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Guidance Accreditation visits to online providers handbook

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Introduction

The Department for Education (DfE) has developed a non-statutory scheme to accredit providers of full-time online education that meet the standards for online education provision ('the standards'). The scheme is called the <u>Online Education</u> <u>Accreditation Scheme</u> ('the scheme').

The standards are set out in the DfE's guidance on the standards.

Ofsted's role in the scheme is to:

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

The scheme covers full-time online education services for children in England only. We will therefore assess provision for pupils in England only.

The decision to accredit a provider rests with the DfE. It will not normally accredit providers that do not meet all of the standards.

This handbook sets out how we will carry out suitability checks and visits to providers that have applied for accreditation and to accredited providers. It acts as a guide for inspectors on how to carry out visits. We are making it available publicly so that providers and other organisations can see how we fulfil our role in the scheme.

Inspectors will exercise their professional judgement when using this handbook, responding to the circumstances of each visit. The handbook should not be regarded as a set of inflexible rules, but as an account of the procedures that inspectors will normally follow.

Definitions

The scheme is for providers of full-time online education to school-age children in England. 'Online education' means remote education provided through digital technologies.

In this handbook, we refer to those who provide full-time online education to schoolage children in England as 'providers'. We will communicate with providers through a named contact, who will normally be the most senior person responsible for the dayto-day running of the provider.

We regard online education as 'full time' when a pupil receives all, or substantially all, of their education at the provider. This most often means that the pupil is receiving education online instead of attending a school.

Some providers may also teach pupils who live outside England. For simplicity, we call these pupils 'international pupils', although this may also include children who live in Wales, Scotland or Northern Ireland.

'Proprietor' means the individual(s), governors, trustees, partners, members or directors responsible for the management of an online provider.

The 2 types of visit Ofsted carries out

Ofsted will carry out 2 types of visit to providers that have applied for the Online Education Accreditation Scheme: <u>accreditation visits</u> and <u>additional visits</u>.

Accreditation visits last 2 days. During an accreditation visit, inspectors will assess whether the provider meets all of the standards, in order to inform the DfE's decision on accreditation. Providers that are found to meet all of the standards for online education during an accreditation visit are normally accredited by the DfE for a term of 3 years.

Applications for re-accreditation follow the same process as an application for accreditation. This means that we will carry out fresh suitability checks and another accreditation visit.

Occasionally, the DfE may commission Ofsted to carry out an additional visit to an accredited provider during the term for which it has been accredited. This normally happens because the DfE has received a complaint or other intelligence that raises a concern about the safeguarding of pupils. Additional visits normally last one day and focus on specific standards.

Applying for accreditation

Providers that wish to apply for accreditation must first fill out the DfE's online registration form and agree to the terms and conditions of the scheme.

Once we have received a commission from the DfE to quality assure a provider, we will contact the provider by email to ask for more information, including:

- how many part-time and full-time pupils it teaches, their location and any additional needs they may have
- the name and address histories of the proprietor(s) of the provider, and information on their role in managing the provider
- explicit consent from the proprietor(s) for Ofsted to carry out suitability checks on them
- information on all of the provider's educational premises and establishments in England
- the provider's safeguarding policy and curriculum policy
- whether some of its curriculum is taught in a language other than English
- the provider's cybersecurity certification, the scope of the certification, the date and the awarding body
- any arrangements that the provider has with subcontractors
- a self-evaluation of the provider's practice across 4 areas: quality of education,

personal development, safeguarding, and leadership and management

 the proprietor's declaration that the information provided is true to the best of their knowledge and that they will continue to share information with Ofsted in a full and frank manner throughout the quality assurance process and to act in accordance with Ofsted's <u>code of conduct</u>

We will review this information to plan for suitability checks and the accreditation visit.

If we assess at this stage that it is very unlikely that the provider would meet the standards if an accreditation visit was carried out, we may write to the DfE to recommend that the application is rejected. If this happens, the DfE will decide whether to reject the application and will inform the applicant of this decision and the reasons for it.

Otherwise, we will make an initial charge for suitability checks on the proprietors of the provider. More information on the fee for suitability checks is in <u>Annex B</u> of this handbook.

Suitability checks

We carry out suitability checks to help us assess whether proprietors are suitable to manage a service offering full-time online educational provision to school-age children in England. This will help the DfE to decide whether the provider should be accredited.

We will carry out suitability checks on all proprietors who have decision-making responsibilities for a provider. In cases where the proprietor is a corporate body, we will carry out checks on all those with decision-making responsibilities. This means that we will carry out checks on all of the directors of a company, or all of the trustees of a charity, unless decision-making responsibilities have been delegated to particular individuals or a committee. Where we have evidence that this is the case, we will carry out suitability checks on the relevant individuals to whom responsibilities have been delegated.

We may contact or interview the provider for more information where it is unclear who is responsible for managing the provider, for example where the provider has a complicated or unusual governance structure, or where it is run by a large company that also delivers other services.

Ofsted carries out a range of checks on proprietors, including:

- checks with the Disclosure and Barring Service (DBS)
- checks of the list of individuals who have been prohibited from taking part in the management of an independent school under section 128 of the Education and Skills Act 2008, and of the list of teachers who have been prohibited from teaching under section 142 of the Education Act 2002
- internal checks of Ofsted's databases
- checks with the relevant local authority's children's services department

Where proprietors have lived abroad in the last 5 years, we may need additional evidence of suitability. A certificate of good conduct from the embassy of every country where the person has lived is the most common form of evidence we may need in this situation.

Where a proprietor has declared a health condition that may be relevant to our assessment of their suitability, or where a concern has been identified through another check, we may ask the individual to supply further details by completing a declaration form countersigned by their GP.

We take all available checks into account before assessing whether a proprietor is suitable. If the checks we carry out give us cause for concern, we will normally arrange a telephone or video interview to discuss the concern with the relevant individual. This interview will be carried out by staff with the appropriate experience and training to discuss sensitive information with applicants.

Ofsted's suitability assessments do not affect any legal requirement (such as a disqualification, bar, direction or provisional direction) that may apply to a proprietor. It is for proprietors themselves to ensure that they are not in breach of any legal requirement when carrying out their work.

If our assessment is that a proprietor is not suitable or if we are not able to gather enough evidence to assess their suitability, we will write to the DfE to recommend that the application for accreditation is rejected. We will not carry out an accreditation visit to the provider in these circumstances.

If, at this interim stage, the evidence suggests that all of the proprietors we have checked are suitable, we will notify the DfE and the provider. When we do this, we will charge the provider for an accreditation visit. More information on the fee for an accreditation visit can be found in <u>Annex B</u> of this handbook.

We may revise our interim assessment of suitability if, during an accreditation visit, an inspector identifies any concerns about the proprietor's suitability. This includes when a person's conduct aims to undermine British values or children's safety, meaning that their conduct makes them unsuitable to take part in managing an accredited provider. If this happens, the report published after the visit will note that Ofsted has revised its interim assessment of the suitability of the proprietor(s).

We will also follow the steps set out in this section where the DfE asks us to carry out additional suitability checks because the proprietor of an accredited provider has changed during the provider's term of accreditation (except that these checks will not lead to a visit).

Accreditation visits

Overview

The purpose of an accreditation visit is to assess whether the provider meets the standards for online education. This assessment allows the DfE to decide whether or not to accredit a provider. Inspectors will not make graded judgements (such as good or outstanding) during an accreditation visit.

We will normally carry out an accreditation visit and publish a report within 6 weeks of receiving payment for the visit.

Accreditation visits will last 2 days and will be carried out by either 1 or 2 inspectors.

In some cases, other Ofsted staff may accompany the lead inspector on an accreditation visit. For example, the lead inspector may be accompanied by a Senior His Majesty's Inspector (SHMI) for quality assurance purposes. We will notify the provider of any additional attendees when we give them notice of an accreditation visit.

Accreditation visits will take place at the provider's premises in England. This will be the headquarters of the provider's operations in England.

In rare cases, where it is impractical to carry out some aspects of the visit at the

provider's premises, we may book a room locally for one or both days of the visit. In no circumstances will inspectors give advice to the provider during a visit on how to ensure they are compliant with legislation on the registration of independent schools. If necessary they should direct the provider towards the DfE's <u>guidance on the registration of independent schools</u>.

Ofsted's power to gather evidence

We will carry out accreditation visits and additional visits using powers set out in paragraph 9 of schedule 13 to the Education and Inspections Act 2006.

These provisions do not give us a power of entry to the premises of an online provider, or a right to inspect and take copies of records that are relevant to inspection, as exists in other inspection remits. However, the terms and conditions of the scheme require providers to admit Ofsted's inspectors to their premises and their digital estate for both accreditation visits and additional visits, and to assist them, including by disclosing any information relevant to the visit. Providers that do not comply with these requirements will be in breach of the terms and conditions of the scheme and standard 6.10, and are not likely to be accredited by the DfE.

Notice of an accreditation visit

The lead inspector will usually contact the provider by telephone one day before the accreditation visit. The inspector will ask to speak to the person in charge of the provider day to day. If this person is not available, the inspector will ask to speak to the proprietor or the most senior member of staff available.

During the phone call, the lead inspector will:

- introduce themselves and any other members of the team that will carry out the visit
- explain the purpose and format of the visit
- explain the expectations set out in Ofsted's <u>code of conduct</u> and ask leaders to read it
- arrange meetings with senior leaders, curriculum leaders, proprietors, parents and pupils
- discuss how inspectors can access online learning activities
- confirm information about the provider and its pupils
- give the provider an opportunity to ask any questions

Once the inspector has informed the provider by telephone that the accreditation visit will take place, we will send confirmation to the provider by email. We will also send the provider a message to forward to each of the following groups:

- parents or guardians of pupils at the provider
- pupils
- members of staff, including teaching staff

This message will contain our privacy notice, and a link to a survey asking each group for their views on the provider. The deadline for responses will normally be 5pm on the first day of the accreditation visit.

Where inspectors need to access providers' IT systems to view teaching, access records or meet staff who are not present on site, the provider should arrange this before the visit.

Requests for deferral

If the provider asks us to defer the accreditation visit, we will consider this request on its merits, referring to the principles set out in <u>our deferral policy</u>. Generally speaking, we will only defer an accreditation visit in exceptional circumstances.

If we refuse the deferral request and the provider decides to withhold its consent for the visit to take place on the dates proposed, we will treat the application for accreditation as withdrawn and will notify the DfE. If we need to treat the application as withdrawn in these circumstances, payments that the provider has made to us will not be refunded.

The start of the visit

Once they are on site, inspectors will provide identification and will hold an initial meeting with the person responsible for the day-to-day management of the provider.

During this meeting, they will:

- confirm the timetable for the visit, including observations of teaching
- discuss access to the provider's records
- arrange meetings with staff, pupils and parents

Recording evidence

The purpose of an accreditation visit is to record and assess evidence, so that inspectors can judge whether the provider meets the standards.

Inspectors will make notes and add them to their evidence base for the visit. In most cases, inspectors will not record names, but it may be possible to identify some people from the information inspectors collect (for example, where inspectors are checking records kept by providers that contain personal information).

During a visit, inspectors will need to look at records kept by the provider to assess whether it meets the standards. These may include:

- evidence of how pupils achieve, make good progress and develop personal, social and learning skills
- evidence that outcomes for pupils are appropriate to the needs and aptitudes of individual pupils
- evidence that pupils have the opportunity to participate and achieve in a range of activities to prepare them for the next stage of their education
- the provider's written curriculum policy, plans and schemes of work and any other documents that are relevant to the implementation and impact of its curriculum
- pupils' work and evidence of pupils' outcomes in each subject, including pupils with an education, health and care (EHC) plan and pupils with special educational needs and/or disabilities (SEND) who do not have an EHC plan
- evidence of the work of directors, governors, proprietors or advisory boards to which leaders are accountable
- pupil lists showing names, ages, location and SEND information, including EHC plans
- the single central record for the provider and records relating to staff recruitment
- records and analysis of exclusions, incidents of poor behaviour and sanctions issued in response to poor behaviour
- records and analysis of attendance and absence
- records and analysis of harassment, violence, abuse, bullying and discriminatory or prejudiced behaviour (including complaints and allegations relating to these behaviours)
- a list of referrals made to the designated person for safeguarding at the provider and those that were subsequently referred to the relevant local authority, along with brief details of the resolution (this includes concerns about children who were referred to children's social care, as well as allegations and low-level concerns about members of staff that have been shared with the relevant local authority's designated officer)

 a list of all pupils who are looked after children or who have open cases with their relevant local authority's children's services departments

This is not an exhaustive list, and inspectors should have access to all relevant records kept by providers.

The burden of providing sufficient and relevant evidence during a visit will sit with the provider. This means that, while inspectors will determine the activities carried out during a visit, it is the provider's responsibility to show inspectors that it meets the standards.

If inspectors are not provided with sufficient evidence to make a secure assessment on whether a standard is met, the standard will be deemed failed.

If the provider fails to meet one element of a standard that has more than one component, it will have failed to meet the whole standard.

Concerns about the provider's eligibility for the scheme

If an inspector encounters evidence during a visit that suggests that a provider is not eligible for the scheme, they will record this in their evidence base for the visit and may ask the provider for more information. If, having reviewed this information, the lead inspector thinks that the provider may not be eligible for the scheme, they will inform DfE of any relevant information and will seek DfE's decision on whether to end the visit early. If we end the visit in these circumstances, we will not publish a report and will not refund any payments made by the provider.

Seeking the views of pupils, parents and staff during an accreditation visit

Inspectors will consider the views of pupils, parents and staff members during an accreditation visit. They will do this by:

- viewing the responses to the surveys of pupils, parents and staff members
- talking to pupils, parents and staff members in small groups or individually

We expect the provider to assist inspectors in setting up meetings with pupils, parents and staff members. This is an essential part of an accreditation visit, and if inspectors are not able to talk to these groups, then the provider is likely to fail to meet some of the standards.

In particular, the provider must provide opportunities for inspectors to speak to pupils

with no other adults present. If inspectors cannot corroborate the evidence that they gather about the effectiveness of safeguarding by talking to pupils during the visit, then the provider will fail to meet the standards relating to safeguarding.

Inspectors will follow Ofsted's guidance on <u>talking to pupils during school inspections</u> during these discussions. As that guidance sets out, all our inspectors have been through a stringent vetting process, including enhanced DBS checks. They have received training about, or are experienced in, communicating with young people. Where pupils may have difficulty communicating with unfamiliar adults, inspectors will discuss strategies to overcome this with senior leaders.

It may be appropriate for an adult to be present as a reasonable adjustment to enable pupils with SEND to communicate with inspectors. For example, a pupil may have a specific communication need that requires a specialist interpreter. However, not all pupils with SEND will require an adjustment and there should be opportunities for inspectors to speak to those pupils without another adult present.

Inspectors will not arrange online meetings with pupils. The provider should arrange individual and group meetings with pupils, join at the beginning, and leave the meeting once the inspector and the pupil or pupils have joined.

In drawing on evidence from these meetings, inspectors will make every attempt to protect the identity of individuals. There may be circumstances, however, in which it is not possible to guarantee the anonymity of the individual concerned.

Inspectors have a duty to pass on disclosures that raise child protection or safeguarding issues, or concerns about serious misconduct, bullying or criminal activity. The inspector will share these concerns with the designated safeguarding lead at the provider. If the designated safeguarding lead does not make an appropriate referral to the local authority, then the inspector will consider making a referral.

Observing teaching activities

Inspectors will ask to observe teaching activities during an accreditation visit. Lesson visits are not about evaluating individual teachers and their teaching; there will be no grading of the teaching observed by inspectors. Instead, inspectors will aggregate insights to assess how teaching activities contribute to the provider's curriculum intentions.

Inspectors will normally observe teaching using the same technology that pupils use unless they consider that another approach would better enable teaching to continue as normal.

Inspectors will normally expect to observe teaching activities live, though they may also ask to view recordings of lessons, if these are available.

Inspectors will consider the impact of the provider's method of delivery across all of the standards, not just the standards relating to teaching. For example, where a provider uses pre-recorded resources, inspectors will consider whether pupils are receiving 'full-time supervised education' (as required by standard 1.3). Where much of a provider's teaching activity relies on using messaging software (rather than an audio or video link), inspectors will expect to see evidence that pupils acquire speaking and listening skills (as required by standard 1.4). Inspectors will also consider whether the provider has made effective arrangements to keep pupils safe (as required by standard 4.1) and whether it has met the standards relating to pupils' well-being and their preparation for adult life. These standards include:

• standard 3.2 ('Pupils are enabled to develop their self-knowledge, self-esteem and

- self-confidence')
- standard 8.4 ('Persons with leadership and management responsibilities at the service... actively promote the well-being of pupils... within the meaning of section 10(2) of the Children Act 2004')

For example, where much of a provider's teaching activity relies on using messaging software (rather than an audio or video link), inspectors will expect to see evidence that the provider is actively working to ensure that its pupils are developing socially and are able to communicate with others. Where the provider is not doing so, it may fail to meet either or both of the standards above.

Assessing leadership

During an accreditation visit, inspectors will expect to meet the proprietor(s) and the person(s) responsible for the day-to-day operation of the provider. Without meeting these individuals, inspectors may not be able to gather sufficient evidence to assess whether standards on the leadership and management of the provider are met.

Standard 8.4 requires 'Persons with leadership and management responsibilities at the service to actively promote the well-being of pupils... within the meaning of section 10(2) of the Children Act 2004'.

When assessing whether a provider has met this standard, inspectors will consider how the provider supports its pupils to move to their next educational placement, and how it identifies when it is no longer in a pupil's best interests to be educated online.

Where a pupil is due to leave the provider, inspectors will expect to see evidence that the provider has worked with the commissioner of the placement and has supported the pupil to transfer to their next educational placement or destination.

Where it is not in a child or young person's best interests to be educated online, leaders should raise this with the commissioner of the placement. They should be prepared to refuse a commission from a school or local authority (or arrange to end the placement at an appropriate time) if they are not able to meet a child or young person's needs.

Safeguarding

Our visits to providers give only a limited level of assurance on the effectiveness of safeguarding, compared with our inspections of schools and other providers of face-to-face education and training.

The ultimate responsibility for safeguarding children who receive full-time education online lies with the commissioner of the placement. This may be a school, a local authority or the parents of electively home-educated children. Nonetheless, everyone who works with children is responsible for keeping them safe, and providers seeking accreditation must make safeguarding a priority.

The statutory guidance <u>'Keeping children safe in education</u>' sets out how schools should carry out their duties to safeguard and promote children's welfare. Providers should have regard to this guidance, and to the other guidance documents mentioned within it. Where the nature of their provision limits their ability to follow the guidance, they should provide evidence that shows how they mitigate this. For example, if the type of provision offered makes it more difficult for members of staff to spot indicators of abuse and neglect during teaching activities, the provider should consider the particular risks that arise from this and demonstrate how they mitigate them

them.

Providers should also have regard to the statutory guidance on inter-agency working to safeguard and promote the welfare of children, <u>'Working together to safeguard</u> <u>children</u>'.

Providers should have a named and designated lead who is empowered to play an effective role in pursuing concerns and protecting pupils. This person will be equivalent to the designated safeguarding lead in a school. They should be given the time, funding, training, resources and support necessary to fulfil their role.

Staff should receive safeguarding and child protection training as part of their induction. This training should be updated regularly and should be specific to the provider's context. Providers should monitor the effectiveness and applicability of

their staff training to ensure that it remains fit for purpose.

Providers should act in the knowledge that their pupils are at risk of sexual harassment, online sexual abuse and sexual violence, even when there are no specific reports of these. They should put in place a comprehensive and informed approach to addressing this. Inspectors will expect providers to, among other things:

- understand how to handle reports of sexual violence and harassment between children, in line with the DfE's guidance, and train their staff accordingly
- have a good awareness of the signs that a child is being neglected or abused, as described in <u>'What to do if you're worried a child is being abused'</u>
- be confident about what to do if a child reports that they have been sexually abused by another child
- ensure that children are taught about safeguarding risks, including online risks
- ensure that children know how to raise concerns about inappropriate, abusive or offensive behaviour to an appropriate member of staff, and that they have been made aware of external routes to report issues such as <u>the National Crime</u> <u>Agency's Child Exploitation and Online Protection resource Thinkuknow</u>
- support pupils to understand what constitutes a healthy relationship, both online and offline

As mentioned above, inspectors will need to speak with pupils to record their views and to corroborate any other evidence that they gather about the effectiveness of the provider's arrangements to safeguard and protect children. If inspectors cannot corroborate the evidence that they gather about the effectiveness of safeguarding by talking to pupils during the visit, then the provider will fail to meet the standards relating to safeguarding.

We base our assessment of the effectiveness of providers' safeguarding arrangements on pupils who live in England. However, in rare cases, such as when the inspector encounters information during the visit that gives them cause for concern, we may consider evidence relating to international pupils.

Acting on safeguarding concerns

On very few occasions, inspectors may come across evidence of, or ongoing allegations of, child abuse within a provider. Inspectors must not attempt to investigate any incident of child abuse, but they will satisfy themselves that concerns about a child's safety are referred on, as appropriate, to the relevant local authority's children's services department. Inspectors must be satisfied that the correct referral has been made and record this in their evidence.

If a pupil living in England discloses to an inspector that they are being harmed or are at risk of harm, the inspector will stop all other activity and focus on ensuring that they receive the help they need. Inspectors will follow <u>safeguarding concerns: guidance</u> <u>for inspectors</u>.

If inspectors learn that a pupil in another country is being harmed or is at risk of harm, the inspector must satisfy themselves that concerns about the child's safety have been fully considered and appropriately acted on by the person responsible for safeguarding in the provider. Inspectors will report all cases to the DfE.

Cybersecurity and online safety

During an accreditation visit, inspectors will evaluate the actions the provider has

taken to promote online safety and cybersecurity, to help protect children and staff from online harm. As in other areas of safeguarding practice, providers should have regard to the guidance on this topic in 'Keeping children safe in education'.

Because providers are likely to have a comparatively high level of exposure to cybersecurity risks, we expect them to hold either a valid <u>Cyber Essentials</u> certification or a valid certification against a comparable (or more stringent) cybersecurity standard, such as Cyber Essentials Plus or ISO27001. This will be checked during an accreditation visit.

In the application form, we will ask providers for details of their cybersecurity certification, the date and the awarding body. We will also ask for information on the scope of the certification, to check that the certification reflects the true extent of the provider's operations.

The role of an interpreter during an accreditation visit

An interpreter may need to be present during an accreditation visit to providers that teach some of their curriculum in a language other than English. We will decide this on a case-by-case basis. Note that this does not apply to providers that teach languages, for example French or Latin, to pupils. We will only use interpreters where subjects other than languages themselves are taught in another language.

Ofsted will select and deploy an interpreter, if we decide that an interpreter is needed.

Providers that teach some of their curriculum in a language other than English will be required to provide all written policies and records referred to in this handbook in English.

The presence of an interpreter ensures that inspectors are able to consider the full range of evidence about how the provider's curriculum and overall education meet the requirements of the standards. Interpreters support inspectors by interpreting or translating what is said or written, but they will not contribute to the inspectors' assessment of whether the provider complies with the standards.

Interpreters may be present for the entire visit, or for only part of it, depending on how the provision is arranged. This will normally be confirmed during the lead inspector's notification call, if necessary.

Interpreters may accompany an inspector during any accreditation activity. This could include:

- observing teaching activities
- speaking to pupils, teachers, parents and leaders
- looking at pupils' work
- reviewing curriculum materials, including schemes of work

The interpreter will take notes, which the lead inspector will retain and add to the evidence base.

Handling concerns during an accreditation visit

Most of our work is carried out without incident. If concerns arise during an accreditation visit, they should be raised with the inspector as soon as possible, so that the issue can be resolved before the visit finishes. The inspector should seek

advice as necessary, and both the concern and the actions taken in response should be recorded in the evidence base for the visit.

More information on our process for handling formal complaints about our work can be found in the <u>'Formal complaints' section</u>.

Providing feedback

An accreditation visit will end with a feedback meeting. This may be attended by the proprietor or proprietor body (including as many members as are available); the person responsible for day-to-day leadership and management; members of a governing board (where a provider has one); and other senior leaders.

During this meeting, the inspector will set out:

- which standards the provider has met and which (if any) it has failed to meet, and why
- that the DfE is the accrediting body and will ultimately decide whether the provider is awarded accreditation after Ofsted's final report is published
- any recommendations for improvement
- that the inspector's assessment of which standards the provider has met and which it has failed to meet are provisional, and so may change as a result of quality assurance procedures or moderation, and must, therefore, be treated as restricted and confidential to the relevant senior staff (as determined by the provider) information about the outcomes of the visit should be shared more widely only when the provider receives a copy of the final report
- that the main findings of the visit and the main points provided orally in the feedback meeting, subject to any change, will be referred to in the text of the report, although the text of the report may differ slightly from the oral feedback
- the next steps following the visit, including moderation, quality assurance and the publication of the report
- that, on receiving the draft report, leaders must ensure that it is not shared with anyone other than those mentioned above, or published under any circumstances
- that the person in day-to-day charge of the provider or the proprietor is invited and encouraged to complete the post-inspection survey
- the procedure for making a complaint about the visit

If the lead inspector reaches the conclusion that there are concerns about the provider's safeguarding arrangements, the lead inspector will communicate this directly with the DfE and where appropriate the local authorities where the provider's pupils live, as soon as possible.

Ofsted will share with the DfE any information gathered during quality assurance that does not relate to the online education standards, but that suggests that the provider does not meet the eligibility criteria for the scheme, has broken the terms and conditions of the scheme, or may have broken UK law.

All providers will be invited to take part in a voluntary post-visit survey to help us to improve our practice.

Arrangements for publishing the report

The lead inspector is responsible for writing the report, recording which of the standards the provider is assessed to have met and which (if any) it has failed to meet, and submitting the evidence to Ofsted shortly after the visit ends. The text of

the report should explain their assessments and reflect the supporting evidence. The findings in the report should be broadly consistent with the feedback given to the provider at the end of the visit.

Reports may be quality assured before we send a draft to the provider. In most circumstances, the provider will receive the draft report within 5 working days of the end of the visit. The draft report is restricted and confidential to the relevant staff (as determined by the provider), including those responsible for governance, and should not be shared more widely or published. We will also send the draft report to the DfE. The provider will have 5 working days to comment on the draft report, the visit process and findings. We will consider all comments. We will respond briefly to them when we share the final report with the provider. In most cases, we will do this within 23 working days of the visit.

Once we have published a report, the standards require that providers add it to their website and share it with parents. The evidence base from the visit will be retained for 3 years from the DfE's accreditation decision.

Ofsted's assessment of whether standards have been met

If inspectors are not given sufficient evidence to assess whether a standard is met, the standard will be deemed failed.

If the provider fails to meet one element of a standard with more than one component, it will have failed to meet the whole standard. For example, standard 1.7 requires that providers deliver, 'For pupils receiving secondary education, access to accurate, up-to-date careers guidance that (i) is presented in an impartial manner; (ii) enables them to make informed choices about a broad range of options; and (iii) helps to encourage them to fulfil their potential'. Where a provider's careers guidance does not enable pupils to make informed choices about a broad range of options, as set out in the second component of the standard, standard 1.7 will be recorded as failed and the published report will explain the extent of non-compliance.

In some cases, a standard may not apply to a provider (for example, standard 1.8, on provision for pupils above compulsory school age).

Quality assurance

All inspectors are responsible for the quality of their work. The lead inspector must ensure that accreditation visits are carried out in accordance with Ofsted's <u>code of</u> <u>conduct</u> and to a high standard.

We will monitor the quality of accreditation visits, evidence bases and reports through a range of formal processes. In some cases, a His Majesty's Inspector (HMI) or SHMI may accompany the lead inspector on an accreditation visit to quality assure the visit.

Gathering additional evidence after a visit has ended

In exceptional circumstances a SHMI may decide that it is necessary to gather additional evidence after a visit has ended. For example, this may happen because of our quality assurance processes, or because the inspection team was not able to complete their on-site evidence-gathering activities due to reasons beyond their or the provider's control.

If we decide that it is necessary to gather additional evidence, the SHMI will write to the provider to:

- explain the reasons for deciding that it is necessary to gather additional evidence
- if appropriate, offer an apology
- if appropriate, request further evidence or arrange a follow-up conversation between the provider and the lead inspector
- if appropriate, confirm that an inspector or inspection team will carry out a further visit in order to gather and analyse the necessary evidence to secure the evidence base, and that this visit will take place as soon as practicable.

In these circumstances we will not charge the provider for any further visit that may be necessary. At the end of the further visit, we will follow the usual steps set out above in the <u>'Arrangements for publishing the report' section</u>.

Formal complaints

The DfE is the accrediting body for the Online Education Accreditation Scheme. Providers that would like to complain about a decision not to accredit them or to withdraw their accreditation should contact the DfE.

If the provider wishes to make a formal complaint about Ofsted's work, it has 5 working days after we have shared the final report with it in which to do so. We will not normally consider complaints submitted after this deadline. There is further information about how to complain in our <u>complaints policy</u>.

If a complaint is not submitted within this deadline, we will normally publish the report on our website 3 working days after the deadline. If a complaint has been submitted, the publication of the report may be delayed.

After a report is published

The DfE will decide whether a provider should be accredited once the final report has been published. It will not normally accredit providers that do not meet all of the standards.

It is the provider's responsibility to ensure that it follows the legal requirements that apply to it at all times. Accreditation under the Online Education Accreditation Scheme does not change those requirements or signify that they have been met. Where a provider has failed to meet the legal requirements that apply to it, the fact that it has been accredited under the scheme will not avert prosecution or other legal

action that may result from this failure.

Providers that have met all of the standards for online education are normally accredited for a term of 3 years. It is the provider's responsibility to apply for re-accreditation in good time, so that its status as an accredited provider does not lapse.

Applications for re-accreditation follow the same process as an application for accreditation. The first step for providers is to fill out the DfE's online registration form and agree to the terms and conditions of the scheme.

Additional visits to accredited providers

The DfE may commission Ofsted to carry out an additional visit to an accredited provider during the term for which it has been accredited (normally 3 years). Usually, this will be because the DfE has received a complaint or other intelligence that appears to raise a concern about safeguarding of pupils in England.

We will use the issue that has prompted the DfE to commission an additional visit as the main line of enquiry for the visit. The purpose of the visit will be for Ofsted to report to the DfE on whether the provider meets certain standards that are relevant to the issue. These standards will be set out in the commission from the DfE.

An additional visit can take place at any time.

The DfE funds Ofsted to carry out additional visits. Providers are not charged for additional visits.

We will carry out the additional visit at the provider's premises, using powers set out in paragraph 9 of schedule 13 to the Education and Inspections Act 2006. These provisions do not give Ofsted a power of entry to the premises of an online provider, or a right to inspect and take copies of records that are relevant to the visit. However, the terms and conditions of the Online Education Accreditation Scheme require providers to admit Ofsted's inspectors to their premises for additional visits, and to assist them, including by disclosing any information relevant to the visit. Providers that do not comply with these requirements will lose their accreditation.

Planning and preparation for an additional visit

The lead inspector will prepare for the visit by reviewing the DfE's commission. The commission will contain the complaint, concern or other information that triggered the visit. It will specify the focus that the DfE requires the visit to have. If the lead inspector thinks that the commission needs to be amended or added to, they should discuss this with the relevant SHMI, who can raise it with the DfE.

Inspectors will also consider any other available information we have on the provider, for example:

- all relevant information held by Ofsted (for example, reports published as part of the scheme or complaints)
- information on the provider's website and <u>'Get information about schools'</u>, and other publicly available information
- information from other organisations, such as local authorities or the police

The lead inspector will also check compliance with relevant aspects of the standards before the visit, where possible (such as the standards on provision of information in

section 6).

The lead inspector must find out the identity of the provider's proprietor before the additional visit starts. They can do this by looking at the previous reports published as part of the scheme, the current 'Get information about schools' record for the provider and the information on the provider's website about its governance arrangements. Any discrepancies between 'Get information about schools' and other sources of information should be recorded and followed up during the visit.

Notice of an additional visit

Additional visits are normally carried out with no notice.

Once the inspector has gained entry to the premises, we will send confirmation of the additional visit to the provider and proprietor by email.

Providers cannot 'cancel' an additional visit. The terms and conditions of the Online Education Accreditation Scheme require providers to admit Ofsted's inspectors to their premises for additional visits, and to assist them, including by disclosing any information relevant to the additional visit. Providers that do not comply with these requirements will be in breach of the terms and conditions of the scheme and standard 6.10, and are likely to have their accreditation withdrawn by the DfE.

Carrying out the additional visit

Additional visits usually last one day and are normally carried out by one inspector.

On the day of the additional visit, the inspector will not arrive before 8am unless the provider normally operates outside usual school hours. On arrival at the provider's premises, the lead inspector will ask to speak to the proprietor, the person in day-today charge of the provider (if that is not the proprietor), or the most senior member of staff available. This may take place through a video or telephone call. They will explain that they have been commissioned by the DfE to carry out an additional visit.

During this meeting or call, the inspector will:

- discuss the reason for the visit
- introduce any team inspectors and interpreters
- confirm arrangements for providing feedback at the end of the visit
- request information about staff absence and other practical issues
- check whether there are reasons why they should not observe certain teachers, for example if any teachers are subject to capability procedures
- establish how the provider will give the lead inspector access to its policy documents and records

The lead inspector will confirm which records and documents are required during the visit. This can include any of the records and documents that may be required during an accreditation visit (see <u>'Recording evidence' section</u>).

If the visit has been commissioned due to a complaint received by the DfE, inspectors will not reveal to the provider the name of the complainant or their relationship to the provider.

The lead inspector will also inform the provider:

- of Ofsted's privacy notice
- that inspectors will use a range of technology to gather evidence electronically, including mobile devices, tablets and laptops
- that inspectors may ask to take photographic evidence, for example of pupils' work and displays, but that inspectors will not take photographs of pupils if they are shown on screen or in pupils' work

If there is more than one inspector, the inspection team should hold a short meeting to clarify activities during the visit and individual roles and responsibilities.

Gathering and recording evidence

Inspectors will follow up the issues raised in the DfE's commission. They will inspect against any particular focus that the DfE specifies.

Inspectors will gather evidence about whether the provider meets the standards for online education specified in the commission Ofsted has received. Inspectors will be rigorous in their pursuit of the issues and will ask to see any documents, records or other information necessary.

The purpose of an additional visit is not to resolve the specific issue that triggered it. However, the issue will be used as a line of enquiry. The lead inspector will consider and report on, for example, the standards that are engaged, how effectively the provider has dealt with the issue, whether the issue is resolved and whether it is an isolated instance or represents a wider issue with the provider or its leadership. This is so that Ofsted can report to the DfE on how effectively the provider dealt with the matter that triggered the visit, and whether the standards specified in the commission have been met.

When the reasons for an additional visit relate to safeguarding, inspectors will not investigate the actual case, but will consider whether the provider's policies and processes, and how well they have been implemented, meet the standards. More information on how we inspect safeguarding in providers can be found in the <u>'Safeguarding' section</u>.

The main activities carried out during the visit will be determined by the commission. Inspectors:

- may talk to staff and pupils and look for opportunities to test emerging findings and corroborate conclusions
- may hold meetings with other members of staff, parents and other stakeholders
- may observe teaching activities, and may also observe pupils outside teaching activities
- will check that the provider has a safeguarding policy and that it is published on the provider's website
- will check that the provider's safeguarding policy is suitable and in line with current guidance

We expect the provider to assist inspectors in setting up meetings with pupils and staff members if an inspector asks to speak to them as part of an additional visit. The provider must give the inspectors the opportunity to speak to pupils with no other adults present. If inspectors ask to talk to these groups and are not able to, then the provider is likely to fail to meet some of the standards set out in the DfE's commission.

Inspectors will expect to meet with the proprietor(s) and the person(s) responsible for the day-to-day operation of the provider during the additional visit. Without meeting these individuals, inspectors may not be able to gather sufficient evidence to decide whether standards on the leadership and management of the provider are

met.

In assessing whether the provider meets the standards, inspectors will refer to:

- this handbook (including the <u>section on accreditation visits</u>, where appropriate, and other supporting guidance documents referenced within it)
- any guidance on the standards that has been published by the DfE
- any guidance on the scheme that has been published by the DfE

Checking standards beyond the scope of the DfE's commission

If inspectors consider it likely that the provider no longer meets standards other than those specified in the DfE's commission for the additional visit, they will inspect and report against these standards. If inspectors decide that there are too many matters to follow up in the time available for the additional visit, they will contact their SHMI, who will consult with the DfE about increasing the resource allocated to the visit. In these circumstances, the visit may be extended.

If inspectors have concerns that do not relate to the standards for online education provision, they will not investigate these concerns during the additional visit. They will refer the matter to the agency normally responsible for investigating such concerns.

Handling concerns during an additional visit

Most of our work is carried out smoothly and without incident. If concerns arise during an additional visit, they should be raised with the inspector as soon as possible, so that the issue can be resolved before the visit finishes. The inspector should seek advice as necessary, and record both the concern and the actions taken in response in the evidence for the visit.

More information on our process for handling formal complaints about our work can be found in the <u>'Formal complaints' section</u>.

Providing feedback

An additional visit will end with a feedback meeting. Those who may attend include:

- the proprietor(s)
- the person in charge of the day-to-day running of the setting, and other senior leaders (with the agreement of the lead inspector)
- as many representatives from the governing body as possible (if the provider has one)

During this meeting, the lead inspector will ensure that the attendees understand:

- the standards that have been assessed during the visit, and which of these the provider does or does not meet
- the evidence to support the assessment that any standards are not met, so that the provider is clear about its weaknesses
- that the DfE is the body that will decide whether the provider continues to be accredited
- that the findings of the visit and the points provided orally in the feedback meeting, subject to any change, will be referred to in the text of the report — Ofsted will
 - publish the report and will share both the draft and final reports with the DfE
- that the assessments about whether specific standards and other requirements are met are provisional and so may change as a result of quality assurance procedures or moderation
- that on receiving the draft report, the provider must ensure that it remains restricted and confidential to the relevant senior staff (as determined by the provider) and that the information it contains is not shared with any third party or published under any circumstances
- that they are invited and encouraged to complete the post-inspection survey
- the procedure for making a complaint about the visit

If inspectors conclude that there are concerns about safeguarding or serious weaknesses (that is, the un-met standards give inspectors cause for concern about

pupils' welfare, health and safety, academic or personal development), the lead inspector will complete a notification form setting out their provisional conclusions. We will provide this form to the DfE as soon as possible after a visit.

We may revise our assessment of the suitability of a proprietor if, during an additional visit, an inspector identifies any concerns about the suitability of the proprietor or any other member of staff employed at the provider in a management capacity. This includes when a person's conduct is aimed at undermining British values or child safety, meaning that their conduct makes them unsuitable to take part in managing an accredited provider. In these circumstances, we will notify the DfE of this information and our revised assessment as soon as possible after a visit. This will normally mean that the provider loses its accreditation.

All providers will be invited to take part in a voluntary post-visit survey to help us to improve our practice.

Arrangements for publishing the report

The arrangements for publishing a report after an additional visit will follow those set out in the <u>'Arrangements for publishing the report' section above</u>.

Once we have published a report, the standards require that providers should add it to their website and share it with parents.

Concerns about the provider's eligibility for the scheme

The process we will follow when an inspector encounters evidence during an additional visit that suggests that a provider is not eligible for the scheme is the same as that for accreditation visits. These are set out in the <u>'Concerns about the provider's eligibility for the scheme' section above</u>.

Ofsted's assessment of whether standards have been met

The arrangements for assessing whether standards have been met during and after an additional visit are the same as those for accreditation visits. These are set out in the <u>'Ofsted's assessment of whether standards have been met' section above</u>.

Quality assurance

The arrangements for quality assurance of an additional visit are the same as those for accreditation visits. These are set out in the <u>'Quality assurance' section above</u>.

Gathering additional evidence after a visit has ended

The arrangements for gathering additional evidence after an additional visit has ended are the same as those for accreditation visits. These are set out in the <u>'Gathering additional evidence after a visit has ended' section above</u>.

Formal complaints

The arrangements for making a complaint about an additional visit are the same as those for accreditation visits. These are set out in the <u>'Formal complaints' section</u> <u>above</u>.

The DfE's decision on next steps

After the report has been published, the DfE will decide whether the provider should remain accredited. If the provider was judged to meet the standards that were checked during the additional visit, there is normally no further action following the visit and the provider will remain accredited.

Legal and privacy information

The legal basis for Ofsted's role in assessing providers that have applied for accreditation, and accredited providers, is found in paragraphs 8 and 9 of schedule 13 to the Education and Inspections Act 2006. This gives Ofsted powers to provide advice and assistance to the Secretary of State and to inspect any institution or matter that His Majesty's Chief Inspector (HMCI) is not otherwise required or authorised to inspect. Inspections under paragraph 9 may be carried out on such terms as HMCI thinks fit.

Paragraph 10 of schedule 13 gives HMCI the power to charge for activities carried out under paragraphs 8 and 9. More information about fees is provided in <u>Annex B</u> to this handbook.

During an accreditation visit or an additional visit, inspectors will collect information about staff and pupils by:

- · looking at documents and records
- reviewing responses to our surveys of pupils, parents and staff members
- speaking to pupils, parents, staff members, leaders and commissioners
- observing teaching activities

We use this information to prepare our report. In most cases, we will not record names. However, some of the information may make it possible to identify a particular individual.

We will gather evidence electronically using a range of devices, including laptops, mobile telephones and tablets. All evidence is securely transferred to Ofsted's systems. Our inspectors may take photographs of pupils' work. These will be stored

as evidence but not retained by the inspector personally.

Annex A: information for inspectors and prospective applicants

The standards for online education provision are set out in <u>the DfE's guidance on the</u> <u>standards</u>.

Standard 4.1 requires providers to have regard to statutory guidance on <u>'Keeping</u> <u>children safe in education</u>' and <u>'Working together to safeguard children</u>'.

If appropriate, inspectors may also refer to the following Ofsted guidance during quality assurance visits:

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

Information relating to cybersecurity can be found on the <u>National Cybersecurity</u> <u>Centre website</u>. This site also contains information about <u>Cyber Essentials and</u> <u>Cyber Essentials Plus</u>, as well as a guide for small businesses on their approach to cybersecurity.

Annex B: schedule of fees

This annex sets out the fees that providers will need to pay to Ofsted during the quality assurance process. These fees reflect the cost to Ofsted of carrying out the work. This approach to setting fees is intended to ensure that Ofsted neither profits at the expense of providers nor makes a loss for taxpayers to subsidise.

We will review our fees regularly and may change them in future to reflect changes in the cost of quality assurance activities. We will announce changes to fees 1 month before they take effect. Providers that have already applied for accreditation or reaccreditation by the time a change to fees takes effect will remain on the previous fee structure until the quality assurance process has ended.

The fee for suitability checks

The fee for the suitability checks will depend on the number of people who make up the proprietor. We will charge £600 for the first person, and another £200 for each additional person.

We will not start our suitability checks until we have received payment of this fee from the provider.

Payments must be made within 3 weeks of the date of the invoice and in full. Applications may be treated as withdrawn if this does not happen.

We will not refund any payments made if a provider subsequently withdraws its application for accreditation.

The fee for an accreditation visit

The fee for the accreditation visit will depend on the number of inspectors needed. In most cases, the fee will be £6,000. If providers have a large number of pupils in England (usually 250 or more), the fee will be £10,000. These charges reflect the cost to Ofsted of carrying out this work.

We will not carry out an accreditation visit until we have received payment of the fee for the visit.

Payments must be made within 3 weeks of the date of the invoice and in full. Applications may be treated as withdrawn if this does not happen.

If payment of the fee for the visit is not made in time, we may need to carry out fresh

suitability checks at the provider's cost before carrying out an accreditation visit.

We will not refund any payments made if a provider subsequently withdraws its application for accreditation.

Deferrals

If the provider asks us to defer the accreditation visit, we will consider this request on its merits, referring to the principles set out in our deferral policy.

Generally speaking, we will only defer an accreditation visit in exceptional circumstances of the kind set out in our deferral policy (see <u>circumstances for</u> <u>deferring Ofsted inspections and visits</u>). The examples given there do not provide automatic grounds for a deferral and are not exhaustive. We must consider each case separately and on its own merits.

Providers should note that, since they only need to have 1 full-time pupil of compulsory school age in England to be eligible for the scheme, we are unlikely to defer a visit on the grounds that the provider is educating very few pupils at the time of the visit.

If we refuse the deferral request and the provider decides to withhold its consent for the visit to take place on the dates proposed, we will treat the application for accreditation as withdrawn and will notify the DfE. If we need to treat the application as withdrawn in these circumstances, we will not refund any payments made by the provider.

If it is necessary to defer an accreditation visit repeatedly or for a significant period, we may need to carry out fresh suitability checks at the provider's cost before carrying out the visit.

Ending a visit because the provider is not eligible for the scheme

If we have to end a visit early because the DfE have decided that a provider is not eligible for the scheme, we will not refund any payments made by the provider.

Payment terms

All payments are due in full within 3 weeks of the date of the invoice. Invoices will be sent out to the email address that the provider gave us during the application

process.

We accept a number of forms of payment. Instructions for making payments will be given on the reverse side of the invoice.



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