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Guidance

# Handbook for additional inspections of independent schools

Updated 11 October 2024

## Applies to England

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 **This guidance came into force on 11 October 2024.**

## Introduction

1. All independent schools are inspected at the direction of the Department for Education (DfE), which is the registration authority for independent schools. Therefore, Ofsted may be commissioned to carry out an inspection of an independent school at any time.
2. This handbook sets out the main activities for carrying out 'additional inspections'. These are inspections of non-association independent schools that occur outside of the normal inspection cycle. It sets out the purpose of each type of additional inspection and the legal basis for carrying them out. It explains the judgements that inspectors will make and on which they report.
3. This handbook also applies in the event that the DfE commissions Ofsted to carry out an additional inspection of an independent school that is normally inspected by the Independent Schools Inspectorate. See the ['Memorandum of understanding between Ofsted and DfE: independent schools'](#).
4. Each part of this handbook covers one type of additional inspection.
5. The handbook is primarily a guide for inspectors on how to carry out additional inspections of independent schools ('schools'). However, it is made available to schools and other organisations to ensure that they are informed about the process and procedures of inspection. It seeks to balance the need for consistency in inspections with the flexibility required to respond to the individual circumstances of each school. This handbook should be regarded not as a set of inflexible rules, but as an account of the procedures of inspection. Inspectors will exercise their professional judgement when they use this handbook. When applying the guidance in this handbook, inspectors will take appropriate action to comply with Ofsted's duties under the Equality Act 2010.

6. This handbook does not cover normal cycle inspections ('standard inspections'). The way in which these inspections are carried out is set out in the '[Non-association independent school inspection handbook](#)'. Guidance on inspections of possible unregistered schools is in the '[Unregistered school inspection handbook](#)'.

## Conduct during inspections

7. [Ofsted's code of conduct](#) sets out our expectations for the conduct of our inspectors and our expectations of schools during inspection.

8. Inspectors will uphold the highest professional standards in their work. They will treat everyone they meet during inspections fairly and with the respect and sensitivity they deserve. Inspectors will work constructively with leaders and staff, demonstrating professionalism, courtesy, empathy and respect at all times.

9. Schools should approach their inspection with integrity and be open, transparent and honest. This includes providing evidence – or access to evidence – that will enable the inspectors to report honestly, fairly and reliably. It means not withholding or concealing evidence or providing false, misleading, inaccurate or incomplete information.

### Schools raising concerns

10. If a school has any concerns about an inspection, including about inspectors' conduct or any potential or perceived conflicts of interest, they should be raised at the earliest opportunity with the lead inspector. Concerns can be raised at any point during the inspection, including (but not limited to):

- [the inspection planning conversation for pre-registration inspections](#) or [the inspection planning conversation for material change inspections](#)
- meetings between leaders and inspectors
- [the final feedback meeting](#)

11. Concerns will be taken seriously, and the act of raising the concern will not impact inspection findings or how a school is considered by Ofsted. If it is not possible to resolve concerns with the lead inspector, the school or responsible body should follow the steps set out in the handling concerns and complaints sections in this handbook.

# Gathering personal information on inspection

12. Inspectors will gather any personal information necessary to assist them in inspecting a school. Our [privacy policy](#) sets out what personal information we collect, what we do with it, how long we keep it and individuals' rights under data protection legislation.

13. Individuals and organisations are subject to legal requirements to provide Ofsted inspectors with access to information. Section 110 of The Education and Skills Act 2008 gives our inspectors a right to inspect and take copies of any records kept by the school, and any other documents containing information relating to the school that are required for the purposes of the inspection. These powers enable Ofsted's inspectors to look at computers and other devices that may hold relevant information. Regulations enable the DfE to provide Ofsted with individual pupil information where it relates to school inspections.

14. Paragraph 32(1)(g) of the independent school standards requires proprietors to give any information that is reasonably requested in connection with an inspection under section 109 of The Education and Skills Act 2008, and is required for the purposes of the inspection, to the body conducting the inspection, and to give that body access to the school's admission and attendance registers.

15. Inspectors gather evidence at inspections and record this on Ofsted's systems. There may also be evidence that inspectors see on site that contains personal information about staff and young people, such as registers and lesson plans. Inspectors may take notes from, or copies of, this type of evidence before handing it back to an appropriate staff member at the end of the inspection. Any notes or copies will be stored as evidence securely, and not retained by inspectors personally. Our inspectors may take photographs of pupils' work. These photographs will be stored securely as evidence, but will not be retained by the inspector personally.

16. In most schools, inspectors will gather evidence electronically using a range of devices, including laptops, mobile telephones and tablets. All evidence is securely transferred to Ofsted's systems.

## Clarification for schools

# Terminology

17. In this handbook:

- the term 'school' refers to any type of provider registered with the Department for Education as an independent school
- the term 'leaders' refers to the staff in a school who are responsible for making key decisions about how the school operates, for example on matters such as the curriculum or behaviour. It will always include the headteacher and the proprietor and will likely include their senior staff, but will otherwise vary from school to school, especially depending on its size. In most schools, it will include middle or subject leaders who have responsibility for individual subjects and/or aspects of the curriculum
- the term 'proprietor' includes where the proprietor is an individual and where there is a proprietor body
- the term 'disadvantaged pupils' is used to mean: pupils with special educational needs and/or disabilities (SEND); pupils who meet the [definition of children in need of help and protection](#); pupils receiving statutory local authority support from a social worker; and pupils who otherwise meet the criteria used for deciding the school's [pupil premium funding](#) (this includes pupils claiming free school meals at any point in the last 6 years, looked after children (children in local authority care) and/or children who left care through adoption or another formal route)
- any reference to parents includes registered parents or carers
- any reference to 'report' describes the formal written outcome of the inspection, which is usually published

## Common misconceptions about inspection

18. The [non-association independent school inspection handbook](#) provides information to correct common misconceptions about inspection that can result in unnecessary workload for schools. The information applies to the inspections set out in this handbook for additional inspections of independent schools. It is intended to confirm our requirements and highlight specific practices that we do not require.

## Inspectors' right of entry to inspect the

# school

19. Inspectors have right of entry for the purpose of inspecting the school. For pre-registration inspections, carried out under section 99 of the Education and Skills Act 2008 (the Act), and emergency and progress monitoring inspections, carried out under section 109(1) and (2) of the Act, these rights are as follows:

- under section 110(1) of the Education and Skills Act 2008, inspectors have:

“(a) a right of entry to the premises of the institution for the purposes of the inspection, and

(b) a right to inspect and take copies of any records kept by the institution and any other documents containing information relating to the institution that are required for the purposes of the inspection.”

- under section 110(5):

“It is an offence intentionally to obstruct a person in the exercise of the person’s functions in relation to the inspection.”

20. Material change inspections are carried out under section 162(4) of the Education Act 2002. The power of entry is set out in section 164:

- Material change inspections are carried out under section 162(4) of the Education Act 2002. The power of entry is set out in section 164:

“(a) a right of entry to the premises, and

(b) a right to inspect and take copies of any records kept by the school and any other documents containing information relating to the school which are required for the purposes of the inspection.”

- under section 164(7):

“It is an offence intentionally to obstruct a person in the exercise of his functions in relation to the inspection.”

21. The [National Care Standards Commission \(Inspection of Schools and Colleges\) Regulations 2002](#) set out Ofsted’s general powers to inspect boarding or residential provision in schools and colleges under the Children Act 1989. This document covers inspectors’ right of entry to boarding/residential provision in schools, and the inspection of premises, records and children.

# Carrying out an additional inspection as part of a standard inspection

22. The DfE may commission Ofsted to carry out an additional inspection as part of a standard inspection.<sup>[\[footnote 1\]](#)</sup> It may commission Ofsted to consider a school's application to make a material change to its registration, a school's progress in implementing its action plan and in meeting unmet independent school standards, or issues raised by a complaint or other issue about a school, as part of a standard inspection. The DfE will request this in an inspection commissioning form (ICF).

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

24. In both cases, the 'additional matters' will normally be considered as part of the standard inspection in a single inspection. Ofsted will typically report on the 'additional matters' to the DfE in the report for the standard inspection and complete one independent school standards compliance record. The report will clearly set out the legislative basis for both inspection types and the reason for the additional inspection. The report will be published on our [reports website](#). However, there may be occasions – such as when a progress monitoring inspection is commissioned with a standard inspection – when the DfE asks us to write and publish 2 reports on our website.

## Carrying out 2 concurrent additional inspections

25. When the DfE commissions Ofsted to carry out 2 types of additional inspection at the same time, Ofsted will normally carry out a single inspection event. There will be one inspection report and one independent school standards compliance record that reports on both inspections. The report will clearly set out the legislative basis for both inspection types, and the reason the inspections were commissioned. The report will be published on our reports website.

- A material change or emergency inspection may be carried out as part of a progress monitoring inspection



- A material change inspection may be carried out as part of an emergency inspection

26. Similarly, if the DfE commissions Ofsted to carry out an additional inspection and another additional inspection is already scheduled, Ofsted will normally recommend to the DfE that a single inspection event takes place for both commissions. The principles in [Carrying out 2 concurrent additional inspections](#) of this handbook will apply.

27. This scenario does not apply to pre-registration inspections of proposed schools.

## **Concurrent inspections of schools with the same proprietor**

28. When 2 or more schools with the same proprietor are inspected at the same time, the inspection teams may share evidence, where it is appropriate to do so. Inspectors can share:

- key lines of enquiry that emerge during planning, when the issues are likely to affect both/all of the schools
- findings with the inspectors in the other inspection team during the inspection

29. Inspectors will not rely solely on this shared evidence to make their judgements. Shared information must be followed up by inspectors' own evidence gathering.

## **Inspections of boarding and residential special schools**

30. When the DfE commissions Ofsted to carry out the same type of additional inspection of a boarding/residential special school's education and boarding/residential provision, we will carry out an integrated inspection, as set out in the relevant parts of this handbook.

31. When appropriate, we may carry out a [full inspection](#) of a boarding or residential special school's boarding/residential provision at the same time as an additional

inspection of the school. The DfE may also commission us to carry out one type of additional inspection of the school and a different type of additional inspection of the boarding/residential provision. In these cases, inspectors from both teams will still work closely together to plan the inspection activities, but the inspections will not be [aligned](#) or integrated. The inspections may finish at different times, and we will publish a separate report after each inspection. The inspectors may meet with key staff, such as the designated safeguarding lead in the school, the proprietor and governors, together. The 2 teams will discuss their findings throughout the inspections and will share inspection evidence where it is appropriate. Examples of when it is appropriate to share evidence include when assessing pupils' attendance and looking at the strengths of the links between the day school and the children's home provision, and if concerns are raised with inspectors about children's welfare.

## **Inspections of schools that are registered as children's homes**

32. We may inspect education in a school that is also registered as a children's home in a standalone inspection or at the same time as the full inspection of the children's home. This is the case for children's homes that are registered as independent schools and for residential special schools that offer residential provision for more than 295 days a year and therefore must be registered as a children's home.

33. Where possible, we will carry out both inspections at the same time so that inspectors can work together. Inspectors from both teams will work closely together to plan the inspection activities. They may hold meetings with key staff, such as the designated safeguarding lead in the school, the proprietor and governors, together. The 2 teams will discuss their findings throughout the inspections and will share inspection evidence, where appropriate. Examples of when it is appropriate to share evidence include assessing pupils' attendance, looking at the strengths of the links between the day school and the children's home provision, and if concerns are raised with inspectors about children's welfare.

34. In a standalone inspection of the education in a school that is also registered as a children's home, inspectors must read the most recent education and children's home reports on the preparation day. They must contact the lead social care regulatory inspector or their manager to find out about any current issues concerning children's welfare that may affect aspects of the school inspection.

# Emergency and progress monitoring inspections of schools with no pupils on roll

35. This section does not apply to pre-registration inspections of proposed schools or material change inspections of registered schools.

36. In rare cases, the DfE may commission Ofsted to carry out an emergency or progress monitoring inspection of a registered school that has no pupils on roll at the time of the inspection. When this happens, the inspectors will carry out the inspection in line with this handbook, as much as is practicable.

37. As there are no pupils present, it is unlikely that inspectors will be able to gather sufficient evidence to judge the school's compliance with all of the independent school standards.

38. Inspectors will gather as much evidence as possible in relation to the school's compliance with the standards. They will not base judgements on whether standards are met on evidence relating to past pupils.

39. Inspectors will not base judgements on whether standards are met on a prediction of what might happen if the school were to admit pupils. For example, they will not judge whether standards are likely to be met.

40. As there are no pupils on roll, inspectors will not be able to make a judgement on whether the school meets the safeguarding requirements in paragraph 7 of the standards or on compliance with standards that require effective implementation of a policy on:

- the curriculum (paragraph 2(1)(a))
- behaviour (paragraph 9(b))
- bullying (paragraph 10)
- health and safety (paragraph 11)
- first aid (paragraph 13)
- risk assessment (paragraph 16(a))
- complaints (paragraph 33)

41. It may also not be possible to check compliance with the requirements of the standards relating to:

- curriculum policy, plans and schemes of work (paragraphs 2(1), 2(1)(b)(i), 2(1)(b)(ii), 2(2)(a), 2(2)(b), 2(2)(d) to 2(2)(d)(ii), 2(2)(h) and 2(2)(i))
- relationships and sex education (paragraph 2A(1) to 2A(2), for example the requirement to consult parents on the policy)
- teaching 3(a) to (j)
- spiritual, moral, social and cultural development of pupils (any of the paragraphs in part 2)
- the other welfare, health and safety requirements in part 3

## The inspection report and compliance record

42. If inspectors cannot gather enough evidence to judge whether standards are met because there are no pupils on roll, they will explain this in the inspection report. Inspectors will record 'insufficient evidence' against the relevant standards in the independent school standards compliance record.

43. Inspectors will also report if there is no evidence of pupils attending in the last 3 years or if the school has no plans to admit pupils in the next 12 months. This is so that the DfE can consider whether it has reasonable cause to believe that the school has ceased to be an independent educational institution and whether the DfE has no reasonable cause to believe that the institution will become an independent educational institution again within the following 12 months. Under these circumstances, the DfE may decide to remove the school from the register of independent schools under section 100 of the Education and Skills Act 2008.

## Schools requesting an inspection

44. Unlike other schools inspected under [Ofsted's education inspection framework \(EIF\)](#), independent schools are not able to request an inspection. The normal inspection cycle for 'standard inspections' of independent schools is set out in the [non-association independent school inspection handbook](#).

## Inspection fees

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

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

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

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

48. Pre-registration inspections will not be deferred because a proposed school withdraws its application at or following notification. Pre-registration inspections will not proceed if, before we notify the proposed school of its inspection, we are notified by the DfE that the school's application for registration has been withdrawn. The fee may still be payable in the event that a proposed school withdraws its application at or following notification, and the lead inspector has commenced off-site inspection activity to ascertain whether the proposed school is likely to meet any aspects of the independent school standards, as set out in [the paragraph on off-site inspection activity](#). In these circumstances, Ofsted will publish an inspection report that reports these findings, which will be published in line with the [arrangements set out in this handbook](#).

49. During the notification call, proposed schools will be asked about the progress of any building works and whether there are any issues preventing access to the site. Proposed schools may request [deferral of inspection](#) during the notification call. We will not normally defer a pre-registration inspection if the proposed school states that it is not ready for inspection, unless there are issues preventing access to the site and those issues were communicated to us during the notification call. Therefore, if inspectors arrive on site and are unable to undertake or complete the pre-registration inspection due to an inability to access the site, for example incomplete building works, the inspection fee may still be payable. The fee will be payable if the lead inspector has carried out inspection activity to assess whether the proposed school

is likely to meet any aspects of the independent school standards, as set out in [the paragraph on off-site inspection activity](#). In these circumstances, Ofsted will publish an inspection report that reports these findings, which will be published in line with the [arrangements set out in this handbook](#).

## Using evidence from additional inspections

50. Ofsted may use the evidence that inspectors gather during additional inspections to inform other work, such as national reporting.

## Considering complaints as part of the inspection

51. The DfE is responsible for investigating complaints about independent schools. Ofsted does not investigate complaints about independent schools, but the DfE may commission Ofsted to carry out an emergency inspection or bring forward the school's next standard inspection (or their first standard inspection following registration) as a result of a complaint. The DfE may also ask Ofsted to consider a complaint at the time of a school's next scheduled inspection. Complaints may also form part of the information that inspectors review when they plan for any type of inspection.

52. If the DfE commissions Ofsted to carry out or bring forward an inspection as a result of a complaint, or to consider a complaint at the time of a school's next scheduled inspection, inspectors will consider the wider issues raised by a complaint that are relevant to the commission or to the inspection framework. When inspectors consider the wider issues raised by a complaint, they will normally report whether the school meets the independent school standards (or national minimum standards) that are relevant to these issues.

53. The inspection report may reflect that the inspection was commissioned as a result of a complaint. However, reports will not refer to the substance of the complaint in case this identifies the complainant and/or any individuals in the school. If necessary, and when the DfE has specifically commissioned Ofsted to do so,

Ofsted may use the independent school standards compliance record to confidentially share details relating to the complaint with the DfE.

## The role of an interpreter during inspection

54. On occasion, an interpreter may be present during an additional inspection. This will be decided on a case-by-case basis by the relevant regional Senior His Majesty's Inspector (SHMI) for independent schools, when they review the DfE's commission for the inspection.

55. Interpreters support inspections of schools that teach some or all of their curriculum in a language other than English. This ensures that inspectors are able to consider the school's evidence for how its curriculum and overall education meet the requirements of the independent school standards. Note that this does not apply to those schools that teach languages, for example French or Latin, to pupils. We will only use interpreters to support inspections of schools that teach subjects other than languages themselves in another language.

56. Interpreters may support inspectors by interpreting what is said or written, but they will not contribute to the inspectors' decisions about whether the school complies with the independent school standards. [\[footnote 2\]](#)

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

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

## Pausing inspections

59. There may be exceptional occasions when we need to consider pausing an inspection. We will consider these on a case-by-case basis according to our [published guidance on pausing inspections](#).

## Part 1. Pre-registration inspections of proposed schools

### Purpose of inspection and legal basis

60. The Secretary of State is the registration authority for independent schools in England, and maintains a register of independent schools.

61. Proprietors who want to open a new school must apply to the DfE for registration. The DfE's guidance on [independent school registration](#) explains the registration process and sets out the information that prospective schools need to provide with their application.<sup>[footnote 3]</sup>

62. When the DfE has checked that the application from a proposed school to enter on the register contains the required information, it will commission Ofsted to carry out a pre-registration inspection of the proposed school.

63. Ofsted will carry out the pre-registration inspection under section 99 of the [Education and Skills Act 2008 \(the Act\)](#).<sup>[footnote 4]</sup> The purpose of the inspection is to check whether the school is likely to meet the [Education \(Independent School Standards\) Regulations 2014](#), if the DfE decides to register it. The DfE must be satisfied that a proposed school is likely to meet the independent school standards ('the standards') if it is to be [registered as an independent school](#). Registered schools must comply with the standards to continue to be registered.

64. The inspection will also consider whether the proposed school is likely to meet other requirements that registered independent schools must comply with or have regard to:

- the [statutory requirements of the early years foundation stage](#), if early years provision is proposed as part of the school registration, for children aged 2 and above



- paragraph 3 of schedule 10 of the [Equality Act 2010](#), which requires that schools have an accessibility plan in place
- section 35 of the [Safeguarding Vulnerable Groups Act 2006](#), under which schools have a duty to make a referral to the Disclosure and Barring Service (DBS) if a person in a regulated activity has been dismissed or removed due to safeguarding concerns, or would have been had they not resigned (see '[Keeping children safe in education](#)')

65. If the proposed school wishes to change its application details after it has submitted its application to the DfE, it must inform the DfE so that the DfE can update any commission for an inspection to reflect the changes. If inspectors discover any new changes during the notification call, they will ask the proposed school to inform the DfE. This may affect whether the inspection goes ahead as planned.

66. If the proposed school applies to cater solely or mainly for pupils with special educational needs and/or disabilities (SEND), the DfE will normally aim to register the proposed school as a special school. See [Registration of independent schools: guidance for proprietors](#).

## When can an inspection take place?

67. Pre-registration inspections may take place any time during or outside of term time.

## Unregistered provision

68. Section 96 of the [Education and Skills Act 2008](#) makes it a criminal offence to conduct an independent educational institution unless it is registered. Any existing provider should have already registered if it is providing full-time education to:<sup>[[footnote 5](#)]</sup>

- 5 or more pupils of compulsory school age
- 1 pupil of compulsory school age who is looked after, has an education, health and care plan, or has a statement of special educational needs

69. The '[Unregistered school inspection handbook](#)' sets out Ofsted's policies and

procedures for carrying out inspections under section 97 of the Education and Skills Act 2008 and for investigating and prosecuting offences under section 96 of the Education and Skills Act 2008. The handbook also provides guidance on how to identify an unregistered provision.

70. Inspectors should refer any questions regarding suspected unregistered provision to Ofsted's unregistered schools team. Particular care is required when considering questions related to what constitutes full-time education. When the team suspects unregistered provision, it will determine if further action needs to be taken because there is reasonable cause to believe that the setting is operating as an unregistered school.

## **Proposed or existing alternative provision applying to register as an independent school**

71. An alternative provider must apply to the DfE for registration as an independent school if it meets (or intends to meet) the definition in [the unregistered provision section](#) of this handbook.

72. When the DfE has checked that the provider's application to register as an independent school contains the required information, it will commission Ofsted to carry out a pre-registration inspection of the provider as set out in this handbook.

73. If the DfE decides to register the provider, the provider will be registered as an independent school and will be inspected against the independent school standards. The DfE does not maintain a separate register of alternative providers.

## **Boarding or residential provision**

74. When an application is made to open a new boarding or residential special school, the DfE will commission Ofsted to carry out an 'integrated' pre-registration inspection of the proposed school and its boarding/residential provision. The inspection of the proposed boarding/residential provision will check whether the [national minimum standards for boarding](#) or [residential special schools](#) are likely to be met, if the DfE decides to register the proposed school.

75. The education and social care regulatory inspectors will work closely together to

plan the inspection activities. They will discuss their findings throughout the inspections. They will normally hold meetings with key staff, such as the designated safeguarding lead in the proposed school and the proprietor, together. The 2 teams will share inspection evidence where appropriate, for example in assessing the strengths of the links between the school and the boarding or residential provision, and if concerns are raised with inspectors about children's welfare.

## **Proposed or existing children's homes applying to register as an independent school**

76. A children's home that wishes to provide education for its children must apply to the DfE for registration as an independent school if it meets (or intends to meet) the definition in [the unregistered provision section](#) of this handbook.

77. If a registered children's home has applied to the DfE for registration as a school, the pre-registration inspection of the proposed school provision will normally be carried out at the same time as 1 of the 2 [inspections of the children's home](#) carried out each year by social care regulatory inspectors.

78. If a proprietor [applies to Ofsted for registration as a new children's home](#) and applies to the DfE to register as a new school, the pre-registration inspection of the proposed school provision will normally be carried out at the same time as a pre-registration visit to the proposed children's home. The inspection of the proposed children's home will be carried out in line with the [guide to registration for children's social care services](#).

79. When an inspection of the (proposed) children's home takes place at the same time as an inspection of the proposed school, inspectors from both teams will work closely together to plan the inspection activities, as set out in [Inspections of schools that are registered as children's homes](#).

## **Before the inspection**

### **Inspectors' planning and preparation**

80. The lead inspector, and in the case of integrated inspections the lead social care regulatory inspector, will prepare for the inspection by reviewing the DfE's ICF for the inspection. The form may specify a particular focus that the DfE requires the inspection to have. The lead inspector should review the ICF for completeness. If they think it needs to be amended or added to, they should discuss this with the regional SHMI, who can raise it with the DfE.

81. The form also contains the policies and other information that the proposed school has supplied to support its application. The lead inspector will review these, including any information about the curriculum (so that they can start to assess the breadth and balance of the proposed school's curriculum and whether it is likely to promote preparation for, and an appreciation of, life in modern Britain).

82. Inspectors' planning will also be informed by any other available information, for example:

- if the proposed school has a website, inspectors will check whether it contains the proposed school's safeguarding policy and, if it does, whether that policy is suitable and meets statutory requirements
- the report from any previous pre-registration inspections carried out at the proposed school<sup>[footnote 6]</sup>
- if the proposed school has formerly been subject to a section 97 inspection (see [unregistered provision](#)), the advice note from this inspection. Inspectors must carefully note if any safeguarding concerns were raised during this inspection
- information from any other associated providers. This may include registered early years provision or, if the proposed school is part of a chain of independent schools, any relevant information from recent inspections of these schools. For example, this could include any reported evidence about the suitability and capability of the proprietor
- any other information publicly available or available from relevant stakeholders, such as local authorities and the police

83. On integrated pre-registration inspections of proposed boarding or residential special schools, contact between the education and social care regulatory inspectors takes place before the start of the inspection.

84. The lead inspector will also carry out off-site inspection activity to check whether the proposed school is likely to meet aspects of the independent school standards that it is possible to consider before arriving on site (such as in relation to part 6 of the standards, 'provision of information').

85. The lead inspector will find out who the proposed school's proprietor or proprietor body is before the inspection starts. They will check whether the proprietor's identity is consistently recorded in the proposed school's application to register and other available sources, for example the proposed school's website, if one exists. The lead inspector will record any discrepancies between the proposed school's application and other sources on an evidence card. They will follow this up on inspection.

## **Notification and introduction**

86. We will normally contact the proposed school by telephone to announce the inspection 2 calendar days before it is due to start. Schools may be notified on any day of the working week. The lead education inspector will announce an education-only or integrated inspection. The lead social care regulatory inspector will announce a welfare-only inspection.

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

88. The lead inspector will encourage the headteacher to have at least one other senior leader present during this call, to assist and support them. This will usually be staff who typically deputise for them and can understand and discuss the educational content of the call.

89. During the initial notification phone call, we will ask the proposed school to confirm the information we hold about it. This will include the number of pupils that the proposed school intends to admit. We will also ask whether any adult lives, or will live, on the proposed school's premises. If adults do live on the premises, inspectors will consider the proposed school's risk assessment as part of evaluating its safeguarding arrangements. Proposed schools will be expected to demonstrate they have fully assessed any potential risks to children. This risk assessment should include:

- safeguarding check of residents
- access between the residential accommodation and the rest of the premises
- which other individuals (such as family members and visitors) will access the residential accommodation

90. If any of the details given by the proposed school during the notification phone call differ from the information that the DfE provided to Ofsted in the inspection commissioning form (which includes the proposed school's application to register as an independent school), inspectors will not advise proposed schools to change their application. Instead, we will tell the proposed school to inform the DfE immediately and this may affect whether the inspection goes ahead on the intended date as planned.

91. We will also make clear that the inspectors will expect the proprietor(s) and the person(s) who will be responsible for the day-to-day operation of the proposed school to be present during the inspection.<sup>[footnote 7]</sup> This is because inspectors will expect to interview them to judge their ability to promote and implement the relevant policies and procedures.

92. We will then send the proposed school a letter setting out key information for leaders to be aware of before inspection. This will include:

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

## Requests for deferral or cancellation

93. While it is important that we carry out our planned inspections wherever possible, sometimes there may be reasons that a planned inspection may not go ahead and so a proposed school may request a deferral of an inspection. A proposed school may make a request during the initial notification phone call, or at the earliest opportunity afterwards, before the start of the inspection. Inspections may also, exceptionally, need to be paused once inspectors have arrived on site (see the ['pausing inspections' section](#)).

94. The lead inspector must immediately contact the regional team. We will decide whether to grant a deferral in accordance with our [deferral policy](#).

95. The deferral policy makes clear that the absence of the headteacher and/or proprietor is not normally a reason for deferring an inspection.

96. Pre-registration inspections must not be deferred on the basis that the proposed school states that it is not ready for inspection. The DfE informs proposed schools that they should not apply to register if they will not be ready to operate within the proposed timescale. The DfE expects proposed schools to be ready to undergo a pre-registration inspection, since the provision wishes to educate (and, for boarding/residential special schools, accommodate) pupils in the near future. Proposed schools should have already reported to the DfE any incomplete building works – or any other issues which may prevent inspectors from gaining access to the site – before the notification call.

97. Therefore, we will not normally defer a pre-registration inspection if the proposed school states that it is not ready for inspection, unless there are issues preventing access to the site and those issues were communicated to us during the notification call. Consequently, if inspectors arrive on site and are unable to undertake or complete the pre-registration inspection due to an inability to access the site, for example incomplete building works, the inspection fee may still be payable, as set out in [inspection fees](#).

98. In cases when proposed schools strongly resist a pre-registration inspection, we will report this to the DfE.

99. Pre-registration inspections will not be deferred because a proposed school withdraws its application at or following notification. Pre-registration inspections will not proceed if, before we notify the proposed school of its inspection, we are notified by the DfE that the proposed school's application for registration has been withdrawn. The inspection fee may still be payable, as set out in [inspection fees](#).

100. In the case of an inspection without notice, any requests for a deferral will be passed to Ofsted's relevant regional director, who will decide in accordance with our [deferral policy](#) whether the request can be granted.

101. See [inspection fees](#) for information on when the fee for a pre-registration inspection is payable in the event of a deferral.

102. We will inform the DfE if we grant a deferral of any type of independent school inspection. Where we believe that an inspection of an independent school should be cancelled, we will invite the DfE to withdraw the inspection commission.

## **Information that proposed schools must provide by the start of the inspection**

103. We will send the proposed school a note requesting that the following information is available to inspectors at the formal start of the inspection, some of which is also required to comply with the independent school standards:

- the policies and other documents required by the independent school standards
- the single central record for the proposed school<sup>[footnote 8]</sup>
- schemes of work for the subjects that the proposed school intends to teach
- a copy of the proposed school's timetable
- a complete staff list giving qualifications, experience and, for part-time staff, hours worked per week, if staff have been appointed
- a plan of the proposed school, including residential accommodation for pupils, if applicable
- maps and other practical information
- access to Wi-Fi, if it exists, so that inspectors can connect to the internet

104. In pre-registration inspections of any existing providers, including alternative provision or children's homes that are already providing education, inspectors will also expect to see:

- strategic documents about the school, including:
  - anything that sets out school improvement planning or the longer-term vision for the school, such as the school's strategy
  - a summary of any school self-evaluation or equivalent
  - any reports from external evaluation of the school
  - documented evidence of the work of the proprietor and/or those responsible for governance and their priorities
  - minutes of governors' meetings and other relevant strategic documentation about governance that the school may have
- records and data about behaviour and attendance, including:
  - up-to-date attendance analysis for all groups of pupils
  - records and analysis of pupils taken off roll
  - records and analysis of exclusions and suspensions, incidents of poor behaviour and any use of internal isolation
  - records and analysis of bullying, discriminatory and prejudiced behaviour, either directly or indirectly, including racist, sexist, disability and homophobic/biphobic/transphobic bullying, use of derogatory language and racist incidents
  - records and analysis of sexual harassment and/or sexual violence



- records and analysis of any restrictive physical intervention
- operational documents, including:
  - the school timetable, current staff list (indicating [ECTs](#), times for the school day, including planned interruptions to normal school routines during the inspection and whether teachers cannot be observed for any reason)
  - details of any relevant staff absence
  - any requests to not visit a specific lesson or lessons (for example, if a teacher is subject to capability procedures)
- safeguarding information:
  - a list of referrals made to the designated person for safeguarding in the school and those who were subsequently referred to the local authority, along with brief details of the resolution (a very short summary of how the school dealt with the matter and assurance that pupils have received the appropriate help)
  - any referrals made to the local authority designated officer regarding staff or other adults
  - a list of all pupils who have open cases with children's services or social care and all pupils who have a multi-agency plan (this is to ensure that the school knows who these pupils are, and is able to meet requirements). Inspectors may select a sample of children to make sure the school is meeting the requirements in ['Keeping children safe in education: statutory guidance for schools and colleges'](#)

105. Schools and inspectors must make sure that all actions are compliant with legal requirements for information-handling.

## **The lead inspector's inspection planning telephone call**

106. The lead inspector of an education-only or integrated inspection will contact the proposed school by telephone or video at a suitable time following the initial notification call. They will ask to speak to the headteacher or proprietor. This is an opportunity for the headteacher to tell the inspector what life in the proposed school is intended to be like and provide further context about the application to register as an independent school.

107. The lead inspector will encourage the headteacher to have at least one other senior leader present during the call, to assist and support them. This will usually be

staff who typically deputise for them and can understand and discuss the educational content of the calls.

108. The call will focus on practical issues. The lead inspector will:

- check on the headteacher's well-being, and find out whether any steps need to be taken to ensure any issues or concerns are addressed, including that appropriate support is available. The lead inspector should ascertain how to contact whoever is responsible for the headteacher's well-being on a day-to-day basis, so that they can pass on well-being concerns when appropriate and necessary
- make the proposed school aware of the help and support for the headteacher's and staff's well-being that is available through the charity [Education Support](#)
- confirm whether the proposed school has a religious character or ethos
- discuss whether the proposed school will be part of a group of independent schools
- discuss the nature of any proposed SEND provision
- discuss any proposed nursery provision, before- and/or after-school care or holiday clubs led and managed directly by the proposed school, particularly if these are intended to take [2- to 8-year-olds](#) (where schools offer before- and/or after-school care for their own pupils on roll, this provision should be considered as part of the school inspection)
- establish whether the proposed school will operate from more than one site, for example if it will offer early years or sixth-form provision on separate premises. Inspectors must establish the full address of each site, record this in their evidence base and report it to the relevant SHMI, who will decide whether the tariff for the inspection needs to change. Inspectors will also ask the proposed school to provide the addresses to the DfE, so that the DfE can record the information in the proposed school's record on '[Get information about schools](#)'
- establish whether the proposed school is linked to a children's home, and if so whether the children's home is managed by the proposed school
- clarify whether the proposed school intends to offer boarding or residential provision, and if so the:
  - number of boarding houses or residential units and their addresses
  - proposed number of boarders or residential pupils on roll
- ask the headteacher if the proposed school is experiencing, or has recently experienced, any tensions in or pressures from the community. If it has, the inspector will ask for details, including what the proposed school has done in response
- invite the headteacher and, if they are in post, other leaders to take part in joint

visits to lessons

- when relevant, make arrangements for meetings with relevant staff (and any person that the staff members wish to be present for those meetings)
- confirm the identity of the proprietor or proprietor body of the proposed school
- make arrangements for, as a minimum, a meeting with the chair and as many members of the proprietor body as are available
- ask the proposed school to invite as many members of the proprietor body as possible to attend the final feedback meeting
- establish the governance arrangements for the proposed school, and confirm arrangements for meetings with the proposed school, those responsible for governance and anyone else the lead inspector thinks would be relevant
- make arrangements for, as a minimum, a meeting with the chair of the board of governors and as many governors as are available
- ask the proposed school to invite as many governors as are available to attend the final feedback meeting
- establish how the proposed school will give the lead inspector access to its policy documents and records so that inspectors can check the proposed school's compliance with the independent school standards. We expect all documents to be provided in English
- let the proposed school know if and when interpreters will be present during the inspection
- ask the proposed school to read Ofsted's [code of conduct](#), which sets out expectations for both inspectors and providers, and explain that if the headteacher has any concerns about inspectors not acting in accordance with the code of conduct, they should raise this as soon as possible with the lead inspector. This is so that any issues can be resolved before the on-site inspection activity is completed
- provide an opportunity for the proposed school to give us information about any other factors that it considers relevant to its current context, and to ask any questions or raise any concerns, such as perceived conflicts of interest
- provide an opportunity for the proposed school to discuss and/or give us information on potential equalities duties, including reasonable adjustments for individuals
- give the proposed school an opportunity to raise any issues or concerns, or to seek clarification before the inspection, and explain how the proposed school will be able to raise any matters during the inspection itself
- invite the proposed school to consider whether there are any reasons, of either a personal or professional nature, that may mean they wish to ask for a deferral

# The inspection

## Days allocated to inspection and inspection team members

109. Pre-registration inspections do not normally last longer than one day, and will usually be carried out by one inspector. In 'integrated' inspections of proposed boarding and residential special schools, there will normally also be one social care regulatory inspector. Two inspector days are allocated in total to pre-registration inspections for preparation, the inspection, travelling and writing.

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

111. For details of what happens when an interpreter joins the inspection, refer to [the role of an interpreter during inspection](#).

## Arrival time on the day of inspection

112. On the day of the inspection, inspectors will not arrive before 8am.

## The start of the on-site inspection

113. The lead inspector should meet briefly with the headteacher and the proprietor at the beginning of the inspection to:

- introduce any team inspectors and interpreters
- confirm arrangements for meetings with representatives of those who intend to be responsible for the governance of the proposed school and with staff
- confirm arrangements for providing feedback at the end of the inspection
- request information about staff absence and other practical issues
- establish how the lead inspector will be given access to any additional policy

documents and records, further to those submitted to the DfE in the proposed school's application<sup>[footnote 9]</sup>

114. If there is more than one inspector, a short team meeting should take place to clarify inspection activities and individual roles and responsibilities.

## Gathering and recording evidence

115. Inspectors will gather evidence about whether the proposed school is likely to meet the independent school standards and other requirements, if the DfE decides to register it. They will inspect against any particular focus specified in the DfE's ICF.

116. Inspectors will be rigorous in their evidence-gathering and will ask to see any documents, records or other information necessary, including those outlined in [Information that proposed schools must provide by the start of the inspection.](#)<sup>[footnote 10]</sup>

117. The main inspection activities will be to discuss the proposed school with the proprietor, look at the premises, including any proposed or existing off-site provision, investigate procedures for appointing staff and safeguarding pupils,<sup>[footnote 11]</sup> and continue evaluating the information supplied by the proposed school either to the DfE with its application, or produced thereafter. Inspectors will meet with the proprietor and headteacher, and staff already in post.

118. To help leaders understand how the inspection is progressing and maintain a constructive professional dialogue, the lead inspector will meet with the headteacher throughout the inspection. There is normally only one inspector; however, if there is more than one, the lead inspector will also invite the headteacher and at least one other member of staff to observe the inspection team meetings. The lead inspector will make it clear that attendance at the team meeting is optional, and that the headteacher may leave at any point if they wish. They will also explain to leaders that while team meetings are opportunities for the lead and team inspectors to share evidence and consider the emerging evaluation of the proposed school, the lead inspector may also discuss with leaders their reflections on what they have heard.

119. Team meetings or, where there is only one inspector, the inspector's meetings with the headteacher, will help leaders to understand the evidence on which inspectors will base their judgements about whether the proposed school is likely to meet the standards. They also give leaders the opportunity to:

- clarify any factual matters
- draw inspectors' attention to any other specific matters

120. In pre-registration inspections where pupils are present, including alternative provision or children's homes that are already providing education, [inspectors may also talk to staff and pupils](#) and seek opportunities whenever possible to test emerging findings and corroborate conclusions.

121. During pre-registration inspections, it is important that pupils are able to express their views freely to inspectors. Therefore, inspectors must have the opportunity to speak to pupils with no other adults present. This is particularly important when [inspectors ask pupils questions about safeguarding](#). Any meetings with parents must also take place without the presence of any leaders or staff, unless there are exceptional circumstances.

122. During the inspection, inspectors may need to speak to staff in a range of different roles. They will do so in line with our code of conduct, and at all times act with professionalism, courtesy, empathy and respect. Staff (including leaders at all levels) may always be accompanied by an appropriate person when speaking to inspectors. However, it is important that staff are able to express their views freely to inspectors.

123. Inspectors should take careful account of the well-being of leaders and staff. They should adjust their approach or activity, as appropriate, as they go about their inspection work in the best interests of pupils. If inspectors see or suspect that a staff member (including all leaders and the headteacher) is upset or distressed at any point during the inspection, inspectors should respond sensitively. Where appropriate, inspectors will consider suitable adjustments to enable the staff member to continue. Where there are serious concerns, inspectors will normally contact the national duty desk and inform those responsible for the person's well-being. In exceptional circumstances they may need to consider [pausing the inspection](#).

124. Inspectors will gather sufficient evidence in order to judge whether the proposed school is likely to meet the requirements of all paragraphs of the independent school standards, even though it will not be possible to observe any teaching and learning or to judge the implementation of policies.

125. Inspectors must have secure evidence to support the overall judgement that the proposed school is likely to meet all the independent school standards. When inspectors gather any evidence that suggests that any paragraph of the standards is unlikely to be met, this will normally mean that they will judge the proposed school as

unlikely to meet the standards overall.

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

127. If the lead inspector thinks it is possible that the judgement will be that standards are unlikely to be met, they must make the proposed school's leadership aware of this. The lead inspector must also contact the national duty desk and complete an [early notification form](#) if:

- the proposed school's arrangements for safeguarding pupils are (likely to be) ineffective
- there are serious weaknesses in the proposed school's arrangements to meet the standards consistently (that is, if the DfE were to register the provider, the standards that the proposed school is unlikely to meet may have a serious impact on pupils' welfare, health and safety, academic or personal development)

128. The lead inspector will also follow up any discrepancies about the proprietor's identity that arose during their inspection planning or in the notification call (see [notification and introduction](#)).

129. In judging whether a proposed school is likely to meet the standards, inspectors will refer to the:

- non-statutory DfE guidance '[The independent school standards: guidance for independent schools](#)'. Although this document is non-statutory, its aims are to:
  - set out the DfE's understanding of the standards
  - provide supplementary guidance on best practice in complying with the standards
  - give additional detail in some areas for which questions are sometimes raised by schools
- non-statutory DfE guidance '[Independent school registration](#)' and the resources to which this document refers
- guidance in part 4 of the [non-association independent schools handbook](#)

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

- [‘Inspecting teaching of the protected characteristics in schools’](#)
- [‘Separation by sex: implications for the inspections of mixed sex/co-educational schools’](#)

## **Early years provision (part of the school’s registration)**

131. When early years provision for children aged 2 and upwards is proposed as part of the school registration, inspectors will consider whether the early years provision is likely to meet the requirements of the early years foundation stage. The independent school standards cover all of the prospective pupils in the proposed school from the age of 2 and upwards. Inspectors’ judgement on whether the proposed school is likely to meet the independent school standards will therefore take into account the whole-school provision. A judgement about whether the proposed school is likely to meet the standards relating to the quality of the curriculum, resources, premises and accommodation, for example, will include their suitability for children aged 2 to 5.

132. If early years provision is proposed to be accommodated at a premises other than the main, registered premises, inspectors must record the full address of this in their evidence base and report this to the relevant regional SHMI.

## **Provision for students aged 19 and over**

133. Some proposed schools may intend to admit students aged 19 and over. Inspectors will only inspect and take account of provision for these students if the provision is a course of secondary education that students would begin before the age of 18. However, because these students would essentially be adults studying alongside children, inspectors will always report on whether the proposed school is likely to meet the safeguarding requirements of the independent school standards. [\[footnote 12\]](#)

## **Lesson visits**



134. In pre-registration inspections of existing providers, including alternative provision, or children's homes that are already providing education, inspectors will visit lessons. Existing unregistered providers must not operate as an independent school before they are registered. This means that they must not provide full-time education to:

- 5 or more pupils of compulsory school age
- one pupil of compulsory school age who is looked after, has an education, health and care plan, or has a statement of special educational needs

135. Inspectors will use evidence gathered from visits to lessons to inform their judgements about whether the requirements are likely to be met. These include the standard about teaching (paragraph 3), the requirement to effectively implement a policy that promotes good behaviour among pupils (paragraph 9(b)) and the standard about the spiritual, moral, social and cultural development of pupils (paragraph 5).<sup>[footnote 13]</sup> Because the proposed school is not registered with the DfE, inspectors will still judge whether the independent school standards are likely to be met, as opposed to whether they are met.

136. Before visiting lessons, inspectors will check with the headteacher whether there are reasons why they should not observe certain teachers, for example if any teachers are subject to capability procedures. Inspectors will also ensure that the headteacher is aware that Ofsted's evidence from observations of teaching and learning, whether joint or otherwise, must not be used as evidence in capability/disciplinary proceedings or for the purposes of performance management.

137. Further information about visits to lessons is available in the section on Ofsted's approach to evaluating the curriculum in the [non-association independent school inspection handbook](#).

## **Proposed special schools and children's homes**

138. In judging whether proposed special schools are likely to meet the independent school standards, in particular the standards in part 1 concerning the quality of education, inspectors will take into account the type of special educational needs that the proposed school proposes to cater for. They will consider whether the proposed provision is likely to meet the needs of the groups of pupils the proposed school intends to admit.

139. Inspectors will consider whether a children's home's proposed education provision is capable of providing effectively for a variety of needs, since children's homes frequently accept children with a range of educational needs at short notice. They will consider whether there is a prompt and effective system of assessing a pupil's educational attainment and needs and putting in place an individual programme of support, so that disruption to the young person's education can be minimised. They will consider whether the proposed provision is likely to meet the needs of the groups of pupils the proposed school intends to admit. A children's home that wishes to provide education for its children must apply to the DfE for registration as an independent school, if it meets the definition in [the unregistered provision section](#) of this handbook.

## Checking standards beyond the scope of the DfE's commission

140. If inspectors identify matters of concern beyond the scope of the DfE's commission for the pre-registration inspection, they will inspect and report against the proposed school's likely compliance with the relevant paragraphs of the independent school standards to which the concerns relate. [\[footnote 14\]](#) This is likely to occur only in the rare instance when the DfE commissions Ofsted to carry out a second pre-registration inspection to a proposed school. In these cases, the commission is likely to only require Ofsted to check whether the proposed school is likely to meet some of the standards. Should inspectors consider that there are too many matters to follow up in the time available for the pre-registration inspection, they will contact the national duty desk, who will consult the DfE regarding increasing the resource allocated to the inspection.

## Safeguarding

141. Inspectors will always look into how well children and learners are helped and protected so that they are kept safe. In all commissions for pre-registration inspections, the DfE will ask Ofsted to check and report whether the proposed school is likely to meet the requirements in the independent school standards about:

- its safeguarding policy (in paragraphs 7 to 7(b) and 32(1)(c))
- the suitability of staff and supply staff (in part 4)

142. Inspectors are familiar with the relevant guidance and statutory responsibilities for schools on safeguarding, including:

- [‘Keeping children safe in education: statutory guidance for schools and colleges’](#)
- [‘Working together to safeguard children’](#)
- [‘Positive environments where children can flourish’](#)

143. In inspections of providers that are already operating, inspectors will determine – and record in the compliance record – whether:

- there have been any safeguarding incidents or allegations since the last inspection
- the school has taken appropriate action to safeguard the children affected and/or deal with allegations

### **Speaking to pupils**

144. In inspections of providers that are already operating, inspectors will need to talk to pupils. This is part of judging how effectively the school is implementing its safeguarding policy (paragraph 7 of the standards) and meeting the requirement to actively promote the well-being of pupils (paragraph 34(1)(c), which is part of the standard about the quality of leadership and management).

145. The school must provide opportunities for inspectors to speak to pupils with no other adults present, unless there are exceptional circumstances, as it is important that pupils are able to express their views freely to inspectors. See our guidance [‘Inspectors talking to pupils on inspection’](#).

146. If inspectors cannot corroborate the evidence that they gather about the effectiveness of the school’s arrangements to safeguard pupils because they are prevented from talking to pupils during the inspection, then they will normally judge the relevant independent school standards as unlikely to be met.

### **Evidence or allegations of abuse identified on inspection**

147. On a very small number of occasions, inspectors may come across evidence or allegations of child abuse, including sexual abuse, during an inspection.

Inspectors must not attempt to investigate any incident or allegations but will make sure that concerns about a child’s safety are referred to the appropriate authority.

Any referrals will normally be made by the designated safeguarding lead in the school (see [‘Safeguarding concerns: guidance for inspectors’](#)). Inspectors must be satisfied that the correct referral has taken place and record this in their evidence

base.

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

### **Minor safeguarding improvements**

149. Inspectors may identify minor improvements that need to be made to the proposed school’s safeguarding practices during inspection, such as administrative errors in paperwork or out-of-date policies. Some of the improvements may be rectified easily before the end of the inspection. Where this is the case, inspectors will have a constructive and professional conversation with leaders so that the proposed school has every chance to make these minor improvements. Where minor improvements are required but these are not able to be resolved before the end of the inspection, if the proposed school has taken steps to resolve the issue, the proposed school can still be judged effective for safeguarding and paragraph 7 of the independent school standards can be judged as met. Importantly, any minor improvements that need to be made, while strengthening safeguarding practice, will not have an immediate impact on the safety of pupils.

## **Providing feedback**

150. The on-site inspection ends with a final feedback meeting with the proprietor and headteacher. Those who intend to be connected with the proposed school who may attend include:

- the proprietor or, when there is a proprietorial body, as many members as are available; the clerk to the proprietor body, or their delegate, may also attend to take notes (there can be more than one note-taker if desired)
- the headteacher and other senior leaders, agreed by the lead inspector and headteacher
- any person the headteacher or proprietor(s) wants present to assist and support them
- if the proposed school has a governing body, the chair and as many representatives as are available from the governing body; the clerk to the governing body, or their delegate, may also attend to take notes (there can be more than one note-taker if desired)

- in an aligned inspection, social care regulatory inspectors and education inspectors, who will provide feedback to education and residential staff
- the lead inspector may agree that other leaders can attend. If the feedback is likely to be challenging or is likely to raise difficult issues, the lead inspector will be sensitive to any implications arising from this feedback and will therefore discuss with the headteacher which other people may attend to ensure the necessary support for school leaders

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

152. Attendance at the feedback meeting is voluntary and any attendee may leave at any time, including leaving for a short time and then returning.

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

- about the independent school standards and other requirements (including the national minimum standards in the case of welfare-only and integrated inspections) that the proposed school is likely to meet, and those that are unlikely to be met if the DfE decides to register it
- about the evidence to support the judgement that any standards or other requirements are unlikely to be met, so that the proposed school is clear about its weaknesses (Ofsted does not give advice about how to meet the standards)
- that the judgements about whether the standards and other requirements are likely to be met are provisional and so may change as a result of quality assurance procedures or moderation
- that, when the inspection has gathered evidence that indicates that the proposed school appears to be operating without registration, the lead inspector will inform the proposed school that this evidence will be reported to the DfE. The lead inspector will also confirm that Ofsted may decide to inspect the school under section 97 of the Education and Skills Act 2008
- that under section 96 of the Education and Skills Act 2008 it is a criminal offence punishable by imprisonment to conduct an unregistered educational institution in England
- that the findings of the inspection and the points provided orally in the feedback meeting, subject to any change, will be referred to in the text of the pre-registration report, which Ofsted will submit to the DfE
- that, in addition to being able to raise concerns at any stage during the inspection, the proposed school has an opportunity to raise any issues or concerns, or to

seek clarification about the inspection, and can also contact Ofsted after the inspection, if needed

- about the procedure for making a complaint about the inspection
- that Ofsted does not recommend to the DfE whether or not a proposed school should be registered
- that the DfE, which is the registration authority for independent schools, will decide whether the proposed school will be registered

154. If the lead inspector judges, for example, that the proposed school is unlikely to meet the standards for all of the age range that it has applied to cater for, but that it is likely to meet the standards for a reduced part of that age range, the lead inspector will explain this, and the reasons why, in their final feedback meeting with leaders. They will also explain this in the inspection report. However, it is the DfE that will decide whether to register the school and what the school will be registered to cater for. Inspectors will not make any recommendations about whether the school should be registered, what it should be registered to cater for, or what action the proposed school needs to take in order to meet the standards.

155. In the case of providers that have applied to the DfE to open an independent school and to Ofsted to open a children's home, inspectors will make clear to the proposed school that, irrespective of whether Ofsted has judged that the school provision is likely to meet the independent school standards, the DfE will not be in a position to decide whether to register it until Ofsted has decided that the children's home provision can be registered with Ofsted.

## **When safeguarding is ineffective, there are serious weaknesses or the proposed school appears to be operating without registration**

156. The lead inspector will complete an 'Early notification form, initial advice from an independent school inspection' if inspectors conclude that:

- the proposed school's arrangements for safeguarding pupils are (likely to be) ineffective
- there are serious weaknesses in the proposed school's arrangements to meet the standards consistently (that is, if the DfE were to register the provider, the standards that the proposed school is unlikely to meet may have a serious impact on pupils' welfare, health and safety, academic or personal development)

- the proposed school appears to be operating without registration, whether or not inspectors have judged that the proposed school is likely to meet standards

157. The purpose of the form is to provide initial advice to the DfE. We provide the final advice in an [inspection report and independent school standard compliance record](#).

158. We normally send the form to the DfE the working day after the on-site inspection ends. An automated email will also communicate this information to our unregistered schools team.

159. The DfE will use the information in the form to prioritise those providers and prospective providers that require most urgent attention.

## After the inspection

### Arrangements for publishing the report

160. The lead inspector is responsible for writing the inspection report, completing the independent school standards compliance record and submitting the evidence to Ofsted shortly after the inspection ends.<sup>[footnote 15]</sup> The text of the report should explain the judgements and reflect the evidence. The findings in the report should be consistent with the feedback given to the proposed school at the end of the inspection.

161. The draft inspection report is sent to the proposed school following moderation and quality assurance. We aim to send it to the proposed school as quickly as reasonably possible. In most circumstances, this is within 18 working days of the end of the inspection.

162. The proposed school will have 5 working days to comment on the draft report. The proposed school can highlight minor points relating to the clarity and/or factual accuracy of the report, or it can submit a formal complaint seeking a review of the inspection process, including the judgements made or concerns about inspector conduct (see paragraph 171). If it only submits minor points of clarity or factual accuracy, we will consider and respond to these when we share the final report with the proposed school. This will normally be within 30 working days of the end of the

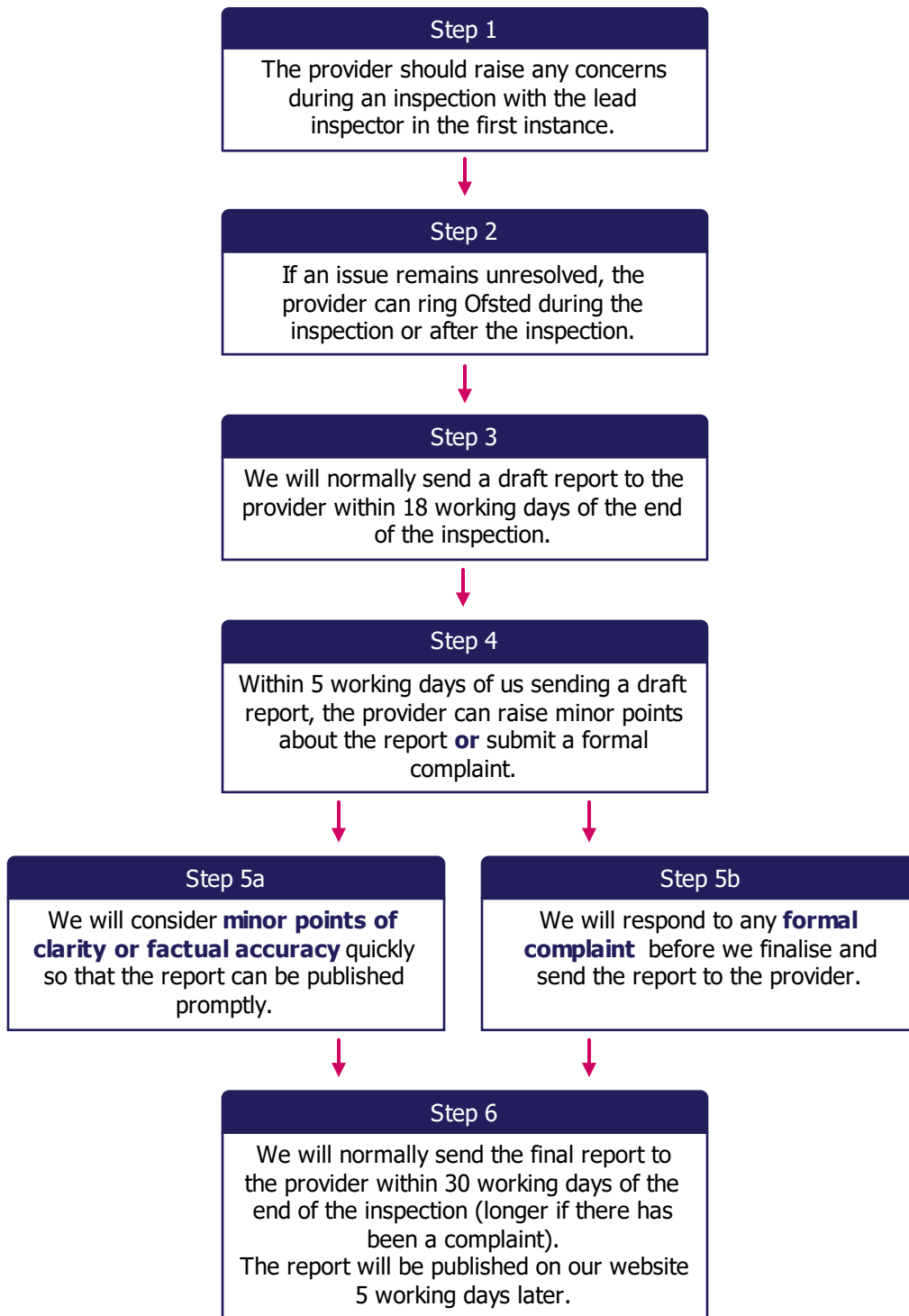
inspection. As set out above, we expect leaders to share the inspection outcome and findings with the proprietor and members of governing body and whoever they deem appropriate. We may also send the draft report to the DfE and other bodies as necessary. This will only take place following moderation or quality assurance.

163. If the proposed school wishes to make a formal complaint, we will follow the process set out in our [published complaints procedure](#). We will respond to any complaint before we finalise and send the report to the proposed school. If the proposed school has previously chosen to highlight some minor points of clarity or factual accuracy on the draft inspection report (see paragraph 171), it will not normally be able to submit a formal complaint or challenge later. We will publish the final report on our [reports website](#) 5 working days after sending it to the proposed school. .

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

### **Figure 1: Ofsted's post-inspection and complaints procedure**





## Suitability of the proprietor and other managers – reporting concerns to the registration authority

165. If inspectors identify any concerns about the suitability of the proprietor, or any

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

## The inspection evidence base

166. The evidence base for the inspection must be retained in line with our [published privacy notice](#).

# Quality assurance and complaints

## Quality assurance

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

168. We monitor the quality of inspections through a range of formal processes and His Majesty's Inspectors (HMI) or SHMI visit some providers or monitor remotely to quality assure inspections. We may also evaluate the quality of an inspection evidence base. The lead inspector will be responsible for giving team inspectors feedback about the quality of their work and their conduct. In very rare circumstances, if we find a weakness in the inspection process, we may carry out a further visit to [gather additional evidence](#).

## Handling concerns and complaints

169. The great majority of our work is carried out smoothly and without incident. If concerns do arise during the inspection, they should be raised with the lead inspector as soon as possible, in order to resolve issues before the on-site inspection is completed. Any concerns raised, and actions taken, will be recorded in the inspection evidence. If there are any concerns that it is not possible to resolve with the lead inspector during the inspection, the headteacher, another senior leader, the chair of governors or the proprietor(s) can contact a senior Ofsted leader using the number provided as part of the notification process. In exceptional circumstances, this might lead to the [inspection being paused](#).

170. If an issue remains unresolved, the proposed school can contact Ofsted after the inspection. This will be an opportunity for the proposed school to raise informal concerns about the inspection process or outcomes, ask about next steps or highlight information they feel was not fully considered during the inspection. This will be directed to a senior inspector who is independent of the inspection to discuss and to resolve, where appropriate, at the earliest opportunity.

171. If it is not possible to resolve concerns during the inspection, through a telephone call the day after the inspection, the proposed school may wish to lodge a formal complaint when it receives the draft report. The lead inspector will ensure that the proposed school is informed that it is able to make a formal complaint and that information about [how to complain](#) is available on GOV.UK.

## The DfE's decision on next steps

172. The DfE, as registration authority for independent schools, will decide whether to register the proposed school, based on the outcome of the inspection and any other evidence it has about the proposed school's likely compliance with the independent school standards. [\[footnote 16\]](#)

173. Sometimes, a proposed school may have been judged 'likely to meet' most of the requirements of the independent school standards, but judged 'unlikely to meet' a small number of the requirements due to omissions in or the quality of its documents or policies. Consequently, it will have been judged 'unlikely to meet' the standards overall.

174. In these cases, after the pre-registration inspection is complete (see [arrangements for publishing the report](#), the DfE may commission Ofsted to review the proposed school's revised document or policy as a desk-based exercise, rather

than commissioning another on-site pre-registration inspection.[\[footnote 17\]](#)

175. Inspectors will use the resources listed in [gathering and recording evidence](#) when checking the proposed school's revised documents. They will report to the DfE by email whether the revisions now mean that the relevant requirements are 'likely to be met' by the proposed school. There is no inspection report for desk-based exercises.

176. When there are significant or numerous omissions in a proposed school's documents, the DfE may commission another on-site pre-registration inspection, or reject the proposed school's application to register.

## Part 2. Material change inspections of existing schools

### Purpose of inspection and legal basis

177. Registered independent schools wishing to make one of the following changes to their registration [must seek permission to do so from the DfE](#) because these are material changes to a school's registration:

- change of proprietor
- change of school premises
- change to the age range of pupils
- change to the maximum number of pupils
- if the school proposes to change from single-sex to co-educational or vice versa, or change to admitting boys instead of girls, or girls instead of boys
- if the school intends to provide boarding accommodation, or cease to provide it
- if the school intends to admit pupils who have special educational needs, or cease to admit them

178. The DfE may grant permission for the material change without reference to Ofsted, and does so if the request is a routine matter that may be seen from the school's application and the evidence it submits. For example, the DfE does not routinely ask Ofsted to carry out a material change inspection when a school opens a

new building on its premises.

179. When the DfE has considered a school's application to make a material change, and decides that a material change inspection is required, it will commission Ofsted to do so. An inspection can take place at any time.

180. Ofsted will carry out the material change inspection under [section 162\(4\) of the Education Act 2002](#).<sup>[footnote 18]</sup> The purpose of the inspection is to consider the implications of the material change and recommend to the Secretary of State whether the school is likely to meet the relevant independent school standards if the material change is implemented.

181. The commission will specify which of the [Education \(Independent School Standards\) Regulations 2014](#) the DfE requires Ofsted to check whether the school is likely to meet.<sup>[footnote 19]</sup>

182. Depending on the material change that a school has applied for, the DfE may commission Ofsted to also consider whether the school is likely to meet other requirements that registered independent schools must comply with or have regard to:

- the [statutory requirements of the early years foundation stage](#), if the change concerns early years provision, which is part of the school registration, for children aged 2 and above
- paragraph 3 of [schedule 10 of the Equality Act 2010](#), which requires that schools have an accessibility plan in place
- section 35 of the [Safeguarding Vulnerable Groups Act 2006](#), under which schools have a duty to make a referral to the DBS if a person in a regulated activity has been dismissed or removed due to safeguarding concerns, or would have been had they not resigned (see '[Keeping children safe in education](#)')

183. If a school wishes to start admitting pupils under the age of 2, this is a material change, and also requires a separate registration of early years provision by Ofsted (see '[Registering school-based childcare provision](#)').

184. Schools cannot implement material changes until the Secretary of State gives approval for the change.

## Material changes

185. The DfE will not normally commission Ofsted to carry out a material change inspection when a school applies to make a change of proprietor. A change of proprietor is a material change, including any changes to a proprietor body. A change of chair of an existing proprietor body is not a material change, although the DfE must still be informed. Ofsted normally checks proprietor details during any type of inspection.

186. The DfE will normally commission a material change inspection if a school applies for a change of premises to move in its entirety to a new address. The acquisition of additional premises is not a material change. However, it may be the trigger for a material change of increased maximum capacity. If the DfE has concerns about additional premises but the school does not intend to increase its capacity, the DfE may commission Ofsted to carry out an emergency inspection to check relevant standards.

187. If a school applies to increase its age range, the DfE is likely to commission a material change inspection, particularly if it also involves an increase in school capacity or adding a new key stage to the existing provision. A reduction in registered age range is also a material change, but will not normally result in an inspection.

188. Whether a change to a school's capacity triggers a material change inspection will depend on several factors: the extent of the change to capacity; whether there have been previous increases to capacity without a material change inspection; and the type of school it applies to. For example, an increase of 3 pupils may not cause an inspection at a mainstream independent school, but it is likely to at an independent special school. A reduction in maximum capacity is also a material change, but will not normally in itself prompt an inspection. However, it could be a side effect of another material change (for example, a completely new address) that does require an inspection.

189. The DfE is likely to commission a material change inspection if a school applies to change from a single-sex school to a mixed school. The reverse is also a material change, but a material change inspection is unlikely to be commissioned.

190. Becoming a boarding or residential special school is a type of material change that will always require a material change inspection before approval can be given. Ceasing boarding is also a material change, but will not normally prompt an inspection. Increasing numbers of boarding places in a school that already offers boarding accommodation is not a material change. If there is concern about an increase, the DfE may commission Ofsted to carry out an emergency inspection to look at relevant independent school standards and national minimum standards.

191. Strictly speaking, any proposal to admit pupils with special educational needs is a material change. However, in practice, nearly all schools have some pupils with special needs, given that nearly a fifth of all pupils in England have some form of special educational need.

192. If a registered independent school applies to the DfE to change its registration to cater solely or mainly for pupils with special educational needs and/or disabilities, the DfE will commission Ofsted to carry out a material change inspection. If the outcome of the inspection is that the school is likely to meet the relevant independent school standards and if the DfE decides to approve the change, the school's registration is likely to change to being an 'independent special school'.

193. A change in the type of special educational needs catered for by a school is not a material change at present, although there are un-commenced provisions in the Education and Skills Act 2008 to make it so. If there is concern that a school is changing the nature of this type of provision, an emergency inspection may be commissioned.

194. [DfE's guidance for schools applying to make a material change](#) sets out all the information that a school must submit to the DfE as part of its application.

## **Boarding or residential provision**

195. If an application is made for changes to an existing boarding or residential special school's boarding/residential provision and one of the other changes listed in [purpose of inspection and legal basis](#) of this handbook, the DfE will commission Ofsted to carry out an 'integrated' material change inspection of the school and its boarding/residential provision.

196. If a school only wishes to open new boarding/residential provision, and has not applied to make any of the other changes mentioned in [purpose of inspection and legal basis](#) of this handbook, the DfE will commission Ofsted to carry out a welfare-only material change inspection.

197. In both cases, the inspection of the proposed boarding/residential provision will check whether the national [minimum standards for boarding or residential special schools](#) are likely to be met, if the DfE agrees that the material change can be implemented.

198. In an integrated material change inspection, the education and social care

regulatory inspectors will work closely together to plan the inspection activities. They will discuss their findings throughout the inspections. They will normally hold meetings with key staff, such as the designated safeguarding lead in the school and the proprietor, together. The 2 teams will share inspection evidence, where appropriate, for example in assessing the strengths of the links between the day school and the boarding or residential provision, and if concerns are raised with inspectors about children's welfare.

## **When can an inspection take place?**

199. Material change inspections normally take place any time during term time. Depending on the nature of the change, they may be scheduled outside of term time, at the DfE's request.

## **Before the inspection**

### **Inspectors' planning and preparation**

200. The lead inspector, and in the case of welfare-only and integrated inspections the lead social care regulatory inspector, will prepare for the inspection by reviewing the DfE's ICF for the inspection. The form contains the information that the school has supplied to support its application to make a material change, and may also specify a particular focus that the DfE requires the inspection to have.<sup>[footnote 20]</sup> The lead inspector should review the ICF for completeness. If they think it needs to be amended or added to, they should discuss this with the regional SHMI, who can raise it with the DfE.

201. Inspectors will also consider any other available information, for example:

- all relevant information held by Ofsted, including:<sup>[footnote 21]</sup>
  - inspection reports on the school, which may include boarding and early years inspection reports
  - any reports resulting from additional inspections carried out since the last standard inspection, in particular emergency inspections



- the findings of any recent Ofsted survey
- responses from Ofsted Parent View Ofsted's online survey for parents [\[footnote 22\]](#)
- boarding pupils' and boarding staff's replies to [Ofsted's point-in-time surveys](#)
- any complaints made about the school to Ofsted [\[footnote 23\]](#)
- information on our provider information portal [\[footnote 24\]](#)
- relevant publicly available information, including information on the school's website, such as:
  - a statement of the school's values and ethos
  - the school's opening hours
  - where relevant, information about the curriculum (so the lead inspector can start to assess the breadth and balance of the school's curriculum and whether it is likely to promote preparation for, and an appreciation of, life in modern Britain)
  - for schools with pupils receiving secondary education, and where relevant, information about the school's careers programme
  - where relevant, information about the use of tutoring in the school
  - relevant policies, for example on behaviour, and relationships, sex and health education
  - the presence of the safeguarding policy, as required by the independent school standards [\[footnote 25\]](#)
  - the suitability of the safeguarding policy, taking into account current government requirements [\[footnote 26\]](#)
  - where relevant, information about SEND provision
  - where relevant, the school's accessibility plan
  - where relevant, information relating to the school's duties under the Equality Act 2010
  - information about governance
- any other information publicly available or available from relevant stakeholders, such as local authorities and the police
- the most recent [inspection report on the relevant local authority's children's services](#)
- the main findings from the relevant [local area's SEND inspection](#), including (where relevant) arrangements for identifying, assessing and meeting the needs of young children with SEND
- any complaints made to the DfE that the DfE has asked Ofsted to consider as part of the inspection [\[footnote 27\]](#)
- the school's census returns

- information on the school's registration status as recorded on the DfE's register '[Get information about schools](#)', such as the number and age range of pupils that the school is registered to take, the name of the proprietor and whether the school is 'section 41 approved' [\[footnote 28\]](#)
- whether any additional sites are recorded on the location page of the school's record on '[Get information about schools](#)', or on the school's website
- the [register of licensed sponsors: students](#) for Student and Child Student visas
- information from any other associated providers (which will be triangulated with evidence gathered during the inspection); this may include registered early years provision or, if the school is part of a chain of independent schools, any relevant information from recent inspections of these schools, such as any reported evidence about the suitability and capability of the proprietor

202. The lead inspector will also carry out off-site inspection activity to check compliance with aspects of the independent school standards when that is possible before arriving on site (such as in relation to part 6 of the standards, 'provision of information').

203. The lead inspector will find out who the school's proprietor or proprietor body is before the inspection starts. They will check whether the proprietor's identity is consistently recorded in the previous inspection report, the current '[Get information about schools](#)' record for the school, the school's last census returns and the school's website, if one exists (this may have a section that describes governance arrangements). The lead inspector will record any discrepancies between '[Get information about schools](#)' and other sources should be recorded on an evidence card. They will follow this up on inspection.

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

205. Other relevant information may be in the public domain and reported in the press. Inspectors will therefore carry out a brief internet search as part of their pre-inspection planning to see whether there are any safeguarding or other issues, such as a change of governance, that may need to be followed up during inspection. [\[footnote 29\]](#)

206. On integrated material change inspections of boarding or residential special

schools, contact between the education and social care regulatory inspectors takes place before the start of the inspection.

## Notification and introduction

207. We will normally contact the school by telephone to announce the inspection 2 calendar days before it is due to start. Schools may be notified on any day of the working week. The lead education inspector will announce an education-only or integrated inspection. The lead social care regulatory inspector will announce a welfare-only inspection.

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

209. The lead inspector will encourage the headteacher to have at least one other senior leader present during both calls, to assist and support them. This will usually be staff who typically deputise for them and can understand and discuss the educational content of the calls.

210. During the initial notification phone call, we will ask the school to confirm the information we hold about it. This will include the number of pupils on roll. We will also ask whether any adult lives on the school premises. If adults do live on the premises, inspectors will consider the school's risk assessment as part of evaluating its safeguarding arrangements. Schools will be expected to demonstrate they have fully assessed any potential risks to children. This risk assessment should include:

- safeguarding check of residents
- access between the residential accommodation and the rest of the premises
- which other individuals (such as family members and visitors) will access the residential accommodation

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

212. We will then send the school a letter setting out key information for leaders to

be aware of before inspection. This will include:

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

## Requests for deferral or cancellation

213. While it is important that we carry out our planned inspections wherever possible, sometimes there may be reasons that a planned inspection may not go ahead and so a school may request a deferral of an inspection. A school may make a request during the initial notification phone call or at the earliest opportunity afterwards before the start of the inspection. Inspections may also, exceptionally, need to be [paused](#) once inspectors have arrived on site.

214. The lead inspector must immediately contact the regional team. We will decide whether to grant a deferral in accordance with our [deferral policy](#).

215. Normally, if the school is providing education to pupils, an inspection will go ahead. In exceptional circumstances, however, an inspection might be cancelled or deferred after the school has been notified, following a request made by the school.

216. The deferral policy makes clear that the absence of the headteacher and/or proprietor is not normally a reason for deferring an inspection.

217. The timing of the inspection will be determined by the information the DfE gives Ofsted in the ICF. This includes the date that the school intends to implement the change (if it is approved by the DfE). Material change inspections are not normally deferred when the school states that it is not ready for inspection. The DfE expects schools to be ready to receive a material change inspection, since the school wishes to implement the change in the near future.

218. When it appears that a school no longer wishes to continue with its application to make a material change, we will inform the DfE. The inspection will normally not go ahead.

219. In the case of an inspection without notice, any requests for a deferral will be

passed to Ofsted's relevant regional director, who will decide in accordance with our [deferral policy](#) whether the request can be granted.

220. We will inform the DfE if we grant a deferral. We will consult the DfE before cancelling any inspection of an independent school.

## **Information that schools must provide by the start of the inspection**

221. We will send the school a letter setting out that the following information must be made available to inspectors at the formal start of the inspection, some of which is also required to comply with the independent school standards:

- the policies and other documents required by the independent school standards
- schemes of work for the subjects that the school teaches
- strategic documents about the school, including:
  - anything that sets out school improvement planning or the longer-term vision for the school, such as the school's strategy
  - a summary of any school self-evaluation or equivalent
  - any reports from any external evaluation of the school
  - documented evidence of the work of the proprietor and/or those responsible for governance and their priorities
  - minutes of governors' meetings and other relevant strategic documentation about governance that the school may have
- records and data about behaviour and attendance, including:
  - up-to-date attendance analysis for all groups of pupils
  - records and analysis of pupils taken off roll
  - records and analysis of exclusions and suspensions, incidents of poor behaviour and any use of internal isolation
  - records and analysis of bullying, discriminatory and prejudiced behaviour, either directly or indirectly, including racist, sexist, disability and homophobic/biphobic/transphobic bullying, use of derogatory language and racist incidents
  - records and analysis of sexual harassment and/or sexual violence
  - records and analysis of any restrictive physical intervention
- operational documents, including:

- access to Wi-Fi, if it exists, so that inspectors can connect to the internet
- maps and other practical information
- the school timetable, current staff list (indicating [ECTs](#) times for the school day, including planned interruptions to normal school routines during the inspection and whether teachers cannot be observed for any reason)
- safeguarding information:
  - the single central record for the school [\[footnote 30\]](#)
  - a list of referrals made to the designated person for safeguarding in the school and those who were subsequently referred to the local authority, along with brief details of the resolution (a very short summary of how the school dealt with the matter and assurance that pupils have received the appropriate help)
  - any referrals made to the local authority designated officer regarding staff or other adults
  - a list of all pupils who have open cases with children's services or social care and all pupils who have a multi-agency plan (this is to ensure that the school knows who these pupils are, and is able to meet requirements). Inspectors may select a sample of children to make sure the school is meeting the requirements in '[Keeping children safe in education: statutory guidance for schools and colleges](#)'

222. Schools and inspectors must make sure that all actions are compliant with legal requirements for information-handling.

## **The lead inspector's inspection planning telephone call**

223. The lead inspector of an education-only or integrated inspection will contact the proposed school by telephone or video at a suitable time following the initial notification call. They will ask to speak to the headteacher. This is an opportunity for the headteacher to communicate what life in the school is like and provide further context about the school. It is also an opportunity for the headteacher to discuss the particular circumstances of the school that have had a role in the decisions made by leaders.

224. The lead inspector will encourage the headteacher to have at least one other senior leader present during both calls, to assist and support them. This will usually be staff who typically deputise for them and can understand and discuss the educational content of the calls.

225. The call will be short and focused on practical issues. Depending on the nature of the material change, the lead inspector will:

- check on the headteacher's well-being, and find out whether any steps need to be taken to ensure any issues or concerns are addressed, including that appropriate support is available. The lead inspector should ascertain how to contact whoever is responsible for the headteacher's well-being on a day-to-day basis, so that they can pass on well-being concerns when appropriate and necessary
- make the school aware of the help and support for the headteacher's and staff's well-being that is available through the charity [Education Support](#)
- confirm whether the school has a religious character or ethos
- discuss whether the school is part of a group of independent schools
- discuss the nature of any SEND provision
- discuss any nursery provision, before- and/or after-school care or holiday clubs led and managed directly by the school, particularly if these take [2- to 8-year-olds](#) (where schools offer before- and/or after-school care for their own pupils on roll, this provision should be considered as part of the school inspection)
- establish whether the school operates from more than one site, for example if it offers early years or sixth-form provision on separate premises. Inspectors must establish the full address of each site, record this in their evidence base and report it to the relevant SHMI, who will decide whether the tariff for the inspection needs to change. Inspectors will also ask the school to provide the addresses to the DfE, so that the DfE can record the information in the school's record on '[Get information about schools](#)'
- establish whether the school is linked to a children's home, and if so whether the children's home is managed by the school
- clarify whether the school has boarding or residential provision, and if so the:
  - number of boarding houses or residential units and their addresses
  - the number of boarders or residential pupils on roll
- establish whether the school has any pupils who attend off-site alternative provision, either full time or part time, run either by the school or by a different organisation. If the school uses off-site alternative provision, the lead inspector will ask for further details about this, including:
  - the number of pupils who attend
  - the number of off-site alternative providers used currently
  - the unique reference numbers and addresses of the alternative providers
  - the names and addresses of the alternative providers (if there is no URN for one or more alternative providers)

- the range of needs that these providers cater for
- the timetable for the pupils who attend
- ask the headteacher if the school is experiencing, or has recently experienced, any tensions in or pressures from the community. If it has, the inspector will ask for details, including what the school has done in response
- invite the headteacher and other leaders, as agreed by the lead inspector and headteacher, to take part in joint visits to lessons
- make arrangements for meetings with relevant staff (and any person that the staff member wishes to be present for those meetings)
- confirm the identity of the proprietor or proprietor body of the school
- make arrangements for, as a minimum, a meeting with the chair and as many members of the proprietor body as are available
- ask the school to invite as many members of the proprietor body as possible to attend the final feedback meeting
- establish the governance arrangements for the school, and confirm arrangements for meetings with the school, those responsible for governance and anyone else the lead inspector thinks would be relevant
- make arrangements for, as a minimum, a meeting with the chair of the board of governors and as many governors as are available
- ask the school to invite as many governors as are available to attend the final feedback meeting
- establish how the school will give the lead inspector access to its policy documents and records so that inspectors can check the school's compliance with the independent school standards. We expect all documents to be provided in English
- agree whether it may be pragmatic to do some elements of the inspection through video or telephone calls. This will usually only be to involve parents and those with leadership or governance responsibility who are unable to attend
- let the school know if and when interpreters will be present during the inspection
- ask the school to read Ofsted's [code of conduct](#), which sets out expectations for both inspectors and providers, and explain that if the headteacher has any concerns about inspectors not acting in accordance with the code of conduct, they should raise this as soon as possible with the lead inspector. This is so that any issues can be resolved before the on-site inspection activity is completed
- provide an opportunity for the school to give us information about any other factors they consider relevant to their current context, and to ask any questions or raise any concerns, such as perceived conflicts of interest
- provide an opportunity for the school to discuss and/or give us information on



potential equalities duties, including reasonable adjustments for individuals

- give the school an opportunity to raise any issues or concerns, or to seek clarification before the inspection, and explain how the school will be able to raise any matters during the inspection itself
- invite the school to consider whether there are any reasons, of either a personal or professional nature, that may mean they wish to ask for a deferral

226. The lead inspector will also use the conversation to establish whether the school has any pupils who attend off-site alternative provision, either full time or part time, run either by the school or by a different organisation. If the school uses off-site alternative provision, the lead inspector will request further details about this to arrange required visits.

227. The lead inspector will also ask the school to provide certain information as early as possible to aid preparation. This will include:

- a copy of the school timetable(s), where relevant
- details of any relevant staff absence
- any requests to not visit any specific lesson or lessons (for example, if a teacher is subject to capability procedures)

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

## **The inspection**

### **Days allocated to inspection and inspection team members**

229. Material change inspections do not normally last longer than one day, and will usually be carried out by one inspector. In 'integrated' inspections of boarding and residential special schools, there will normally also be one social care regulatory inspector. Two inspector days are allocated in total to material change inspections, for preparation, the inspection, travelling and writing.

230. There is no requirement to deploy inspectors of a particular faith to inspect a

school of the same faith. It would be unusual for an inspection team of a faith school to consist entirely of inspectors of that faith.

231. For details of what happens when an interpreter joins the inspection, refer to [the role of an interpreter during inspection](#).

## Arrival time on the day of inspection

232. On the day of the inspection, inspectors will not arrive before 8am.

## The start of the on-site inspection

233. The lead inspector should meet briefly with the headteacher and the proprietor at the beginning of the inspection to:

- introduce any team inspectors and interpreters
- confirm arrangements for meetings with representatives of those responsible for the governance of the school and with staff
- confirm arrangements for providing feedback at the end of the inspection
- 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
- ensure that the headteacher is aware that Ofsted's evidence from observations of teaching and learning, whether joint or otherwise, must not be used as evidence in capability/disciplinary proceedings or for the purposes of performance management
- establish how the lead inspector will be given access to any additional policy documents and records, further to those submitted to the DfE in the school's application to make the material change [\[footnote 31\]](#)

234. When there is more than one inspector, a short team meeting should take place to clarify inspection activities and individual roles and responsibilities.

## Gathering and recording evidence

235. Inspectors will gather evidence about whether the school is likely to meet the relevant independent school standards and other requirements, and/or the national minimum standards, in the case of welfare-only integrated inspections, if the material change is implemented. They will inspect against any particular focus specified in the DfE's ICF.

236. If the DfE has asked Ofsted to [consider a complaint](#) as part of the inspection, inspectors will normally check whether the school meets the independent school standards (or national minimum standards) that are relevant to the wider issues raised by the complaint.

237. Inspectors will be rigorous in their evidence-gathering and will ask to see any documents, records or other information necessary, including those outlined in [information that schools must provide by the start of the inspection](#).<sup>[footnote 32]</sup>

238. The main inspection activities will be determined by the material change that the school has applied to the DfE to make. Inspectors:

- will discuss the proposed change with the proprietor and headteacher
- will continue analysing the information supplied by the school either to the DfE with its material change application, or produced thereafter
- are likely to look at the premises and investigate procedures for appointing staff and safeguarding pupils
- will record the full address, including the postcode, of any additional premises, regardless of whether the material change is agreed or not
- will meet with the proprietor and headteacher, and may also hold meetings with staff, those responsible for governance, pupils, parents and other stakeholders
- may talk to staff and pupils (see [‘Inspectors talking to pupils on inspection’](#)), and seek opportunities whenever possible to test emerging findings and corroborate conclusions
- will visit lessons and may also observe pupils in a range of situations outside normal lessons, for example when the DfE's commission requires them to report whether the school is likely to meet the standards in part 2 of the independent school standards, which relate to pupils' spiritual, moral, social and cultural development. Further information about lesson visits is available in the section on Ofsted's approach to evaluating the curriculum in the [non-association independent school inspection handbook](#)
- will check the [school's safeguarding arrangements](#)

239. To help leaders understand how the inspection is progressing, and maintain a constructive professional dialogue, the lead inspector will also meet with the headteacher throughout the inspection. There is normally only one inspector; however, if there is more than one, the lead inspector will also invite the headteacher, and at least one other member of staff, to observe the inspection team meetings. The lead inspector will make it clear that attendance at the meeting is optional, and that the headteacher may leave at any point if they wish. They will also explain to leaders that while team meetings are opportunities for the lead and team inspectors to share evidence and consider the emerging evaluation of the school, the lead inspector may also discuss with leaders their reflections on what they have heard.

240. Team meetings or, where there is only one inspector, the inspector's meetings with the headteacher, will help leaders to understand the evidence on which inspectors will base their judgements about whether the proposed school is likely to meet the standards. They also give leaders the opportunity to:

- clarify any factual matters
- draw inspectors' attention to any other specific matters

241. During the inspection, it is important that pupils are able to express their views freely to inspectors. Therefore, inspectors must have the opportunity to speak to pupils with no other adults present. This is particularly important when inspectors ask pupils questions around safeguarding (see ['Inspectors talking to pupils on inspection'](#)). Any meetings with pupils or parents must also take place without the presence of any leaders or staff, unless there are exceptional circumstances.

242. During the inspection, inspectors may need to speak to staff in a range of different roles. They will do so in line with our code of conduct, and at all times act with professionalism, courtesy, empathy and respect. Staff (including leaders at all levels) may always be accompanied by an appropriate person when speaking to inspectors. However, it is important that staff are able to express their views freely to inspectors.

243. Inspectors should take careful account of the well-being of leaders and staff. They should adjust their approach or activity, as appropriate, as they go about their inspection work in the best interests of pupils. If inspectors see or suspect that a staff member (including all leaders and the headteacher) is upset or distressed at any point during the inspection, inspectors should respond sensitively. Where appropriate, inspectors will consider suitable adjustments to enable the staff member to continue. Where there are serious concerns, inspectors normally contact the national duty desk and will inform those responsible for the person's well-being.

In exceptional circumstances they may need to consider [pausing the inspection](#).

244. Inspectors will consider carefully all the implications of a material change, in judging whether the relevant standards are likely to be met. For example, if the school has applied to accept younger pupils, inspectors will consider whether:

- the accommodation, furniture and playground space are suitable
- the curriculum has been properly planned and supported by adequate teaching resources, including the proposal to recruit teachers with expertise in teaching the proposed age range

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

246. If the lead inspector thinks it is possible that the judgement will be that standards are unlikely to be met, they must make the school's leadership aware of this. The lead inspector must also contact the national duty desk and complete an [early notification form](#) if:

- the school's arrangements for safeguarding pupils are ineffective
- there are serious weaknesses in the school's arrangements to consistently meet the standards (that is, the unmet standards may have a serious impact on pupils' welfare, health and safety, academic or personal development)

247. The lead inspector will also follow up any discrepancies about the proprietor's identity that arose during their inspection planning or in the notification call (see [notification and introduction](#)).

248. In judging whether a school is likely to meet the standards, inspectors will refer to the:

- non-statutory DfE guidance '[The independent school standards: guidance for independent schools](#)'. Although this document is non-statutory, its aims are to:
  - set out the DfE's understanding of the standards
  - provide supplementary guidance on best practice in complying with the standards
  - give additional detail in some areas for which questions are sometimes raised by schools

- non-statutory DfE guidance '[Independent school registration](#)' and the resources to which this document refers
- guidance in part 4 of the [non-association independent school inspection handbook](#)

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

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

## **Early years provision (part of the school's registration)**

250. When a school has applied to change or implement new early years provision for children aged 2 and upwards, as part of the school registration, inspectors will consider whether the early years provision is likely to meet the requirements of the early years foundation stage. If the school has an exemption from the learning and development requirements of the early years foundation stage, they will still judge whether the safeguarding and welfare requirements are likely to be met.<sup>[\[footnote 33\]](#)</sup>

251. The independent school standards cover all of the pupils in the school from the age of 2 upwards. Therefore, inspectors will judge whether the school is likely to meet the independent school standards in relation to the proposed new or changed early years provision, and in the context of the whole-school provision. A judgement about whether the school is likely to meet the standards relating to the quality of the curriculum, resources, premises and accommodation, for example, will include their suitability for children aged 2 to 5.

252. If early years provision is proposed to be accommodated at a premises other than the main, registered premises, inspectors must record the full address of this in their evidence base and report this to the relevant regional SHMI.

## **Provision for students aged 19 and over**

253. A school may apply to (or already) admit students aged 19 and over. Inspectors will only inspect and take account of provision for these students if they

began their studies before the age of 18 and are continuing a course of secondary education, or if that is the result of the proposed change. However, because these students are essentially adults studying alongside children, inspectors will always check and report on whether the school meets the safeguarding requirements of the independent school standards. [\[footnote 34\]](#)

## Special schools

254. In judging whether a special school is likely to meet requirements if it is approved to accept pupils with a different range of needs, inspectors will consider the impact that the proposed change is likely to have on the pupils already in the school. They will determine whether the school has proper safeguarding procedures that are in line with the DfE requirements for recruiting staff with the necessary expertise and experience to cater for the new level of special need, and that an appropriate learning programme is in place.

## Checking standards beyond the scope of the DfE's commission

255. If inspectors identify matters of concern beyond the scope of the DfE's commission for the material change inspection, they will contact the national duty desk, who will inform the DfE. The DfE may decide to subsequently commission Ofsted to carry out an emergency inspection or to bring forward the timing of the school's next standard inspection.

## Safeguarding

256. Inspectors will always look into how well children and learners are helped and protected so that they are kept safe. In all commissions for material change inspections, the DfE will ask Ofsted to check and report whether the school meets the following requirements in the independent school standards:

- that the school has a safeguarding policy and that this is published on the school's website (or provided to parents on request if the school does not have a website),

- as required by paragraph 32(1)(c) in part 6 the independent school standards
- that the school's safeguarding policy is suitable and implemented effectively, taking into account current government requirements, as required by paragraphs 7 to 7(b) in part 3 of the standards [\[footnote 35\]](#)
  - that the school has met the relevant requirements in part 4 of the standards if it has appointed any new staff since the previous inspection

257. Inspectors are familiar with the relevant guidance and statutory responsibilities for schools on safeguarding, including:

- [‘Keeping children safe in education: statutory guidance for schools and colleges’](#)
- [‘Working together to safeguard children’](#)
- [‘Positive environments where children can flourish’](#)

258. On all inspections, inspectors will determine – and record in the compliance record – whether:

- there have been any safeguarding incidents or allegations since the last inspection
- the school has taken appropriate action to safeguard the children affected and/or deal with allegations

259. Inspectors will take a proportionate account of the comments made about safeguarding from staff, pupils and parents of pupils who attend the school, balancing these alongside the other evidence collected during the inspection.

## **Speaking to pupils**

260. As part of judging how effectively the school is implementing its safeguarding policy (paragraph 7 of the standards) and meeting the requirement to actively promote the well-being of pupils (paragraph 34(1)(c), which is part of the standard about the quality of leadership and management), inspectors will need to talk to pupils.

261. The school must provide opportunities for inspectors to speak to pupils with no other adults present, unless there are exceptional circumstances, as it is important that pupils are able to express their views freely. See our guidance [‘Inspectors talking to pupils on inspection’](#).

262. If inspectors cannot corroborate the evidence that they gather about the effectiveness of the school's arrangements to safeguard pupils because they are prevented from talking to pupils during the inspection, then it is likely that they will



judge the relevant independent school standards as not met.

### **Evidence or allegations of abuse identified on inspection**

263. On a very small number of occasions, inspectors may come across evidence or allegations of child abuse, including sexual abuse, during an inspection.

Inspectors must not attempt to investigate any incident or allegations but will make sure that concerns about a child's safety are referred to the appropriate authority. Any referrals will normally be made by the designated safeguarding lead for the school (see ['Safeguarding concerns: guidance for inspectors'](#)). Inspectors must be satisfied that the correct referral has taken place and record this in their evidence base.

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

### **Minor safeguarding improvements**

265. Inspectors may identify minor improvements that need to be made to the school's safeguarding practices during inspection, such as administrative errors in paperwork or out-of-date policies. Some of the improvements may be rectified easily before the end of the inspection. Where this is the case, inspectors will have a constructive and professional conversation with leaders so that the school has every chance to make these minor improvements. Where minor improvements are required but these are not able to be resolved before the end of the inspection, if the school has taken steps to resolve the issue, the school can still be judged effective for safeguarding and paragraph 7 of the independent school standards can be judged as met. Importantly, any minor improvements that need to be made, while strengthening safeguarding practice, will not have an immediate impact on the safety of pupils.

## **Providing feedback**

266. The on-site inspection ends with a final feedback meeting with the proprietor and headteacher. Those who intend to be connected with the school who may attend include:

- the proprietor or, when there is a proprietorial body, as many members as are

available; the clerk to the proprietor body, or their delegate, may also attend to take notes (there can be more than one note-taker if desired)

- the headteacher and other senior leaders, agreed by the lead inspector and headteacher
- any person the headteacher or proprietor(s) wants present to assist and support them
- if the school has a governing body, the chair and as many representatives as are available from the governing body; the clerk to the governing body, or their delegate, may also attend to take notes (there can be more than one note-taker if desired)
- the lead inspector may agree that other leaders can attend. If the feedback is likely to be challenging or is likely to raise difficult issues, the lead inspector will be sensitive to any implications arising from this feedback and will therefore discuss with the headteacher which other people may attend to ensure the necessary support for school leaders

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

268. Attendance at the feedback meeting is voluntary and any attendee may leave at any time, including leaving for a short time and then returning.

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

- about the independent school standards and other requirements (including the national minimum standards in the case of welfare-only and integrated inspections) that the proposed school is likely to meet, and those that are unlikely to be met if the DfE decides to register it
- about the evidence to support the judgement that any standards or other requirements are unlikely to be met, so that the proposed school is clear about its weaknesses (Ofsted does not give advice about how to meet the standards)
- that if the school has already implemented the change, and the inspector has judged that the relevant standards are not met, the DfE will decide any subsequent action to take in respect of any unmet standards<sup>[footnote 36]</sup>
- that the judgements about whether the standards and other requirements are likely to be met are provisional and so may change as a result of quality assurance procedures or moderation
- that, if the material changes have already been implemented by the school, this will be reported to the DfE

- that the findings of the inspection and the points provided orally in the feedback meeting, subject to any change, will be referred to in the text of the report, which Ofsted will submit to the DfE
- that they are invited and encouraged to complete the post-inspection survey
- that, in addition to being able to raise concerns at any stage during the inspection, the school has an opportunity to raise any issues or concerns, or to seek clarification about the inspection, and can also contact Ofsted after the inspection, if necessary
- about the procedure for making a complaint about the inspection
- that Ofsted does not recommend to the DfE whether or not a proposed material change should be approved
- that the DfE, which is the registration authority for independent schools, will decide whether the material change can be implemented

## **When safeguarding is ineffective, there are serious weaknesses or the material change is already implemented**

270. The lead inspector will complete an 'Early notification form, initial advice from an independent school inspection' if inspectors conclude that:

- the school's arrangements for safeguarding pupils are ineffective
- there are serious weaknesses in the school's arrangements to consistently meet the standards (that is, the unmet standards may have a serious impact on pupils' welfare, health and safety, academic or personal development)
- the school is operating beyond its registration agreement (which constitutes another [material change to its registration](#))

271. The purpose of the form is to provide initial advice to the DfE. We provide the final advice in an [inspection report and independent school standard compliance record](#).

272. We will normally send the form to the DfE the working day after the on-site inspection ends. If there are urgent concerns, we may send the form to the DfE during the on-site inspection.

273. The DfE will use the information to determine whether to take [regulatory or enforcement action](#) and to prioritise those schools that require most urgent attention.

# After the inspection

## Arrangements for publishing the report

274. The lead inspector is responsible for writing the inspection report, completing the independent school standards compliance record and submitting the evidence to Ofsted shortly after the inspection ends.<sup>[footnote 37]</sup> The text of the report should explain the judgements and reflect the evidence. The findings in the report should be consistent with the feedback given to the school at the end of the inspection.

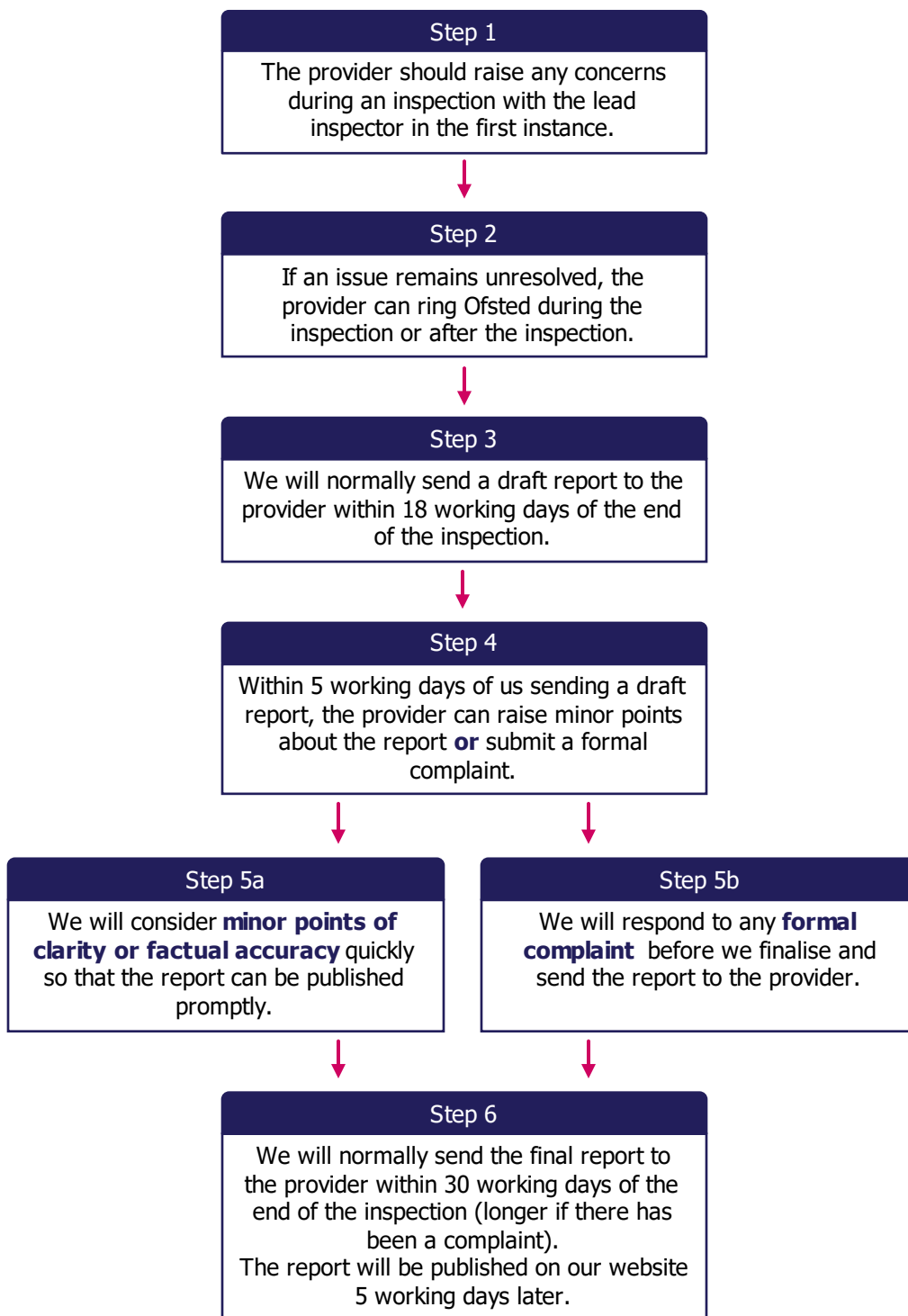
275. Inspection reports are sent to the school following moderation and quality assurance. We aim to send the reports to schools as quickly as reasonably possible. In most circumstances, we will send the draft report to the school within 18 working days of the end of the inspection.

276. The school will have 5 working days to comment on the draft report. It can highlight minor points relating to the clarity and/or factual accuracy of the report, or it can submit a formal complaint seeking a review of the inspection process, including the judgements made or concerns about inspector conduct (see paragraph 269). If it only submits minor points of clarity or factual accuracy, we will consider and respond to these when we share the final report with the school. This will normally be within 30 working days of the end of the inspection. As set out above, we expect leaders to share the inspection outcome and findings with the relevant staff (as determined by the school), including those responsible for governance. We may also send the draft report to the DfE and other bodies as necessary. This will only take place following moderation or quality assurance.

277. If the school wishes to make a formal complaint, we will follow the process set out in our [published complaints procedure](#). We will respond to any complaint before we finalise and send the report to the school. If the school has previously chosen to highlight some minor points of clarity or factual accuracy on the draft inspection report (see paragraph 268), it will not normally be able to submit a formal complaint or challenge later. We will publish the final report on our [reports website](#) 5 working days after sending it to the school.

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

**Figure 1: Ofsted's post-inspection and complaints procedure**



**Suitability of the proprietor and other managers – reporting concerns to the registration authority**

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

## The inspection evidence base

280. The evidence base for the inspection must be retained in line with our [published privacy notice](#).

# Quality assurance and complaints

## Quality assurance

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

282. We monitor the quality of inspections through a range of formal processes and His Majesty's Inspectors (HMI) or SHMI visit some providers or monitor remotely to quality assure inspections. We may also evaluate the quality of an inspection evidence base. The lead inspector will be responsible for giving team inspectors feedback about the quality of their work and their conduct. In very rare circumstances, if we find a weakness in the inspection process, we may carry out a further visit to [gather additional evidence](#).

283. All schools are invited to take part in a voluntary post-inspection survey in order to contribute to inspection development.

## Handling concerns and complaints

284. The great majority of our work is carried out smoothly and without incident. If concerns do arise during the on-site inspection, they should be raised with the lead inspector as soon as possible, in order to resolve issues before the inspection is completed. Any concerns raised, and actions taken, will be recorded in the inspection evidence. If there are any concerns that it is not possible to resolve with the lead inspector during the inspection, the headteacher, another senior leader, the chair of governors or the proprietor(s) can contact a senior Ofsted leader using the number provided at as part of the notification process. In exceptional circumstances, this might lead to the [inspection being paused](#).

285. If an issue remains unresolved, the school can contact Ofsted after the inspection. This will be an opportunity for the school to raise informal concerns about the inspection process or outcomes, ask about next steps or highlight information that they feel was not fully considered during the inspection. This will be directed to a senior inspector who is independent of the inspection to discuss and to resolve, where appropriate, at the earliest opportunity.

286. If it is not possible to resolve concerns during the inspection or through a telephone call the day after the inspection, the school may wish to lodge a formal complaint when it receives the draft report. The lead inspector will ensure that the school is informed that it is able to make a formal complaint and that information about [how to complain](#) is available on GOV.UK.

## The DfE's decision on next steps

287. The DfE, as registration authority for independent schools, will decide whether to register the school, based on the outcome of the inspection and any other evidence it has about the proposed school's likely compliance with the independent school standards. [\[footnote 38\]](#)

288. If the school has already implemented the change, and the inspector judged that the relevant standards are not met, the DfE may decide to take regulatory action against the school. [\[footnote 39\]](#)

289. In addition, if the school was judged good or outstanding at its last standard inspection, the DfE may decide to bring forward the school's next standard inspection in the inspection cycle. As the school has been judged to not meet all of

the standards, it is no longer demonstrating the characteristics of a good or outstanding school, as defined by the [EIF](#). By carrying out a standard inspection, we will be able to judge whether the school has other weaknesses, and if so the DfE can take regulatory action to help the school improve.

290. Sometimes, a school may have been judged ‘likely to meet’ most of the requirements of the independent school standards that are relevant to the material change, but judged ‘unlikely to meet’ a small number of the requirements due to omissions in or the quality of its documents or policies. Consequently, it will have been judged ‘unlikely to meet’ the relevant standards overall.

291. In these cases, after the material change inspection is complete (see [arrangements for publishing the report](#), the DfE may commission Ofsted to review the school’s revised document or policy as a desk-based exercise, rather than commissioning another on-site material change inspection. [\[footnote 40\]](#)

292. Inspectors will use the resources listed in [gathering and recording evidence](#) when checking the proposed school’s revised documents. They will report to the DfE by email whether the revisions now mean that the relevant requirements are ‘likely to be met’ by the proposed school. There is no inspection report for desk-based exercises.

293. When there are significant or numerous omissions in a proposed school’s documents, the DfE may commission another on-site pre-registration inspection, or reject the proposed school’s application to register.

## **Part 3. Emergency inspections of independent schools**

### **Purpose of inspection and legal basis**

294. The DfE may commission Ofsted to carry out an emergency inspection of an independent school for any reason. Normally, the commission will be as a result of a [complaint](#) or other intelligence received by the DfE which appears to raise a concern about safeguarding pupils or putting their safety at risk.



295. An emergency inspection may also be commissioned when the DfE suspects that a school may have ceased operating, or when a school informs us during the notification call for another type of inspection (or when inspectors arrive to inspect at no notice) that it no longer wishes to operate as a school.

296. Ofsted will carry out the emergency inspection under [section 109\(1\) and \(2\) of the Education Act 2002](#).<sup>[footnote 41]</sup> The issue that triggered the inspection will be used as the main line of enquiry for the inspection, and the purpose of the inspection is for Ofsted to report to the DfE on whether the school meets the independent school standards relevant to the issue. An inspection can take place at any time.

297. The commission will specify which of the [Education \(Independent School Standards\) Regulations 2014](#) the DfE requires Ofsted to check that the school complies with.

298. Depending on the nature of the DfE's concern about a school, the DfE may commission Ofsted to also consider whether the school meets other requirements that registered independent schools must comply with or have regard to:

- the [statutory requirements of the early years foundation stage](#), if the change concerns early years provision, which is part of the school registration, for children aged 2 and above
- paragraph 3 of [schedule 10 of the Equality Act 2010](#), which requires that schools have an accessibility plan in place
- section 35 of the [Safeguarding Vulnerable Groups Act 2006](#), under which schools have a duty to make a referral to the DBS if a person in a regulated activity has been dismissed or removed due to safeguarding concerns, or would have been had they not resigned (see '[Keeping children safe in education](#)')

## **Boarding or residential provision**

299. If the concerns raised to the DfE concern a boarding or residential special school's boarding or residential provision, as well as the school, the DfE will commission Ofsted to carry out an 'integrated' emergency inspection of the school and its boarding/residential provision.

300. When matters only concern the boarding/residential provision, the DfE will commission Ofsted to carry out a welfare-only emergency inspection.

301. Under section 87 of the Children Act 1989 and supplemented by the [National](#)

[Care Standards Commission \(Inspection of Schools and Colleges\) Regulations 2002](#), Ofsted can carry out a welfare-only emergency inspection of boarding/residential provision at any time. [\[footnote 42\]](#)

302. In both cases, the inspection of the boarding/residential provision will check whether the [national minimum standards for boarding or residential special schools](#) relevant to the issue are met.

303. In an integrated emergency inspection, the education and social care regulatory inspectors will work closely together to plan the inspection activities. They will discuss their findings throughout the inspections. They will normally hold meetings with key staff, such as the designated safeguarding lead in the school and the proprietor, together. The 2 teams will share inspection evidence, where appropriate, for example in assessing the strengths of the links between the day school and the boarding or residential provision, and if concerns are raised with inspectors about children's welfare.

## **Provision for students aged 19 and over**

304. An independent school may have students aged 19 and over on its roll. If the issue which caused the DfE to commission the inspection concerns the sixth-form provision, inspectors will only inspect and take account of provision for these students if they began their studies before the age of 18. However, as these students are essentially adults studying alongside children, inspectors will always check and report on whether the school meets the safeguarding requirements of the independent school standards in this context. [\[footnote 43\]](#)

## **When can an inspection take place?**

305. Emergency inspections normally take place any time during term time. Depending on the nature of the DfE's concern about a school, emergency inspections may take place outside of term time, at the DfE's request.

## **Before the inspection**

# Inspectors' planning and preparation

306. The lead inspector, and in the case of welfare-only and integrated inspections the lead social care regulatory inspector, will prepare for the inspection by reviewing the DfE's ICF for the inspection. The form contains the complaint, concern or other information that triggered the commission for the inspection. It will specify the particular focus that the DfE requires the inspection to have. The lead inspector should review the ICF for completeness. If they think it needs to be amended or added to, they should discuss this with the regional SHMI, who can raise it with the DfE.

307. Inspectors will also consider any other available information, for example:

- all relevant information held by Ofsted, including:[\[footnote 44\]](#)
- inspection reports on the school, which may include boarding and early years inspection reports
- any reports resulting from additional inspections carried out since the last standard inspection, in particular emergency inspections
- the findings of any recent Ofsted survey
- responses from [Ofsted Parent View](#) Ofsted's online survey for parents[\[footnote 45\]](#)
- boarding pupils' and boarding staff's replies to [Ofsted's point-in-time surveys](#)
- any complaints made about the school to Ofsted[\[footnote 46\]](#)
- information on our provider information portal[\[footnote 47\]](#)
- relevant publicly available information, including information on the school's website, such as:
  - a statement of the school's values and ethos
  - the school's opening hours
  - where relevant, curriculum information (so the lead inspector can start to assess the breadth and balance of the school's curriculum and whether it is likely to promote preparation for, and an appreciation of, life in modern Britain)
  - for schools with pupils receiving secondary education, and where relevant, information about the school's careers programme
  - where relevant, information about the use of tutoring in the school
  - relevant policies, for example on behaviour, and relationships, sex and health education
  - the presence of the safeguarding policy, as required by the independent school standards [\[footnote 48\]](#)
  - the suitability of the safeguarding policy, taking into account current government

requirements [\[footnote 49\]](#)

- where relevant, information about SEND provision
- where relevant, the school's accessibility plan
- where relevant, information relating to the school's duties under the Equality Act 2010
- information about governance
- any other information publicly available or available from relevant stakeholders, such as local authorities and the police
- the most recent [inspection report on the relevant local authority's children's services](#)
- the main findings from the relevant [local area's SEND inspection](#), including (where relevant) arrangements for identifying, assessing and meeting the needs of young children with SEND
- any complaints from parents or members of the public that the DfE has asked Ofsted to consider as part of the inspection [\[footnote 50\]](#)
- the school's census returns
- information on the school's registration status as recorded on the DfE's register '[Get information about schools](#)', such as the number and age range of pupils that the school is registered to take, the name of the proprietor and whether the school is 'section 41 approved' [\[footnote 51\]](#)
- whether any additional sites are recorded on the location page of the school's record on '[Get information about schools](#)', or on the school's website
- the [register of licensed sponsors: students](#) for Student and Child Student visas
- information from any other associated providers (which will be triangulated with evidence gathered during the inspection); this may include registered early years provision or, if the school is part of a chain of independent schools, any relevant information from recent inspections of these schools, such as any reported evidence about the suitability and capability of the proprietor

308. The lead inspector will also carry out off-site inspection activity to check compliance with aspects of the independent school standards when that is possible before arriving on site (such as in relation to part 6 of the standards, 'provision of information').

309. The lead inspector will find out who the school's proprietor or proprietor body is before the inspection starts. They will check whether the proprietor's identity is consistently recorded in the previous inspection report, the current '[Get information about schools](#)' record for the school, the school's last census returns and the school's website, if one exists (this may have a section that describes governance

arrangements). The lead inspector will record any discrepancies between 'Get information about schools' and other sources should be recorded on an evidence card. They will follow this up on inspection.

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

311. Other relevant information may be in the public domain and reported in the press. Inspectors will therefore carry out a brief internet search as part of their pre-inspection planning to see whether there are any safeguarding or other issues, such as a change of governance, that may need to be followed up during inspection.  
[\[footnote 52\]](#)

312. The lead inspector will establish whether the school is likely to operate from more than one site, for example if early years or sixth-form provision is accommodated at an address other than the main registered premises. They will also establish the likely nature of any SEND provision, and any nursery provision, before- and/or after-school care or holiday clubs led and managed directly by the school, particularly if these take 2- to 8-year-olds.

313. In all emergency inspections, the lead inspector may also liaise with the local authority designated officer for child protection concerns to obtain any information that may be relevant to the inspection.

314. In integrated inspections, contact between the education and social care regulatory inspectors takes place before the start of the inspection.

## **Notification of inspection**

315. All emergency inspections are carried out at no notice. Once the lead inspector has gained entry to the school, we will send confirmation of the inspection to the school by email.  
[\[footnote 53\]](#)

## Requests for deferral or cancellation

316. Any requests for a deferral will be passed to Ofsted's relevant regional director, who will decide whether the request can be granted in accordance with our [deferral policy](#).

317. We will always inform the DfE if we grant a deferral of any type of independent school inspection. Where we believe that an inspection of an independent school should be cancelled, we will invite the DfE to withdraw the inspection commission.

## The inspection

### Days allocated to inspection and inspection team members

318. Emergency inspections normally last one day, although 'integrated' and 'welfare-only' emergency inspections of boarding and residential special schools normally last 2 days so that the social care regulatory inspector is able to inspect the boarding provision during an evening.

319. The inspection will usually be carried out by one inspector. In 'integrated' inspections of boarding and residential special schools, there will normally also be one social care regulatory inspector. Three inspector days are allocated in total to emergency inspections, for preparation, the inspection, travelling and writing.

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

321. For details of what happens when an interpreter joins the inspection, refer to [the role of an interpreter during inspection](#).

### Arrival time on the day of inspection

322. On the day of the inspection, inspectors will not arrive before 8am.

## Arrival at the school

323. In the rare event that the inspector arrives at the school and it appears to be no longer operating, the inspector will contact the national duty desk who will consult with the DfE. See [‘Emergency inspections of schools that appear to have closed’](#).

324. In the rare event that there are [no pupils on roll](#), the inspection will still go ahead in line with this handbook.

325. On arrival at the school, the lead inspector will ask to speak to the headteacher, proprietor, person(s) responsible for the day-to-day running of the school or, if necessary, the most senior member of staff available. They will explain that they have arrived to carry out an emergency inspection at the commission of the DfE.

326. The lead inspector will explain to the school that they will inspect specified areas of the school’s provision in order to report to the DfE whether the school meets the [Education \(Independent School Standards\) Regulations 2014](#) and/or the national minimum standards for boarding or residential special schools, if relevant. All independent schools must comply with the standards for continued registration.

327. If the inspection has been commissioned due to a complaint received by the DfE, inspectors will not reveal to the school the name of the complainant.

## The start of the on-site inspection

328. The lead inspector should meet briefly with the headteacher and the proprietor at the beginning of the inspection to:

- reiterate the reason for the inspection that the inspector explained on their arrival
- introduce any team inspectors and interpreters
- confirm arrangements for meetings with representatives of those responsible for the governance of the school and with staff
- confirm whether any pupils at the school are educated at a site other than the main, registered premises, for example early years or post-16 provision that operates on separate premises. Inspectors must establish the address of each of

the premises, record this in their evidence base and report this to the relevant regional SHMI

- confirm arrangements for providing feedback at the end of the inspection
- 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
- ensure that the headteacher is aware that Ofsted's evidence from observations of teaching and learning, whether joint or otherwise, must not be used as evidence in capability/disciplinary proceedings or for the purposes of performance management
- establish how the school will give the lead inspector access to its policy documents and records (see [information that schools must provide by the start of the inspection](#))
- ask the school to read Ofsted's [code of conduct](#), which sets out expectations for both inspectors and providers, and explain that if the headteacher has any concerns about inspectors not acting in accordance with the code of conduct, they should raise this as soon as possible with the lead inspector. This is so that any issues can be resolved before the on-site inspection is completed

329. The lead inspector will also inform the school:

- 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

330. If there is more than one inspector, a short team meeting should take place to clarify inspection activities and individual roles and responsibilities.

331. The lead inspector will encourage the headteacher to have at least one other senior leader present, to assist and support them. This will usually be staff who typically deputise for them and can understand and discuss the educational content of the call.

## **Information that schools must provide by the start of the inspection**



332. The lead inspector will confirm which school documents are required for the inspection, some of which are also required to comply with the independent school standards:[\[footnote 54\]](#)

- the policies and other documents required by the independent school standards
- schemes of work for the subjects that the school teaches
- strategic documents about the school, including:
  - anything that sets out school improvement planning or the longer-term vision for the school, such as the school's strategy
  - a summary of any school self-evaluation or equivalent
  - any reports from any external evaluation of the school
  - documented evidence of the work of the proprietor and/or those responsible for governance and their priorities
  - minutes of governors' meetings and other relevant strategic documentation about governance that the school may have
- records and data about behaviour and attendance, including:
  - up-to-date attendance analysis for all groups of pupils
  - records and analysis of pupils taken off roll
  - records and analysis of exclusions and suspensions, incidents of poor behaviour and any use of internal isolation
  - records and analysis of bullying, discriminatory and prejudiced behaviour, either directly or indirectly, including racist, sexist, disability and homophobic/biphobic/transphobic bullying, use of derogatory language and racist incidents
  - records and analysis of sexual harassment and/or sexual violence
  - records and analysis of any restrictive physical intervention
- operational documents, including:
  - access to Wi-Fi, if it exists, so that inspectors can connect to the internet
  - maps and other practical information
  - the school timetable, current staff list (indicating [ECTs](#) times for the school day, including planned interruptions to normal school routines during the inspection and whether teachers cannot be observed for any reason
  - details of any relevant staff absence
  - any requests to not visit a specific lesson or lessons (for example, if a teacher is subject to capability procedures)
- safeguarding information:
  - the single central record for the school [\[footnote 55\]](#)

- a list of referrals made to the designated person for safeguarding in the school and those who were subsequently referred to the local authority, along with brief details of the resolution (a very short summary of how the school dealt with the matter and assurance that pupils have received the appropriate help)
- any referrals made to the local authority designated officer regarding staff or other adults
- a list of all pupils who have open cases with children's services or social care and all pupils who have a multi-agency plan (this is to ensure that the school knows who these pupils are and is able to meet requirements). Inspectors may select a sample of children to make sure the school is meeting the requirements in ['Keeping children safe in education: statutory guidance for schools and colleges'](#)

333. Schools and inspectors must ensure that all actions are compliant with legal requirements for information-handling.

## Gathering and recording evidence

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

335. The inspectors will gather evidence about whether the school meets the independent school standards and other requirements, and/or the national minimum standards in the case of welfare-only and integrated inspections, that relate to the issues that triggered the inspection being commissioned.

336. Paragraph 32(1)(g) of the independent school standards requires proprietors to give any information that is reasonably requested in connection with an inspection under section 109 of The Education and Skills Act 2008, and is required for the purposes of the inspection, to the body conducting the inspection, and to give that body access to the school's admission and attendance registers.

337. Although the purpose of the inspection is not to resolve or investigate the specific issue or [complaint](#) that triggered the inspection to be commissioned, the wider issues raised by the trigger for the inspection are used as a line of enquiry.

338. When inspectors consider these wider issues, they will report on whether the school meets the independent school standards (or national minimum standards) that are relevant to them.

339. If the inspection was commissioned as a result of a complaint, the inspection report will normally reflect this. However, reports will not refer to the substance of the complaint in case this identifies the complainant and/or any individuals in the school. If necessary, and when the DfE has specifically commissioned Ofsted to do so, Ofsted may use the independent school standards compliance record to confidentially share details relating to the complaint with the DfE.

340. When the underlying reasons for the emergency inspection relate to safeguarding matters, inspectors will not investigate the actual case, but will consider whether the school's policies and processes and their implementation are appropriate to meet the independent school standards and relevant national minimum standards.

341. The main inspection activities will be determined by the commission. Inspectors:

- may talk to staff and pupils (see [‘Inspectors talking to pupils on inspection’](#)), and seek opportunities whenever possible to test emerging findings and corroborate conclusions
- may look at the premises, including any located off site, and investigate procedures for appointing staff and safeguarding pupils
- may meet with the proprietor and headteacher, and may also hold meetings with staff, those responsible for governance, pupils, parents and other stakeholders
- may visit lessons and may also observe pupils in a range of situations outside normal lessons, for example when the DfE's commission requires them to report whether the school is likely to meet the standards in part 2 of the independent school standards, which relate to pupils' spiritual, moral, social and cultural development. Further information about lesson visits is available in the section on Ofsted's approach to evaluating the curriculum in the [non-association independent school inspection handbook](#)
- will check that the school has a safeguarding policy and that it is published on the school's website (or provided to parents on request if the school does not have a website) as required by the independent school standards [\[footnote 56\]](#)
- will check the suitability of the school's safeguarding policy, taking into account current government requirements [\[footnote 57\]](#)

342. To help leaders understand how the inspection is progressing and maintain a constructive professional dialogue, the lead inspector will also meet with the headteacher throughout the inspection. There is normally only one inspector; however, if there is more than one, the lead inspector will also invite the headteacher, and at least one other member of staff, to observe the inspection team

meetings. The lead inspector will make it clear that attendance at the meeting is optional, and that the headteacher may leave at any point if they wish. They will also explain to leaders that while team meetings are opportunities for the lead and team inspectors to share evidence and consider the emerging evaluation of the school, the lead inspector may also discuss with leaders their reflections on what they have heard.

343. Team meetings or, where there is only one inspector, the inspector's meetings with the headteacher, will help leaders to understand the evidence on which inspectors will base their judgements about whether the proposed school is likely to meet the standards. They also give leaders the opportunity to:

- clarify any factual matters
- draw inspectors' attention to any other specific matters

344. During the inspection, it is important that pupils are able to express their views freely to inspectors. Therefore, inspectors must have the opportunity to speak to pupils with no other adults present. This is particularly important when inspectors ask pupils questions around safeguarding (see ['Inspectors talking to pupils on inspection'](#)). Any meetings with pupils or parents must also take place without the presence of any leaders or staff, unless there are exceptional circumstances.

345. During the inspection, inspectors may need to speak to staff in a range of different roles. They will do so in line with our code of conduct, and at all times act with professionalism, courtesy, empathy and respect. Staff (including leaders at all levels) may always be accompanied by an appropriate person when speaking to inspectors. However, it is important that staff are able to express their views freely to inspectors.

346. Inspectors should take careful account of the well-being of leaders and staff. They should adjust their approach or activity, as appropriate, as they go about their inspection work in the best interests of pupils. If inspectors see or suspect that a staff member (including all leaders and the headteacher) is upset or distressed at any point during the inspection, inspectors should respond sensitively. Where appropriate, inspectors will consider suitable adjustments to enable the staff member to continue. Where there are serious concerns, inspectors will normally contact the national duty desk and inform those responsible for the person's well-being. In exceptional circumstances they may need to consider [pausing the inspection](#).

347. In integrated emergency inspections, the social care regulatory inspector(s) will inspect the boarding/residential provision.

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

349. If the lead inspector thinks it is possible that the judgement will be that standards are not met they must make the school's leadership aware of this. The lead inspector must also contact the national duty desk and complete an [early notification form](#) if:

- the school's arrangements for safeguarding pupils are ineffective
- there are serious weaknesses in the school's arrangements to consistently meet the standards (that is, the unmet standards may have a serious impact on pupils' welfare, health and safety, academic or personal development)

350. The lead inspector will also ask the school to confirm the identity of the proprietor or proprietor body of the school. They will follow up any discrepancies about the proprietor's identity, including any that arose during their inspection planning (see [the inspection](#)).

351. In judging whether a school meets the standards, inspectors will refer to the:

- non-statutory DfE guidance '[The independent school standards: guidance for independent schools](#)'. Although this document is non-statutory, its aims are to:
  - set out the DfE's understanding of the standards
  - provide supplementary guidance on best practice in complying with the standards
  - give additional detail in some areas for which questions are sometimes raised by schools
- non-statutory DfE guidance '[Independent school registration](#)' and the resources to which this document refers
- guidance in part 4 of the [non-association independent school inspection handbook](#)

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

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

# Checking standards beyond the scope of the DfE's commission

353. If inspectors identify matters of concern beyond the scope of the DfE's commission for the emergency inspection, they will inspect and report against the school's compliance with the relevant paragraphs of the independent school standards to which the concerns relate. [\[footnote 58\]](#) Should inspectors consider that there are too many matters to follow up in the time available for the emergency inspection, they will contact the national duty desk, who will consult the DfE regarding increasing the resource allocated to the inspection. Alternatively, the DfE may decide to bring forward the timing of the school's next standard inspection.

## Safeguarding

354. Inspectors will always look into how well children and learners are helped and protected so that they are kept safe. In all commissions for emergency inspections, the DfE will ask Ofsted to check and report whether the school meets the following requirements in the independent school standards:

- that the school has a safeguarding policy and that this is published on the school's website (or provided to parents on request if the school does not have a website) as required by paragraph 32(1)(c) in part 6 the independent school standards
- that the school's safeguarding policy is suitable and implemented effectively, taking into account current government requirements, as required by paragraphs 7 to 7(b) in part 3 of the standards [\[footnote 59\]](#)
- that the school has met the relevant requirements in part 4 of the standards if it has appointed any new staff since the previous inspection

355. Inspectors are familiar with the relevant guidance and statutory responsibilities for schools on safeguarding, including:

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

356. On all inspections, inspectors will determine – and record in the compliance record – whether:

- there have been any safeguarding incidents or allegations since the last

inspection

- the school has taken appropriate action to safeguard the children affected and/or deal with allegations

357. Inspectors will take a proportionate account of the comments made about safeguarding from staff, pupils and parents of pupils who attend the school, balancing these alongside the other evidence collected during the inspection.

### **Speaking to pupils**

358. As part of judging how effectively the school is implementing its safeguarding policy (paragraph 7 of the standards) and meeting the requirement to actively promote the well-being of pupils (paragraph 34(1)(c), which is part of the standard about the quality of leadership and management), inspectors will need to talk to pupils.

359. The school must provide opportunities for inspectors to speak to pupils with no other adults present, unless there are exceptional circumstances, as it is important that pupils are able to express their views freely. See our guidance [‘Inspectors talking to pupils on inspection’](#).

360. If inspectors cannot corroborate the evidence that they gather about the effectiveness of the school’s arrangements to safeguard pupils because they are prevented from talking to pupils during the inspection, then it is likely that they will judge the relevant independent school standards as not met.

### **Evidence or allegations of abuse identified on inspection**

361. On a very small number of occasions, inspectors may come across evidence or allegations of child abuse, including sexual abuse, during an inspection.

Inspectors must not attempt to investigate any incident or allegations but will make sure that concerns about a child’s safety are referred to the appropriate authority. Any referrals will normally be made by the designated safeguarding lead in the school (see [‘Safeguarding concerns: guidance for inspectors’](#)). Inspectors must be satisfied that the correct referral has taken place and record this in their evidence base.

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

## **Minor safeguarding improvements**

363. Inspectors may identify minor improvements that need to be made to the school's safeguarding practices during inspection, such as administrative errors in paperwork or out-of-date policies. Some of the improvements may be rectified easily before the end of the inspection. Where this is the case, inspectors will have a constructive and professional conversation with leaders so that the school has every chance to make these minor improvements. Where minor improvements are required but these are not able to be resolved before the end of the inspection, if the school has taken steps to resolve the issue, the school can still be judged effective for safeguarding and paragraph 7 of the independent school standards can be judged as met. Importantly, any minor improvements that need to be made, while strengthening safeguarding practice, will not have an immediate impact on the safety of pupils.

## **Providing feedback**

364. The on-site inspection ends with a final feedback meeting with the proprietor and headteacher. Those who intend to be connected with the school who may attend include:

- the proprietor or, when there is a proprietorial body, as many members as are available; the clerk to the proprietor body, or their delegate, may also attend to take notes (there can be more than one note-taker if desired)
- the headteacher and other senior leaders, agreed by the lead inspector and headteacher
- any person the headteacher or proprietor(s) wants present to assist and support them
- if the school has a governing body, the chair and as many representatives as are available from the governing body; the clerk to the governing body, or their delegate, may also attend to take notes (there can be more than one note-taker if desired)
- the lead inspector may agree that other leaders can attend. If the feedback is likely to be challenging or is likely to raise difficult issues, the lead inspector will be sensitive to any implications arising from this feedback and will therefore discuss with the headteacher which other people may attend to ensure the necessary support for school leaders

365. Due to the diverse nature of school governance, in some schools a single



individual may have more than one of the above roles.

366. Attendance at the feedback meeting is voluntary and any attendee may leave at any time, including leaving for a short time and then returning.

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

- about the specific independent school standards and other requirements (including the national minimum standards in the case of welfare-only and integrated inspections) that have been checked on the inspection, which the school meets or does not meet
- about the evidence to support the judgement that any standards or other requirements are not met, so that the school is clear about its weaknesses (Ofsted does not give advice about how to meet the standards)
- that the DfE, which is the registration authority for independent schools, will decide any action to take in respect of any standards or other requirements that are not met<sup>[footnote 60]</sup>
- that the findings of the inspection and the points provided orally in the feedback meeting, subject to any change, will be referred to in the text of the report, which Ofsted will submit to the DfE
- that the judgements 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 receipt of the draft report they must ensure that the report remains restricted and confidential to the relevant senior staff (as determined by the school) and that the information contained within it is not shared with any third party or published under any circumstances
- that they are invited and encouraged to complete the post-inspection survey
- that, in addition to being able to raise concerns at any stage during the inspection, the school has an opportunity to raise any issues or concerns, or to seek clarification about the inspection, and can also contact Ofsted after the inspection, if necessary
- about the procedure for making a complaint about the inspection

## **When safeguarding is ineffective or there are serious weaknesses**

368. The lead inspector will complete an 'Early notification form, initial advice from an independent school inspection' if inspectors conclude that:

- the school's arrangements for safeguarding pupils are ineffective
- there are serious weaknesses in the school's arrangements to consistently meet the standards (that is, the unmet standards may have a serious impact on pupils' welfare, health and safety, academic or personal development)
- the school is operating beyond its registration agreement (which constitutes a [material change to its registration](#))

369. The purpose of the form is to provide initial advice to the DfE. We provide the final advice in an [inspection report and independent school standard compliance record](#).

370. We normally send the form to the DfE the working day after the on-site inspection ends. If there are urgent concerns, we may send the form to the DfE during the on-site inspection.

371. The DfE will use the information to determine whether to take [regulatory or enforcement action](#) and to prioritise the schools that require most urgent attention.

## After the inspection

### Arrangements for publishing the report

372. The lead inspector is responsible for writing the inspection report, completing the independent school standards compliance record and submitting the evidence to Ofsted shortly after the inspection ends. [\[footnote 61\]](#) The text of the report should explain the judgements and reflect the evidence. The findings in the report should be consistent with the feedback given to the school at the end of the inspection.

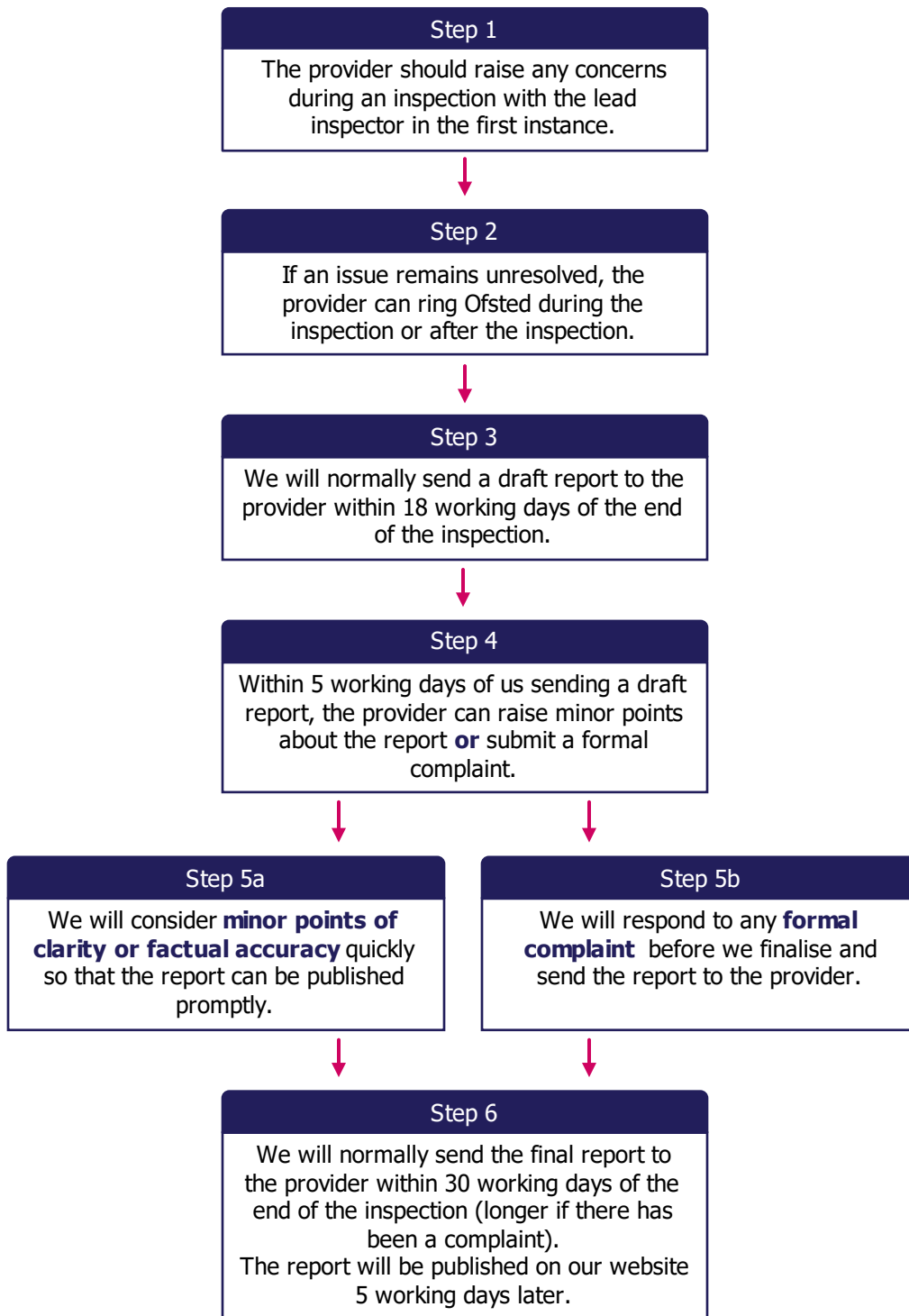
373. Inspection reports are sent to the school following moderation and quality assurance. We aim to send the reports to schools as quickly as reasonably possible. In most circumstances, we will send the draft report to the school within 18 working days of the end of the inspection.

374. The school will have 5 working days to comment on the draft report. It can

highlight minor points relating to the clarity and/or factual accuracy of the report, or it can submit a formal complaint seeking a review of the inspection process, including the judgements made or concerns about inspector conduct (see paragraph 364). If it only submits minor points of clarity or factual accuracy, we will consider and respond to these when we share the final report with the school. This will normally be within 30 working days of the end of the inspection. As set out above, we expect leaders to share the inspection outcome and findings with the proprietor and members of governing body and whoever they deem appropriate. We may also send the draft report to the DfE and other bodies as necessary. This will only take place following moderation or quality assurance.

375. If the school wishes to make a formal complaint, we will follow the process set out in our [published complaints procedure](#). We will respond to any complaint before we finalise and send the report to the school. If the school has previously chosen to highlight some minor points of clarity or factual accuracy on the draft inspection report (see paragraph 363), it will not normally be able to submit a formal complaint or challenge later. We will publish the final report on our [reports website](#) 5 working days after sending it to the school.

### **Figure 1: Ofsted's post-inspection and complaints procedure**



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

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

377. The proprietor may send or give a copy of the report to parents. Alternatively, if parents have provided an email address, the school may either email an electronic copy of the report to them or email a link to where the report is available to download from the internet. [\[footnote 62\]](#)

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

## **Suitability of the proprietor and other managers – reporting concerns to the registration authority**

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

## **The inspection evidence base**

380. The evidence base for the inspection must be retained in line with our [published privacy notice](#).

# **Quality assurance and complaints**

## **Quality assurance**

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

382. We monitor the quality of inspections through a range of formal processes and HMI/SHMI visit some providers or monitor remotely to quality assure inspections. We may also evaluate the quality of an inspection evidence base. The lead inspector will be responsible for giving team inspectors feedback about the quality of their work and their conduct. In very rare circumstances, if we find a weakness in the inspection process, we may carry out a further visit to [gather additional evidence](#).

383. All schools are invited to take part in a voluntary post-inspection survey in order to contribute to inspection development.

## Handling concerns and complaints

384. The great majority of our work is carried out smoothly and without incident. If concerns do arise during the inspection, they should be raised with the lead inspector as soon as possible, in order to resolve issues before the on-site inspection is completed. Any concerns raised, and actions taken, will be recorded in the inspection evidence. If there are any concerns that it is not possible to resolve with the lead inspector during the inspection, the headteacher, another senior leader, the chair of governors or the proprietor(s) can contact a senior Ofsted leader using the number provided as part of the notification process. In exceptional circumstances, this might lead to the [inspection being paused](#).

385. If an issue remains unresolved, the school can contact Ofsted after the inspection. This will be an opportunity for the school to raise informal concerns about the inspection process or outcomes, ask about next steps or highlight information that they feel was not fully considered during the inspection. This will be directed to a senior inspector who is independent of the inspection to discuss and to resolve, where appropriate, at the earliest opportunity.

386. If it is not possible to resolve concerns during the inspection, through a telephone call the day after the inspection, the school may wish to lodge a formal complaint when it receives the draft report. The lead inspector will ensure that the school is informed that it is able to make a formal complaint and that information about [how to complain](#) is available on GOV.UK.

# The DfE's decision on next steps

387. If the school was judged to not meet the independent school standards that were checked during the inspection, the DfE, as registration authority for independent schools, will decide any action to take in respect of this. [\[footnote 63\]](#)

388. In addition, if the school was judged good or outstanding at its last standard inspection, the DfE may decide to bring forward the school's next standard inspection in the inspection cycle. As the school has been judged to not meet all of the standards, it is no longer demonstrating the characteristics of a good or outstanding school, as defined by the EIF. By carrying out a standard inspection, we will be able to judge whether the school has other weaknesses, and if so the DfE can take regulatory action to help the school improve.

389. If the school was judged to meet the standards that were checked during the inspection, there is normally no further action following the inspection. The emergency inspection does not usually influence the timing of the school's next standard inspection. The normal inspection cycle for 'standard inspections' of independent schools is set out in the [non-association independent school inspection handbook](#).

## Emergency inspections of schools that appear to have closed

390. On rare occasions, it transpires during the notification telephone call for any type of inspection (or for unannounced inspections, when the inspector arrives at a school to carry out any type of inspection) that a school appears to have closed, or that it is no longer operating as a school. We will consult the DfE in these cases.

391. If the inspector has not already arrived at the school to start the inspection, the DfE may contact the school to clarify whether the school intends to continue operating, so that the DfE can decide what action needs to be taken, for example to de-register the school.

392. The DfE may commission Ofsted to carry out an emergency inspection to check compliance with the independent school standards. The DfE's commission may include taking copies of the admission and attendance registers. Inspectors' right of entry to inspect in such cases is set out in [inspectors' right of entry to inspect](#)

[the school](#).

393. Inspectors' planning and on-site activities will be carried out in line with the guidance on emergency inspections in the [emergency inspections of independent schools section](#) of this handbook. Arrangements for publishing the report are set out below.

394. Note that this section is not applicable to inspections of closed schools that have already been removed from the DfE's register of schools, '[Get information about schools](#)'. If we suspect that a previously registered school is operating, it will be inspected under section 97 of the Education and Skills Act 2008, as set out in the '[Unregistered school inspection handbook](#)'.

## **Arrangements for publishing the report**

395. When the outcome of the inspection is that the school appears to have closed – including if we have not been able to gain entry to inspect the school – the inspection findings will always be reported to the DfE, shared with the school (if possible) and published on our website in a short factual report. Inspectors will report on compliance with the independent school standards that they were able to gain sufficient evidence to make judgements about. The overall outcome in the report will be 'The school appears to have closed'. Arrangements for quality assuring, publishing and sharing the draft and final versions of the report will be as set out in [after the inspection section](#).

396. When a school is found to still be operating, the lead inspector will write the report in line with the normal arrangements for an [emergency inspection report](#).

## **The DfE's decision on next steps**

397. When the overall outcome reported is 'The school appears to have closed', the DfE, as registration authority for independent schools, will normally remove the school from its register of schools, and decide on any further action to take.



# Part 4. Progress monitoring inspections of independent schools

## Purpose of inspection and legal basis

### Introduction

398. The DfE may commission Ofsted to carry out a progress monitoring inspection to check the progress made by an independent school to address weaknesses identified at its previous inspection. An inspection can take place at any time.

399. The previous standard or additional inspection:

- will have judged that the school does not meet:
  - one or more of the [Education \(Independent School Standards\) Regulations 2014](#), which are required for continued registration
  - one or more of the [national minimum standards for boarding or residential special schools](#)
  - the [statutory requirements of the early years foundation stage](#), if the change concerns early years provision, which is part of the school registration, for children aged 2 and above
  - paragraph 3 of [schedule 10 of the Equality Act 2010](#), which requires that schools have an accessibility plan in place, and/or
  - section 35 of the [Safeguarding Vulnerable Groups Act 2006](#), under which schools have a duty to make a referral to the DBS if a person in a regulated activity has been dismissed or removed due to safeguarding concerns, or would have been had they not resigned (see [‘Keeping children safe in education’](#), and
- may also have identified qualitative weaknesses

400. If the previous inspection was a standard inspection, the school will have been judged inadequate or requires improvement overall.

## **'Inadequate' schools and schools with significant regulatory failures**

401. If the school has significant regulatory failures (and has been judged inadequate if the previous inspection was a standard inspection) the DfE will normally have issued the proprietor of the school with a statutory notice under section 114 of the Education and Skills Act 2008. The notice sets out the unmet standards and requires the proprietor to submit a statutory action plan within a timeframe specified in the notice.

402. The DfE requires the school's action plan to set out the steps the school proposes to take to address its weaknesses and to meet the unmet independent school standards, national minimum standards and other requirements. The action plan is required to specify the timescale within which the proposed steps will be taken. The DfE provides schools with a suggested [template and guidance for producing action plans](#).

403. The DfE normally commissions Ofsted to evaluate the school's action plan (see '[Evaluating independent schools' action plans](#)'). Whether or not an evaluation has taken place, the DfE will either approve (with or without modifications) or reject the action plan, and inform the school and Ofsted of its decision.

404. Following this, the DfE will normally commission Ofsted to carry out a progress monitoring inspection. The commission will be on a case-by-case basis.

## **'Requires improvement' schools and schools with less significant regulatory failures**

405. If the school has relatively minor regulatory failures, the DfE may still require the school to prepare an action plan, and may still commission Ofsted to evaluate the action plan and to carry out a progress monitoring inspection.

## **Purpose of inspection**

406. The purpose of the progress monitoring inspection is to check and report to the DfE on the school's progress in addressing:

- any previously unmet independent school standards, national minimum standards and/or other requirements (when the previous inspection was any type of additional inspection or a standard inspection)
- the qualitative weaknesses identified at the previous inspection (when the previous inspection was a standard inspection)

407. When the DfE has required the school to prepare an action plan, the inspection will be carried out against the version of the action plan approved by the DfE, including any modifications, not any subsequently revised plans which a school may produce.

408. When the DfE has rejected the school's action plan, at the start of the inspection Ofsted will ask the school to provide a revised version of the plan, if any exists.

## Legal basis

409. Ofsted will carry out the progress monitoring inspection under [section 109\(1\) and \(2\) of the Education and Skills Act 2008](#). <sup>[footnote 64]</sup>

## Boarding or residential provision

410. If the previous inspection of a boarding or residential special school identified unmet standards relating to the boarding/residential provision, as well as the school, the DfE will commission an 'integrated' progress monitoring inspection of the school and its boarding/residential provision.

411. If the unmet standards identified at the previous inspection only relate to the boarding/residential provision, the DfE will commission Ofsted to carry out a welfare-only progress monitoring inspection.

412. In both cases, the inspection of the boarding/residential provision will check whether:

- the previously unmet [national minimum standards for boarding or residential special schools](#)
- the qualitative weaknesses identified at the previous inspection have been

addressed (when the previous inspection was a standard inspection, or the school is subject to a second or subsequent progress monitoring inspection)

413. In an integrated progress monitoring inspection, the education and social care regulatory inspectors will work closely together to plan the inspection activities. They will discuss their findings throughout the inspection. They will normally hold meetings with key staff, such as the designated safeguarding lead in the school and the proprietor, together. The 2 teams will share inspection evidence where appropriate, for example in assessing the strengths of the links between the day school and the boarding or residential provision, and if concerns are raised with inspectors about children's welfare.

## **Provision for students aged 19 and over**

414. An independent school may have students aged 19 and over on roll. If the unmet standards relate to the sixth-form provision, inspectors will only inspect and take account of provision for these students if they began their studies before the age of 18. However, because these students are essentially adults studying alongside children, inspectors will always check and report on whether the school meets the safeguarding requirements of the independent school standards in this context. [\[footnote 65\]](#)

## **When can an inspection take place?**

415. Progress monitoring inspections normally take place anytime during term time.

## **Before the inspection**

### **Inspectors' planning and preparation**

416. The lead inspector, and in the case of welfare-only and integrated inspections the lead social care regulatory inspector, will prepare for the inspection by reviewing

the DfE's ICF for the inspection. When applicable, the form will contain the version of the action plan approved by the DfE, a copy of the statutory notice served to the school and any correspondence in relation to the action plan. It will specify the particular focus that the DfE requires the inspection to have. The lead inspector should review the ICF for completeness. If they think it needs to be amended or added to, they should discuss this with the regional SHMI, who can raise it with the DfE.

417. Inspectors will also consider any other available information, for example:

- all relevant information held by Ofsted, for example:
  - the unmet standards and other requirements and any qualitative weaknesses reported in the previous inspection report and the compliance record
  - inspection reports on the school, which may include boarding and early years inspection reports
  - any reports resulting from additional inspections carried out since the last standard inspection, in particular emergency inspections
  - the findings of any recent Ofsted survey
  - responses from [Ofsted Parent View](#) Ofsted's online survey for parents <sup>[footnote 66]</sup>
  - boarding pupils' and boarding staff's replies to [Ofsted's point-in-time surveys](#)
  - information from Ofsted's provider information portal <sup>[footnote 67]</sup>
- relevant publicly available information, including information on the school's website, such as:
  - a statement of the school's values and ethos
  - the school's opening hours
  - where relevant, information about the curriculum (so the lead inspector can start to assess the breadth and balance of the school's curriculum and whether it is likely to promote preparation for, and an appreciation of, life in modern Britain)
  - for schools with pupils receiving secondary education, and where relevant, information about the school's careers programme
  - where relevant, information about the use of tutoring in the school
  - relevant policies, for example, on behaviour, and relationships, sex and health education
  - the presence of the safeguarding policy, as required by the independent school standards <sup>[footnote 68]</sup>
- the suitability of the safeguarding policy, taking into account current government requirements <sup>[footnote 69]</sup>

- where relevant, information about SEND provision
- where relevant, the school's accessibility plan
- where relevant, information relating to the school's duties under the Equality Act 2010
- information about governance
- any other information publicly available or available from relevant stakeholders, such as local authorities and the police
- the most recent [inspection report on the relevant local authority's children's services](#)
- the main findings from the relevant [local area's SEND inspection](#), including (where relevant) arrangements for identifying, assessing and meeting the needs of young children with SEND
- any complaints from parents or members of the public that the DfE has asked Ofsted to consider as part of the inspection
- the school's census returns
- information on the school's registration status as recorded on the DfE's register '[Get information about schools](#)', such as the number and age range of pupils that the school is registered to take, the name of the proprietor and whether the school is 'section 41 approved' [\[footnote 70\]](#)
- whether any additional sites are recorded on the location page of the school's record on '[Get information about schools](#)', or on the school's website
- the [register of licensed sponsors: students](#) for Student and Child Student visas
- information from any other associated providers (which will be triangulated with evidence gathered during the inspection); this may include registered early years provision or, if the school is part of a chain of independent schools, any relevant information from recent inspections of these schools, such as any reported evidence about the suitability and capability of the proprietor

418. The lead inspector will also carry out off-site inspection activity to check compliance with aspects of the independent school standards when that is possible before arriving on site (such as in relation to part 6 of the standards, 'provision of information').

419. The lead inspector will find out who the school's proprietor or proprietor body is before the inspection starts. They will check whether the proprietor's identity is consistently recorded in the previous inspection report, the current '[Get information about schools](#)' record for the school, the school's last census returns and the school's website, if one exists (this may have a section that describes governance arrangements). The lead inspector will record any discrepancies between '[Get](#)

information about schools' and other sources should be recorded on an evidence card. They will follow this up on inspection.

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

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

[\[footnote 71\]](#)

422. The lead inspector will establish whether the school is likely to operate from more than one site, for example if early years or sixth-form provision is accommodated at an address other than the main registered premises. They will also establish the likely nature of any SEND provision, and any nursery provision, before- and/or after-school care or holiday clubs led and managed directly by the school, particularly if these take 2- to 8-year-olds.

423. In all progress monitoring inspections, the lead inspector may also liaise with the local authority designated officer for child protection concerns to obtain any information that may be relevant to the inspection.

424. In integrated inspections, contact between the education and social care regulatory inspectors takes place before the start of the inspection.

## **Notification of inspection**

425. All progress monitoring inspections are carried out at no notice, although the school will be aware that an inspection is to take place to check progress. Once the lead inspector has gained entry to the school, we will send confirmation of the inspection to the school by email. [\[footnote 72\]](#)

## Requests for deferral or cancellation

426. Any requests for a deferral will be passed to Ofsted's relevant regional director, who will decide whether the request can be granted in accordance with our [deferral policy](#).

427. We will always inform the DfE if we grant a deferral of any type of independent school inspection. Where we believe that an inspection of an independent school should be cancelled, we will invite the DfE to withdraw the inspection commission.

## The inspection

### Days allocated to inspection and inspection team members

428. Progress monitoring inspections do not normally last longer than one day, although 'integrated' and 'welfare-only' progress monitoring inspections of boarding and residential special schools normally last 2 days so that the social care regulatory inspector is able to inspect the boarding provision during the evening.

429. The inspection will usually be carried out by one inspector. In 'integrated' inspections of boarding and residential special schools, there will normally also be one social care regulatory inspector. Three inspector days are allocated in total to progress monitoring inspections, for preparation, the inspection, travelling and writing.

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

431. For details of what happens when an interpreter joins the inspection, refer to [the role of an interpreter during inspection](#).

### Arrival time on the day of inspection



432. On the day of the inspection, inspectors will not arrive before 8am.

## Arrival at the school

433. In the rare event that the inspector arrives at the school and it appears to be no longer operating, the inspector will contact the national duty desk, who will consult with the DfE.

434. In the rare event that there are [no pupils on roll](#), the inspection will still go ahead in line with this handbook.

435. On arrival, the lead inspector (or lead social care regulatory inspector, for integrated inspections) will explain to the school that they will inspect specified areas of the school's provision, in order to report to the DfE on whether the school now meet the [Education \(Independent School Standards\) Regulations 2014](#) and/or the national minimum standards for boarding or residential special schools that were judged to be unmet at the previous inspection, and the school's progress in addressing any qualitative weaknesses identified at the previous inspection. All independent schools must comply with the standards for continued registration.

## The start of the on-site inspection

436. The lead inspector should meet briefly with the headteacher and the proprietor at the beginning of the inspection to:

- introduce any team inspectors and interpreters
- confirm arrangements for meetings with representatives of those responsible for the governance of the school and with staff
- confirm whether any pupils at the school are educated at a site other than the main, registered premises, for example early years or post-16 provision that operates on separate premises. Inspectors must establish the address of each of the premises, record this in their evidence base and report this to the relevant regional SHMI
- confirm arrangements for providing feedback at the end of the inspection
- 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

- ensure that the headteacher is aware that Ofsted's evidence from observations of teaching and learning, whether joint or otherwise, must not be used as evidence in capability/disciplinary proceedings or for the purposes of performance management
- establish how the school will give the lead inspector access to its policy documents and records (see [information that schools must provide by the start of the inspection](#))
- ask the school to read Ofsted's [code of conduct](#), which sets out expectations for both inspectors and providers, and explain that if the headteacher has any concerns about inspectors not acting in accordance with the code of conduct, they should raise this as soon as possible with the lead inspector. This is so that any issues can be resolved before the on-site inspection is completed

437. The lead inspector will also inform the school:

- 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

438. When there is more than one inspector, a short team meeting should take place to clarify inspection activities and individual roles and responsibilities.

439. The lead inspector will encourage the headteacher to have at least one other senior leader present, to assist and support them. This will usually be staff who typically deputise for them and can understand and discuss the educational content of the calls.

## **Information that schools must provide by the start of the inspection**

440. The lead inspector will confirm which school documents are required for the inspection [\[footnote 73\]](#), some of which are also required to comply with the independent school standards. Please refer to the list in [information that schools must provide by the start of the inspection](#)

## Gathering and recording evidence

441. Inspectors will gather evidence about whether the school now meets the independent school standards and/or the national minimum standards for boarding or residential special schools that were judged to be unmet at the previous inspection, and the school's progress in addressing qualitative issues. They will follow up all of the matters identified in the report from the previous inspection.

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

443. If the DfE has approved the school's action plan, inspectors will check that all proposed actions are being implemented effectively and within the timescale set out in the action plan.

444. If the DfE has asked Ofsted to [consider a complaint](#) as part of the inspection, inspectors will normally check whether the school meets the independent school standards (or national minimum standards) that are relevant to the wider issues raised by the complaint.

445. Inspectors will be rigorous in their evidence-gathering and will ask to see any documents, records or other information necessary. [\[footnote 74\]](#)

446. The main inspection activities will be determined by the unmet standards identified at the previous inspection. Inspectors:

- may talk to staff and pupils (see [‘Inspectors talking to pupils on inspection’](#)), and seek opportunities whenever possible to test emerging findings and corroborate conclusions
- may look at the premises, including any located off site, and investigate procedures for appointing staff and safeguarding pupils
- may meet with the proprietor and headteacher, and may also hold meetings with staff, those responsible for governance, pupils, parents and other stakeholders
- may visit lessons and may also observe pupils in a range of situations outside normal lessons, for example when the DfE's commission requires them to report whether the school is likely to meet the standards in part 2 of the independent school standards, which relate to pupils' spiritual, moral, social and cultural development. Further information about lesson visits is available in the section on Ofsted's approach to evaluating the curriculum in the [non-association independent school inspection handbook](#)
- will check that the school has a safeguarding policy and that it is published on the

school's website (or provided to parents on request if the school does not have a website) as required by the independent school standards<sup>[footnote 75]</sup>

- check the suitability of the school's safeguarding policy, taking into account current government requirements<sup>[footnote 76]</sup>

447. To help leaders understand how the inspection is progressing and maintain a constructive professional dialogue, the lead inspector will also meet with the headteacher throughout the inspection. There is normally only one inspector; however, if there is more than one, the lead inspector will also invite the headteacher, and at least one other member of staff, to observe the inspection team meetings. The lead inspector will make it clear that attendance at the meeting is optional, and that the headteacher may leave at any point if they wish. They will also explain to leaders that while team meetings are opportunities for the lead and team inspectors to share evidence and consider the emerging evaluation of the school, the lead inspector may also discuss with leaders their reflections on what they have heard.

448. Team meetings or, where there is only one inspector, the inspector's meetings with the headteacher, will help leaders to understand the evidence on which inspectors will base their judgements about whether the proposed school is likely to meet the standards. They also give leaders the opportunity to:

- clarify any factual matters
- draw inspectors' attention to any other specific matters

449. During the inspection, it is important that pupils are able to express their views freely to inspectors. Therefore, inspectors must have the opportunity to speak to pupils with no other adults present. This is particularly important when inspectors ask pupils questions around safeguarding (see '[Inspectors talking to pupils on inspection](#)'). Any meetings with pupils or parents must also take place without the presence of any leaders or staff, unless there are exceptional circumstances.

450. During the inspection, inspectors may need to speak to staff in a range of different roles. They will do so in line with our code of conduct, and at all times act with professionalism, courtesy, empathy and respect. Staff (including leaders at all levels) may always be accompanied by an appropriate person when speaking to inspectors. However, it is important that staff are able to express their views freely to inspectors.

451. Inspectors should take careful account of the well-being of leaders and staff. They should adjust their approach or activity, as appropriate, as they go about their inspection work in the best interests of pupils. If inspectors see or suspect that a

staff member (including all leaders and the headteacher) is upset or distressed at any point during the inspection, inspectors should respond sensitively. Where appropriate, inspectors will consider suitable adjustments to enable the staff member to continue. Where there are serious concerns, inspectors will normally contact the national duty desk and inform those responsible for the person's well-being. In exceptional circumstances they may need to consider [pausing the inspection](#).

452. In integrated progress monitoring inspections, the social care regulatory inspector(s) will inspect the boarding/residential provision.

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

454. If the lead inspector thinks it is possible that the judgement will be that standards are not met, they must make the school's leadership aware of this. The lead inspector must also contact the national duty desk and complete an [early notification form](#) if:

- the school's arrangements for safeguarding pupils are ineffective
- there are serious weaknesses in the school's arrangements to consistently meet the standards (that is, the unmet standards may have a serious impact on pupils' welfare, health and safety, academic or personal development).

455. The lead inspector will also ask the school to confirm the identity of the proprietor or proprietor body of the school. They will follow up any discrepancies about the proprietor's identity, including any that arose during their inspection planning (see [inspectors' planning and preparation](#)).

456. If a school is judged to now meet the standards that were previously unmet, inspectors will not automatically judge that the school also now meets paragraph 34(1), which concerns the quality of leadership and management. In line with the DfE's guidance 'The independent school standards: guidance for independent schools', the school must demonstrate that it can consistently meet standards. There must be evidence that the school is able to meet the standards continually (see paragraph 9.3 of the DfE's guidance '[The independent school standards: guidance for independent schools](#)').

457. In judging whether a school meets the standards, inspectors will refer to the:

- non-statutory DfE guidance [‘The independent school standards: guidance for independent schools’](#). Although this document is non-statutory, its aims are to:
  - set out the DfE’s understanding of the standards
  - provide supplementary guidance on best practice in complying with the standards
  - give additional detail in some areas for which questions are sometimes raised by schools
- non-statutory DfE guidance [‘Independent school registration’](#) and the resources to which this document refers
- guidance in part 4 of the [non-association independent school inspection handbook](#)

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

- [‘Inspecting teaching of the protected characteristics in schools’](#)
- [‘Separation by sex: implications for the inspections of mixed sex/co-educational schools’](#)

## Checking standards beyond the scope of the DfE’s commission

459. If inspectors identify matters of concern beyond the scope of the DfE’s commission for the progress monitoring inspection, they will inspect and report against the school’s compliance with the relevant paragraphs of the independent school standards to which the concerns relate.<sup>[\[footnote 77\]](#)</sup>

460. ‘Should inspectors consider that there are too many matters to follow up in the time available for the progress monitoring inspection, they will contact the national duty desk, who will consult the DfE regarding increasing the resource allocated to the inspection. Alternatively, the DfE may decide to commission Ofsted to carry out an emergency inspection or to bring forward the timing of the school’s next standard inspection.’

## Safeguarding

461. Inspectors will always look into how well children and learners are helped and

protected so that they are kept safe. In all commissions for progress monitoring inspections, the DfE will ask Ofsted to check and report whether the school meets the following requirements in the independent school standards:

- that the school has a safeguarding policy and that this is published on the school's website (or provided to parents on request if the school does not have a website) as required by paragraph 32(1)(c) in part 6 the independent school standards
- that the school's safeguarding policy is suitable and implemented effectively, taking into account current government requirements, as required by paragraphs 7 to 7(b) in part 3 of the standards [\[footnote 78\]](#)
- that the school has met the relevant requirements in part 4 of the standards if it has appointed any new staff since the previous inspection

462. Inspectors are familiar with the relevant guidance and statutory responsibilities for schools on safeguarding, including:

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

463. On all inspections, inspectors will determine – and record in the compliance record – whether:

- there have been any safeguarding incidents or allegations since the last inspection
- the school has taken appropriate action to safeguard the children affected and/or deal with allegations

464. Inspectors will take a proportionate account of the comments made about safeguarding from staff, pupils and parents of pupils who attend the school, balancing these alongside the other evidence collected during the inspection.

### **Speaking to pupils**

465. As part of judging how effectively the school is implementing its safeguarding policy (paragraph 7 of the standards) and meeting the requirement to actively promote the well-being of pupils (paragraph 34(1)(c), which is part of the standard about the quality of leadership and management), inspectors will need to talk to pupils.

466. The school must provide opportunities for inspectors to speak to pupils with no other adults present, unless there are exceptional circumstances, as it is important

that pupils are able to express their views freely. See our guidance [‘Inspectors talking to pupils on inspection’](#)).

467. If inspectors cannot corroborate the evidence that they gather about the effectiveness of the school’s arrangements to safeguard pupils because they are prevented from talking to pupils during the inspection, then it is likely that they will judge the relevant independent school standards as not met.

### **Evidence or allegations of abuse identified on inspection**

468. On a very small number of occasions, inspectors may come across evidence or allegations of child abuse, including sexual abuse, during an inspection. Inspectors must not attempt to investigate any incident or allegations but will make sure that concerns about a child’s safety are referred to the appropriate authority. Any referrals will normally be made by the designated safeguarding lead in the school (see [‘Safeguarding concerns: guidance for inspectors’](#)). Inspectors must be satisfied that the correct referral has taken place and record this in their evidence base.

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

### **Minor safeguarding improvements**

470. Inspectors may identify minor improvements that need to be made to the school’s safeguarding practices during inspection, such as administrative errors in paperwork or out-of-date policies. Some of the improvements may be rectified easily before the end of the inspection. Where this is the case, inspectors will have a constructive and professional conversation with leaders so that the school has every chance to make these minor improvements. Where minor improvements are required but these are not able to be resolved before the end of the inspection, if the school has taken steps to resolve the issue, the school can still be judged effective for safeguarding and paragraph 7 of the independent school standards can be judged as met. Importantly, any minor improvements that need to be made, while strengthening safeguarding practice, will not have an immediate impact on the safety of pupils.

## **Providing feedback**



471. The on-site inspection ends with a final feedback meeting with the proprietor and headteacher. Those who intend to be connected with the school who may attend include:

- the proprietor or, when there is a proprietorial body, as many members as are available; the clerk to the proprietor body, or their delegate, may also attend to take notes (there can be more than one note-taker if desired)
- the headteacher and other senior leaders, agreed by the lead inspector and headteacher
- any person the headteacher or proprietor(s) wants present to assist and support them
- if the school has a governing body, the chair and as many representatives as are available from the governing body; the clerk to the governing body, or their delegate, may also attend to take notes (there can be more than one note-taker if desired)
- the lead inspector may agree that other leaders can attend. If the feedback is likely to be challenging or is likely to raise difficult issues, the lead inspector will be sensitive to any implications arising from this feedback and will therefore discuss with the headteacher which other people may attend to ensure the necessary support for school leaders

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

473. Attendance at the feedback meeting is voluntary and any attendee may leave at any time, including leaving for a short time and then returning.

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

- about which of the independent school standards and other requirements (including the national minimum standards on welfare-only and integrated inspections) that were judged to be unmet at the previous inspection are now met, and those that remain unmet (if applicable)
- about any other standards or requirements that are unmet, if the inspector identified and inspected additional matters of concern during the course of the inspection (see [checking standards beyond the scope of the DfE's commission](#)).
- about the evidence to support the judgement that any standards or other requirements are not met, so that the school is clear about its weaknesses (Ofsted does not give advice about how to meet the standards)
- that the DfE, which is the registration authority for independent schools, will decide

any action to take in respect of any standards or other requirements that are not met [\[footnote 79\]](#)

- about the progress made in addressing any qualitative matters identified at the previous standard inspection (if applicable)
- that the findings of the inspection and the points provided orally in the feedback meeting, subject to any change, will be referred to in the text of the report, which Ofsted will submit to the DfE
- that the judgements 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 receipt of the draft report, they must ensure that the report remains restricted and confidential to the relevant senior staff (as determined by the school) and that the information contained within it is not shared with any third party or published under any circumstances
- that they are invited and encouraged to complete the post-inspection survey
- that, in addition to being able to raise concerns at any stage during the inspection, the school has an opportunity to raise any issues or concerns, or to seek clarification about the inspection, and can also contact Ofsted after the inspection, if necessary
- about the procedure for making a complaint about the inspection

## **When safeguarding is ineffective or there are serious weaknesses**

475. The lead inspector will complete an 'Early notification form, initial advice from an independent school inspection' if inspectors conclude that:

- the school's arrangements for safeguarding pupils are ineffective
- there are serious weaknesses in the school's arrangements to consistently meet the standards (that is, the unmet standards may have a serious impact on pupils' welfare, health and safety, academic or personal development)
- the school is operating beyond its registration agreement (which constitutes a [material change to its registration](#))

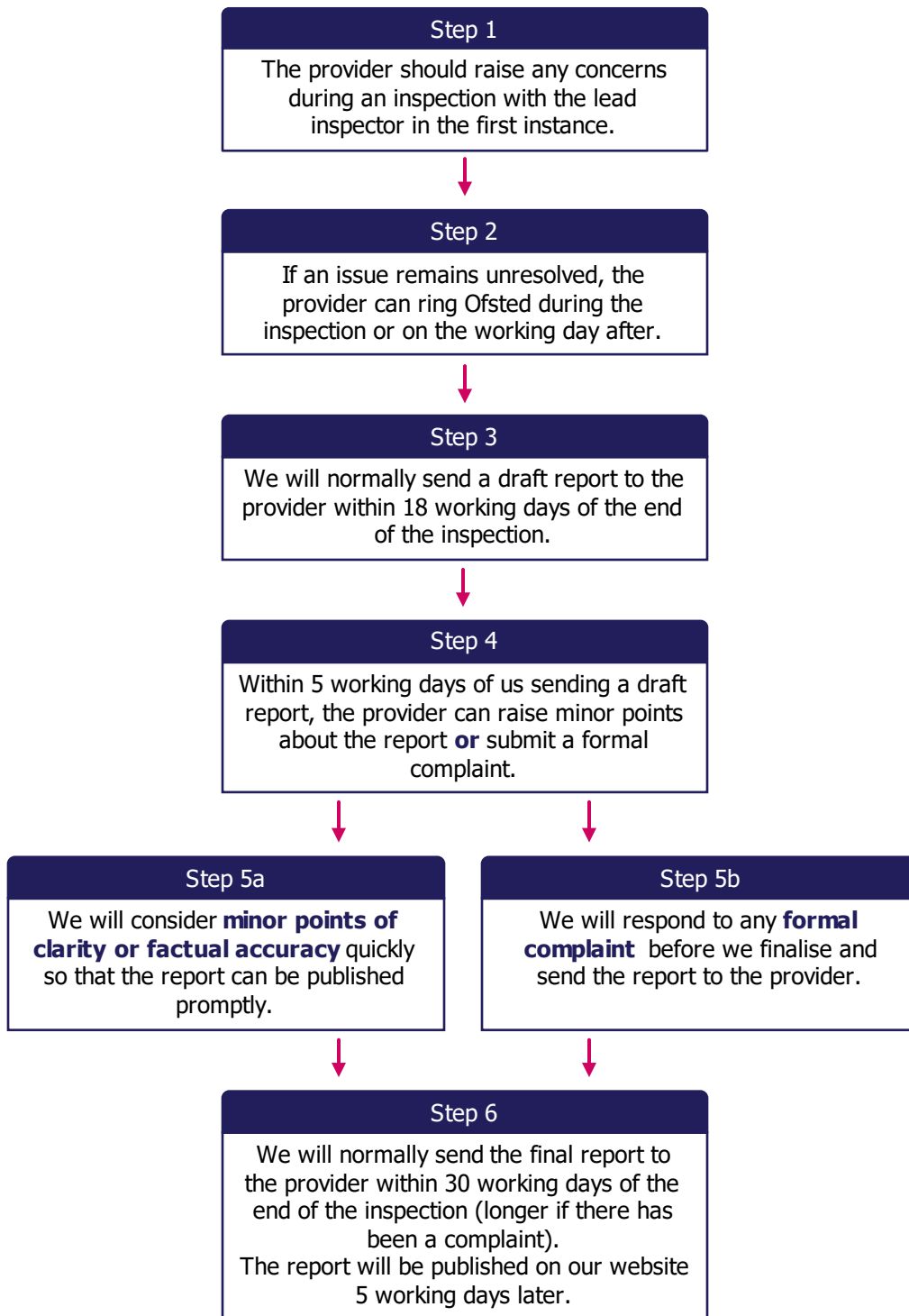
476. We normally send the form to the DfE the working day after the on-site inspection ends. If there are urgent concerns, we may send the form to the DfE during the on-site inspection.

477. The DfE will use the information to determine whether to take [regulatory or enforcement action](#) and to prioritise those schools that require most urgent attention.

## **After the inspection**

### **Arrangements for publishing the report**

**Figure 1: Ofsted's post-inspection and complaints procedure**



478. The lead inspector is responsible for writing the inspection report, completing the independent school standards compliance record and submitting the evidence to Ofsted shortly after the inspection ends. [\[footnote 80\]](#) The text of the report should explain the judgements and reflect the evidence. The findings in the report should be consistent with the feedback given to the school at the end of the inspection.

479. Inspection reports are sent to the school following moderation and quality

assurance. We aim to send the reports to schools as quickly as reasonably possible. In most circumstances, we will send the draft report to the school within 18 working days of the end of the inspection.

480. The school will have 5 working days to comment on the draft report. It can highlight minor points relating to the clarity and/or factual accuracy of the report, or it can submit a formal complaint seeking a review of the inspection process, including the judgements made or concerns about inspector conduct (see paragraph 468). If it only submits minor points of clarity or factual accuracy, we will consider and respond to these when we share the final report with the school. This will normally be within 30 working days of the end of the inspection. As set out above, we expect leaders to share the inspection outcome and findings with the proprietor and members of governing body and whoever they deem appropriate. We may also send the draft report to the DfE and other bodies as necessary. This will only take place following moderation or quality assurance.

481. If the school wishes to make a formal complaint, we will follow the process set out in our [published complaints procedure](#). We will respond to any complaint before we finalise and send the report to the school. If the school has previously chosen to highlight some minor points of clarity or factual accuracy on the draft inspection report (see paragraph 467), it will not normally be able to submit a formal complaint or challenge later. We will publish the final report on our [reports website](#) 5 working days after sending it to the school.

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

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

483. The proprietor may send or give a copy of the report to parents. Alternatively, if parents have provided an email address, the school may either email an electronic copy of the report to them or email a link to where the report is available to download from the internet. [\[footnote 81\]](#)

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

## **Suitability of the proprietor and other managers – reporting concerns to the registration authority**

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

## **The inspection evidence base**

486. The evidence base for the inspection must be retained in line with our [published privacy notice](#).

# **Quality assurance and complaints**

## **Quality assurance**

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

488. We monitor the quality of inspections through a range of formal processes and HMI/SHMI visit some providers or monitor remotely to quality assure inspections. We may also evaluate the quality of an inspection evidence base. The lead inspector will be responsible for giving team inspectors feedback about the quality of their work and their conduct. In very rare circumstances, if we find a weakness in the inspection process, we may carry out a further visit to [gather additional evidence](#).

489. All schools are invited to take part in a voluntary post-inspection survey in order

to contribute to inspection development.

## Handling concerns and complaints

490. The great majority of our work is carried out smoothly and without incident. If concerns do arise during the inspection, they should be raised with the lead inspector as soon as possible, in order to resolve issues before the on-site inspection is completed. Any concerns raised, and actions taken, will be recorded in the inspection evidence. If there are any concerns that it is not possible to resolve with the lead inspector during the inspection, the headteacher, another senior leader, the chair of governors or the proprietor(s) can contact a senior Ofsted leader using the number provided as part of the notification process. In exceptional circumstances, this might lead to the [inspection being paused](#).

491. If an issue remains unresolved, the school can contact Ofsted after the inspection. This will be an opportunity for the school to raise informal concerns about the inspection process or outcomes, ask about next steps or highlight information that they feel was not fully considered during the inspection. This will be directed to a senior inspector who is independent of the inspection to discuss and to resolve where appropriate, at the earliest opportunity.

492. If it is not possible to resolve concerns during the inspection, through a telephone call the day after the inspection, the school may wish to lodge a formal complaint when it receives the draft report. The lead inspector will ensure that the school is informed that it is able to make a formal complaint and that information about [how to complain](#) is available on GOV.UK.

## The DfE's decision on next steps

493. If the school was judged to not meet the independent school standards that were checked during the inspection, the DfE, as registration authority for independent schools, will decide any action to take in respect of this.

494. If the school was judged to meet the standards that were checked during the inspection, the DfE may write to the school to confirm that there will be no further regulatory action against the school.

495. In addition, if the school was judged requires improvement or inadequate at its last standard inspection, the DfE may decide to bring forward the school's next standard inspection in the inspection cycle.

496. As the school has been judged to now meet all of the standards that it previously failed, it may no longer be demonstrating the characteristics of a school that requires improvement or is inadequate, as defined by the EIF. By carrying out a standard inspection, we will be able to judge whether the school has improved overall, and if so the school may be judged good or outstanding under the EIF.

497. The standard inspection may be brought forward if the lead inspector of the progress monitoring inspection judges that all of the following apply:

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

498. Sometimes, a school may have been judged to meet most of the previously unmet requirements of the independent school standards, but is still judged to not meet a small number of the requirements due to omissions in or the quality of its documents or policies. Consequently, the overall outcome of the inspection is that the school does not meet the standards checked during the inspection.

499. In these cases, after the progress monitoring inspection is complete (see [arrangements for publishing the report](#), the DfE may commission Ofsted to review the school's revised documents or policies as a desk-based exercise, rather than commissioning another on-site progress monitoring inspection. [\[footnote 82\]](#)

500. Inspectors will use the resources listed in [the checking revised documents section](#) when checking the school's revised documents. The inspector will write a short progress monitoring inspection report setting out whether the revisions now mean that the relevant requirements are met by the school. The report will be published on the Ofsted reports website, and [paragraphs 383 to 389](#) apply.

501. When there are significant or numerous omissions in a proposed school's documents, the DfE may commission another on-site progress monitoring inspection.



# Part 5. Evaluating independent schools' action plans

## Purpose of evaluation

### Introduction

502. All independent schools must comply with the [Education \(Independent School Standards\) Regulations 2014](#) for continued registration.

503. If a school has been judged on any standard or additional inspection to not comply with one of the following requirements, the DfE will normally write to the school to require the proprietor to produce an action plan to set out the action they intend to take to rectify the failures. These might include:

- one or more of the independent school standards
- one or more of the [national minimum standards for boarding or residential special schools](#)
- the [statutory requirements of the early years foundation stage](#), if the change concerns early years provision, which is part of the school registration, for children aged 2 and above
- paragraph 3 of [schedule 10 of the Equality Act 2010](#), which requires that schools have an accessibility plan in place, and/or
- section 35 of the [Safeguarding Vulnerable Groups Act 2006](#), under which schools have a duty to make a referral to the DBS if a person in a regulated activity has been dismissed or removed due to safeguarding concerns, or would have been had they not resigned (see '[Keeping children safe in education](#)'

### Action plans for schools with relatively minor regulatory failures

504. If the school has relatively minor regulatory failures, the DfE will normally write

to the proprietor of the school after the inspection to request that the school submits a non-statutory action plan to the DfE within 1 month of the date of the letter from the DfE requesting the action plan.

## **Action plans for ‘inadequate’ schools and schools with significant regulatory failures**

505. If the school has significant regulatory failures (and has been judged inadequate if the previous inspection was a standard inspection), the DfE will issue the proprietor with a statutory notice under section 114 of the Education and Skills Act 2008. The notice sets out the unmet standards and requires the proprietor to submit a statutory action plan within a timeframe specified in the notice.

506. If a statutory notice has been served, section 114(4) of the Education and Skills Act 2008 states that an action plan must state clearly both the action proposed by the school to rectify any regulatory failures and the timescale within which the action will be taken.

## **The DfE’s expectations for school action plans**

507. The DfE provides schools with [guidance and a suggested template for producing action plans](#).

508. The DfE expects a school’s action plan to address each unmet requirement. Schools will have been informed of the evidence that caused the inspectors to judge that each standard or requirement is unmet in the final feedback meeting of the inspection, and subsequently in the [inspection report](#) and/or in the letter or notice from the DfE which required the school to prepare an action plan.

## **Purpose of Ofsted’s evaluation of a statutory or non-statutory action plan**

509. To inform its decision on action to take in response to a school’s action plan, the DfE may commission Ofsted to evaluate the action plan.

510. The purpose of the evaluation is for Ofsted to advise the DfE whether the plan is acceptable or whether it requires improvement. Ofsted's advice to the DfE is based on an evaluation of whether the actions that the school proposes to take are likely to mean that the school will meet the unmet standards and/or requirements when the actions have been implemented.

## **The DfE's response to Ofsted's evaluation of a school action plan**

511. [Section 114\(6\) of the Education and Skills Act 2008](#) sets out that the DfE may do one of the following in response to a statutory action plan:

- approve
- approve with modifications
- reject

512. In the case of a non-statutory action plan, the DfE may:

- accept it and put the school back into the normal inspection cycle
- accept it and request a progress monitoring inspection
- reject it and serve a statutory notice requiring a revised action plan
- reject it and request a further non-statutory action plan

## **Evaluating the action plan and writing the report**

### **Inspectors carrying out the evaluation**

513. Normally, one inspector will carry out the evaluation of a school's action plan. This will be carried out by:

- a social care regulatory inspector, if the action plan only concerns non-compliance

with the national minimum standards for boarding or residential special schools

- one of His Majesty's Inspectors or an Ofsted Inspector, if the failures only relate to the school
- a social care regulatory inspector and one of His Majesty's Inspectors or an Ofsted Inspector, if there are failures that relate to the school and boarding/residential provision; this is an 'integrated' evaluation

## Carrying out the evaluation

514. Inspectors will carry out the evaluation in line with any particular requirements specified in the DfE's ICF, which will contain a copy of the school's action plan. The form may also include supporting evidence that the school has supplied to the DfE to demonstrate that it has implemented actions.

515. Inspectors will evaluate the action plan by assessing the following:

- completeness:
  - whether the plan includes every standard and requirement that was judged to be unmet at the previous inspection, with clear reference to the substance of the specific paragraphs of the independent school standards, national minimum standards and any other requirements that were judged to be unmet
  - whether the plan includes actions for meeting every unmet standard and requirement; how the school will address the weaknesses identified at the previous inspection – that is, the evidence from the inspection which caused the inspector to judge that each standard or requirement is not being met
  - whether each action has a date by when it will be completed
  - whether each action has measurable success criteria for judging whether it brings success in meeting the unmet standard or requirement
- quality:
  - the specificity of each action – how clearly defined each action is
  - how robust each action is
  - the applicability of each action: how each proposed action will address the evidence from the previous inspection which caused the inspector to judge that the standard or requirement is not met; and whether the action is likely to bring about sufficient improvement to enable the school to meet the unmet standard or requirement
  - the practicality of achieving each action by the dates shown – whether the

timescale is realistic

- the relevance and adequacy of the success criteria for each action, and whether the criteria are measurable
- the quality of the evidence recorded, or provided, for any action that the plan states that the school has already completed

516. When evaluating action plans, inspectors may refer to the DfE's guidance documents:

- ['Independent school action plans'](#)
- ['Independent school registration' and the resources to which this document refers](#)
- ['The independent school standards: guidance for independent schools'](#). Although this document is non-statutory, its aims are to:
  - set out the DfE's understanding of the standards
  - provide supplementary guidance on best practice in complying with the standards
  - give additional detail in some areas for which questions are sometimes raised by schools

The evaluation will be carried out directly in the independent school evaluation of action plan report. Inspectors do not normally use other methods of recording evidence in the course of an evaluation.

## After the evaluation

### Report

517. The lead inspector is responsible for writing the report. The text of the report should explain the judgements and reflect the evidence.

518. Reports will be quality assured before we send them to the DfE. We will normally send the final version of the report to the DfE within 4 weeks from the date that we received the commission to carry out the evaluation from the DfE.

519. The DfE may, at its discretion, send the report to the school.

## Evidence base

520. There is normally no evidence base for an evaluation of an action plan, as the inspector will write the report while carrying out the evaluation.

## Quality assurance and complaints

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

522. We monitor the quality of inspections and evaluations of action plans through a range of formal processes and HMI/SHMI visit some providers or monitor remotely to quality assure inspections.

## Handling concerns and complaints

523. The majority of Ofsted's work is carried out smoothly and without incident. If concerns do arise as a result of Ofsted's evaluation of a school's action plan, the school may follow the procedures for making a formal complaint. Information about [how to complain](#) is available on GOV.UK.

- 
1. This is the case for 'welfare-only' full inspections of boarding or residential provision, 'education-only' inspections of school provision or 'integrated' standard inspections of both types of provision. [↵](#)
  2. We expect the school to provide all policies, schemes of work and plans and all other documents required by the independent school standards in English. [↵](#)
  3. Part 2 of the schedule to [The Education \(Independent Educational Provision in England\) \(Provision of Information\) Regulations 2010](#) and [Section 98 of the Education and Skills Act 2008](#) requires prospective schools to provide certain information with their application. [↵](#)
  4. Inspectors have right of entry to inspect the proposed school (see [inspectors' right of entry to inspect the school](#)). [↵](#)
  5. The existing provision could be an alternative provider or a children's home. [↵](#)

6. A school that has applied more than once to register may have been given multiple URNs by the DfE. Inspectors should therefore check the provider information portal for any previous pre-registration inspections carried out at the proposed school but recorded under a different URN to the current application. ↵
7. The 'proprietor' is the person as named on the registration form and accepted by the DfE as being the proprietor or the identified chair of the proprietor/proprietary body. ↵
8. Ofsted uses the term 'single central record' to refer to the register described in paragraph 21(1) of the independent school standards, which is also known as the 'single central register'. ↵
9. Paragraph 32(1)(g) is not applicable to pre-registration inspections, because these inspections are carried out under section 99 of the Education and Skills Act 2008. This is the requirement for the proprietor to ensure that 'any information reasonably requested in connection with an inspection under section 109 of the 2008 Act which is required for the purposes of the inspection is provided to the body conducting the inspection and that body is given access to the school's admission and attendance registers'. However, under the [Education \(Pupil Registration\) \(England\) Regulations 2006](#), independent schools are required to keep admission and attendance registers and make them available to inspectors during any type of inspection. ↵
10. See the [Education \(Pupil Registration\) \(England\) Regulations 2006](#) ↵
11. The DfE will commission Ofsted to record compliance with paragraphs 7 to 7(b), paragraph 31(1)(c) and, if the school has appointed any new staff since the previous inspection, the relevant requirements in part 4 of the independent school standards. ↵
12. Paragraph 7 of part 3 of the independent school standards. ↵
13. See the [Education \(Independent School Standards\) Regulations 2014](#). ↵
14. Under section 109(1) and (2) of the [Education and Skills Act 2008](#), the Chief Inspector must inspect and report 'to the Secretary of State on the extent to which any relevant standard is being met in relation to the institution'. Under section 109(4)(b) of the Act, 'any relevant standard' means any independent educational institution standard that is... (b) considered to be relevant by the person carrying out the inspection in the circumstances of the case.' ↵
15. The term 'report' is used to describe the formal written outcome of the inspection. The inspector records whether the school meets every paragraph of the independent school standards and other relevant statutory requirements in the independent school standards compliance record. ↵

16. See [section 99\(2b\) of the Education and Skills Act 2008](#). ↵
17. See [section 118\(2\) Education and Inspections Act 2006 and section 99\(2\) Education and Skills Act 2008](#). ↵
18. Inspectors have right of entry to inspect the school ([see inspectors' right of entry to inspect the school](#)). ↵
19. Paragraph 32(1)(g) is not applicable to material change inspections, because these inspections are carried out under section 162(4) of the Education Act 2002. This is the requirement for the proprietor to ensure that 'any information reasonably requested in connection with an inspection under section 109 of the 2008 Act which is required for the purposes of the inspection is provided to the body conducting the inspection and that body is given access to the school's admission and attendance registers'. However, under the [Education \(Pupil Registration\) \(England\) Regulations 2006](#), independent schools are required to keep admission and attendance registers and make them available to inspectors during any type of inspection. ↵
20. The information supplied by the school should be in line with the DfE's guidance ['Material change: applying for approval to change the registered details of an independent school'](#). ↵
21. Inspectors should refer to the case records that are uploaded to the pre-inspection documents for use during preparation. ↵
22. Ofsted will not use Parent View when commissioned by the DfE to carry out an additional inspection of an independent school that is normally inspected by one of the approved independent inspectorates. ↵
23. We refer all complaints about independent schools to the DfE in a timely manner. See: ['Memorandum of understanding between Ofsted and DfE: independent schools'](#). ↵
24. The provider information portal gives inspectors a high-level view of information about the providers that we inspect and regulate. ↵
25. In all commissions for material change inspections, the DfE will commission Ofsted to check that the requirement of paragraph 32(1)(c) in part 6 of the independent school standards is met. Paragraph 32(1)(c) forms part of the standard in paragraph 32(1). It requires the proprietor to ensure that a safeguarding policy is 'published on the school's internet website or, where no such website exists, [is] provided to parents on request'. All commissioned inspections should include a check of the school's safeguarding policy and its implementation. ↵
26. In all commissions for material change inspections, the DfE will commission



Ofsted to check the suitability of the school's safeguarding policy and its implementation. This is an element of the standard in paragraph 7 of part 3 of the independent school standards. It is also an element of standard 11 of the national minimum standards for boarding and residential special schools. ↵

27. From now on in this handbook, 'parents' will refer to mothers, fathers and/or carers. ↵
28. A registered independent school can be approved by the Secretary of State under [section 41\(1\) of the Children and Families Act 2014](#) to enable the school 'to be the subject of a request for it to be named in an education, health and care (EHC) plan'. ↵
29. A change in proprietor constitutes a material change to the school's registration, which must be agreed with the DfE before being implemented. ↵
30. Ofsted uses the term 'single central record' to refer to the register described in paragraph 21(1) of the independent school standards, which is also known as the 'single central register'.

The DfE will commission Ofsted to record compliance with paragraphs 7 to 7(b), paragraph 31(1)(c) and, if the school has appointed any new staff since the previous inspection, the relevant requirements in part 4 of the independent school standards. ↵

31. Paragraph 32(1)(g) is not applicable to material change inspections, because these inspections are carried out under section 162(4) of the Education Act 2002. This is the requirement for the proprietor to ensure that 'any information reasonably requested in connection with an inspection under section 109 of the 2008 Act which is required for the purposes of the inspection is provided to the body conducting the inspection and that body is given access to the school's admission and attendance registers'. However, under the [Education \(Pupil Registration\) \(England\) Regulations 2006](#), independent schools are required to keep admission and attendance registers and make them available to inspectors during any type of inspection. ↵
32. See the [Education \(Pupil Registration\) \(England\) Regulations 2006](#) ↵
33. See '[The early years foundation stage learning and development requirements: guidance on exemptions for early years providers](#)'. ↵
34. Paragraph 7 of part 3 of the independent school standards. ↵
35. This is also required by standard 11 of the national minimum standards for boarding and residential special schools. ↵
36. Refer to '[Independent schools: regulatory and enforcement action policy](#)

[statement'](#). ↩

37. The term 'report' is used to describe the formal written outcome of the inspection. The inspector records whether the school meets every paragraph of the independent school standards and other relevant statutory requirements in the independent school standards compliance record. ↩
38. See [section 162\(7\)\(b\) of the Education Act 2002](#). ↩
39. Refer to '[Independent schools: regulatory and enforcement action policy statement'](#)'. ↩
40. See [section 118\(2\) Education and Inspections Act 2006 and section 99\(2\) Education and Skills Act 2008](#). ↩
41. Inspectors have right of entry to inspect the school (see [inspectors' right of entry to inspect the school](#)). ↩
42. Section 87 has been amended, including by the [Care Standards Act 2000](#) and the Education Act 2011. Section 87 imposes a duty on the proprietor of an independent school to safeguard and promote the welfare of any children accommodated by the school. ↩
43. See paragraph 7 of part 3 of the independent school standards. ↩
44. Inspectors should refer to the case records that are uploaded to the pre-inspection documents for use during preparation. ↩
45. Ofsted will not use Parent View when commissioned by the DfE to carry out an additional inspection of an independent school that is normally inspected by one of the approved independent inspectorates. ↩
46. We refer all complaints about independent schools to the DfE in a timely manner. See: '[Memorandum of understanding between Ofsted and DfE: independent schools'](#)'. ↩
47. The provider information portal gives inspectors a high-level view of information about the providers that we inspect and regulate. ↩
48. In all commissions for emergency inspections, the DfE will commission Ofsted to check that the requirement of paragraph 32(1)(c) in part 6 of the independent school standards is met. Paragraph 32(1)(c) forms part of the standard in paragraph 32(1). It requires the proprietor to ensure that a safeguarding policy is 'published on the school's internet website or, where no such website exists, [is] provided to parents on request'. All commissioned inspections should include a check of the school's safeguarding policy and its implementation. ↩
49. In all commissions for emergency inspections, the DfE will commission Ofsted to check the suitability of the school's safeguarding policy and its implementation.

This is an element of the standard in paragraph 7 of part 3 of the independent school standards. It is also an element of standard 11 of the national minimum standards for boarding and residential special schools. ↩

50. From now on in this handbook, 'parents' will refer to mothers, fathers and/or carers. ↩
51. A registered independent school can be approved by the Secretary of State under section 41(1) of the Children and Families Act 2014 to enable the school 'to be the subject of a request for it to be named in an EHC plan'. ↩
52. A change in proprietor constitutes a material change to the school's registration, which must be agreed with the DfE before being implemented. ↩
53. The lead inspector will inform the inspection support administrator that they have gained entry to the school. The administrator will send confirmation of the inspection to the school. ↩
54. Paragraph 32(1)(g) of the independent school standards sets out the requirements on proprietors for the provision of information: 'any information reasonably requested in connection with an inspection under section 109 of the 2008 Act which is required for the purposes of the inspection is provided to the body conducting the inspection and that body is given access to the school's admission and attendance registers'. ↩
55. Ofsted uses the term 'single central record' to refer to the register described in paragraph 21(1) of the independent school standards, which is also known as the 'single central register'.

The DfE will commission Ofsted to record compliance with paragraphs 7 to 7(b), paragraph 31(1)(c) and, if the school has appointed any new staff since the previous inspection, the relevant requirements in part 4 of the independent school standards. ↩

56. In all commissions for emergency inspections, the DfE will commission Ofsted to check that the requirement of paragraph 32(1)(c) in part 6 of the independent school standards is met. Paragraph 32(1)(c) forms part of the standard in paragraph 32(1). It requires the proprietor to ensure that a safeguarding policy is 'published on the school's internet website or, where no such website exists, [is] provided to parents on request'. All commissioned inspections should include a check of the school's safeguarding policy and its implementation. ↩
57. In all commissions for emergency inspections, the DfE will commission Ofsted to check the suitability of the school's safeguarding policy and its implementation. This is an element of the standard in paragraph 7 of part 3 of the independent school standards. It is also an element of standard 11 of the national minimum

standards for boarding and residential special schools.

The DfE will commission Ofsted to record compliance with paragraphs 7 to 7(b), paragraph 31(1)(c) and, if the school has appointed any new staff since the previous inspection, the relevant requirements in part 4 of the independent school standards. ↵

58. Under [section 109\(1\) and \(2\) of the Education and Skills Act 2008](#), the Chief Inspector must inspect and report ‘to the Secretary of State on the extent to which any relevant standard is being met in relation to the institution’. Under section 109(4)(b) of the Act, “any relevant standard” means any independent educational institution standard that is... (b) considered to be relevant by the person carrying out the inspection in the circumstances of the case.’ ↵
59. This is also required by standard 11 of the national minimum standards for boarding and residential special schools. ↵
60. Refer to [‘Independent schools: regulatory and enforcement action policy statement’](#). ↵
61. The term ‘report’ is used to describe the formal written outcome of the inspection. The inspector records whether the school meets every paragraph of the independent school standards and other relevant statutory requirements in the independent school standards compliance record. ↵
62. See [The Education \(Independent School Standards\) Regulations 2014](#) as amended by the [Independent Educational Provision in England \(Inspection Fees\) and Independent School Standards \(Amendment\) Regulations 2018](#) and the [Independent Educational Provision in England \(Provision of Information\) and Non-Maintained Special Schools \(England\) and Independent School Standards \(Amendment\) Regulations 2018](#). ↵
63. Refer to [‘Independent schools: regulatory and enforcement action policy statement’](#). ↵
64. Inspectors have right of entry to inspect the proposed school (see [inspectors’ right of entry to inspect the school](#)). ↵
65. See paragraph 7 of part 3 of the independent school standards. ↵
66. Ofsted will not use Parent View when commissioned by the DfE to carry out an additional inspection of an independent school that is normally inspected by one of the approved independent inspectorates. ↵
67. The provider information portal gives inspectors a high-level view of information about the providers that we inspect and regulate. ↵
68. In all commissions for progress monitoring inspections, the DfE will commission

Ofsted to check that the requirement of paragraph 32(1)(c) in part 6 of the independent school standards is met. Paragraph 32(1)(c) forms part of the standard in paragraph 32(1). It requires the proprietor to ensure that a safeguarding policy is 'published on the school's internet website or, where no such website exists, [is] provided to parents on request'. All commissioned inspections should include a check of the school's safeguarding policy and its implementation. ↵

69. In all commissions for progress monitoring inspections, the DfE will commission Ofsted to check the suitability of the school's safeguarding policy and its implementation. This is an element of the standard in paragraph 7 of part 3 of the independent school standards. It is also an element of standard 11 of the national minimum standards for boarding and residential special schools. ↵
70. A registered independent school can be approved by the Secretary of State under section 41(1) of the Children and Families Act 2014 to enable the school 'to be the subject of a request for it to be named in an EHC plan'. ↵
71. A change in proprietor constitutes a material change to the school's registration, which must be agreed with the DfE before being implemented. ↵
72. The lead inspector will inform the inspection support administrator that they have gained entry to the school. The administrator will send confirmation of the inspection to the school. ↵
73. Paragraph 32(1)(g) of the independent school standards sets out the requirements on proprietors for the provision of information: 'any information reasonably requested in connection with an inspection under section 109 of the 2008 Act which is required for the purposes of the inspection is provided to the body conducting the inspection and that body is given access to the school's admission and attendance registers'. ↵
74. Paragraph 32(1)(g) of the independent school standards sets out the requirements on proprietors for the provision of information: 'any information reasonably requested in connection with an inspection under section 109 of the 2008 Act which is required for the purposes of the inspection is provided to the body conducting the inspection and that body is given access to the school's admission and attendance registers'. ↵
75. In all commissions for progress monitoring inspections, the DfE will commission Ofsted to check that the requirement of paragraph 32(1)(c) in part 6 of the independent school standards is met. Paragraph 32(1)(c) forms part of the standard in paragraph 32(1). It requires the proprietor to ensure that a safeguarding policy is 'published on the school's internet website or, where no such website exists, are provided to parents on request'. All commissioned

inspections should include a check of the school's safeguarding policy and its implementation. ↩

76. In all commissions for progress monitoring inspections, the DfE will commission Ofsted to check the suitability of the school's safeguarding policy and its implementation. This is an element of the standard in paragraph 7 of part 3 of the independent school standards. It is also an element of standard 11 of the national minimum standards for boarding and residential special schools.

The DfE will commission Ofsted to record compliance with paragraphs 7 to 7(b), paragraph 31(1)(c) and, if the school has appointed any new staff since the previous inspection, the relevant requirements in part 4 of the independent school standards. ↩

77. Under [section 109\(1\) and \(2\) of the Education and Skills Act 2008](#), the Chief Inspector must inspect and report 'to the Secretary of State on the extent to which any relevant standard is being met in relation to the institution'. Under section 109(4)(b) of the Act, "any relevant standard" means any independent educational institution standard that is... (b) considered to be relevant by the person carrying out the inspection in the circumstances of the case'. ↩

78. This is also required by standard 11 of the national minimum standards for boarding and residential special schools. ↩

79. Refer to '[Independent schools: regulatory and enforcement action policy statement](#)'. ↩

80. The term 'report' is used to describe the formal written outcome of the inspection. The inspector records whether the school meets every paragraph of the independent school standards and other relevant statutory requirements in the independent school standards compliance record. ↩

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

82. See [section 118\(2\) of the Education and Inspections Act 2006](#) and [section 115\(2\) of the Education and Skills Act 2008](#). ↩

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