



House of Commons  
Education Committee

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# Ofsted's work with schools: Government Response to the Committee's First Report

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Third Special Report of Session  
2023–24

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## The Education Committee

The Education Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Education and its associated public bodies.

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### Committee staff

The current staff of the Committee are Niamh Baker (Committee Operations Officer), Laura Daniels (Clerk), Anastasia Lewis (Committee Specialist), Charlotte McDonough (Committee Specialist), Michael McGrath (Committee Specialist), Robert McQuade (Committee Operations Manager), Ffion Morgan (Second Clerk), Frederick Quinlan (Committee Specialist), Owen Sheppard (Senior Media Officer), Sian Woodward (Clerk).

### Contacts

All correspondence should be addressed to the Clerk of the Education Committee, House of Commons, London, SW1A 0AA. The telephone number for general enquiries is 020 7219 2370; the Committee's email address is [educom@parliament.uk](mailto:educom@parliament.uk).

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# Third Special Report

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The Education Committee published its First Report of Session 2023–24, [Ofsted's work with schools](#) (HC 117) on 29 January 2024. The Government response was received on 27 March 2024 and is appended below.

## Appendix: Government Response

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### Introduction

The Government is very grateful to the Committee for its Inquiry into this important matter, and for its considered report based on a wide range of written and oral evidence, including that presented by the Department for Education and Ofsted.

This Government thinks schools should be run by education experts, not politicians, which is why the school system in England is characterised by high autonomy, exemplified by our academies programme, but widely evident beyond it, with schools having the freedom to develop and implement highly ambitious, knowledge rich curricula to meet pupils' needs and prepare them well for the future.

It is this autonomy and freedom for schools, combined with strong and intelligent accountability, including the publication of performance information, independent inspection, and action based on the outcomes of inspections, that is helping to drive up standards, and leading to England's increasingly successful school system.

The professionalism and commitment of our school leaders, teachers and staff, supported by reforms we introduced since 2010 have seen standards rise sharply across the country. The latest figures published this month show that 90% of schools are now judged by Ofsted to be providing a good or outstanding education for their pupils – up from 68% in 2010; with the Progress in International Reading Literacy Study, published last year, showing England to be fourth out of 43 countries that tested children of the same age; and with the Programme for International Student Assessment showing England to be one of the top performing countries in the western world.

Ofsted inspection is an essential component in our school accountability approach and school improvement strategy, and we welcome the Committee's recognition of the important role Ofsted plays. Ofsted's regular, independent assessments of all schools provide vital assurance that pupils are receiving the high-quality education they deserve, and, most importantly, that they are being kept safe. Its reports highlight strengths and weaknesses, identify schools that need support and enable struggling schools to be moved into high-quality academy trusts.

The Government is very mindful that the Committee's Inquiry comes in the context of a significant focus on school inspections and the wider accountability system, following the tragic death of Ruth Perry. While Ofsted must always be a champion for children, especially the disadvantaged and vulnerable, both Ofsted and the Department must continually strive to make sure that the focus on accountability is balanced with support for school leaders, and that we look for every opportunity to reduce unnecessary pressures associated with inspection.

Over the last year, we have worked with Ruth's family, the Caversham community and Ofsted, to make important changes to the way schools are inspected, and to boost our support for school leaders. Both the Department and Ofsted have responded to the coroner's Preventing Future Deaths Report, and we continue to consider, with Ofsted, further actions to improve the accountability arrangements, including in the areas recommended by the Committee.

The Government strongly welcomes the commitment of the new His Majesty's Chief Inspector of Education, Children's Services and Skills (HMCI), Sir Martyn Oliver, to make sure that Ofsted's culture and practice always have professionalism, courtesy, empathy and respect at its heart. We also support HMCI's intent to gather the widest range of views through his Big Listen, to help to inform policy going forward.

### Recommendations and the Government's response

**1. *In his "Big Listen" with the sector, the new HMCI must ensure that he is listening to a wide range of views, including those of teachers, school and trust leaders, governors, parents, and pupils. In doing this, he must ensure that Ofsted is genuinely open to engage and willing to reflect on where it needs to improve.*** (Paragraph 16)

As noted above, the Government very much welcomes Ofsted's Big Listen programme. It provides an important opportunity to obtain views and insights into what is working well under the current arrangements and where there are opportunities to make further improvements. We welcome Ofsted's intention to obtain a wide range of views and perspectives, including from school leaders, teachers and other professionals who experience Ofsted's inspections, and those such as parents who rely on Ofsted's assessments. The Government particularly welcomes Ofsted's plans to ensure that the voices of children and young people are heard through the consultation.

The Government is confident that HMCI will make sure that his programme is a genuine listening exercise, and one which can usefully inform the development of inspection policy and practice in the future.

**2. *The serious nature of a Prevention of Future Deaths report will not be lost on the new HMCI. We expect him to make every effort to address the coroner's report fully. Ofsted should review the seven areas of concern set out in the coroner's report following the inquest into the death of Ruth Perry and put in place changes to ensure that each of these have been addressed as a matter of urgency. They must monitor the impact of the changes they have already put in place and commit to making further changes if these have not been shown to have a meaningful impact. Going forward we expect HMCI to report to this Committee on a six-monthly basis on Ofsted's progress in addressing these significant concerns.*** (Paragraph 17)

As set out in Ofsted's response to the Committee,<sup>1</sup> Ofsted has responded in full to the coroner's Prevention of Future Deaths Report. HMCI has committed to continuing to improve Ofsted's policies and processes, to hear feedback through the Big Listen and to respond. Ofsted has confirmed that an independent expert will consider Ofsted's internal procedures for responding to incidents, and that Ofsted will respond to this independent review as part of its Big Listen response.

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1 [Prevention of Future Deaths report \(Regulation 28\): Ofsted's response - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/614442/Prevention_of_Future_Deaths_report_(Regulation_28)_Ofsted's_response.pdf)

The Department<sup>2</sup> responded separately to the coroner's report, on 19 January, accepting the findings in full. The Secretary of State had already been working closely with Ruth Perry's family and colleagues, and Ofsted, to make changes that addressed some of the key issues that would later be highlighted by the coroner. Many of these had already been implemented including doubling the professional supervision and counselling offer for school leaders through the Education Support programme. Changes had also been made to the inspection of safeguarding so that where a school is good or better in its general provision, but is judged inadequate due to ineffective safeguarding arrangements, Ofsted will reinspect within 3 months, and in the event that the school is upgraded, an academy order issued to the school can be revoked (further detail set out below in response to recommendation 27). The response also outlined how both the Department's Regions Group and Education and Skills Funding Agency (ESFA) have made changes to internal guidance as well as communications with the sector to remove unnecessary pressures or burdens, whilst continuing to ensure high standards of accountability and transparency.

Another substantial change that was set out in our response to the coroner, is that, going forward, when a school is graded 'inadequate', a Department official from Regions Group will contact the local authority or academy trust, to support the employer in carrying out their duty of care, through signposting to appropriate support available to the school leader and broader school's workforce. We also committed to improve awareness about the wellbeing support that is available to school leaders (further detail is set out below in response to recommendation 17).

**3. *In the shorter term, the Department should work with Ofsted to enable the inspectorate to reduce the frequency of inspections to approximately five to six years for 'good' and 'outstanding' schools and three to four years for schools judged 'requires improvement' or 'inadequate'. This should be supported by better use of risk assessment to identify schools in most need of inspection. Ofsted should use the additional resource released by this change to enable inspections to be carried out in more depth.*** (Paragraph 27)

The Government does not agree that it would be right to reduce the frequency of Ofsted school inspections at this time, and especially in cases when schools have been judged to require improvement or to be inadequate (requiring significant improvement or special measures). Independent inspection is a vital mechanism to give parents the assurance that the necessary steps are being taken to bring about rapid improvement where it is needed for the benefit of pupils' education and safety.

We are very mindful that it was necessary to suspend Ofsted's routine inspection programme during the period of the COVID-19 pandemic. While this was the right thing to do, it has meant that inspection intervals have increased temporarily.

Some routine inspections resumed in May 2021, and additional resource was provided to Ofsted through the Spending Review, to enable it to accelerate its inspection programme to ensure that all schools have at least one inspection by the end of the summer term 2025, and make sure that parents have an up-to-date assessment and the assurance they need.

**4. *In the longer term, the Department should support Ofsted in making a strong case to the Treasury for additional funding to carry out more in-depth inspections, without***

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2 [Government responds to recommendations from Ruth Perry's inquest - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/government-responds-to-recommendations-from-ruth-perry-s-inquest)

***compromising on frequency or the principle that all schools are subject to periodic inspection. Funding for Ofsted should not be seen to be in competition with school funding, and any additional funding for the inspectorate must not result in less funding being made available for schools.*** (Paragraph 28)

Like all public services, Ofsted is expected to operate efficiently so that it is delivering the best value for money for taxpayers and focusing resources on what really matters: giving independent, rounded judgements of a provider's performance, within a proportionate inspection system. This means making the right choices about how best to prioritise resources, which we are confident Ofsted does.

In the latest Spending Review, Ofsted received additional funding for school inspections over and above its current spend,<sup>3</sup> to enable it to accelerate its inspections programme and inspect all schools by summer 2025 (as set out above) and also to enable it carry out the more intensive, graded inspections in up to a third of good schools, where Ofsted considers a full inspection is appropriate, based on its risk assessment process.

While Ofsted, as a separate government department, is responsible for negotiating its funding settlements directly with His Majesty's Treasury, the Department will offer support with that process and will work in partnership with Ofsted to further our shared interest in ensuring that Ofsted continues to have the appropriate resource to carry out its inspection programme effectively and efficiently, and provide excellent value for money for the public.

The Committee will understand that the Government is not able to comment on the specifics of budgets for future years. Future budgets for the Department and Ofsted will be subject to decisions taken in the round at Spending Reviews, and we are not able to pre-empt this.

**5. *Ofsted should consider the case for a small increase in the notice period given to schools—we heard suggestions that around five working days would be appropriate. The notice period should remain relatively short in order to limit the pressure on leaders and avoid a situation where schools are spending a long time preparing for inspection, but should be long enough to ensure that waiting for an inspection does not cause undue difficulties in the way schools operate. Ofsted should also consider whether schools could be given a specific term in which to anticipate an inspection.*** (Paragraph 34)

**6. *Ofsted should consider whether smaller schools could be given a longer notice period or greater flexibility around deferrals to take into account the particular operational challenges they face during inspections.*** (Paragraph 35)

The Government agrees that arrangements for notifying schools of a routine Ofsted school inspection should take account of the need to avoid a build-up of pressure on school leaders and staff and should also help to ensure that inspectors are able to see schools in the way they usually operate. It is a question of striking the right balance. On the matter of a differentiated system of notification for different types of schools, the Government acknowledges Ofsted's concerns about how such a system could operate fairly. We welcome Ofsted's commitment to consider the views of schools, parents and others on the matter

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<sup>3</sup> As part of an additional £24 million package for schools and college inspection over three years.

of notification through the Big Listen, and its indication that it is prepared to consider potential changes to its notice arrangements should that be appropriate following the Big Listen.

**7. *Ofsted should explore ways in which it can improve its engagement with parents, pupils, governors, and trustees before and during the inspection process, ensuring that opportunities are well-communicated and that those with additional needs are supported to engage. Our previous recommendation to extend the notice period would also help to address this. In particular, they must ensure that inspectors are fully engaging with governors and trustees during an inspection, and that governance, including the quality and regularity of engagement with parents, is sufficiently covered in the final report.*** (Paragraph 47)

**8. *Ofsted should introduce regular surveys of parents, pupils and staff outside the inspection process and use this information as part of its risk assessment to identify schools most or least in need of inspection.*** (Paragraph 48)

The Government agrees that those with an interest in a school inspection should be appropriately engaged in the school inspection process. In the case of school inspections under section 5 of the Education Act 2005, Ofsted is required under section 7 of the Act, in conducting the inspection, to have regard to views expressed by various parties, including parents, pupils, staff, governors and proprietors. Ofsted has confirmed that it will consider suggestions to further improve its current engagement arrangements through the Big Listen. The Government welcomes this.

Risk assessment is a key mechanism for ensuring the inspection arrangements are proportionate, efficient and supportive of school improvement. We therefore welcome Ofsted's commitment to review its current risk assessment model to see if there are opportunities to strengthen this further.

**9. *Ofsted should publish data on HMIs' and contracted Ofsted inspectors' expertise regarding phase of education and subject, and the proportion of inspections led by at least one inspector with the relevant phase expertise.*** (Paragraph 59)

**10. *Ofsted must ensure that they are matching inspectors' expertise with the appropriate phase and subject as much as possible, and ensure that their recruitment processes are targeting particular gaps in expertise. At a minimum, they must ensure that the lead inspector always has expertise in the relevant type of school and, in larger teams, that a majority of members of the team have the relevant expertise.*** (Paragraph 60)

**11. *We recognise the value and expertise that experienced inspectors can bring, particularly long-serving HMIs. Ofsted should commission an independent assessment of the factors affecting retention of experienced HMIs and take appropriate steps to address the issue.*** (Paragraph 61)

HMCI is required, under schedule 12, paragraph 10, of the Education & Inspections Act 2006, to ensure that HMIs and any other inspectors conducting inspections on his behalf, have the qualifications, experience and skills necessary to carry out their work in an effective manner.

The Government agrees that recruiting and retaining high-quality inspectors, including HMIs, is essential. We support Ofsted's ambition to match the specific expertise of inspectors to the inspections they conduct, as an important element in continuing to build the credibility and effectiveness of the school inspection arrangements. We welcome Ofsted's confirmation that it is keen to discuss its workforce ambition through the Big Listen. We note that Ofsted intends to develop further the existing information it publishes about its inspectors and their expertise.

**12. *Ofsted must ensure that it is publishing as much information as possible to maximise the transparency of its work. In particular, it must make more data available to key educational research organisations to allow for high-quality research to be conducted. Ofsted must also publish the training materials which are available to their inspectors, with appropriate caveats where necessary to explain what they are, and are not, intended to be used for.*** (Paragraph 63)

As set out in Ofsted's response to the Committee, Ofsted will publish all training materials unless it considers there is a strong reason not to do so, for example where a standalone document risks sending a misleading message out of context. We note that in these cases, Ofsted uses webinars for the sector to increase understanding of inspectors' approach. The Government welcomes this.

**13. *As part of our recommended increase to the length and depth of inspections, we also recommend that Ofsted increase the length and depth of analysis provided in inspection reports to ensure that they are genuinely useful in providing parents and schools with the information they need. This should be developed in consultation with representatives of schools, governing bodies, and parents.*** (Paragraph 68)

The Government recognises the case for looking at opportunities to further improve the reporting of Ofsted's school inspections. Ofsted will obtain views from parents and the sector about its reports through the Big Listen, and the Department will be keen to continue to engage with Ofsted on this matter going forward.

**14. *The Department and Ofsted should work together as a priority to develop an alternative to the current single-word overall judgement that better captures the complex nature of a school's performance, and ensure that these changes interact effectively with Department policies. In doing so, they should look at other jurisdictions both within and outside the UK, to assess what has worked well beyond the English context.*** (Paragraph 84)

**15. *As a first step, Ofsted and Department for Education websites should always show the full list of judgements, not just the overall judgement, and encourage schools to do the same on their websites and published materials.*** (Paragraph 85)

Ofsted's overall effectiveness judgement is an important feature of Ofsted's school inspection reports. It sits within each report alongside a set of graded sub-judgements (in the case of graded inspections) and a narrative providing more detailed description of inspectors' findings across the range of areas considered within the inspections (in both graded and ungraded inspections).



The Government is conscious that there is strong parental awareness of the Ofsted overall grade, and that the grade provides a succinct and accessible summary for parents. The Government is also clear that the whole report matters, and we would always encourage parents and others to read beyond the overall effectiveness judgement.

The Government recognises that, in addition to being an important source of information for parents, the overall effectiveness judgement serves a range of other important purposes. It enables us to look across inspection outcomes around the country and observe overall changes in the national position. For example, we are able to say that 9 in 10 schools in England have been assessed by Ofsted to be providing a good or outstanding education for their pupils. We are able to recognise the hard work and professionalism of school leaders, teachers and staff, and to celebrate that achievement. The judgement also allows us to identify trends in the regional position and respond as appropriate.

Having an overall effectiveness judgement allows us to have a proportionate inspections system, with the overall grades being used to help determine which schools may benefit from having a full graded inspection and which can qualify for a lighter touch ungraded visit. It also supports a system in which inspection intervals can be determined by the school's performance and risk.

Ofsted's overall effectiveness grade provides a gateway for schools to step forward and contribute to system improvement through the plethora of hubs,<sup>4</sup> and for schools to benefit from these initiatives. It helps the Department and the sector identify those schools that can benefit from support, and in a small number of cases, intervention.

Alongside this, it is important to consider the risks of a system without an overall effectiveness grade. Views and decisions about schools and their performance would continue to be made, and there would continue to be consequences to inspection. The Government's view is that it is preferable to have those views, decisions and consequences linked directly to the independent inspectorate's overall findings rather than the interpretations by civil servants, politicians and the media looking through the narrative of reports and drawing their own conclusions.

So while the Government will continue to listen to views and look at alternative systems, including the various approaches taken internationally, the Government's view is that there are significant benefits from having an Ofsted overall effectiveness grade. In our view the priority is to look for ways to improve the current system rather than developing an alternative to it. This includes considering with Ofsted the presentation of its findings and grades, and opportunities to highlight some of the detail sitting under the summary grade.

We agree with the Committee that at least part of this is about increasing visibility of the graded sub-judgements that Ofsted makes in the key areas of quality of education; leadership and management; behaviour and attitudes; and personal development, alongside the overall effectiveness grade. We welcome Ofsted's decision to show the full range of its judgements on its website. The Department will also reflect Ofsted's sub-judgements on its 'Compare School and College Performance in England' website. This may prompt individual schools and trusts to consider doing likewise.

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4 A [hub](#) is a strong school or partnership of schools and other organisations, designated by the Department, that helps other schools develop and improve their practice. A school's overall grade is one of the factors considered in determining eligibility to provide and receive support.

**16. *The Department should assess whether the decision to impose academy orders on schools that have received 'requires improvement' ratings on more than one occasion is proportionate. As a first step, it should ensure that Regional Directors are genuinely taking into account the views of local authorities, trusts, and other relevant bodies before taking a decision, and that this consultation process is clearly communicated to schools. The Department should publish guidance setting out the criteria by which Regional Directors come to these decisions.*** (Paragraph 87)

It is right that the Department should be able to step in as necessary where schools are consistently performing at a standard that is less than good. In deciding whether to intervene in schools with consecutive judgements below good, Regions Group always takes account of their specific circumstances.

Where a school is in scope for intervention, Regions Group writes to the governing body in the case of a maintained school, or the trust in the case of an academy, inviting them to make representations. In the case of a maintained school, the letter is copied to the local authority informing it of its right to make representations. Letters are also copied to schools' religious authorities, where relevant. Regions Group will take any representations received into account when considering whether to intervene. Information about Regions Group's decision-making criteria is set out in the Department's published guidance, *Schools causing concern*.

The guidance sets out a presumption in favour of issuing academy orders to maintained schools and of issuing Termination Warning Notices to standalone academies, on the basis that they would benefit from the support of a high-quality multi academy trust. The guidance makes clear, however, that this presumption is rebuttable and that in each case the particular circumstances of the school, and the needs of its pupils, will be assessed in the round, in order to establish the best course of action.

The Government keeps the implementation of its policy on intervening in schools with consecutive judgements below good under review and will have regard to stakeholders' views, including in particular through the outcome of the Big Listen.

**17. *The Department and Ofsted should review the support mechanisms available to school leaders during and following an inspection and ensure that these are as strong as possible to support the wellbeing of school leaders. Ofsted must publish a clear policy, and train inspectors, on their approach to dealing with distress among school leaders during an inspection, and in what cases inspections can and should be paused or deferred. We note that lessons could be learned from Ofsted's approach to deferring inspections in the immediate aftermath of the pandemic, but deferrals alone are not enough to resolve this issue.*** (Paragraph 88)

As set out in Ofsted's response to the Committee, Ofsted has taken a number of actions already, including publishing a new policy on pausing inspections and providing mental health awareness training for inspectors. We welcome the action taken by Ofsted and its commitment to fully integrate mental health awareness training into its inspector induction and development programmes.

The Department, Ofsted, governing boards, local authorities and academy trusts all have a part to play in ensuring that leaders and school staff receive the support they need to perform their vitally important role.

There is a variety of wellbeing support available to staff in schools that can be accessed at any time, including during and after an inspection. In the Department's response to the coroner's report, we set out a number of commitments with the aim of raising awareness about the support available, so that leaders and staff receive help if they need it.

The Department has worked in partnership with the education sector and mental health experts to create the Education Staff Wellbeing Charter,<sup>5</sup> which we are encouraging schools to sign up to as a shared commitment to promote staff wellbeing. The charter is a set of commitments from government, Ofsted, and schools and colleges to protect and promote the wellbeing of staff and it can be used by schools to develop a staff wellbeing strategy. We have also published a range of resources to help schools address teacher workload issues, prioritise staff wellbeing, and support schools to introduce flexible working practices.

The Department is funding the charity Education Support to provide free one-to-one professional supervision and counselling to school and college leaders. The programme gives leaders a safe and confidential space to talk about and process what is going on for them at work. It enables leaders to work with qualified and experienced supervisors to focus on their mental wellbeing and develop new coping strategies to feel more fulfilled and in control in their role. Counselling is available for non-acute cases where a person is identified as potentially benefitting from additional support with a qualified counsellor. Leaders can access support by visiting Education Support's website.<sup>6</sup> This programme ended in March 2024.

On 15 January 2024, the Department announced a £1.5 million investment in a new three-year professional supervision and counselling support package for school and college leaders from April 2024. The new programme will have the capacity to support at least 2,500 leaders and will enable school and college leaders to continue to receive this valuable support. This was announced as part of measures by government to boost recruitment and retention of teachers and leaders.<sup>7</sup>

For any staff requiring acute emergency intervention, the Department signposts to other sources of support, including Education Support's free, confidential 24-hour helpline for staff working in education, the NHS urgent mental health helpline, Samaritans and Shout. In addition, we know that some trusts and local authorities provide access to an employee assistance programme, or similar intervention, for their staff. These programmes provide school staff with access to confidential support, professional advice and short-term counselling to help them deal with personal and work-related problems that are impacting their physical and mental wellbeing at work.

The Department will continue to work with stakeholders, including the Local Government Association, National Government Association, and education unions, to promote the support available to school staff.

Within the Department, Regions Group will ensure all officials are aware of the expanded wellbeing support and will proactively share information about this with the sector as part of our business as usual engagement with local authorities and academy trusts.

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5 [Education staff wellbeing charter - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

6 [Wellbeing support for school and FE leaders \(educationsupport.org.uk\)](https://www.educationsupport.org.uk)

7 [Measures announced to boost teacher recruitment and retention - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

**18. *The Department must conduct a full audit of the support available to schools to help them improve, reviewing whether the amount of support is sufficient and what more is needed. In the interim, the Department should ensure that all schools and trusts are aware of the support on offer and develop a 'one-stop shop' to signpost relevant support. It must also ensure that support following a negative inspection judgement is provided as quickly as possible.*** (Paragraph 97)

In cases where schools do have room to improve further, the Department provides various evidence-based routes for support, from curriculum hubs to the Trust Capacity Fund. Information on all of these support offers can be found on gov.uk, with the Department's support offer continuously held under review to ensure that schools receive the most impactful support and that support is targeted at schools that need it the most. Where schools have received a negative inspection judgement, it is right that the Department strives to ensure support is provided in a timely manner to facilitate school improvement.

The Government's view is that all schools benefit from being part of a high-quality multi-academy trust. Analysis shows that high-quality trusts can transform previously underperforming schools. Where schools are judged inadequate, or are requires improvement and have two successive judgements below good, they may be matched with a high-quality trust which can use its scale, capacity and expertise to drive sustainable improvements. The success of our approach has been demonstrated with 9 in 10 schools now providing a good or outstanding education for their pupils, and in the last year alone, over 200,000<sup>8</sup> more children now attending such schools.

**19. *The Department must improve the transparency and accountability of the work of the Regional Directors. At a minimum, it should provide an annual report to Parliament setting out the scope, detail and impact of their work and make Regional Directors available to give evidence to the Committee.*** (Paragraph 98)

The Department's Regions Group, led by Regional Directors, is responsible for taking decisions on behalf of the Secretary of State about the creation, consolidation and growth of academy trusts. Regions Group's role includes deciding which trusts are commissioned to run which schools.

In March 2023, we published the Academies Regulatory and Commissioning Review. The review looked at how to maximise the difference that academy trusts can make to children's lives, so all children can fulfil their potential, through a focus on trust quality and improved system resilience. The review considered the regulatory oversight that the Department sets for trusts, the choices it makes about how the school landscape evolves, the support it offers to executive and non-executive trust leaders, and how it can best work with other actors in the system.

In June 2023, we published 'Commissioning High-Quality Trusts', which sets out how Regions Group takes decisions about the creation, consolidation and growth of academy trusts. By being transparent about how commissioning decisions are made, we will support trusts to direct their own self-improvement activity – so that together we can grow capacity, capability and choice across the system.

This adds to the Department's wider work to set a clear strategic direction so that school and trust leaders can better target their resources. Other examples include our area-based approach to intervention – which is underpinned by our enhanced powers to intervene in schools with two or more consecutive below good Ofsted judgements – and our published Trust Development Statements (TDSs) for the 55 Education Improvement Areas. We will be making available Multi-Academy Trust (MAT) development priorities nationally from May.

In line with civil service convention across government, Regional Directors continue to be available to give evidence if called before Parliament. Approval for their attendance before the Committee rests with the Secretary of State for Education who is ultimately responsible to Parliament.

**20. *The Department for Education and Ofsted should conduct an in-depth review of the complaints process to ensure that there is an efficient and independent process for schools to challenge the findings as well as the conduct of an inspection. In doing so, they should explore the option of setting up an independent body with the powers to investigate inspection judgements through scrutiny of the evidence base.*** (Paragraph 110).

**21. *Ofsted must allow schools to gain access to the evidence base used to reach a judgement when making a complaint, making redactions to ensure that confidentiality and protection of the identity of individuals is maintained where this is necessary.*** (Paragraph 111).

**22. *In its annual report and accounts, Ofsted should publish separate complaints data for each sector in their remit, including data on the number and percentage of complaints per inspection, whether these relate to conduct or judgements, and the percentage of complaints for each that have been upheld. The annual report should also set out what improvements Ofsted has made as a result of learning from complaints.*** (Paragraph 112)

The Government is aware that Ofsted recently consulted on, and has begun to implement, a new complaints process, which seeks to enhance transparency, increase professional dialogue, speed up outcomes and increase satisfaction. We welcome this improvement and note that Ofsted has committed to seeking further feedback on its complaints process as part of the Big Listen.

The Secretary of State has some involvement in Ofsted's process as she appoints the Independent Complaints Adjudication Service for Ofsted (ICASO), which complainants can approach if they have exhausted Ofsted's internal process but remain dissatisfied. The ICASO looks at whether the complaints process has been conducted appropriately, but does not scrutinise Ofsted's inspection judgements.

While the Government is clear that ultimate responsibility for Ofsted's professional judgements must lie with HMCI we also recognise the value of independent involvement within Ofsted's complaints process, and we will continue to engage with Ofsted on its arrangements and whether there are opportunities to further enhance the system through increased independent input. In doing so we will take account of the outcome of the Big Listen.

We welcome Ofsted's commitment to providing further information on complaints about Ofsted's work in its 2024–25 Annual Report and Accounts.

**23. Ofsted must publish their planned evaluation of the Education Inspection Framework as soon as possible. In this evaluation, Ofsted should review the implementation of the new framework, in particular looking at the impact it has had on primary schools, special schools and small schools, and consider ways in which it could be adapted to be more supportive of these schools. The inspectorate should clearly set out how it will take into account the context and capacity of individual schools when considering subject leadership. Ofsted should also consider whether sufficient time and emphasis is being placed on quality of teaching.** (Paragraph 130)

As noted in Ofsted's response to the Committee, Ofsted has committed to publishing the findings from its evaluation of its Education Inspection Framework as part of its response to the Big Listen.

**24. The Department and Ofsted must go further than simply 'myth-busting': they must undertake a programme of research to fully understand the causes of inspection related workload pressure and assess what changes would be genuinely helpful in reducing this. The new HMCI should prioritise work in this area as part of his "Big Listen" with the sector.** (Paragraph 132)

Ofsted's response to the Committee notes that the impact of inspection, including pressure associated with inspection, will be a key element of the Big Listen.

The Department is committed to reducing unnecessary workload and burdens on schools. We have set an ambitious target to reduce working hours by five hours per week for teachers and leaders within three years. This would significantly improve the work-life balance for many teachers and leaders.

To understand the current causes of excess workload and what more we can do to reduce unnecessary burdens, we will continue to work proactively with the sector, including through the Workload Reduction Taskforce, made up of experienced practitioners, experts, and union representatives. In January 2024, the Workload Reduction Taskforce published its initial recommendations.<sup>9</sup> Further recommendations to government, Ofsted and school and trust leaders about how to reduce workload pressures are expected in Spring 2024.

**25. Ofsted must ensure that inspectors are fully taking a school's size and context into account in reports and judgements, in particular the numbers of pupils from disadvantaged groups and those with SEND, and other relevant factors such as recruitment and retention challenges. It must ensure that these factors are clearly described and visible in the final report. Progress for pupils in receipt of pupil premium should be a key measure on which schools are held accountable, and this should also be clearly set out in the narrative of reports, taking into account where this group is larger or smaller than the average.** (Paragraph 137).

The Government's view is that we and Ofsted have a fundamental responsibility to make sure that we have the highest expectations for all pupils, whatever their background, whatever their circumstances, and wherever they live. We do not believe that is incompatible with looking at context, and we support Ofsted in wanting to look at what this can mean

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9 [Workload reduction taskforce: initial recommendations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/workload-reduction-taskforce-initial-recommendations)

in practice through the Big Listen. We support HMCI's intention to use the insights of Ofsted's inspections across remits, to shed more light on the experience of children as they navigate the education and care systems.

Through the pupil premium, introduced in 2011, we are offering direct funding to schools to improve educational outcomes for disadvantaged 5–16-year-olds in state-funded schools in England. Pupil premium funding will rise to over £2.9 billion in 2024–25, an increase of £80 million from 2023–24.

In England, the primary and secondary school attainment gaps between disadvantaged pupils and their peers have grown again since 2019 following the pandemic, having narrowed over the previous 8 years.

In the context of the attainment gap, it is more important than ever that schools use the wealth of evidence of 'what works', such as that provided by the Education Endowment Foundation (EEF), to drive maximum impact from the pupil premium. Schools must demonstrate how they have used evidence on their pupil premium strategy statement, which must be published on the school's website by 31 December each year using the Department's template. We agree that provision for disadvantaged pupils should be an important aspect of school inspections.

The SEND and alternative provision improvement plan has set out clear roles for partners in the system with a range of strengthened accountability measures to ensure effective local delivery against national standards. This includes a greater focus on SEND in the Education Inspection Framework.

**26. *The Department should consult on the best approach to increasing the regularity of safeguarding inspections through a less intensive compliance audit. In doing so, it should look at whether this should be done by local authorities or by a separate, independent body, and make the case for the appropriate resource to be provided. In its routine inspections of schools, Ofsted should continue to inspect how well schools respond to serious safeguarding issues and how effectively children are protected in practice.*** (Paragraph 146).

We are pleased that the Committee agrees that Ofsted should continue to play an important role in inspecting safeguarding. We already consult regularly on our statutory safeguarding guidance, *Keeping children safe in education* (KCSIE), to see where it can better support school leaders. We will launch a call for evidence shortly and will use this process to build our evidence base by asking a series of questions to enable us to map current practice on quality assurance. This will give us a better understanding of how settings test their own compliance against KCSIE, which other organisations they work with to do that, how often, and what tools are used. This could be a pre-cursor to any future consultation.

Safeguarding is one of the most important responsibilities that schools and colleges have. Compliance against the requirements of statutory guidance is only one part of the assessment of how well our children are kept safe. As the statutory guidance says: "Governing bodies and proprietors should ensure they facilitate a whole school or college approach to safeguarding. This means involving everyone in the school or college, and ensuring that safeguarding, and child protection are at the forefront and underpin all relevant aspects of process and policy development. Ultimately, all systems, processes

and policies should operate with the best interests of the child at their heart". Effective assessment of how well schools and colleges are delivering a whole school or college approach to safeguarding should always look more broadly and with greater depth than compliance alone.

It is also important that this is considered alongside the findings from Ofsted's Big Listen and that we show we are listening to a wide range of views before talking decision on how best to support schools and colleges.

All this will need to be carefully considered and worked out before we move towards a consultation, to avoid any unintended consequences or friction in the system.

**27. *In the interim, Ofsted should review its policy on 'inadequate' judgements due to ineffective safeguarding and ensure that schools are only being judged 'inadequate' in cases where they are fundamentally failing to keep children safe. In cases where the problems are uncomplicated and can be resolved within a short space of time, the Department should not issue an academy order until after the school has been reinspected.*** (Paragraph 147).

As noted in Ofsted's response to the Committee, Ofsted is conducting a review of where safeguarding fits within the individual judgements of the inspection framework. It is considering whether safeguarding should be a standalone judgement. As set out above, the issue of safeguarding will be considered as part of the Big Listen.

Where a maintained school is judged inadequate for any reason, the Secretary of State is subject to a legal duty to issue an academy order and must do so in a timely way. In line with Ofsted's introduction, in 2023, of new arrangements for reinspecting schools that are good or better in their general provision but are judged inadequate due to ineffective safeguarding, we have ensured that the timetable for intervention allows for reinspection to take place with a view to minimising burdens on school leaders. If the school is reinspected and the safeguarding issues have been addressed, the process of intervention will not progress further.

**28. *The Department must authorise Ofsted to develop a framework for the inspection of MATs as a matter of urgency and set out a plan for building the appropriate expertise and capacity in this area. Ofsted will need to be appropriately resourced to develop their expertise in this respect and should continue to ensure that all individual schools are assessed on a consistent basis whether or not they are part of a MAT.*** (Paragraph 155).

The Academies Regulatory & Commissioning Review (2022–23) heard that there is a strong case for the Department to be able to intervene at trust level in cases of sustained educational failure.

Much of the success of our school system is down to empowering leaders to deliver for children. At the same time, it is important that those with autonomy are held to account in a proportionate manner. The Department continues to actively consider how we might strengthen this link between accountability and autonomy for MATs and other school groupings. This might include the role of Ofsted. We look forward to hearing views on this issue through Ofsted's Big Listen, including the perspectives of parents.



We are mindful of the complexities in this area. Any changes to accountability arrangements at trust- or group-level will have implications at school-level – particularly as we want to avoid creating unnecessary duplication which might have implications for staff workload. We are also conscious of differences in law between the oversight functions of MATs and other school groupings like federations and maintained schools.

In the meantime, we are already doing a great deal to regulate MATs specifically:

- Academy trusts are held to high standards of governance and transparency, as companies, charities, and public sector bodies.
- Ofsted inspection takes place at the level of each individual school within a trust, which provides accountability and transparency for parents around the education their child receives. At the trust level, the Department has a broader framework of accountability, which both looks at the performance of their schools, and focuses on high standards of governance and financial management, while also recognising that trusts operate on very different models and in different contexts.
- In July last year, the Department published new guidance on [Commissioning High-Quality Trusts](#), which introduces our high-quality trust framework. This includes [trust quality descriptions](#), setting out what the Department expects of high-quality trusts; and sets out the [trust quality evidence](#) that Regional Directors will use when making decisions to place a school with a trust. It represents an ambitious vision for the academies sector, and a driver of high standards.
- The Department's Regional Directors and their teams, together with the ESFA, provide robust educational and financial oversight of all academy trusts.
- Where non-financial or financial non-compliance or governance failure is identified, Regions Group or the ESFA respectively will intervene, in a way that is proportionate to the risk and preserves education provision. This can include issuing a trust with a notice to improve or, in the most serious cases, termination of the funding agreement.

We will continue to focus on providing the right conditions so that trust leaders feel empowered and equipped to deliver what they know works for pupils in their schools, and will continue to consider the delicate balance between oversight, autonomy and support as we develop policies for the future.