

# Proportionate inspection of further education colleges

Summary of responses to the consultation and next steps

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From September 2007, Ofsted intends to introduce a revised inspection system for colleges of further education. This paper explains the contribution of the consultative process that was conducted with a range of providers and other organisations, and concludes with a description of the way forward, based on an analysis of the results of the consultation.

**Age group:** 16–19

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## Introduction

1. From September 2007, Ofsted intends to develop an inspection system for further education colleges that is even more proportionate to risk. This responds directly to the government White Paper *Further education: raising skills, improving life chances* (March 2006) where the recommendations include 'lighter touch' inspections of the most successful institutions and a more robust intervention strategy for inadequate and 'satisfactory but not improving' colleges. This policy is also consistent with the objectives of the Better Regulation Executive, which seeks to reduce the volume of inspection and regulation in the public sector, and Ofsted's objectives to achieve better value for money by targeting resources towards underachieving providers.
2. Colleges are currently placed in four main categories which determine the type and scale of inspection that they receive. The categories are based on previous inspection findings which are moderated by the results of an annual assessment that incorporates an analysis of recent trends in performance and evidence from self-assessment. The timing and resourcing of inspections can be altered as a result of the annual assessment. Ofsted, through the risk assessment produced from the annual visit, notifies colleges where the timing and intensity of an inspection may change.
3. The evaluations submitted by colleges as a result of their current inspection experiences are very positive. A very large majority (93%) agree that the process is fair and supportive in bringing about improvements and 88% agree that the positive effects outweigh the negative impact. Therefore, for most colleges, we do not intend to change the current inspection arrangements.
4. The 'overview of responses' section summarises the views of stakeholders and indicates the degree of support for proposed changes to the inspection system. The consequent policy implications for Ofsted are outlined in the section 'What Ofsted intends to do next'.

## Background to the consultation

5. Ofsted's public consultation was primarily email based. All colleges and other key stakeholders were sent electronic copies of the consultation; completed responses were returned to a central email address. A number of conferences were held (organised in conjunction with the Association of Colleges) with representatives from colleges to explain the rationale behind the consultation. Meetings were held with the Association of Colleges and the National Learner Panel (NLP) to explain the consultation in more detail.

6. The consultation process began 12 January 2007 and ended 9 March 2007. This report summarises the results.

Responses were received from:

- 124 further education colleges
- 14 representative national bodies
- seven sector skills organisations
- six independent specialist colleges
- two training providers

Representative national bodies which responded were:

- Association of School and College Leaders
- Institute of Directors
- National Association of Specialist Colleges
- Learning and Skills Council
- UNISON
- National Association of Schoolmasters and Union of Women Teachers
- National Learner Panel
- The University and College Union
- Quality Improvement Agency
- Association of College Management
- Association of Professionals in Education and Children's Trust
- Higher Education Regulation Review Group
- Professional Association of Teachers
- The Quality Assurance Agency for Higher Education

A small number of the organisations listed above responded by letter rather than completing the consultation questionnaire.

## Overview of responses

### Short inspections of outstanding colleges

Question 1	Yes	No	Total responses
Do you agree with the proposal to move to short inspections of outstanding colleges?	137	5	142
	96%	4%	100%

7. There was strong agreement with this proposal and respondents agreed that the resources for inspecting outstanding colleges should be reduced in recognition of their high performance. Some concern was expressed that there may be too much reliance on students' achievements data to inform judgements and a view that qualitative evidence, including the context of the

college, should be properly considered. There was also a view that short inspections might not take into account the learners' experiences sufficiently. To compensate for this, the NLP suggested that all self-assessment reports should include a summary of learners' views with, in the longer term, questions aligned to frameworks such as the National Student Satisfaction Survey.

8. Further comments emphasised the need to ensure that best practice in outstanding colleges is properly disseminated through subject and survey reports and that the 'tariff' of days are adjusted in line with the size of the college. The Institute of Directors was concerned that short inspections for this group of colleges may lead to the 'progressive invisibility of the excellent'. The National Association of Specialist Colleges (Natspec), which represents Independent Specialist Colleges, argued strongly that the potential risks for vulnerable learners in these settings should lead to Independent Specialist Colleges being subject to a more intensive programme of inspection, irrespective of the overall grade profile of the organisation.

### Monitoring visits to outstanding colleges

Question 2	Yes	No	Total responses
Do you agree that colleges judged to be outstanding should not be subject to further monitoring visits, providing high performance is maintained?	114	35	149
	77%	23%	100%

9. Although a large majority of respondents agreed with this proposal and saw it as a positive move towards self-regulation, a significant minority felt that an annual 'conversation' with inspectors about aspects of performance was a valuable exercise. Some concern was expressed that four years is too long between visits and that the performance of a college over this period can vary considerably. There was a view that 'anonymous' desk monitoring was not an adequate substitute for a visit and that inspectors would not be exposed sufficiently to the best practice in the sector. Comments endorsed the view that if the conclusions from desk monitoring pointed to concerns about performance, further intervention would be appropriate. Peer referencing was also cited as an activity that would expand as a substitute for the reduction of monitoring activities by Ofsted. Some high-performing colleges argued that resources should be provided to ensure external accountability on a more regular basis beyond desk based activity, through measures such as targeted quality reviews.

## Inspection and monitoring of good colleges

Question 3a	Yes	No	Total responses
Do you agree that the approach of light touch inspections for good colleges should continue?	147	2	149
	99%	1%	100%

10. The overwhelming view was that 'light touch' inspections should continue for good colleges. There were some concerns that where 'good' colleges might be demonstrating a decline in standards, the resources allocated to this type of inspection may not be sufficient to undertake a thorough assessment of performance. The National Learner Panel recommended that some weighting should be given to ensuring that college performance is seen from the learners' perspective, by prioritising engagement with representative groups of learners, including those who are college governors. Other respondents regretted the non-inspection of curriculum areas in the 'light touch' approach, which, they argued, reduced the identification of good practice case studies.

Question 3b	Yes	No	Total responses
Is it reasonable that there should be no further monitoring visits to these colleges between inspections, providing that high performance is maintained?	108	37	145
	74%	26%	100%

11. A slightly higher minority of respondents disagreed with this question, compared with the similar question for outstanding colleges. There was a view that good colleges should demonstrate continuing improvement, and where there was a decline in standards, as evidenced through desk monitoring, a visit should take place to provide a more in-depth view of performance. Also a 'good' rather than 'outstanding' college may have some areas for improvement as an outcome of inspection, and progress could be verified more effectively through a visit rather than desk monitoring. A number of colleges felt that monitoring visits, if retained universally, would allow inspectors to critically evaluate the outcomes of prospective peer assessments. The Quality Improvement Agency (QIA) has made a commitment to extend the current peer referencing pilot schemes to all colleges.

## Satisfactory colleges

Question 4a	Yes	No	Total responses
Do you think the definition of 'satisfactory but not improving' is reasonable?	115	29	144
	80%	20%	100%

12. Most respondents supported the suggested definition of a 'satisfactory but not improving' college which is: overall effectiveness grade 3, capacity to improve to grade 3 or 4. There was a view that it would be useful to distinguish between colleges which are satisfactory and improving and those which are not improving. Linked to the above definition, a college which receives a grade 3 for overall effectiveness but has the capacity to improve to a grade of good or better, could be seen as satisfactory and improving. A number of respondents felt that the concepts of 'satisfactory' and 'not improving' were not easily reconcilable since the definition of satisfactory implies that there should be no major concerns about performance.

Question 4b	Yes	No	Total responses
Should it be further refined?	79	62	141
	56%	44%	100%

13. The QIA, in particular, felt that the definition could be refined to include an analysis of success rate trends over time, or a category of 'satisfactory but unlikely to improve'. The QIA also felt that more work is required on the meaning of 'capacity to improve' before it can become a robust measure for use in this definition.

Question 4c	Yes	No	Total responses
Is it appropriate to invite QIA support for this group of colleges to promote more rapid progress?	135	11	146
	92%	8%	100%

14. There was broad agreement that the QIA should be invited to support this group of colleges in order that sector standards could improve continuously. Indeed, the QIA expressed the view that, working with the Learning and Skills Council (LSC), they would want to intervene to bring about changes in this group of colleges and monitor the uptake/impact of any improvement advisers. Some concerns were expressed about unduly raising expectations, since it is

unlikely that the QIA will bring additional funding to support, for example, an increase in resources. Other comments suggested that it should be for the college to request support, rather than intervention taking place automatically. Some Independent Specialist Colleges commented that, as their performance data are more complex in terms of distance travelled, it may be more difficult to produce evidence of improvement quickly. The trades unions were keen that support should include workforce development, continuous professional development opportunities and the sharing of good practice through collaborative partnerships.

## Inadequate colleges

Question 5	Yes	No	Total responses
Given the emphasis in the FE White Paper on eliminating failure by 2008, do you think that a more intensive approach to the re-inspection of inadequate colleges is reasonable? If not, what other approaches might be adopted?	122	26	148
	82%	18%	100%

15. Broad support was given to intensifying the reinspection of inadequate colleges and provision. This was seen as being key to raising standards quickly and ensuring that learners were not exposed for prolonged periods to inadequate teaching and learning. Intervention from the QIA to support these colleges was welcomed. A minority of respondents suggested that the reinspection timescale should be negotiated with the QIA improvement advisers so that reinspection was not undertaken prematurely; others suggested that a reinspection after 12–15 months was too soon to assess whether there was sustained improvement. The trades unions, in their response, believed that Ofsted should move away from a focus on the intensive monitoring of ‘failing institutions’ towards a more supportive framework which encourages the sharing of good practice and institutional collaboration.

## The monitoring of college performance

Question 6	Yes	No	Total responses
Do you agree that it is reasonable to undertake desk monitoring of all colleges on an annual basis to evaluate their performance?	130	14	144
	90%	10%	100%

16. Most respondents saw this proposal as reasonable, provided that a summary of outcomes from the desk monitoring activity was shared with colleges. The Institute of Directors felt that the process would need to be extremely rigorous since college performance is never static and may decline because of a change

in leadership or loss of key staff. There was a view that colleges should also be given the opportunity to update the documents used for the desk monitoring, perhaps by being given notification of the timing of this activity. Any revised documents could then be uploaded to the provider gateway. Inspectors would need to use the self-assessment analysis to take account of the context and mission of the college, and to avoid too much reliance on data.

17. Generally, there were concerns that data might drive judgements and that there is no substitute for face-to-face contact with learners, teachers and college managers. There was also a view that it is often necessary to discuss the interpretation of data to provide better clarification of the reasons behind different levels of performance. The National Learner Panel felt, as stated in its response to question 1, that the analysis of learners' views should form an important source of evidence for self-assessment and inspectors' judgements. Natspec argued that specialist inspectors should be deployed for monitoring activities in Independent Specialist Colleges, to ensure that provision for vulnerable learners is subject to rigorous scrutiny. This, in the view of Natspec, should always be conducted through a visit rather than desk monitoring. The trades unions were concerned that the desk monitoring process might produce an expectation of more detailed self-assessment reports and data, which could increase the bureaucratic burden on colleges.

Question 7	Yes	No	Total responses
Should the FE inspection cycle be shortened from four to three years, in line with the inspection interval in schools?	46	96	142
	32%	68%	100%

18. Most respondents disagreed with this proposal, and many suggested that schools should be brought into line with the college cycle. The move towards self-regulation was also seen as a reason not to intensify the college cycle. There was also some appreciation that in a risk based inspection model, the timing and intensity of an inspection varies according to the performance of a college, so that those underperforming establishments may be inspected more frequently. Some respondents felt that inspections demand considerable preparation and that the workload would increase if the cycle was shortened. A number of respondents asked whether, in the light of reduced funding for Ofsted, the organisation could afford to move to a three-year cycle. The National Learner Panel and Institute of Directors felt that shortening the cycle would be advantageous in protecting the interests of learners and employers more effectively.

## Minimum levels of performance

Question 8	Yes	No	Total responses
Do you agree that it is reasonable for Ofsted to intervene, where invited by the LSC, in order to assess and make judgements about poorly performing colleges?	122	19	141
	87%	13%	100%

19. There was general agreement that Ofsted should intervene where performance fell below stated minimum levels and that this would be in the best interests of learners. There was also support for QIA intervention in underperforming colleges. Some respondents felt that the LSC needed to be clear about the actions expected from a 'notice to improve' and that these should be consistent between regional LSCs. Guidelines from the LSC would also be welcomed to explain the consequences of a 'notice to improve'.
20. A number of comments focused on the need for a common definition of underperformance by the LSC and Ofsted. Concern was expressed by the NLP that in some subject areas where national standards were relatively low, such as in construction and information and communications technology, issuing a notice to improve might lead to a significant contraction of provision in these key vocational areas. Respondents argued that the methodology attached to calculating minimum levels of performance needs to be accepted and understood, as well as the criteria. As with desk monitoring, there was a view that the calculation of Minimum Levels of Performance is a desk exercise and only through discussion can the data be properly authenticated and understood. Some respondents were confused about the roles of the LSC and Ofsted in relation to quality assessment. The national LSC, in its response, proposed close collaboration with Ofsted to ensure consistency of approach in defining the adequacy of provision.

## What Ofsted intends to do next

21. The consultation exercise, together with the feedback from conferences and other meetings, indicates strong support for Ofsted's proposals. The main changes to further education inspections, which will take effect from September 2007, are outlined below.
22. Those very good and outstanding colleges not yet inspected in this cycle will be eligible for a short inspection which will extend over two days and involve two inspectors. In keeping with the principles of a risk based approach, Ofsted reserves the right to extend the length of the inspection and size of inspection team where there might be significant concerns about performance. There will be no planning meeting for these inspections: a proposed inspection plan will be sent electronically to the college accompanied by a short, pre-inspection

commentary which will outline the main issues to be explored during the inspection. Feedback and interim grades will be provided at the end of the inspection. A short report covering the main key questions of the *Common inspection framework* will be published on the Ofsted website according to the current seven week timescale.

23. Any college judged to be good (all published inspection grades at least good), or outstanding (achievements and standards at least good, all other published inspection grades outstanding) in the second cycle of inspections will no longer be subject to a monitoring visit, provided that desk monitoring confirms that high performance is being maintained. Those colleges not yet inspected in the second cycle, but categorised as good or better, will similarly not be subject to monitoring visits, provided that risk assessment does not identify significant concerns about performance. The scope of monitoring visits will be kept under review. As endorsed by the consultation, those colleges categorised as good will continue to receive a light touch inspection, typically involving four inspectors over one week.
24. The notification period for all inspections will remain at three weeks, but this will be kept under review with a view to reducing the notice period where possible.
25. Ofsted is clear about the importance of ensuring that excellent practice in the sector is identified and promoted. Accordingly, sector and subject reports, together with other thematic surveys, are designed to identify and disseminate best practice. In addition, good practice identified through inspection will be converted into case studies and disseminated through the QIA. During the period 2005–08, reports covering all the main sector and subject areas will be published on the Ofsted website. The timetable for the 15 sector and subject surveys is shown below. Reports are normally published early in the academic year following the survey work.

2005/06	<u>Sharing good practice: a survey of history in colleges</u> <u>Health and social care: good practice post-16</u> <u>Current provision and outcomes for 16 to 18-year-old learners with learning difficulties and/or disabilities in colleges</u> <u>Direct learning support in colleges: a survey of current practice</u>
2006/07	Science and mathematics Agriculture, horticulture and animal care Engineering and manufacturing technologies Construction, planning and the built environment Business, administration and law
2007/08	Information and communication technology Leisure, travel and tourism Retail and commercial enterprise Arts, media and publishing Social sciences

## Languages, literature and culture

26. Satisfactory colleges will continue to be inspected by a larger team of inspectors to enable a range of curriculum areas to be evaluated and graded. Ofsted will work with the QIA to refine the definition of a 'satisfactory but not improving college' and consider the nature and extent of any support which might be provided. The Centre for Excellence in Leadership will also be consulted with a view to the provision of specific support for leadership and management. Inadequate provision will be subject to the more intensive monitoring and reinspection timetable set out in the consultation. Improvement advisers, contracted by the QIA, are already providing support for provision that is judged to be inadequate.
27. Annual desk monitoring of performance will be applied universally to all colleges. They will be notified three weeks in advance of desk monitoring, in order to allow any information to be updated on the provider gateway. There is no expectation that additional documents will be required by Ofsted before this activity takes place. The outcomes of desk monitoring or monitoring visits will be shared with colleges. All satisfactory and inadequate colleges will continue to receive annual monitoring visits. The inspection cycle for further education colleges will remain at four years.
28. Ofsted is working with the LSC to consider how learners' views can be reflected in self-assessment reports and guidance is being prepared for the sector to support this process. There will be an agreed, consistent definition of underperformance. Where a significant proportion of sector and subject areas fall below the 50% minimum success rate threshold (as defined by the LSC), Ofsted will undertake an extended monitoring visit or full inspection to examine the action taken to achieve improvements. Specialist inspectors will be deployed to focus on the underperforming sector and subject areas.
29. These measures are designed to reduce the intensity of inspection for the best colleges and focus resources towards those which are inadequate or satisfactory. Ofsted recognises that performance across the sector is improving and the more proportionate approach to inspection set out above represents a move towards greater self-regulation for a significant proportion of colleges.