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## Open consultation Improving the way Ofsted inspects education: consultation document

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#### **Applies to England**

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## Foreword: what we want to achieve

Ofsted works in the interests of children, learners, parents and carers. Our aim is to

help raise standards in education, skills and children's social care and therefore improve the lives of children and learners – particularly the most disadvantaged.

We know our work as inspectors is important. It gives parents confidence that their child is receiving a good education; it shines a light on where things need to improve; and it recognises what is working well. But we also know that we are not the people who make the improvements happen, who teach the lessons and who transform lives. The people who do that are the skilled professionals working in early years, schools, initial teacher education (ITE) and further education (FE) and skills across the country.

When we make changes to the way we work, we must remember that we cannot improve the lives of children and learners, and serve the interests of parents and carers, without the trust and cooperation of the professionals working in the services we inspect and regulate.

We must also recognise and react to the improved standards delivered by education professionals over the last 30 years. As a country, we should be proud of their achievement.

Our primary-aged children are the best readers in the western world, following our country's embrace of evidence-based phonics approaches. Our secondary-aged children now rank 11th in the world in maths, up from 27th less than 2 decades ago. And we should be especially proud that we have the highest proportion of disadvantaged children ranked as top maths performers than any other country in the developed world.

It is a tribute to the work of education professionals across the country that opportunity is being extended to so many children.

But there are no grounds for complacency. We cannot stand still. Ofsted's role is to raise standards, ensuring that every child has the opportunity to thrive. There are still too many pupils left behind and underperforming – especially disadvantaged and vulnerable children.

As a country, we should continue to expect more. We have seen what works to raise standards. We must not stand still. The challenges our society and economy will face in the future will demand even higher standards from our education system.

That is why we are launching a raft of reforms to raise standards ever higher, building on the excellence of what has been delivered over recent decades.

For ease of reading, in this consultation we use the term 'providers' (of education) to

collectively refer to: early years settings, state-funded schools, non-association independent schools, FE and skills providers and ITE providers. We use the term 'children and learners' to refer to everyone who attends those providers, from babies in early years to trainee teachers in ITE.

#### Background

Last year, we carried out the biggest consultation in Ofsted's history, the <u>Big Listen</u>, to hear from all interested parties about our work. We heard from thousands of parents and carers, children and learners, and professionals working in education, skills and children's social care.

We have already made some significant changes to the way we work, based on what you told us. These have focused on supporting the well-being of those we inspect during inspection. But the biggest changes are still to come. We promised to change the way we inspect, starting with education inspections in November 2025 and ITE inspections in January 2026. [footnote 1] Changes to children's social care inspections will follow in 2026.

This consultation asks for your views, as parents, carers, professionals or learners, on the way we carry out education inspections, and the way we report them.

Parents and carers will probably be most interested in our proposals for reporting inspections and presenting our findings. We invite you to comment on any aspect that is of interest to you.

#### Reset, reform and rebuild

In the <u>Big Listen</u>, we heard a clear message from parents, carers and professionals. They told us that the overall effectiveness grade – the 'single-word judgement' – should go. But we heard different views on what we should include in a new report card. Parents and carers favoured clear assessment of a wider set of categories; professionals leaned towards narrative descriptions of performance. Our proposals aim to bring both preferences together.

We also heard loud and clear that we needed to reset our relationship with the professions we inspect, reform our systems to be more consistent, and rebuild trust

in the way we carry out inspections.

This consultation needs to focus on the mechanics of inspection, such as new 'toolkits' that will help leaders understand their strengths and areas for improvement (we will show you a preview of these below). But we recognise that the mechanics of inspection is just one aspect of our work.

We also want to build a much more constructive and collaborative relationship with the sectors we inspect. That starts with more transparency. We will make sure our inspection materials are easy to understand, and that toolkits support continuous improvement. We want to take any mystery out of inspection, so providers can be clear about what we will and, importantly, will not look at. We have already started to share our inspector training through the new <u>Ofsted Academy</u> to be more open about the way we work.

We will inspect sectors differently to recognise their priorities and contexts. Early years inspections will have a different approach to school inspections, which will differ from FE and skills inspections, and the same goes for inspection of ITE. Of course, we will maintain a clear focus on standards, which is our job, throughout. And we will continue to stress the importance of the curriculum, which has been a big part of our inspections in recent years.

We will go about our work with professionalism, empathy, courtesy and respect. Our inspections must feel 'done with', not 'done to'. The conversations we have with leaders will start with their own evaluation of how their provision is doing, based on clear toolkits, published data and professional standards. We want to be clear that we are not advocating a return to the lengthy and bureaucratic process of completing self-evaluation forms. However, as we have stated in our proposed evaluation area for leadership and governance, it is important that, 'Leaders and those responsible for governance have an accurate understanding of the school's context, strengths and weaknesses ... which informs the actions they take'. Inspection seeks to understand the extent to which leaders meet this expectation, including what this looks like day-to-day for staff and pupils, and the impact of leaders' actions on the learning, development and well-being of children and learners.

At the end of the inspection, leaders, senior management and those responsible for governance should have a shared understanding of how they are performing, and what they need to do to improve their provision for learners.

We will continue to call out unacceptable practice, as we have always done. That is our duty, and it's a moral duty as much as a professional one. But these proposals allow us to highlight poor practice with more precision – pointing laser-like to specific issues, not shining a floodlight on the whole provider.

When we inspect, we will take context into better account, understanding the community that is being served and the circumstances of the provider. We will do that to understand, not to excuse, and to help us commend positive work when we see it. For that reason, we propose to capture the very best practice, wherever we see it nationally, and share it, with providers' permission, for all to learn from.

#### Getting it right for all children and learners

Above all, we will focus on the experiences and outcomes of disadvantaged children and learners. If providers are getting it right for disadvantaged children and learners, they will undoubtedly be getting it right for their non-disadvantaged peers. To help us do this, we are thinking carefully about how we proportionately capture and reflect the voices of children and learners, parents and carers when we inspect.

The art of delivering high-quality inspections requires all elements to be carefully crafted: the framework, which sets out the standards we apply; the methodology of carrying out inspections, from how we deploy inspectors to how they hold professional conversations; the way we report our findings to both parents/carers and providers; and the insights we gather as a result. Your feedback, through the Big Listen and since, has been invaluable in helping us shape proposals around these elements.

We believe our proposals represent a good balance between the views of parents and carers and professionals, while always focusing on high standards for children and learners.

We look forward to your comments and feedback.

Sir Martyn Oliver His Majesty's Chief Inspector of Education, Children's Services and Skills

## About this consultation

This consultation seeks your views on our proposed reforms to inspecting early years, state-funded schools, non-association independent schools, FE and skills and ITE. [footnote 2]

#### The consultation will run for 12 weeks, from 3 February to 28 April.

Thank you to all the professionals, experts, unions, representatives, academics, parents, carers and members of the public who have already supported us to reach this point. The proposals below have benefited from your feedback and challenge.

This page sets out our proposals and the associated questions we ask about our proposals in the survey itself.

#### Respond to the consultation

As well as inviting responses through the online survey, we will run focus groups during the consultation period. Over the coming months, we will also do further user research and testing of our report cards, and we will visit providers across all our education remits to refine and improve our proposals.

The changes we are consulting on are due to be implemented from November 2025, except in ITE, which will be implemented from January 2026, in line with government policy. [footnote 3] We will consult stakeholders on potential ITE reforms through focus-group discussions during the consultation period.

We will publish a report on the outcome of the consultation on our website in the summer.

Before we publish our inspection materials, we will assess the impact of our proposed reforms on:

- leaders', practitioners' and inspectors' workloads, mental health and well-being
- equality, diversity and inclusion for children, learners, leaders, practitioners and our inspectors

In parallel with this consultation, the Department for Education (DfE) is seeking feedback on a product that could include Ofsted report cards, along with other

information and live data about a provider. The DfE is also consulting on proposed changes to intervention and support in maintained schools and academies. <u>Respond</u> to the DfE's consultation.

## **Proposal 1: Report cards**

Our inspection reports are used by:

- parents, carers, children, learners, employers and employees to understand the quality of education (and care, where relevant) a provider offers
- providers as a record of their inspection
- government, policymakers, local services and academics to understand and improve educational outcomes

In the Big Listen, parents and carers, as well as education and skills professionals, told us they did not think the single 'overall effectiveness' grade was the best way to express the quality of a provider. Instead, they wanted our reports to give a more nuanced view of providers' strengths and areas for improvement.

The independent research we commissioned as part of the Big Listen polled other ways we could report on providers. Parents ranked 'separate judgements for each inspection area' highest (76% in favour). Professionals ranked this as the third highest (53% in favour). The highest rated options for professionals were 'bullet point summaries of our findings' (65% in favour) and 'narrative descriptions' (59% in favour).

Taking this feedback into account, **we propose using a 5-point scale to grade different areas of a provider's work, such as 'curriculum' and 'leadership'**. Alongside grades, we will have short descriptions summarising our findings. These evaluations will make up our new education inspection report cards. There will be no overall effectiveness grade for early years, state-funded schools, non-association independent schools, FE and skills or ITE inspections.

We believe this approach brings together the most popular preferences of parents and professionals. We also believe it provides the nuance that both are looking for. We will clearly tell parents and the public what a provider is doing well and where further work is needed. And we hope the clear move away from an overall effectiveness grade will also reduce anxiety for professionals. In this video, you can see a mock-up of a typical report card.

#### Ofsted consultation - new report cards

Question: What do you think about the layout of our new report cards?

#### Our proposed evaluation areas

#### Evaluation areas for all schools we inspect, including independent schools:

- leadership and governance
- curriculum
- developing teaching
- achievement
- behaviour and attitudes
- attendance
- personal development and well-being
- inclusion
- safeguarding
- early years in schools (where applicable)
- sixth form in schools (where applicable)

#### Evaluation areas for registered early years providers we inspect:

- leadership and governance
- curriculum
- developing teaching
- achievement
- behaviour, attitudes and establishing routines
- children's welfare and well-being

- inclusion
- safeguarding

#### Evaluation areas for FE and skills providers we inspect

Provider as a whole:

- leadership
- inclusion
- safeguarding

Provider as a whole, but only in colleges and specialist designated institutions:

• contribution to meeting skills needs

For each type of provision offered (education programmes for young people, provision for learners with high needs, apprenticeships and adult learning programmes):

- curriculum
- developing teaching and training
- achievement
- participation and development

#### **Evaluation areas for ITE providers we inspect:**

- leadership
- inclusion
- curriculum
- teaching
- achievement
- professional behaviours, personal development and well-being

#### Why we are proposing these areas

The proposed evaluation areas have been selected because they represent the component parts of great education provision. They are reflective of the different priorities and language used within each remit at each stage of the education system. Children and learners must come first, across all of our work, and the outcomes they achieve matter. So our report cards will place more emphasis on children and learners' outcomes. This does not mean exam results alone. It means looking at whether children and learners achieve well at every stage of their learning journey, so that they can move confidently and smoothly into the next phase of education or training – or into employment.

We will also look at how well providers are supporting children and learners' welfare and well-being. We want to answer the question: 'What is it like to be a child or learner in this provider?' This was particularly important to the children who responded to our Big Listen survey.

We will look at how well leaders are developing the teachers in their team. We know how important it is to have both a well-designed curriculum and effective teaching. That's especially true for disadvantaged children and learners.<sup>[footnote 4]</sup> We want to report on how well leaders support teachers to develop their subject knowledge and practice, through a high-quality professional development programme. This includes how well they help staff to adapt their approaches for every child and learner. However, we are **not** returning to formal lesson observations or to grading individual lessons. We removed those elements from our inspection frameworks many years ago and the focus now is on how well leaders understand and develop high-quality teaching.

We will increase our focus on disadvantaged children and learners, those with special educational needs and/or disabilities (SEND) and those who leaders have identified as being particularly vulnerable. We propose introducing a separate evaluation area for 'inclusion'. Children in our Big Listen survey ranked support for pupils with SEND among their top 5 priorities for Ofsted inspectors to assess when evaluating schools.

**Question:** What do you think about our evaluation areas? [option to select education remit]

#### Our proposed evaluation scale

As the report cards are mainly for parents and carers, we want to make it easy for them to be able to compare different providers. This means we should grade all the different types of education providers we inspect using the same scale. For example, parents should be able to compare their local registered early years settings with early years provision in schools – or sixth-form provision in schools with the 16 to 19 study programmes in FE colleges.<sup>[footnote 5]</sup>

As we move away from using an overall effectiveness grade, we are determined to design a new approach that gives parents and carers more information, but also reduces the pressure of the overall grade on professionals.

We want an evaluation scale that allows inspectors to:

- validate and celebrate success where leaders have made significant improvements
- give reassurance where leaders and staff have taken the right actions and are seeing the first signs of improvement, even where they have not achieved all they intended
- identify where leaders' attention needs to turn next to avoid practice and/or outcomes declining

In the Big Listen, parents and carers said that they wanted us to provide nuance in the information we give. Their preferred option for how we grade providers was for us to give separate judgements across different areas. Their second favourite was for a '0 to 5' scale for overall evaluation. We think combining these approaches could work well.

We are proposing a 5-point scale for each evaluation area, which we think shows the difference between the very highest and the very lowest quality of provision.

The scale we are proposing is:

**Exemplary (highest quality provision)** – a provider where all evaluation areas are graded as at least secure and, within an evaluation area that is consistently strong, there is a feature of practice that could be considered as exemplary

**Strong** – practice is consistently secure across different year groups, key stages and subjects/aspects of learning. Leaders are working above and

**Secure** – the provider is offering a secure standard of education. This includes meeting the legal requirements and the expectations set out in non-statutory guidance, as well as the professional standards required of the particular type of provision, where applicable

**Attention needed** – some aspects of provision are inconsistent, limited in scope or impact and/or not fully meeting the legal requirements, the expectations set out in non-statutory guidance, or the professional standards required, where applicable. However, inspectors have determined that leaders have the capacity and means to make the necessary improvements

**Causing concern (lowest quality provision)** – needs urgent action to provide a suitable standard of education and/or care for children and learners [footnote 6]

On our proposed 5-point scale, the middle 3 grades would typically capture where most providers would sit across the range of evaluation areas. At one extreme, we would have a small proportion of providers 'causing concern'. At the other extreme, we would have those providers that are at least secure across all of the evaluation areas and, in an evaluation area that is consistently strong, they may have a feature of practice that could be considered exemplary. We propose to share that exemplary practice more widely with the sector so that others benefit.

#### Exemplary

Inspectors may recommend a specific feature of leaders' work to be considered as 'exemplary' when the provider has been graded as consistently strong in all themes of that particular evaluation area, and at least secure across all other evaluation areas.

All considerations of exemplary practice will be moderated and confirmed by the national quality and consistency panel. This will include consideration of how the proposed exemplary practice is:

- embedded into the work of the provider and sustained over time
- making a tangible difference to children's and learners' learning, development and well-being
- being used and/or adapted to support and improve other areas of the provider's work
- being (or will be) shared with other providers to support system improvement

Once the on-site element of an inspection has ended and the provisional grades are confirmed through our quality assurance processes, the report card will be published on our website. Inspectors will then invite leaders to submit a short case study of their work to the Ofsted Academy. We will use a panel of experts to review these case studies nationally.

We intend to share 'exemplary' case studies through our <u>Ofsted Academy</u> – perhaps as part of a series of national best practice reports. We want to identify individual providers in these reports so that others can learn from best practice case studies.

#### Other options considered

#### **Option one**

Section 44 of the Education Act 2005 says that, by law, Ofsted must identify schools that fall into 'a category of concern'. This is a minimum legal requirement and gives us the option of a binary evaluation scale for schools: you are either a school causing concern or not. However, only 2% of schools in England are currently in a category of concern. This means a binary scale would not give parents and carers much information, and none of the nuance they told us they wanted in the Big Listen. It would also not give enough information about the sector overall, so that the government can make any necessary improvements.

#### **Option 2**

With all of this in mind, we considered the option of evaluating all providers against a 3-point scale. This would allow people to see the difference between:

 providers that are working within the legal expectations and professional standards expected of them

- providers that need some help to fix inconsistencies or weaknesses
- providers that are seriously failing to give children and learners a suitable standard of education, training and/or care

Although this 3-point scale would give more nuance than the binary 'causing concern or not' approach, it would still be limited. It wouldn't support continuous improvement and drive high and rising standards beyond what providers are already expected to do. We want to highlight providers that exceed statutory expectations and make a strong impact on the experiences of children and learners and the standards they reach. We want parents and carers – and learners themselves when it comes to FE and skills or ITE provision – to have more information to help them choose an education provider.

#### **Option 3**

We also considered an evaluation scale of 4 points. We currently use a 4-point scale and we recognise that there are benefits to making a clean break with this model. We also want to show the difference between meeting securely the statutory and professional standards expected of providers and work that goes beyond this and is really strong. We think this means we need to break down the current grade of 'good' into more parts. Currently, just over three-quarters (77%) of schools are 'good'. This ranges from those that are just out of 'requires improvement' all the way through to those close to 'outstanding' (using our current system). Our preferred 5-point scale helps distinguish better between this large group of providers.

#### **Option 4**

Finally, we considered a 7-point evaluation scale. This was something Ofsted did many years ago, running from 'excellent' to 'very poor'. We think that this would make our report cards unnecessarily complicated.

We are proposing that our 5-point scale, from 'causing concern' to 'exemplary', is listed in order. Please note that the safeguarding evaluation area is graded as either met or not met. This is because we expect providers to be both compliant with statutory requirements and instil an open and positive culture around safeguarding. Therefore, providers are either doing everything they can to keep children and learners safe, or they are not.

Alternatively, we could present 'exemplary' differently, using narrative text to capture exemplary practice below the rest of the report. For now, we have called this a '4+ scale'.

**Question:** What do you think of our proposed 5-point scale for reporting our inspection findings?

Question: What do you think about our approach to 'exemplary' practice?

**Question:** What do you think about the other evaluation scales we have considered?

- a binary met/not met scale
- a 3-point scale
- a 4-point scale
- a 4+ scale
- a 7-point scale

Question: Do you have any other ideas we could consider?

As part of our reforms, we want to take into account the context that a provider operates in. This was a strong theme in the Big Listen. Through the independent research we commissioned, just under half (45%) of the providers surveyed thought inspectors were good at taking into account the context of the local area.<sup>[footnote 7]</sup>

We want to include more contextual data in our inspections and reporting. Inspectors have always considered information about the provider, its children and learners' characteristics, and their outcomes. We want to go further by using local area data (see examples below) to support our inspections, as long as this is relevant and appropriate. In some instances, this will be at the local authority level. In others, we will use more detailed data. Over time, we expect to provide an ever-more sophisticated picture of the local and demographic context a provider is working in. We want this to help people make national and local comparisons and comparisons between those working in similar contexts.

We know that many providers operate in challenging contexts. This cannot justify poor outcomes for children and learners, but inspectors can use this contextual information to help their discussions with leaders. They will want to understand the circumstances in which leaders have identified priorities and taken action for the benefit of their children and learners.

We propose to summarise information on the provider and local area alongside the report card, where relevant and available. This includes:

- characteristics of children/learners including those who are disadvantaged and those with SEND
- outcomes performance data for all children and learners and for particular groups, including those who are disadvantaged; we will highlight trends in performance data
- absence and attendance including those with persistent absence
- local area data including deprivation and relevant characteristics of the local community, availability and quality of other educational and care provision in the area, as well as any provision/services a child or learner may move onto next

The data alongside the report card would reflect the published data that inspectors used at the time of the inspection.

We will also make local area information available to parents and other stakeholders on our new local area insights platform, which we will launch later in the year. This is likely to reflect the most recent published data.

**Question:** What do you think about including data alongside report cards, for example information about how well children and learners achieve?

Proposals 2 and 3 are about what we look at when we inspect and how we carry out inspections. They are particularly relevant to those working in the providers we inspect. **Parents and carers may choose to skip this section.** 

You can choose the specific education remit you want to answer questions about.

## **Proposal 2: Education inspection toolkits**

In the Big Listen, we heard that our inspection frameworks do not always work as well as they could for some types of providers. We said we would tailor the inspection process and criteria to the education provider phase and type. We believe this will make sure that inspections focus on what really matters for children and learners in that setting. To do this, we are developing education inspection 'toolkits'. [footnote 8]

The toolkits contain the standards against which we will inspect providers. These standards, across a range of evaluation areas, are underpinned by statutory and non-statutory guidance, professional frameworks and expectations and research relevant to the different stages and types of education.

There is a separate toolkit for early years, state-funded schools, non-association independent schools, FE and skills and ITE. The toolkits will apply equally across the types of providers they apply to, such as special schools, alternative provision (AP) schools, small primary schools and large secondary schools. We will give inspectors operating guides and specific training to help them apply the toolkits to different types of provision.

The toolkits describe the quality we would expect to see at each point on the scale. They set out the range of standards of education (and care, for early years) in the providers we inspect. The toolkits are written in clear and accessible language, so that both inspectors and leaders can understand them consistently.

The aims of the toolkits are to:

- build on the strengths of the EIF, keeping the elements that are working well, such as our focus on the curriculum
- consider the provider's context and establish a level playing field for those working in challenging circumstances, while maintaining high expectations
- introduce a spotlight on areas where we need to be a more effective lever for change – such as our focus on behaviour, attendance and inclusion (including shining a spotlight on those who are disadvantaged and those who have SEND)
- strengthen the balance between curriculum intent, implementation and impact – ensuring a focus on how well leaders develop teaching, particularly for those who are disadvantaged or have SEND, through high-

quality professional development

• be a useful tool for both the sector and inspectors, to support continuous improvement

We have tried to bring the explanations currently in our inspection handbooks into the toolkits. This puts as much of our inspection-related information as possible into one place. We hope this will make our inspection materials more accessible and useful for everyone who needs them – inspectors, our support teams and providers, who will use them at the point of inspection.

View the:

- early years inspection toolkit
- school inspection toolkit
- independent school inspection toolkit
- FE and skills inspection toolkit
- ITE inspection toolkit

**Question:** What do you think about the inspection toolkits? [Option to select evaluation area to comment on]

**Question:** What do you think about the research, statutory guidance and professional standards that we have considered? Are there any others we should consider?

The toolkits set out how we propose to hold providers to account for ensuring inclusive education. This includes strong outcomes for disadvantaged pupils, those with SEND and those who leaders have identified as being particularly vulnerable.

The toolkits have been informed by our working definition of inclusion. This is as

follows:

Inclusive providers are at the heart of their communities. They have high expectations and aspirations for every child and learner. They are particularly alert to the needs of those who need the most support to achieve well, including those with special educational needs and/or disabilities.

Leaders set a clear and ambitious vision for inclusion at the provider. They communicate this to children, learners, staff, and parents and carers. They create a culture in which every child and learner belongs, and feels safe, welcomed and valued. They make sure that all children and learners access a high-quality education, taught by experts with high ambition who strive to develop every child and learner's potential.

Leaders work in a close and effective partnership with parents and carers and other agencies to secure the best possible outcomes for every child and learner, regardless of their starting points. Inclusive providers are relentless in identifying and removing barriers to participation and learning, so that all children and learners can achieve and thrive.

We have engaged with the sector and our inclusion external reference group to agree this working definition and our approach to inspecting inclusion.

**Question:** What do you think about our working definition of inclusion, and how we will inspect inclusion?

#### For those responding about schools

In the Big Listen response, we said we will make sure that our renewed inspection framework is more suitable for inspections of SEND provision in mainstream schools, special schools (including independent and non-maintained) and AP schools.

We have worked closely with the sector so that the toolkit is applicable to special and AP schools.<sup>[footnote 9]</sup> We recognise that pupils' progress in these schools may not be straightforward. Inspectors will want to understand the school's offer, its personalised approaches to meeting pupils' needs, and the impact of this on pupils.

For example, inspectors will evaluate pupils' improved attitudes to learning over time, or the impact of the school's work on improving pupils' communication skills. We will work with leaders to identify where best to see this impact and establish constructive, developmental inspection and grading processes.

**Question:** How suitable is the toolkit for use in special schools and alternative providers?

**Question:** Do you think the toolkit will be suitable for different phases of education and other types of providers?

#### For those responding about early years providers

The Big Listen feedback told us to adapt our inspection practices to be bespoke and proportionate to the size of settings and the number of hours they care for children. The early years toolkit builds on our existing strong principles while aiming to be more flexible and adaptable to various settings, including childminders and outof-school providers.

**Question:** Do you think the toolkit will be suitable for different types of providers?

#### For those responding about other education remits

**Question:** Do you think the toolkit will be suitable for different types of providers?

For those responding about independent schools

We aim to align the inspection of non-association independent schools and statefunded schools as far as possible. This will allow for comparison between schools in different sectors. It also reflects the fact that these schools have much in common, despite those sectors being subject to different legal frameworks.

We are therefore proposing that, during standard inspections of non-association independent schools, inspectors should use a sector-specific toolkit that takes full account of the <u>Education (Independent School Standards) Regulations 2014</u>, but also contains much of the same content as the toolkit for state-funded schools. You can see our <u>draft toolkit</u> for standard inspections of non-association independent schools above.

A failure by the proprietor to ensure that the school meets the independent school standards is relevant to the grading of leadership and governance. This is because it is a legal requirement in paragraph 34(1) of the independent school standards that 'the proprietor ensures that persons with leadership and management responsibilities at the school— (a) demonstrate good skills and knowledge appropriate to their role so that the independent school standards are met consistently; (b) fulfil their responsibilities effectively so that the independent school standards are met consistently'. In deciding whether a school meets these requirements, inspectors will consider whether the school meets all of the independent school standards. This includes the independent school standards linked to the other evaluation areas, and the standards listed below, which are not linked to specific evaluation areas:

- paragraph 11 ('the proprietor ensures that relevant health and safety laws are complied with by the drawing up and effective implementation of a written health and safety policy')
- paragraph 16 ('the proprietor ensures that— (a) the welfare of pupils at the school is safeguarded and promoted by the drawing up and effective implementation of a written risk assessment policy; and (b) appropriate action is taken to reduce risks that are identified')
- paragraph 12, ('the proprietor ensures compliance with the Regulatory Reform (Fire Safety) Order 2005')
- paragraph 13 ('the proprietor ensures that first aid is administered in a timely and competent manner by the drawing up and effective implementation of a written first aid policy')
- all of the standards in Part 5 (on 'Premises of and accommodation at schools'), which includes the school's compliance with schedule 10 of the Equality Act 2010 (on accessibility plans)
- all of the standards in Part 6 (on 'Provision of information')

To determine whether an independent school standard is being met, inspectors will take account of <u>The independent school standards: guidance for independent</u> <u>schools</u>, the DfE's non-statutory guidance on the independent school standards.

If a school is not compliant with one (or more) of the independent school standards, inspectors will evidence this clearly in the report card. The detail will be in the section 'Independent school standards'. If inspectors place a school in the 'secure' column, the school must have met any independent school standards that are directly relevant to that row of the toolkit. If the school is less than 'secure', it will not be meeting those standards.

Our additional inspections of independent schools will continue to concentrate on compliance with the independent school standards. In some cases, this means checking on specific standards set out in the commission to inspect that we receive from the DfE.

Overall, this approach means we broadly continue with how we currently inspect independent schools under the EIF. We already align inspection of state-funded and non-association independent schools as far as possible, while also making it very clear where a school has not met the independent school standards set out by the government.

**Question:** What do you think about our proposed approach to align the inspection of non-association independent schools and state-funded schools as far as possible?

## **Proposal 3: Inspection methodology**

Reforming inspection gives us an opportunity to change not only what inspection will focus on, but also the process of inspection. We want to change both how inspection looks and how it feels. This is especially important at the point of professional interaction and conversation between inspectors and leaders. To do this, we will instil our core values of professionalism, courtesy, empathy, and respect. These values, together with the inspection methodology, play a crucial role in shaping the overall experience of inspection.

The following methodology applies to all our education remits, across all evaluation areas. We want to visit providers to refine and improve each toolkit and the proposed changes to our inspection methodology across all our education remits while this consultation is running. We will use our findings from this exercise along with the consultation responses to help us further develop the toolkits and methodology.

Before the on-site part of an inspection, we will still have initial phone or video conversations with leaders. In these, we start to build productive relationships, understand the context of the provider and explore the strengths of the provision and the areas leaders are working on. When we <u>evaluated the EIF</u>, we found that inspectors and providers agreed that this dialogue was most effective when it was transparent, open, evidence-led and based on establishing a positive working relationship. Our renewed inspection framework will build on this.

We will no longer use the deep-dive methodology. Our <u>EIF evaluation</u> found that inspectors had challenges in gathering evidence through deep dives in some contexts within the time limitations of inspection. Removing deep dives will give inspectors and providers significantly greater flexibility. Currently, during a typical school inspection, a large portion of day one and up to lunchtime on day 2 is dedicated to deep dives, for example. By eliminating deep dives, this substantial amount of time can be used more flexibly, to allow leaders and inspectors to reflect on each provider's unique context and their improvement priorities. Our evaluation also found that the focus on curriculum quality across all subjects had unintentionally put pressure on some staff with subject roles. Instead of deep dives, inspectors will work with leaders as they decide the areas to focus on. Inspectors will discuss the most appropriate activities tailored to the specific provider. These will typically mirror leaders' improvement priorities. Inspectors will explore the impact of any actions since the last inspection.

We do not want inspection to add to leaders' workloads. We want it to come together with the everyday business of running a provider, so that it does not detract leaders from what they are already doing to continuously improve their provision. To support this approach, our toolkits will take account of the standards and expectations already placed on leaders and their provision. This includes statutory and non-statutory guidance, professional standards and the educational research that suggests the most effective strategies in securing better outcomes for all learners.

Every provider will be at a different stage of their improvement journey, including across evaluation areas. Through inspection, we want to celebrate where leaders have achieved success, as well as give assurance about areas that remain a 'work in

progress'. Importantly, inspection will also identify areas of work that leaders are yet to tackle. This will support the next stages of that improvement journey.

We will not expect leaders to produce written evidence to support each standard within each evaluation area of the toolkit. The toolkits give clear guidance on what inspectors will look at. Inspectors will always try to identify what is 'typical' within a provider. They build a cumulative picture as the inspection progresses of what it is typically like to be a child or learner there.

When discussing evaluation areas, inspectors and leaders will talk about what the provider does well in this area, what some of the challenges or issues might be, what leaders are doing to mitigate these and the impact of their actions. Together, they will consider the inspection activities that will allow leaders to show the impact of their work. We want to be consistent in how we grade providers. But this does not mean we are aiming for an identical experience in every inspection. This is especially important to note, as we want to start taking better account of a provider's unique context.

Inspectors will consider the evidence they have gathered against the most appropriate standards in each evaluation area. This will enable them to reach an evidence-based, rounded view on where the provider is placed within each evaluation area. Inspectors will share their emerging findings with leaders verbally throughout the inspection.

All inspections will start by discussing and observing the provider's work against the 'secure' column. This takes into account the expectations of education and care set out by statutory and non-statutory guidance and professional standards. This column is deliberately the most detailed. We want it to set out clearly what all children and learners should be experiencing and gaining from the provision they attend, so that everyone is consistent in their understanding of this.

The standards for each evaluation area prioritise leadership of that area. These are always presented first. Each evaluation area also highlights features of inclusive practice in that area, so that all children, especially those who are disadvantaged and those with SEND, are fully included in the life of the provision and achieve their full potential. These themes, leadership and inclusion, are consistent across all evaluation areas, for all remits.

The overall grade for each evaluation area will be reflected in the report card. To decide what the grade is, inspectors will focus on leadership of the area and the extent of inclusive practices in it. For example, for inspectors to grade 'curriculum' as 'secure' then leadership of the curriculum and the inclusive nature of the curriculum

must be secure. The other curriculum standards can be stronger or less well developed. Inspectors will always draw out the standards within each toolkit that were stronger or less developed than others. This will help to form the paragraphs we write in the report card for each evaluation area.

As the inspection goes on, inspectors and leaders (in discussion) will broaden their evidence-gathering. Our new methodology allows inspectors to stop looking at the 'secure' column as soon as they are confident that they have gathered enough evidence to show that a provider is 'secure' in a particular evaluation area. They will then prioritise exploring the extent to which the standards for 'strong' provision may apply. If inspectors consider that the provider does not meet the standards of 'secure' provision, they will continue to gather more evidence to see whether the 'attention needed' standards may better describe what the provision is typically like.

If inspectors consider any standards for a particular evaluation area to be 'causing concern', then the overall evaluation area will likely be graded 'causing concern'. The standards in the 'causing concern' column mean that the school needs to take urgent action to provide a suitable standard of education, training and/or care for children and learners.

In some cases, the emerging grade for an evaluation area may be at odds with leaders' views. Inspectors will ask leaders to suggest who else they should speak to and what other evidence they could consider to make sure they have gathered a broad enough range of evidence, within the time available. At the end of the inspection visit, inspectors will clearly state the evidence that has led to their provisional conclusions. They will reflect that evidence in the report card.

Professional dialogue between inspectors and leaders will be a priority. We will ask every provider to nominate a senior member of staff to work closely with the inspector or inspection team throughout the inspection. This will make sure leaders are fully included in the inspection process and that they are informed about emerging evidence. We already use nominees on FE and skills inspections.

**Question:** What do you think about our proposed changes to how we carry out an inspection?

Proposals 4 and 5 are specific to state-funded schools, primarily aimed at professionals. Some respondents may choose to skip these sections.

## Proposal 4: Full inspections and monitoring inspections, state-funded schools

From November 2025, all inspections will be 'full' inspections. We will no longer do ungraded inspections. [footnote 10] This will simplify inspection: every school will know exactly what kind of inspection it will receive and how often.

We are also proposing changes to our monitoring programmes for state-funded schools. Under our new proposals, all schools with an identified need for improvement will receive monitoring. This will include:

- schools causing concern (our revised approach to identifying these schools is set out in the next section)
- schools with any evaluation area identified as 'attention needed' under the new toolkit

It will also include schools with the following outcomes at their latest inspection, before November 2025:

- schools with a requires improvement overall effectiveness judgement previously, schools needed to have 2 consecutive requires improvement overall effectiveness judgements to be eligible for monitoring; a single judgement will now be enough
- schools that currently do not have an overall effectiveness judgement, but have any key judgements graded requires improvement

All schools with one or more evaluation areas graded as 'attention needed' will have a monitoring visit.

The monitoring visits will focus only on the areas that need attention and try to help the school to recognise where it is on the improvement journey. Inspectors can then provide reassurance that leaders are heading in the right direction or, where they see significant signs of improvement, deem that the evaluation areas in question are now at least secure. They can also signpost what more the school needs to do, and by when, so that it can develop and secure better provision and/or outcomes quickly.

If a school only has a small number of 'attention needed' grades and no 'causing concern' ones, we will only monitor for as long as is necessary. We will try to use the monitoring inspection itself to produce an updated report card (and so treat it as if it

were a full inspection). This may not always be possible, such as when inspectors are not already on site or cannot collect the evidence they need in the time they are on site. In these cases, we will arrange a full inspection at an appropriate point. In some cases, more work will be needed. We will continue to monitor those schools until they are at least secure across all areas and will arrange further monitoring visits.

In a small number of cases, a school may only have a small number of 'attention needed' grades but have declined so significantly that it is now in a category of concern. And in rare circumstances, a school that had required significant improvement may now require special measures. For these schools, we will convert the monitoring inspection to a full inspection.

If a school has more significant failings and is in a category of concern set out in law, we will take a different approach. These schools need more support to improve. For schools that require significant improvement (previously serious weaknesses), we would complete 5 monitoring inspections within 18 months, unless the issues have been resolved earlier. If after 5 monitoring inspections, the school is still causing concern, we would complete 6 monitoring inspection. For schools that require special measures, we would complete 6 monitoring inspections within 24 months unless the issues have been resolved earlier. If after 6 monitoring inspections, the school is still causing concern, we would complete 6 monitoring inspections within 24 months unless the issues have been resolved earlier. If after 6 monitoring inspections, the school is still causing causing concern, we would conduct a full reinspection.

We will provide more information about monitoring inspections and what providers can expect in the inspection materials we publish for providers.

The DfE is proposing, in a parallel consultation, for its regional improvement service (RISE teams) to use information from our monitoring processes to assess what changes may be needed to the school's support.

Question: What do you think about our proposed changes to monitoring?

# Proposal 5: Identifying state-funded schools causing concern

The definition for schools that fall into categories of concern is set out in law. [footnote

<sup>11]</sup> Ofsted is required to identify schools that meet those statutory definitions.

Ofsted inspections can place state-funded schools into one of two categories of concern:

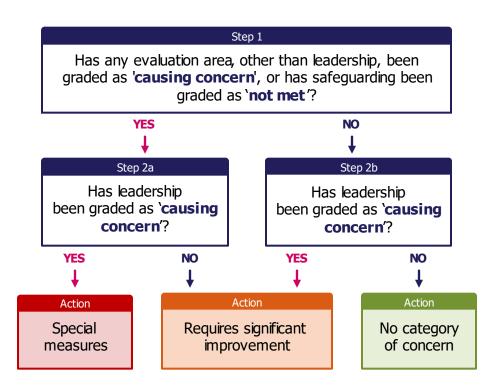
- schools with widespread issues are categorised as 'special measures'
- schools with more specific (but still serious) issues are categorised as 'serious weaknesses'

This will largely remain the case, but we propose to rename the lesser category to 'requires significant improvement', which is the term set out in law. This will prevent confusion.

We will place a school into a category of concern if it is not providing an acceptable standard of education and/or the leadership does not have the capacity to improve. An unacceptable standard of education is one in which any evaluation area, except for leadership, is causing concern.

The diagram below sets out our approach.

#### Figure 1: Placing a school into a category of concern



View this flowchart in an accessible format.

Ofsted does not decide what happens to schools once they are placed in a category of concern. The DfE does this. See the <u>DfE's consultation</u> for proposed changes to

**Question:** What do you think about how we propose to identify schools causing concern?

## **Additional questions**

In summary, our reforms mean we will make the following changes to the **<u>EIF</u>**:

- replace the section 'grading scale used for inspection judgements' with the 5-point scale and remove the 'overall effectiveness' section
- replace the section 'key judgements' with the new evaluation areas for each education remit
- replace the section 'what inspectors will consider when making judgements' with information about our new methodology and links to the relevant toolkit
- explain the purpose and intended impact of our education inspections

The proposals in this consultation aim to improve the experience of inspections for professionals and practitioners in our sectors.

Over the next few months, we will be assessing the impact of our proposed reforms on leaders', practitioners' and inspectors' workloads, mental health and well-being, through visits to providers and external review.

In the meantime, we want to hear your views about the likely implications of our proposals.

**Question:** What do you consider are the likely workload and well-being implications of these proposals?

Question: What could we do to help reduce or manage any unintended

**Question:** Is there anything else about the changes to inspection that you would like to tell us?

The public sector equality duty (PSED) requires Ofsted, when exercising its functions, to have due regard to the need to:

- eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equality Act 2010
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

We conducted an <u>initial equality impact assessment</u> to evaluate how the renewed EIF meets these requirements. We intend to publish an updated assessment after the consultation.

**Question:** Please tell us how you think our proposals may or may not impact equality.

## Annex for figure

#### Data for Figure 1: Placing a school into a category of concern

Steps	Description
Step 1	Has any evaluation area, other than leadership, been graded as 'causing concern', or has safeguarding been graded as 'not met'?

Answer to step 1: yes	Go to step 2a
Answer to step 1: no	Go to step 2b
Step 2a	Has leadership been graded as 'causing concern'?
Step 2b	Has leadership been graded as 'causing concern'?
Answer to step 2a: yes	Action: Special measures
Answer to step 2a: no	Action: Requires significant improvement
Answer to step 2b: yes	Action: Requires significant improvement
Answer to step 2b: no	Action: No category of concern

#### See Figure 1.

- This approach ensures that there is a notice period equivalent to one term between the publication of our post-consultation response and inspection materials and the start of education inspections. From September to November 2025, we will continue our efforts to ensure that providers and inspectors feel well prepared for the new inspections.
- Ofsted inspects independent schools that are not members of associations. These are known as 'non-association independent schools'. Independent schools that are members of associations are normally inspected by the <u>Independent</u> <u>Schools Inspectorate</u>;

These proposed changes do not include childminder agencies or childminders who are registered with a childminder agency. *⊆* 

3. Reforms to area SEND inspections and our inspections of local authority children's services (ILACS) are out of scope of this consultation. We intend to

consult on reforms to ILACS in summer 2025, so we can put them in place in 2026. Working with the Care Quality Commission (CQC), we are reviewing the area SEND framework in the first half of 2025, with a view to making improvements to the framework by summer 2025. We will consult on more substantive changes to the area SEND framework separately and in due course.

- 4. <u>'Education inspection framework: overview of research'</u>, Ofsted, January 2019. <u></u>
- 5. We will use the same scale across all those we inspect. However, the definition of the lowest point on the scale will vary depending on the specific education remit. For instance, an early years provider may get an outcome of either 'not met with actions' or 'not met with enforcement action'. In contrast, schools may be categorised as either 'requiring special measures' or 'requiring significant improvement'. ≤
- 6. The nature of this action will vary depending on the education remit. Proposal 5 sets out how this grade interacts with our statutory obligation to identify schools that meet the statutory definitions of a category of concern. ←
- 7. See figure 5.2, page 22, in <u>'Ofsted Big Listen research report: findings from</u> professionals', Ofsted, September 2024. <u>←</u>
- 8. The toolkits build on and will replace the section 'what inspectors will consider when making judgements' in our EIF framework. In our <u>response to the Big Listen</u>, we temporarily called these toolkits 'rubrics'. We reviewed feedback on that term and decided 'toolkits' would work better. <u>←</u>
- Here, we are referring specifically to our inspection of AP schools themselves, not the AP commissioned by a mainstream school we are inspecting. While we do not inspect the AP a school commissions, we do evaluate how the school uses AP on a mainstream school inspection.
- 10. We will, however, continue to do 'urgent' inspections (which are different from ungraded inspections of good or outstanding schools). ←
- 11. There are 2 categories of concern defined in legislation: special measures and requires significant improvement. The legislative test for special measures is that a school is failing to give its pupils an acceptable standard of education, and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement in the school. A school requires significant improvement if, although not falling within the above category, it is performing significantly less well than it might in all the circumstances reasonably be expected to perform.

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