of the recruitment checks carried out for the host families to establish that appropriate procedures have been followed, as set out in statutory guidance. This includes the application for a DBS enhanced certificate for the designated carers and that these checks were carried out before any child was placed. For other family members aged over 18. it may only be possible to apply for a standard DBS check.

Inspectors should also look at whether other appropriate checks are made before placing the student. These checks include:

- references (character reference from employer and/or volunteer groups) for those living in the home over 18
- interviews with those over 18 living in the home
- risk assessment of the home before placement of the student
- agreement between the school and the main carer on expectations in terms of safeguarding, for example ensuring the designated carer does not leave the child in the care of lodger or older child

Inspectors will also take into account:

- safeguarding issues for example, the quality of the training provided to host families and the guidance given on e-safety, child sexual exploitation and safe working practices
- the induction provided to host families and ongoing training in relevant areas such as first aid
- whether the children share bedrooms and, if so, whether a risk assessment been carried out on the sleeping arrangements
- whether the school has considered if the arrangements may constitute private fostering
- the levels of support provided to host families and children, including in the evening and at weekends
- the guidance given to host families on 'house rules' and times to return and what to do if children go missing
- if the host family has relevant medical information, including medical consent forms and their arrangements if the child is unwell
- children's access to organised activities in the evenings and at weekends

#### **Observing activities**

Inspectors can use the school's scheduled activities as opportunities for observing and following lines of enquiry. These activities could include:

- staff handover between education and boarding
- school council meetings
- professionals' meetings

Inspectors should have some meals with children and observe the serving arrangements. This provides direct evidence of catering arrangements and an opportunity to observe general behaviour and to speak informally to children in a

communal setting. Inspectors evaluate how individual dietary needs are met. Inspectors should speak to the catering manager and ask to see a sample of menus only if this is a specific line of enquiry.

Inspectors always try to strike a balance between the time taken to observe an activity with the weight of the likely evidence to be gained.

#### Gathering views of other professionals

Inspectors consult with a range of professionals to inform the inspection findings. This is usually through a telephone call during the inspection, or on site if a situation naturally occurs. These professionals may include:

- placing social workers
- the chair of governors and other members of the governing body

Inspectors contact the designated officer from the local authority where the school is situated during, or immediately before, the inspection for relevant information, child protection enquiries relating to the school that are ongoing or have been carried out (in the last 12 months in the case of residential special schools, or 3 years in the case of boarding schools).

Inspectors ask for the relevant contact details.

Inspectors should always take account of privacy and confidentiality when talking to stakeholders on the telephone during the inspection.

#### Discussions with managers and staff

Individual interviews are always held with the head of boarding/head of care or the member of staff in charge of residential provision and other staff. The number of staff interviewed depends on the size of the school and the lines of enquiry developed through case tracking and case sampling.

The interview with the member of staff in charge of boarding/residential provision usually addresses issues that have arisen from the inspector's analysis of pre-inspection information and/or emerging lines of enquiry. The interview is also an opportunity to discuss progress in meeting previous inspection recommendations.

During the inspection, the inspector shares emerging findings about the school's strengths and weaknesses with the headteacher and/or the member of staff in charge of residential provision so that they fully understand emerging issues.

The inspector usually meets with them at the end of day one to share emerging findings. The inspector normally sets out what they intend to consider on the second day of the inspection, where relevant, so that any specific information or evidence can be prepared. The headteacher/person in charge then has the opportunity to prepare and direct inspectors to specific information or evidence required.

Shortfalls that could have an immediate impact on the safety of staff or children are brought to the attention of the head of boarding/head of care as soon as the inspector has identified the problem.

Inspectors want to establish that the school's monitoring systems are robust enough to identify any strengths and weaknesses in practice. However, inspectors do not spend time routinely counting medication or petty cash, carrying out vehicle checks, checking water temperatures or contents of fridges, freezers and food storage areas

unless this is a specific line of enquiry.

Inspectors should be prepared to alter interview arrangements if staff have to attend to the needs of children.

#### Examining records, policies and procedures

Inspectors do not routinely examine all policies and procedures. Inspectors examine documents, such as children's records or staff recruitment records, when they are part of case tracking and/or sampling or a line of enquiry for that individual inspection.

Inspectors focus on the impact of documents such as risk assessments and how they work in practice, rather than the format. What matters is that they are fit for purpose and provide enough information to all relevant people so that they can care for children safely and appropriately. When paper or electronic personnel records are maintained at the school, the inspector may ask to see those records, if they are included within the lines of enquiry for the inspection.

The school must be able to provide evidence that it is satisfied that all staff working at the provision are fit to do so and that recruitment and selection arrangements comply with the NMS and other relevant statutory guidance.

If the school uses the <u>DBS update service</u> to check the status of an individual's DBS certificate, the school should be able to demonstrate how it manages and records details of any check it carries out. If any lines of enquiry require additional information, then the inspector may request that a small sample of full personnel records are made available at the inspection visit.

#### Implications of the Equality Act

The <u>Equality Act 2010</u> came into effect on 1 October 2010. The Act makes it unlawful for an employer to ask a potential employee questions about their health or disability before they are offered employment, whether on a conditional or unconditional basis.

Social care providers must comply with both the Equality Act and the remit-specific regulations that require them to employ people who are fit, both physically and mentally, for the work.

To comply with both laws, providers may give conditional offers of employment to potential employees after the recruitment process, subject to appropriate medical and health checks.

There are a number of exemptions to the provisions in the Act. If a provider believes that an exemption applies to its recruitment of staff, it should take its own legal advice on the matter.

Inspectors will assess whether providers have a rigorous recruitment and vetting process in place, including ensuring that their employees are mentally and physically fit before they begin work as part of their inspection.

#### How inspectors record the evidence

Inspectors must analyse the information they gather on inspection and use their professional judgement to assess the impact on the experiences and progress of

children and other service users.

Inspectors' evidence should be clear, evaluative and sufficient to support the judgements.

The evidence should tell the story of the experiences and progress of children and other service users, as appropriate. Evidence should not include information that could identify individuals unless it is necessary to protect a child or to support further action. In these instances, inspectors can use individuals' initials.

Inspectors can record direct quotes from children, adult service users and other interested parties in evidence to support judgements.

The record should clearly indicate the source of the evidence (for example, whether the evidence is from observation, a written record or a face-to-face interview). If evidence comes from an interview, the record must indicate the time of the interview and the interviewee's job title or relationship to the child.

Throughout the inspection, inspectors maintain a record of their evidence. Electronic evidence is recorded within the inspection database. Summarised evidence must be sufficient to support the judgements and any recommendations or requirements. Inspectors must ensure that the provider understands the evidence that the judgements are based on and any requirements that stem from the judgements.

After the summarised evidence has been placed in the inspection database, inspectors should not destroy any duplicate handwritten evidence until at least 10 days after the inspection. In some circumstances, inspectors will be required to keep any handwritten notes they have made during the inspection for longer. This may, for example, be necessary when legal action or a complaint about the judgement is being considered.

All handwritten evidence should be legible and dated. Handwritten evidence that has not been summarised forms part of the inspection evidence base and should therefore be scanned and added into the inspection database within 5 working days of the end of the on-site visit.

Evidence may be scrutinised for quality assurance and will be considered in the event of any complaint.

#### End of the inspection and feedback

The inspector will give verbal feedback of the main findings and provisional judgements. This feedback will usually be given to the headteacher and the head of boarding/head of care. Additional senior staff and governors may also attend, if agreed in advance with the inspector. In some circumstances, the inspector may need extra time after the inspection fieldwork to take advice before giving feedback. The day of feedback is counted as the last day of the inspection.

The inspector should:

- cover the main findings of the inspection, including both strengths and weaknesses
- clearly communicate the likely judgements
- indicate likely recommendations, with clear reference to the relevant NMS, providing a clear direction for improvement
- use the grade descriptors and the evidence to clearly indicate how the judgements have been reached
- confirm when the report will be sent to the school for comments

Inspectors will not provide a written summary of the inspection or written feedback in advance of the inspection report being sent. Providers may choose to take their own notes at feedback.

#### **Making recommendations**

Inspectors will make recommendations to improve practice when an NMS is not met.

In making a recommendation, inspectors should refer to the NMS for boarding schools or residential special schools. They should always give enough detail for the school to be clear what they need to do. The relevant part of NMS should be summarised. Inspectors may also make recommendations in relation to other relevant statutory guidance such as:

- Working together to safeguard children
- Statutory guidance for children who run away or go missing from home or care
- Keeping children safe in education

If, during an inspection, the school rectifies a minor administrative error that has minimal impact on the quality of assessment, care and support of children, an inspector may not need to make a recommendation about that matter. However, they may refer to this in the leadership and management section of the report.

#### Points for improvement

Inspectors may also identify points for improvement when an NMS has been met but an aspect of practice could be improved, even if the school is judged outstanding. The report must link any points for improvement to the relevant NMS.

#### Inadequate judgements: next steps

A judgement of inadequate for the overall experiences and progress of children will lead to a post-inspection debrief between the lead inspector and the RIM as soon as possible, followed by a case review. The post-inspection debrief provides an opportunity for them to discuss the inspection and the quality of the evidence, and to consider a recommendation for further action to take to the case review. The placing authority in this context is the authority funding the placement.

#### The case review

The case review must record:

- · actions to be taken
- that the DCS of the authority where the school is based must be notified
- if the school is an academy or free school, that the regional school commissioner (RSC) has been notified; RSCs work with the Education and Skills Funding Agency (ESFA) to intervene when there is an inadequate judgement
- that Ofsted has alerted the local authorities that have funded placements to the concerns that have been identified; when a large number of placing authorities fund placements, the case review should discuss arrangements for the school to

- provide us with the details of the placing authorities, and plans for us to contact each one
- that the DCS of the host authority and of any placing local authorities will be emailed about the provisional outcome of the inspection, including the main concerns, in line with the feedback given to the school

The indicative judgement and inspection feedback should be sent to the DCS by the end of the working day following the case review. The school must be sent a copy of the email sent to the DCS of the relevant local authorities, so that it is aware of the information shared. As this judgement is still provisional, the DCS, the local authority, RSC and ESFA (as applicable) must be instructed to use the information sensitively and share with others based on their assessment of who needs to know. Details of the emails must also be recorded on the inspection database for future reference.

The timing of the case review should be proportionate to the risk. It should be no later than 5 working days following the inspection. If this timescale is not met, the specific reasons for the delay should be recorded.

In some boarding schools and residential special schools, parents are responsible for placing and funding the placements. In this situation, there is no need to inform the local authority where the child would normally live. If children have been placed by parents, the case review decides whether we need to contact the parents immediately or whether it is appropriate to delay until the report has been finalised. We ask the school to confirm the date it has sent the inspection report to all parents.

### For independent schools and non-maintained special schools (residential only)

Following the case review, the inspector completes and sends a form detailing outcomes (known as Form A) to the Senior HMI (social care), who will consider and, as appropriate, agree the actions and send the form to Ofsted's independent schools team to log and share with the DfE.

The DfE is the registration authority for independent schools and approves non-maintained special schools. However, under section 87 of the Children Act 1989, it is HMCI's duty to take such steps as are reasonably practicable to enable them to determine whether the welfare of children accommodated in boarding schools is adequately safeguarded and promoted.

Following an inadequate judgement, the relevant region should decide whether to carry out a further section 87 inspection if it continues to have concerns about the welfare of children accommodated at the school. The region does not have to wait for a commission from the DfE or ask permission, but it should inform the DfE of the inspection, so that this does not disrupt any action the DfE is taking, and of the outcome of the inspection. It is essential that each Ofsted region works proactively with the DfE to ensure that both organisations are aware of each other's actions and work together to safeguard children.

Following an inadequate judgement, a post-inspection debrief between the lead inspector and the RIM should be held as soon as possible, followed by a case review. The timing of the case review should be proportionate to the risk. It should be no later than 5 working days following the inspection. After the case review, the inspector should complete and send Form A to the social care Senior HMI who considers and, as appropriate, agrees the actions following the case review. The Senior HMI then sends Form A to Ofsted's independent schools team to log and send to the DfE.

The region can carry out any monitoring visits and/or full inspections that it considers

appropriate in order to be satisfied that children are safe, risk has reduced or risk no longer exists.

When the DfE receives the inspection report, it requests from the school an action plan setting out how the school intends to address the breaches in the NMS. The DfE sends this plan to Ofsted to evaluate and then may request that the region carries out a monitoring visit. If the DfE does not request a monitoring visit, Ofsted may still carry out a visit to be satisfied that children's welfare is safeguarded.

The DfE may also:

- issue a notice
- take steps to remove the school from the register of schools
- place restrictions, for example close the boarding facilities or limit admissions

Using Form A, the region should notify the DfE that the school was judged inadequate, including:

- a summary of the reasons why
- a RAG-rated (red/amber/green) assessment of the risk
- the agreement that the region will evaluate the effectiveness of the action plan from the school requested by the DfE and carry out a monitoring visit
- details of any additional action the region intends to take, including further inspections and monitoring visits and that it will notify the DfE of the outcome of these
- any other information the region considers relevant

### Maintained schools, state boarding schools and pupil referral units

Maintained schools, state boarding schools and most pupil referral units are the responsibility of the local authority. Following an inadequate overall judgement, the lead inspector and the RIM will have a post-inspection debrief. This will be followed by a case review, which will consider the most appropriate action to take. The timing of the case review should be proportionate to the risk. It should be no later than 5 working days following the inspection.

We ask the provider for an action plan and to confirm when it sent the inspection report to parents.

The lead SCRI evaluates the action plan. We carry out a monitoring visit no later than 3 months after the inspection at which the provider was judged inadequate. The monitoring visit is subject to a case review on completion.

If the provider's progress is good, the next full inspection should take place no later than one year after the original inspection.

If the provider's progress is inadequate, we should consider and agree further action. This may include a meeting with the local authority and a further monitoring visit, depending on the level of risk to children. If we have not already carried out aligned inspections, the regional director should consider doing this. This may place a school in special measures and, if required, the Secretary of State can take action to close the school and/or the boarding/residential provision.

#### **Academies and free schools**

Academies and free schools are the responsibility of the ESFA under the terms of their respective funding agreements.

As part of their funding agreement with the ESFA, all academies and free schools with boarding or residential provision must meet the relevant NMS. When the provision is judged inadequate, inspectors should reference in the inspection report that the school has been referred to the relevant RSC for breach of NMSs and for further action to be considered.

The ESFA can withdraw funding if there are concerns about the school. Ofsted takes the lead in determining the next steps in consultation with the DfE, ESFA and RSC. RSCs work with the ESFA to intervene when there is an inadequate judgement. In cases of failure, both RSCs and the ESFA may issue formal intervention notices.

#### The inspection report

The report should be succinct and evaluative. Inspectors' analysis must include clear evidence for their professional judgements.

In most instances, each inspection judgement section of the report should be no more than 6 to 8 short paragraphs, each usually only 2 or 3 sentences long. Reports for settings that have several weaknesses or that have been judged outstanding may require more detailed explanations for the judgements but should still focus on the main issues only. Inspectors should ensure that the reports are long enough to say what needs to be said and no longer.

#### Content of the SCCIF report

Section of report	Details
Information about this service	Brief contextual information about the service
Date and judgement of last inspection	The date and overall judgement of the last inspection
Inspection judgements	The judgements made and accompanying text
Areas for improvement	Any recommendations and points for improvement (where relevant)
Information about this inspection	What we have looked at and information about the legal basis for the inspection
Service details	Information on the provider running the service

#### Children's letters

Inspectors write a letter to the children that summarises the inspection findings. This will not be published. If children need an adapted form of the letter, it should be sent to the provider with a request for the document to be adapted into a suitable format.

When we know that children at the school use individual, alternative systems of

communication to verbal communication, or children have limited receptive and expressive language skills, we still provide a letter. It can be short, include pictures and be set in simple, concrete sentences.

It is anticipated that staff will translate the letter, if necessary, for those children who speak English as an additional language and for those who use alternative systems of communication. The letter can set out an expectation that staff will support children to understand their letter from Ofsted.

### Quality assurance and arrangements for publishing the report

The inspector is responsible for the quality of the report. The inspector will check the completed report carefully before submitting to their manager for pre-publication quality checks before it is shared with school.

Any proposed change of judgement from the provisional judgement given at verbal feedback during the inspection will be discussed by the appropriate managers within Ofsted. On these rare occasions, the inspector must inform the provider of the revised judgements and provide reasons for the changes before the provider receives the draft report.

We will send the draft inspection report to the school within 18 working days of the end of the inspection.

The school will have 5 working days to comment on the draft report, process and findings.

We will consider all comments and we will respond to the comments when we share the final report with the school. This will be within a maximum of 30 working days after the inspection.

Following the inspection, we will ask schools for feedback about the inspection through a post-inspection survey. This is sent to the school at the same time as when they receive both the draft and final inspection reports. Feedback from schools will be used to improve the quality of inspections.

#### **Conduct during inspections**

It is important that inspectors and providers establish and maintain a positive working relationship based on courteous and professional behaviour. Both must follow guidance in <u>Ofsted's conduct during inspections</u> policy.

# Concerns or complaints about an inspection

#### **Concerns**

Most of Ofsted's work is carried out smoothly and without incident. If concerns do arise during an inspection, they should be raised with the inspector as soon as

possible during the inspection visit. This provides an opportunity to resolve the matter before the inspection is completed.

If the school is unable to resolve the matter with the inspector, they should contact the inspector's RIM for further discussion.

Schools also have another opportunity to raise concerns about the draft inspection report, process and findings when they receive the draft report.

#### Complaints

If it has not been possible to resolve concerns, a formal complaint can be raised under <u>Ofsted's complaints procedure</u> before the final inspection report is published.

If the school wishes to submit a formal complaint, it will have until the end of the fifth working day after receiving the final report to do so.

#### **Monitoring visits**

Monitoring visits are carried out according to the general principles of the SCCIF.

Monitoring visits are usually carried out for any of the following reasons:

- to follow up concerns
- following an inadequate inspection
- at the request of the DfE

#### Timing and frequency

The decision to carry out a monitoring visit is usually taken at a case review, or at the request of the DfE. The frequency of monitoring visits is decided on a case-by-case basis and may be as frequent as weekly if that is what is needed. Timing and frequency are determined by the nature of the concerns. This is agreed and recorded at the case review.

The inspector will tell the school that it is the subject of monitoring. Monitoring visits are usually unannounced.

#### Preparing for the monitoring visit

When preparing for a monitoring visit, inspectors take into account:

- the last inspection report
- recommendations set at the last inspection report
- letters from previous monitoring visits
- any action plan provided by the school
- any information recorded on the inspection database, including information from other sources; for example, the police, designated officers, complaints and whistle-blowing
- any action that should be monitored at the request of the DfE

#### How inspectors carry out monitoring visits

The monitoring visit should:

- determine the impact of any completed recommendations on the welfare and outcomes for children
- identify whether any additional concerns exist
- determine the capacity of the headteacher/head of boarding to sustain the changes required
- consider any further action that may need to be taken

The inspector must notify either the head teacher or head of boarding they arrive on site.

The inspector should judge how effective the improvement is and how, by tackling the recommendations or issues, the school has improved the experiences and progress of children.

To demonstrate the necessary improvement, the school need to show that its actions have had a significant impact in achieving clear and sustainable progress. Good intentions and an aspirational outlook, or a recent change of leader following a period of poor leadership, do not in themselves provide sufficient proof of the ability of the school to sustain improvement.

#### Finding further concerns during monitoring visits

If it becomes clear that there are new or further issues of concern, or that in tackling the actions from the last inspection the school has let other aspects slip so children are at risk of harm or are not making sufficient progress, then the inspector should consider what further action needs to be taken. This includes considering new recommendations or notification to the DfE.

If the inspector is concerned or unsure about any aspect of the visit, they can contact their manager or a social care compliance inspector.

#### How inspectors gather evidence in a monitoring visit

The inspectors will question how effective the provider's actions are in:

- meeting the recommendations set at the last inspection
- improving the experiences and progress of children

Evidence should be recorded in the inspection database

The evidence should reflect the areas for improvement that were identified in the inspection report. This section should include evidence of the most significant strengths and weaknesses and any new areas of improvement or breaches of NMS that need to be taken forward. The inspector must decide whether the school has let other aspects slip so that there is now cause for concern in different areas.

Inspectors must decide whether the school demonstrates its capacity to sustain any improvements it has made. Inspectors should also decide whether the improvements are having a marked and sustained impact on all areas of weakness.

#### Feedback at the end of the monitoring visit

The inspector provides verbal feedback to the school at the end of the visit. The inspector must:

- make clear any new issues to take forward
- ensure that the school is clear about the outcome of the visit and what the next steps will be, especially if a new issue has arisen or improvement is inadequate
- be clear with the school when the next steps will be confirmed if the inspector requires further advice
- explain that the outcome of a monitoring visit is usually published in the form of a report on the <u>Ofsted reports site</u> alongside the last report, unless requested by the DfE
- make clear that the text of the report may differ slightly from the oral feedback, but that the substance of the issues will not change
- ensure that the school understands that the overall judgement of inadequate has not changed (where relevant), although progress and improvements may have been made

#### **Monitoring reports**

Ofsted will usually publish all monitoring reports on its <u>reports website</u>, although RIMs or the DfE can decide not to publish monitoring reports in exceptional circumstances.

Monitoring reports should outline any significant developments and evidence of progress that has occurred since the last visit. They should clearly explain the action the school has taken to address the previous recommendations and the impact of any improvement on the experiences and progress of children.

The report must:

- set out the reason for the visit
- evaluate where progress has been made and where progress has not been made
- clearly state the impact of continued concerns on children, alongside any action that Ofsted will be taking to notify placing local authorities and the DfE, and/or to protect children
- set out clearly where and what further action is needed

Inspectors must use clear language to indicate the level of concern, for example, 'this visit has raised serious concerns about care and practice in the [school]'.

Inspectors can clearly state that the school is likely to be subject to further action when this is the case.

#### Review of the monitoring report and evidence base

The monitoring visit report and evidence base will be reviewed by the inspector's manager before the draft report is sent to the school for comment. This is to ensure that they accurately reflect the improvements made and that the evidence base supports any further enforcement action we may wish to take.

The draft monitoring report is shared with the school and finalised using the same process and timescales as a standard inspection report (see the 'quality assurance and arrangements for publishing the report' section).

#### Incomplete inspections

We will apply our policy on incomplete inspections, where appropriate.

# Positive environments where children can flourish

Inspectors should use <u>Positive environments where children can flourish</u> to evaluate how providers and managers create a positive environment for children to live and learn in and where staff interact positively with children. This guidance applies to inspections of children's homes and the welfare provision in residential special schools and boarding schools and to the inspection of schools.

The guidance is not a summary of the law or guidance on the area of physical intervention and restriction of liberty. This is about an approach to inspection.

When SCRIs are carrying out inspections alongside education inspectors, they must familiarise themselves with the relevant Ofsted frameworks and inspector guidance, and also the non-statutory DfE guidance for governing bodies, headteachers and school staff clarifying the use of force in schools:

- education inspection framework
- non-association independent school inspection handbook
- Use of reasonable force in schools

# Safeguarding and child protection concerns

If serious issues of concern arise during the inspection, such as a failure to follow child protection procedures or if a child is discovered to be at immediate risk of harm, the inspector must notify the headteacher or the person in charge as soon as possible. If that may compromise a child or adult's safety, the inspector must ensure that the appropriate authorities are notified immediately.

Inspectors should always follow Ofsted's safeguarding policy.

Inspectors should contact their manager or regional social care compliance inspector if they need advice.

The inspector ensures that the referral is made to the relevant local authority children's services and the child's allocated social worker and/or the relevant local authority adults' services and, where appropriate, the vulnerable adult's allocated social worker. You can find further guidance in <u>Safeguarding concerns: guidance for inspectors</u>. If the concerns relate to allegations against staff, they are referred to the designated officer.

Inspectors must ensure that concerns about the safety and welfare of a child are communicated immediately to the DCS for the responsible placing local authority, if this is relevant. A record that this has been done must be kept. The regional Senior HMI should follow up the action that has been taken by the local authority.

#### The 'Prevent' duty

Extremism is unlikely to be a routine line of enquiry during SCCIF inspections. Inspectors should, however, be alert to signs of risks of extremism, such as literature, posters, videos or DVDs, or regular visitors to the setting when the purpose of their visit is not clear. Initial enquiries about the possibility of extremism must be directed to the manager or person in charge.

Inspectors should note the detail of any relevant concerns or referrals made by the responsible individual and how effective the multi-agency response has been. The DfE has published advice for schools and childcare providers on the 'Prevent' duty.

Inspectors can contact their RIM, who may seek specialist advice. If inspectors are unable to contact their RIM and remain concerned, they should follow <u>Ofsted's safeguarding policy</u>.

#### Female genital mutilation: the duty to notify police

Since 31 October 2015, when <u>section 74 of the Serious Crime Act 2015</u> inserted new section 5B into the <u>Female Genital Mutilation Act 2003</u>, specified regulated professionals (including social workers) must report to the police any cases of female genital mutilation in girls under 18 that they come across in their work.

The duty applies when the professional either:

- is informed by the girl that an act of female genital mutilation has been carried out on her
- observes physical signs that appear to show an act of female genital mutilation has carried out and has no reason to believe that the act was necessary for the girl's physical or mental health or for purposes connected with labour or birth

If a child discloses information regarding female genital mutilation to an inspector, the inspector should follow Ofsted's <u>safeguarding concerns</u>: <u>guidance for inspectors</u>.

## Reporting concerns about the administration and management of controlled drugs

If inspectors come across concerns or incidents about the safe management of controlled drugs during their normal inspection duties, or receive information through any other source, they should email an outline of the concern and action taken to the social care policy team: <a href="mailto:socialcare@ofsted.gov.uk">socialcare@ofsted.gov.uk</a>.

This action is in addition to any regulatory action or recommendations made as a result of the concern. Referrals should be made even when no requirements or recommendations are to be made. The social care policy team will collate all these referrals and share these with the Care Quality Commission (CQC)'s Controlled Drugs National Group.

Detailed information about controlled drugs (examples include morphine, pethidine, methadone and Ritalin) is available from the <u>CQC</u>.

#### Use of personal data

As part of our inspection activities under the SCCIF, we may gather personal data

that is necessary to help us evaluate children's social care services.

Our <u>personal information charter</u> sets out the standards you can expect from Ofsted when we collect, hold or use personal information, and that we will follow all applicable data protection legislation in how we treat personal information.

Our <u>privacy notice for social care</u> sets out in more detail what data we collect and our powers to do so, what we do with it, how long we keep it for and people's rights under data protection legislation.

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