

# Responses to Ofsted's consultation on proposed changes to further education and skills inspections: an evaluation report

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Beginning in November 2008, Ofsted undertook a wide-ranging consultation on the proposals for new inspection arrangements for the further education and skills system. The consultation included the publication of a consultation document and a formal three-month online consultation process. This evaluation report summarises the responses to Ofsted's consultation on the proposals for college, work-based learning and nextstep inspections from September 2009.

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**Age group:** Post-16

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**Published:** May 2009

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**Reference no:** 090032

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## Introduction

This evaluation report summarises the responses to Ofsted's consultation on the proposals for the further education (FE) and skills system inspections from September 2009.

Between November 2008 and January 2009, Ofsted undertook a wide-ranging consultation on the proposals for the changes to FE, work-based learning and nextstep inspection arrangements. The consultation included the publication of a consultation document and a formal three-month online consultation process.

The responses received through the formal consultation process generally mirrored the feedback we received through pilot inspections, formal meetings, conferences, seminars, discussions and focus groups.

## Background

In accordance with *Raising standards, improving lives*, our strategic plan for 2007–10, Ofsted seeks to make a real difference to the lives of citizens, by improving our inspection and regulation, within a tighter budget, and developing innovative approaches which strengthen our impact.<sup>1</sup> In the spring of 2008 Ofsted began a broad programme of inspection development, looking across all its remits to find ways of ensuring better integration of inspection and greater consistency across inspection frameworks. The underpinning rationale for this work is to ensure that:

- our frameworks for inspection focus sharply on improvement, particularly the outcomes for, and the needs of, different groups of learners, underachieving groups for example, and those in vulnerable circumstances
- our work encourages the services we inspect to focus on the interests of learners and employers who use them
- the services we inspect are efficient and effective.

The proposals for changes to FE and skills system inspections were set out in Ofsted's consultation document *A focus on improvement: proposals for further education and skills system inspections from September 2009*.<sup>2</sup> In this consultation document we explained why we believe it is the right time to make changes to FE and skills system inspections. We also confirmed Ofsted's increasingly risk-proportionate approach to inspection. We intend to continue to reduce the scale of inspection for the best providers, to enable us to focus our efforts where they have the greatest impact.

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<sup>1</sup> *Raising standards, improving lives: The Office for Standards in Education, Children's Services and Skills strategic plan 2007–10*, Ofsted, 2007; [www.ofsted.gov.uk/publications/070179](http://www.ofsted.gov.uk/publications/070179).

<sup>2</sup> [www.ofsted.gov.uk/publications/080132](http://www.ofsted.gov.uk/publications/080132); please note that this page hosts both the consultation and this document with the consultation responses.

## The consultation methodology

### Formal meetings, conferences, seminars, discussions and focus groups

1. During the past few months, we met and consulted with learners; employers; parents/carers; college and provider staff; governors; other professionals including inspectors; the Department for Schools, Children and Families (DCSF); the Department for Innovation, Universities and Skills (DIUS); government officials and Ministers; stakeholders; and professional and national associations. We also held discussions with focus groups of learners, and national groups representing learners and employers.

### Consultation document and formal online consultation process

2. On 4 November 2008, Ofsted published the formal proposals for the new arrangements in *A focus on improvement: proposals for further education and skills system inspections from September 2009*. At the same time, as part of an ongoing engagement with stakeholders and the general public, a three-month consultation was launched. The consultation closed on Monday 27 January 2009, by which time a total of 170 responses had been received. These included responses from professional associations and organisations from the education and inspection sectors, who responded on behalf of their members or constituents. A summary of respondents can be found in Annex B.
3. The proposals for the new arrangements were set out in some detail in the consultation document and linked with 17 questions. For each of the questions, respondents were asked to record whether they strongly agreed; agreed; neither agreed nor disagreed; disagreed; or strongly disagreed. They were also given the opportunity to add free text comments if they wished.
4. In addition, face-to-face consultation events were held with learners, representative organisations, employers, providers and government agencies. These resulted in a further 175 responses to aspects of the consultation that have been included in this report.

### Main findings from the online consultation

5. Overall, the proposals in the consultation were received very positively. Of the 17 questions as many as 12 were received favourably, with between 55% and 90% of respondents or more registering their support. Six of these 12 questions received support from between 76% and 90% of respondents. Five questions received less than 50% support from respondents.
6. More than 33% disagreed with the proposal relating to limiting grades, reduced notice periods and the grading sector subject areas (questions 9, 10, 11, 12 and 13).

7. The highest levels of support were recorded in relation to the following six questions:
  - Question 16: Do you agree with the proposals to include recommendations which focus on areas where improvements are needed in inspection reports? (90%)
  - Question 8: Do you agree that inspection should take more account of the capacity to improve? (84%)
  - Question 1: Do you agree that the range of indicators used to prioritise inspection activity is appropriate? (83%)
  - Question 5: Do you agree that the proposals for targeting inspection at satisfactory and inadequate colleges and providers are appropriate? (82%)
  - Question 14: Do you agree that there should be single inspection events where all aspects of a college's or provider's provision are subject to inspection at the same time where practicable? (81%)
  - Question 7a: Do you agree with the range of activities that inspectors will undertake to gather the views of learners and other users? (76%)
  
8. The lowest levels of support were recorded in relation to the following five questions:
  - Question 13: Do you agree that there is a place for unannounced inspections? (46%)
  - Question 4: Do you agree with the ways in which we propose to use the performance measures from the Framework for Excellence? (44%)
  - Question 12: We would like to introduce reduced notice periods of one week for colleges, and three weeks for work-based learning and nextstep providers. Do you agree with these proposals? (41%)
  - Question 11: Do you agree with Option 2 in which inspectors grade sector subject areas in satisfactory and inadequate colleges and providers only? (33%)
  - Question 10: Do you agree with Option 1 in which inspectors inspect but do not grade sector subject areas and where whole system sector subject reports are published on a regular basis? (31%)
  
9. The highest levels, with over 33% of disagreement, were recorded in relation to the following five questions:
  - Question 11: Do you agree with Option 2 in which inspectors grade sector subject areas in satisfactory and inadequate colleges and providers only? (51%)
  - Question 12: We would like to introduce reduced notice periods of one week

for colleges, and three weeks for work-based learning and nextstep providers. Do you agree with these proposals? (46%)

- Question 10: Do you agree with Option 1 in which inspectors inspect but do not grade sector subject areas and where whole system sector subject reports are published on a regular basis? (41%)
- Question 13: Do you agree that there is a place for unannounced inspections? (36%)
- Question 9: Do you agree with the concept of limiting grades in relation to safeguarding, equality and diversity and capacity to improve, which would affect the judgement on overall effectiveness? (33%)

## Proposals for the way forward

10. Following our face-to-face consultations, the evaluation of the autumn and spring term pilot inspections and the analysis of the online responses, we intend to take action on the proposals in the following way. We will continue to:

- inspect most good and outstanding FE colleges and providers that maintain and/or continue to improve their performance once within a six-year period
- develop our methodology for the selection of colleges and providers for inspection
- work with the Learning and Skills Council (LSC) to ensure that Framework for Excellence performance measures can appropriately inform the selection of colleges and providers for inspection, and inspection judgements
- further develop our 'health check' proposals
- develop our proposals for focused monitoring visits
- continue with the current arrangements for monitoring inadequate colleges and providers
- develop ways to place a greater focus on the achievement of different groups of learners
- develop and test criteria, descriptors and guidance for a separate judgement about a provider's capacity to improve
- fine tune the Common Inspection Framework and grade descriptors which will be introduced in September 2009
- further develop the methodology for inspecting sector subject areas to ensure that it is consistent across colleges and providers
- introduce a standard period of notice of two to three weeks for all colleges and providers
- further develop guidance on 'limiting grades' for those we inspect
- consider further how best to involve learners and employers confidentially, effectively and efficiently in the inspection process

- continue to explore how well the college or provider engages with learners and employers to bring about improvements
- continue to plan for single inspection events wherever it is practically beneficial
- agree a common report format, including a summary report, for learners/employers that includes text about the views of users and the achievement of different groups
- explore through pilot inspections how inspectors' recommendations might focus more precisely on the action a provider should take to become good or better
- consult providers and learners about the structure and format of the report throughout the spring 2009 pilot inspections.



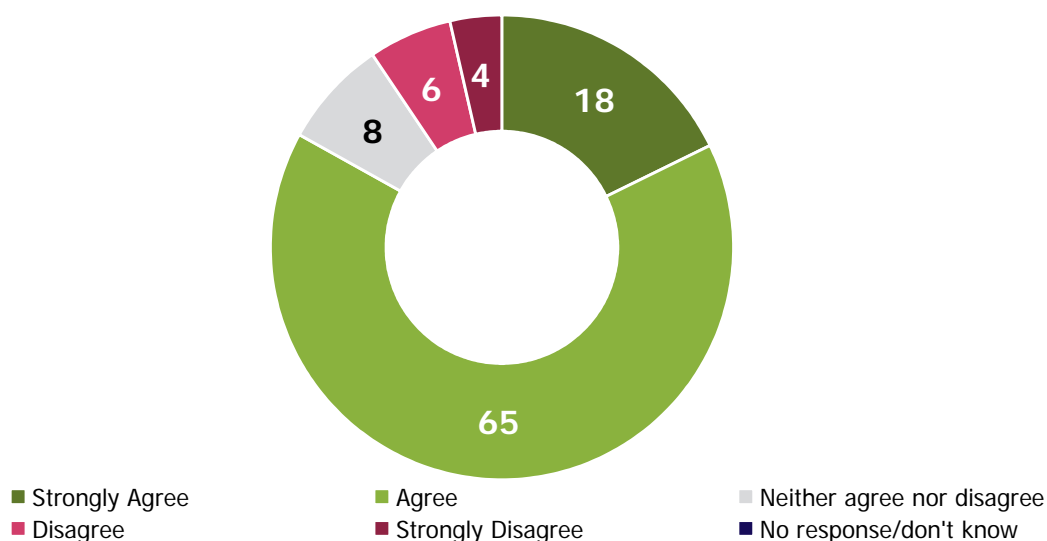
## Annex A: Analysis of consultation responses

11. The charts provide figures for overall response rates.

### Q1. Do you agree that the range of indicators used to prioritise inspection activity is appropriate?

12. Eighty-three per cent of all respondents supported this proposal; less than a quarter of respondents (14%) either disagreed or strongly disagreed. No significant difference between groups of respondents was identified.
13. Most respondents supported a broad range of indicators being used to take all aspects of providers' activity into account when making judgements about performance and quality.
14. Some respondents suggested additional indicators such as a change in senior management as a key indicator. Learners who responded would like to see qualitative information included representing their views.
15. Concerns from respondents included the insufficiency or reliability of data for some types of provision, such as independent specialist colleges. Some colleges identified a need for more clarity on how mergers would be dealt with, and the effect of data on the range of indicators used. Questions arose as to how benchmarks would be used in order to compare the same age groups, for example, sixth-form college and general further education benchmarks.
16. As more colleges and providers are now engaged in the Framework for Excellence, some would expect a single quality assurance measure to risk assess colleges that would reduce repetition and bureaucracy.

**Figure 1: Do you agree that the range of indicators used to prioritise inspection activity is appropriate?**  
(percentage of respondents, based on 170 respondents)



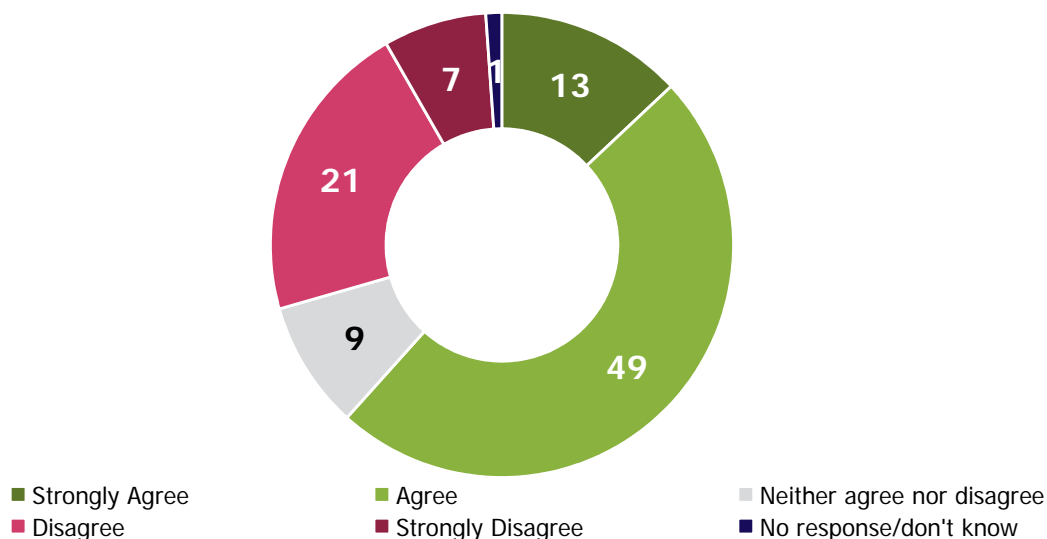
## Proposal for the way forward

- Continue to develop our methodology to select colleges and providers for inspection.

### **Q2: Do you agree that a gap of six years between inspections for high-performing colleges and providers is appropriate?**

17. Some 62% of all respondents supported this proposal, while 28% disagreed. Those most in favour of this proposal were colleges. Many who agreed with the proposed six-year interval between inspections of good and outstanding colleges and providers would like to see inspections triggered sooner, when a change in leadership team occurs, or a drop in results is identified. Learners, stakeholders and independent learning providers had the most concerns about the length of gap between inspections.
18. On balance respondents felt that the proposals regarding the length of time between inspections and targeting resources on those providers and colleges not performing so well were a justifiable response to an increasingly mature sector. Those respondents who agreed with this proposal commented that, in an increasingly self-regulating sector, it is appropriate to plan inspections in proportion to the level of risk. The proposal to inspect high-performing colleges or providers every six years was seen as a pragmatic solution. Respondents could foresee that other activities, such as peer review and development, could provide other checks and balances in the sector. This view was based on the condition that the proposed annual selection activity and three-yearly health checks were sufficiently thorough.
19. A common argument against the proposal was that six years between inspections was too long. Much could change in that period – standards could slip and eligibility for funding might be affected. Many of the current successful colleges welcomed the rigour of an inspection visit and expressed disappointment that there would be such a long gap.
20. Recognising that users should be offered more regular information about colleges and providers, our proposals envisage health checks every three years for good and outstanding colleges and providers to ensure that high standards are well supported. Some colleges, particularly independent specialist colleges, would want face-to-face inspection during the six years as an opportunity to look at the qualitative issues and to avoid an over-reliance on data.
21. Some respondents suggested a distinction between those providers receiving 'outstanding' and those graded 'good', to be reflected in the gap in time periods between inspections. A small number of colleges suggested that they should be able to request an inspection.

**Figure 2: Do you agree that a gap of six years between inspections for high-performing colleges and providers is appropriate?**  
(percentage of respondents, based on 170 respondents)



### Proposal for the way forward

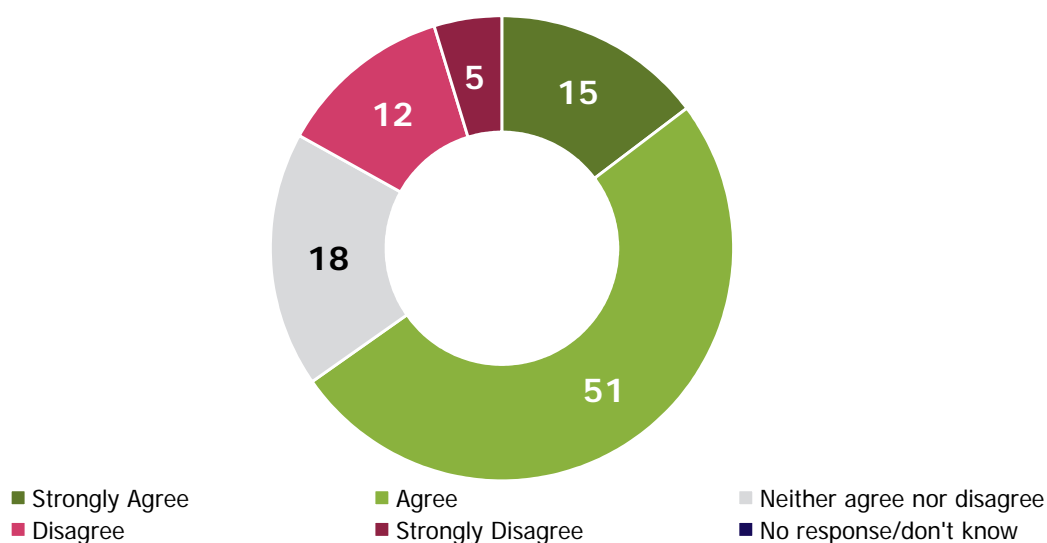
- To inspect most good and outstanding FE colleges and providers that maintain and/or continue to improve their performance once within a six-year period.
- To explore further the concerns raised by independent specialist colleges.

### Q3. Do you agree with the proposals for a published health check?

22. Over 66% of all respondents were in favour of this proposal. Support was particularly strong among independent learning providers. Only 17% disagreed, and their concerns were related to the reliability of data. Learners wanted health checks to be more frequent and published.
23. Many of those who responded favourably stated that they would like to see colleges and providers have an involvement in the process. Some respondents reported that they were reassured by the fact that the health check would not rely solely on the analysis of performance data, as other variables may have an impact on a provider.
24. Some respondents were concerned that the health check could potentially result in an over-reliance on data. It was suggested that consideration should be given to a scheduled Focused Monitoring Visit for all providers, including those considered to be high performing, or more immediately if concerns were raised by the health check. This would allow the provider to respond to the concerns.

25. Views were mixed about publishing judgements following a desk-based evaluation. It was suggested that these should only be published if providers had an opportunity to discuss inspectors' findings. Some suggested that the health check should be able to raise, and presumably lower, grades. Others expressed the view that Ofsted needed to ensure that the health check did not involve additional paperwork for college and provider staff.

**Figure 3: Do you agree with the proposals for a published health check? (percentage of respondents, based on 170 respondents)**



### Proposal for the way forward

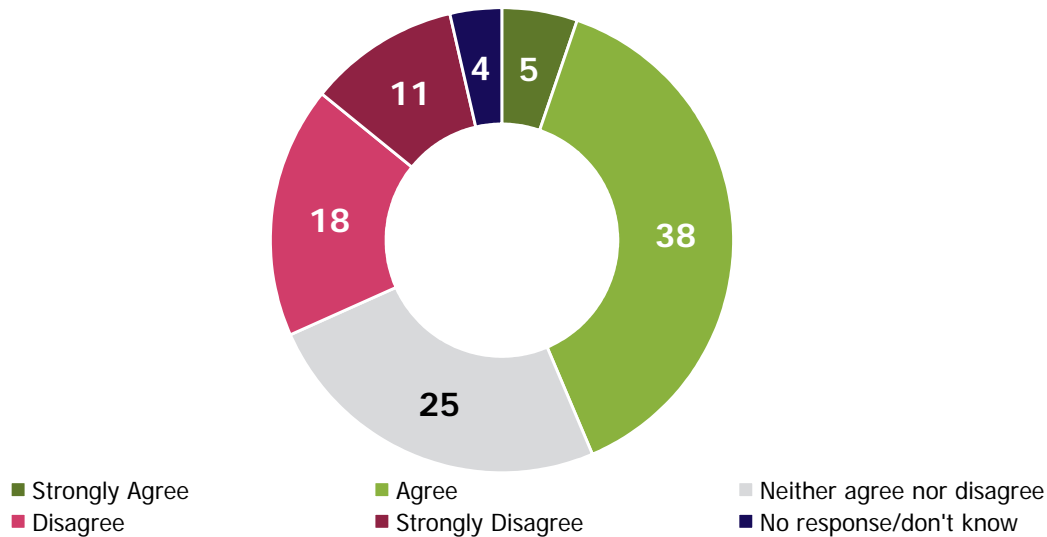
- To further develop the health check proposal.

### Q4. Do you agree with the ways in which we propose to use the performance measures from the Framework for Excellence?

26. Some 43% of respondents registered their approval for this proposal provided that the Framework for Excellence proved robust and manageable, and that systems such as collating learners' views were made simple, easy and effective through a web-based application. Some 25% were undecided – the highest number of undecided respondents recorded for any of the questions.
27. Negative responses (29%) included the view that the validity of the Framework for Excellence measures has not been proved. The use of the framework is not currently within scope for all providers, such as adult and community learning provision, offender learning and skills, nextstep and Department for Work and Pensions-funded provision, including employability programmes. This could be particularly difficult when examining the financial health of an organisation outside the scope of the framework. Employers that responded remained unsure of how much of the framework would apply to them. Some commented

that the Framework for Excellence was not in a form that provided comparison or information to inform choice.

**Figure 4: Do you agree with the ways in which we propose to use the performance measures from the Framework for Excellence?**  
(percentage of respondents, based on 170 respondents)



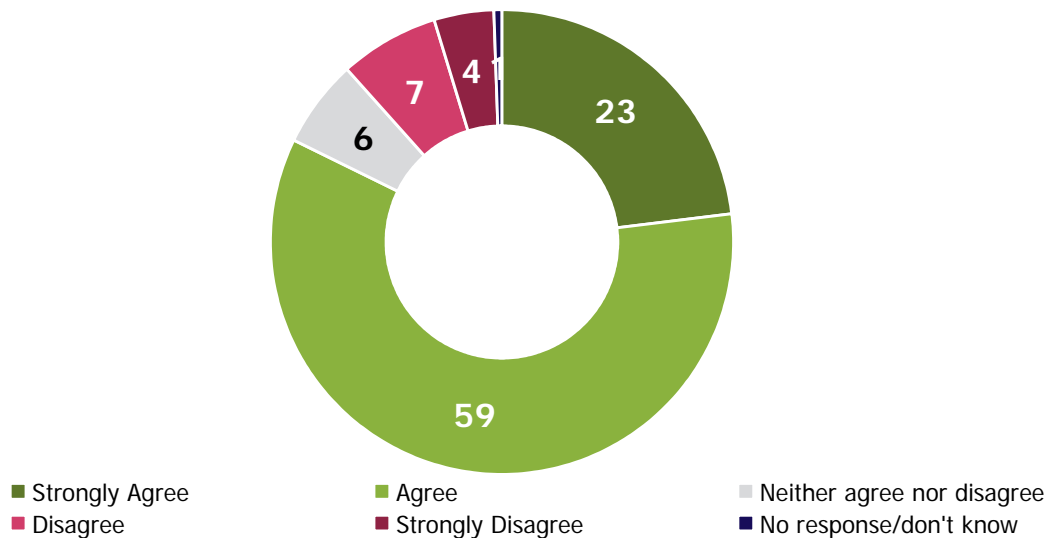
### Proposal for the way forward

- Continue to work with the LSC to ensure that Framework for Excellence performance measures can appropriately inform the selection of colleges and, where relevant, providers for inspection, and inspection judgements.

### Q5. Do you agree that the proposals for targeting inspection at satisfactory and inadequate colleges and providers are appropriate?

28. Over four fifths (82%) of respondents agreed with this proposal and commented that Ofsted's current monitoring arrangements for inadequate colleges and providers were having a positive impact on improving provision.
29. Most agreed it appropriate that inspection resources should be targeted at those providers judged to be satisfactory or inadequate. They also welcomed the clear distinctions in approach being proposed between satisfactory, satisfactory but not improving, and inadequate providers, but suggested that clearer definitions of these categories would be welcome. However, learners, employers and stakeholders suggested that high-performing organisations also needed probing inspection activity.

**Figure 5: Do you agree that the proposals for targeting inspection at satisfactory and inadequate colleges and providers are appropriate?**  
(percentage of respondents, based on 170 respondents)



### Proposal for the way forward

- Continue with the current arrangements for monitoring inadequate colleges and providers.

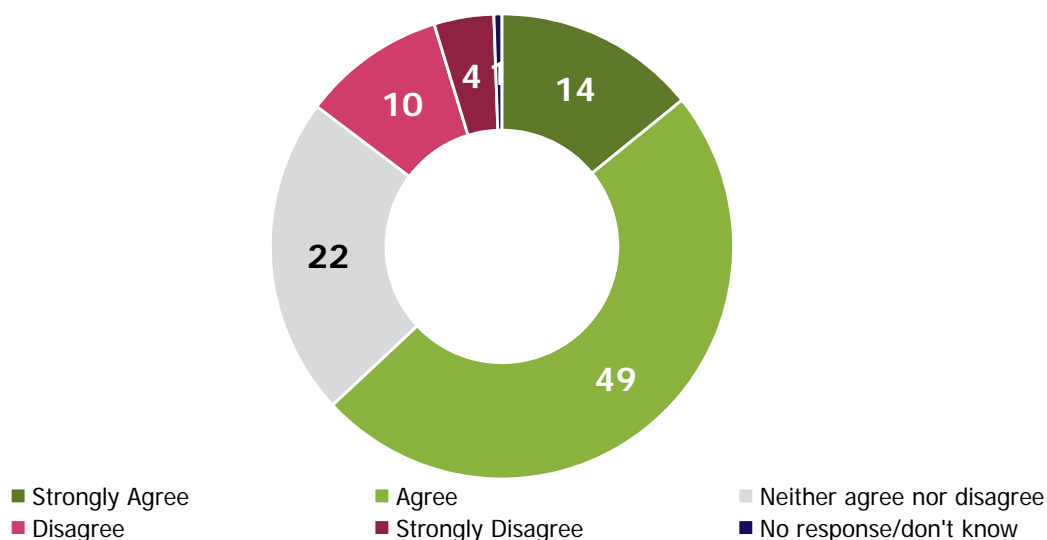
### Q6. Do you agree that inspectors should focus more attention on the achievement of different groups of learners?

- Responses to this question were generally positive, with 63% agreeing. Independent specialist colleges welcomed the emphasis on learners with learning difficulties and/or disabilities. Providers and stakeholders felt it important that inspection focused on different groups and appropriate attention was given to apprentices and learners on Train to Gain programmes, particularly in colleges.
- Those in agreement saw this approach as focusing attention on some of the most disadvantaged groups of students as well as those who are gifted and talented. They welcomed a wider definition of achievement, including the acquisition of life skills, employability skills and personal development, suggesting that the current focus on purely academic success risked marginalising the 'average' or low achieving student.
- A number of respondents expressed concern that a focus on specific groups might be to the detriment of the majority, stating that all learners mattered, including, for example, the most potentially vulnerable, those from minority ethnic groups, and able, gifted and talented learners. Others felt that this was already a feature of the current inspection regime. Some concerns were expressed about grouping learners in an arbitrary way and an increase in

bureaucracy.

33. Some nextstep contractors stated that this was difficult to evaluate effectively as it was not easy to identify a vulnerable client, or that all nextstep participants could be seen as potentially vulnerable.

**Figure 6: Do you agree that inspectors should focus more attention on the achievement of different groups of learners?**  
(percentage of respondents, based on 170 respondents)



### Proposal for the way forward

- Increase the emphasis on the achievement of different groups by, for example, increased observation of teaching and learning during inspection.

### Q7. Do you agree with the range of activities that inspectors will undertake to:

- collect the views of learners and other users?
- explore how well the provider engages with users to bring about improvements?

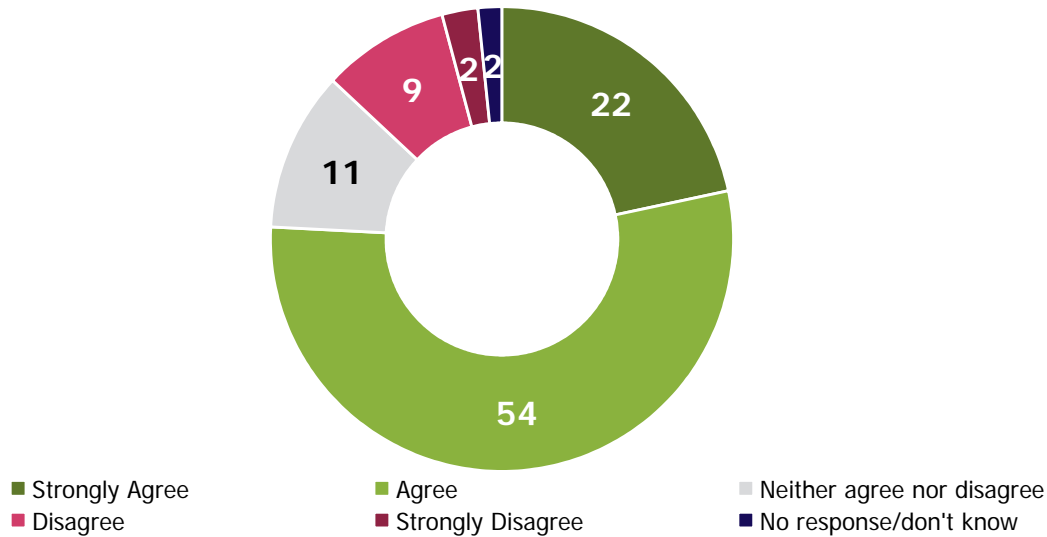
34. Considerable support was identified for the first proposal. Learners, providers and stakeholders were in favour, with 76% either strongly agreeing or agreeing. Employers felt particular focus should be placed on business engagement and the views of local employers. The second proposal gained 69% agreement and a negative response from 11% who showed a concern about the practicalities of providers communicating with remote learners.
35. Many respondents agreed with the proposal stating that learner views were of considerable importance to ensuring continuous improvement. Others welcomed this development as they felt that learners' views were often left out of the inspection process. Most agreed that if the Framework for Excellence was

robust then the learner perception survey results should be taken account of. However, some respondents felt that it would be more beneficial to review how learners and other users are involved in order to bring about improvements.

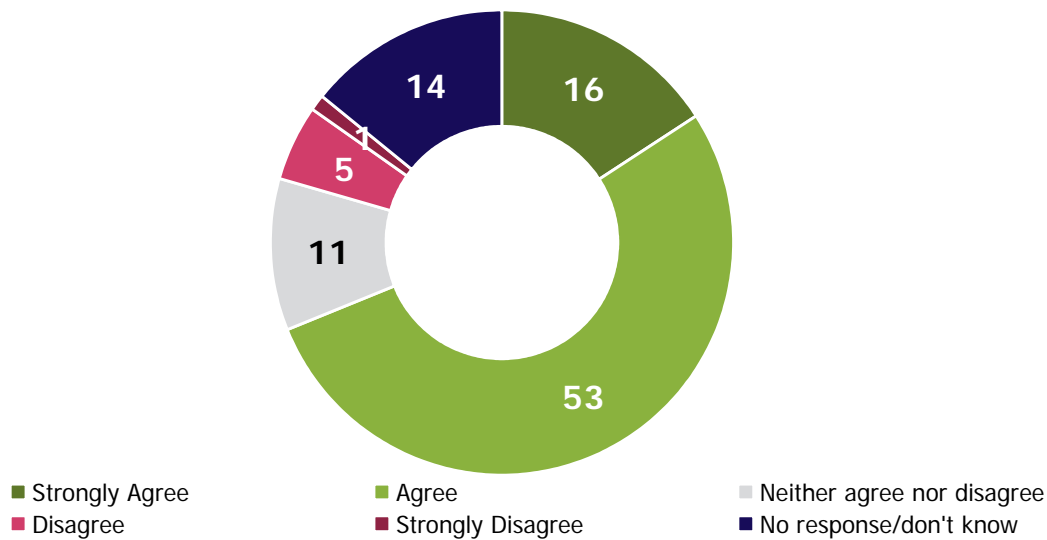
36. Concerns from respondents included the cost of contacting learners who were employer based and the lack of any opportunity for a system of representation. Most agreed that, while the variety of activities for engaging users can be improved, Ofsted should understand the need for flexibility; for example, distance learning and employer-based learning does not support the role of learner representatives. Some respondents felt that providers that have higher levels of resource and a more formal structure, such as colleges, are more likely to have success with learner representatives and forums, than adult and community or Department for Work and Pensions providers. A provider should not be penalised for utilising whatever communication and involvement methods it has found to be most effective with its users.
37. The notice period could be an issue for a large college or national provider if all learners and employers needed to know of an inspection and that they could be contacted by inspectors. Three weeks was suggested as a suitable period of time to do this. Some respondents commented on the difficulty for inspectors in identifying a representative sample, viewing contacts with individual learners or small groups of learners as insufficient to provide reliable evidence about an institution as a whole. Learners supported and were enthusiastic about the use of a wide variety of methods such as email and text. Independent specialist colleges felt that the use of emails and telephone interviews was unlikely to be suitable for some learners.
38. A small number of respondents regarded the views of parents and carers as important but felt that such views depended on the level of their involvement in their child's education. No parents responded to the formal consultation.



**Figure 7a: Do you agree with the range of activities that inspectors will undertake to collect the views of learners and other users?**  
(percentage of respondents, based on 170 respondents )



**Figure 7b: Do you agree with the range of activities that inspectors will undertake to explore how well the provider engages with users to bring about improvements?**  
(percentage of respondents, based on 170 respondents)



### Proposals for the way forward

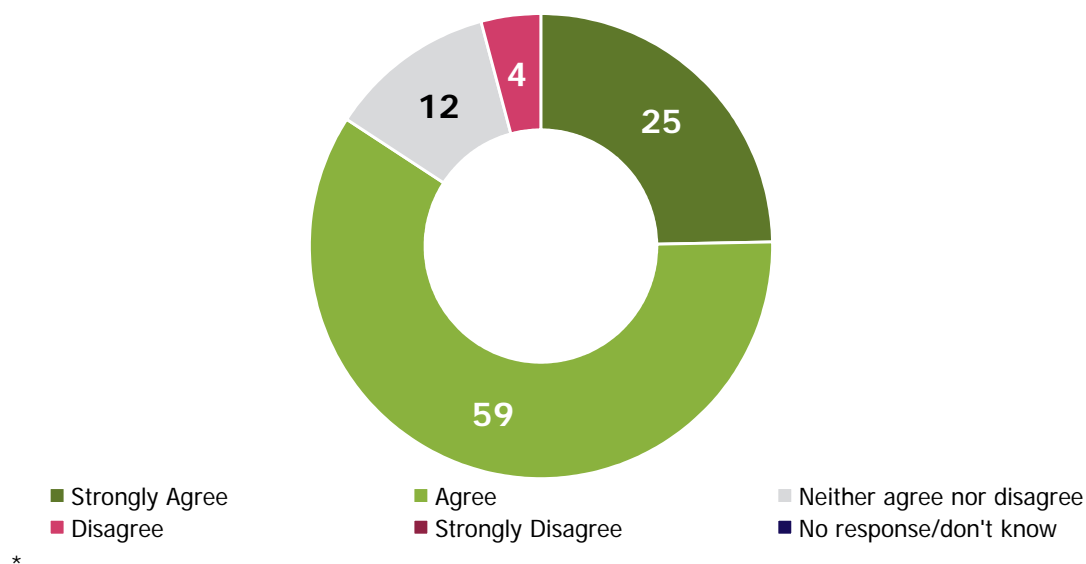
- Consider further how to best involve learners, employers and parents confidentially, effectively and efficiently in the inspection process, including the health check.
- Continue to explore how well the college or provider engages with learners and employers to bring about improvements.

**Q8. Do you agree that inspection should take more account of the capacity to improve?**

- 39. Around 84% of respondents were in favour of this proposal; only 4% were not. Many thought that, given the overall aim for greater self-regulation, grading of capacity to improve was essential.
- 40. Among those respondents in favour, many felt that the capacity of the college or provider to improve should be the focus of the inspection process. This was seen as vital in the context of the proposed interval between inspections for good and outstanding colleges and providers. It was suggested that capacity to improve should include analysis of the performance management systems in place and take into account the early signs of improvement evident from them. In addition, many respondents welcomed the greater significance given to the capacity to improve grade within the proposed grading structure.
- 41. Some respondents were unclear as to how capacity to improve could be defined, how such a judgement would be substantiated and what this proposal would mean for colleges and providers judged to be outstanding. Some thought capacity to improve should have more rigorous standards applied, and that the descriptors of what was being judged should be clearer. Some providers saw the capacity to improve judgement as potentially more challenging to new providers.

**Figure 8: Do you agree that inspection should take more account of the capacity to improve?**

(percentage of respondents, based on 170 respondents)



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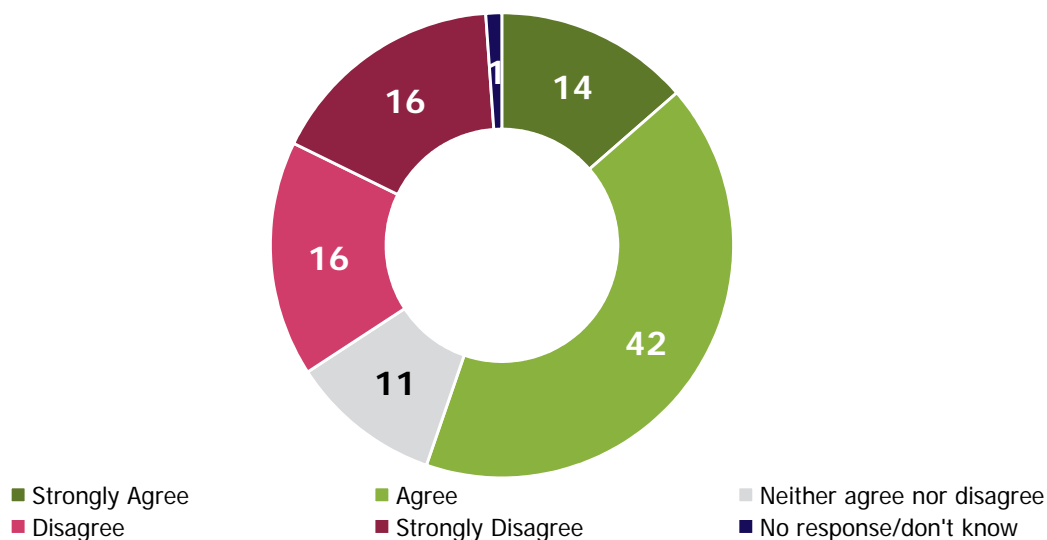
## Proposals for the way forward

- Increase the focus on capacity to improve and the associated guidance.
- Fine tune the Common Inspection Framework 2009 and grade descriptors, for example, to ensure consistency and clarity about judging achievement.

### **Q9. Do you agree with the concept of limiting grades in relation to safeguarding, equality and diversity, and capacity to improve, which would affect the judgement on overall effectiveness?**

42. This question attracted more text box comments than any other, with 55% of respondents in agreement and 33% disagreeing. Many respondents saw this as already happening during inspection. Others wanted more detail on how any limits would apply.
43. Those who agreed with the concept of limiting grades saw these three areas as key aspects of provision. However, they saw the need for very clear and consistent guidelines for inspectors on these aspects and how they were applied in the context of the organisation. Some suggested that the reverse argument should also apply and the possibility of enhancing, as well as limiting, grades be considered when good/excellent equality and diversity and safeguarding were identified. Some respondents called for some degree of flexibility for inspectors to take account of the whole range of information at their disposal.
44. Concerns included the differences in the focus and type of learners for providers. For example, in independent specialist colleges, safeguarding is an essential element, whereas in a Train to Gain programme, the majority of adult employees take personal responsibility for their own safeguarding, within health and safety requirements. Employers felt strongly that the safeguarding requirements were not practical for employers and they could impose a heavy additional cost.
45. Respondents suggested that the effectiveness and quality of provision for disadvantaged and vulnerable groups might also be a limiting factor. Others suggested the main area that should be limiting is learner achievement, as this is based on statistical evidence. If qualification or job outcomes are below the expected benchmark then the overall effectiveness of the provision cannot be good or outstanding. Another suggestion was that grades on the quality of teaching should also be limiting but this is implicit in the approach to inspection.

**Figure 9: Do you agree with the concept of limiting grades in relation to safeguarding, equality and diversity, and capacity to improve, which would affect the judgement on overall effectiveness?**  
(percentage of respondents, based on 170 respondents)



### Proposal for the way forward

- Further develop guidance on 'limiting grades' for those we inspect.

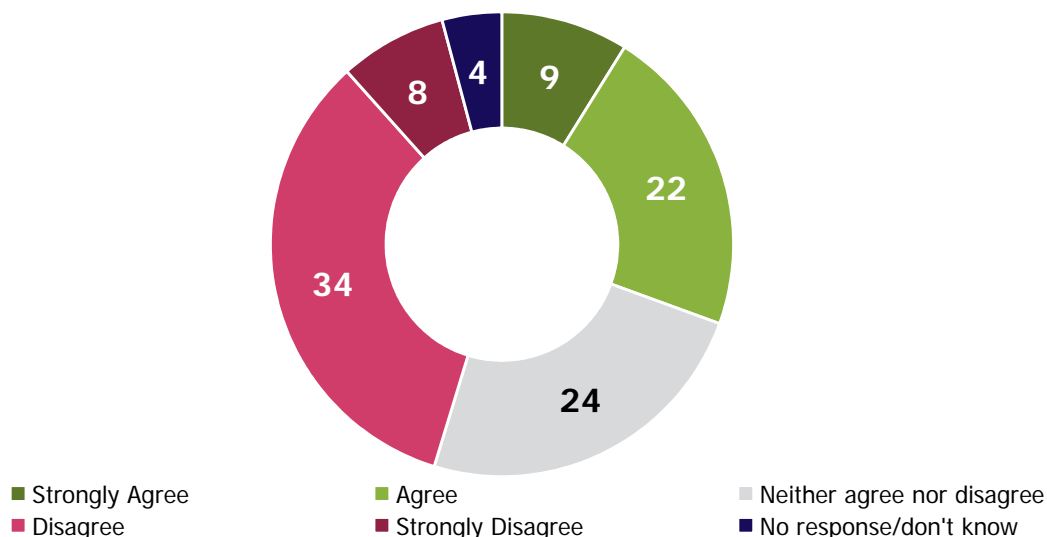
### Q10 Do you agree with Option 1 in which inspectors inspect but do not grade sector subject areas and where whole-system sector subject reports are published on a regular basis?

- Only 31% were in favour of this proposal; 24% of respondents neither agreed nor disagreed and, significantly, 41% were against, with 8% strongly so. All respondent groups were mixed in their views. The question was considered not relevant to nextstep provision.
- All respondents were in agreement that sector subject areas should be inspected. Not all saw the need for a grade to be published. Some providers wanted neither option 1 nor option 2, but all sector subject areas to be graded at every opportunity. Some saw surveys supporting this process as a valuable additional activity. Many advocated a continuation of sector subject area inspections in all colleges and providers, stating that not publishing inspection grades for these inspections makes reports less useful for potential users. They viewed the suggestion as not aligning with Ofsted's aim to make inspections more user focused.
- A view held by learners and others was that sector subject areas, as currently defined, were unhelpful because few colleges and providers were organised

and managed provision in such a way. Respondents felt that these categories were a hindrance rather than a help as they cut across their organisational boundaries. Learners did not always recognise the labels given to sector subject areas. Independent specialist colleges often used a subject area to teach other skills as well as the actual subject content. A common view was that potential learners and their parents and employers wanted to know the quality of the subject that they intended to study rather than the overall effectiveness of the college. Most respondents believed that for such specialist subject area assessments, the inspectors should always have specialist expertise.

49. Many respondents viewed specialist subject area grades as useful in managing their own provision. Colleges found it useful to have grades published, and felt that inspection without grading of curriculum areas could put undue pressure on senior managers and did not involve middle managers to a sufficient extent. Other respondents felt that it was very valuable for colleges to know whether their self-assessment grading was accurate.
50. Employers want to know the grades of all subject areas within a provider to make decisions about subcontracting provision. Most employers recognised they only had one sector subject area but found grading of the sector subject area particularly important in benchmarking themselves alongside other major national companies. They felt that these grades, the subject-specific inspection and judgements they require provided an invaluable insight into the effectiveness of provision.
51. Strong support was given for a national programme of subject-specific area survey reports, especially to capture good practice in high-performing colleges/providers not subject to detailed inspection that would inform the sector, allowing them to make better comparisons. Some felt that relying solely on survey reports was unrealistic as surveys are a snapshot and would not be presented annually for each sector subject area. They viewed current subject reports as not forming a view about the quality of provision or reporting on provision in specific institutions and therefore of less value in terms of guiding students about where to study.

**Figure 10: Do you agree with Option 1 in which inspectors inspect but do not grade sector subject areas and where whole-system sector subject reports are published on a regular basis?**  
(percentage of respondents, based on 170 respondents)



### Proposal for the way forward

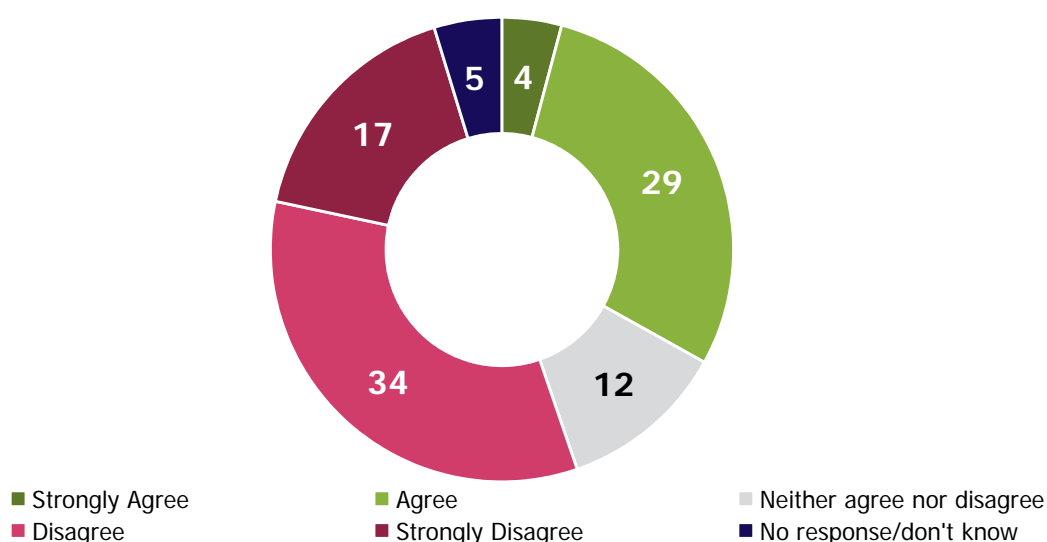
- Further develop the methodology for inspection of sector subject areas to ensure that it is consistent across colleges and providers, and that it recognises the need to provide some judgements on specialist areas.

### Q11. Do you agree with Option 2 in which inspectors grade sector subject areas in satisfactory and inadequate colleges and providers only?

- Only 33% of respondents agreed with this proposal and it attracted most negative comment from all types of respondent. Some 24% neither agreed nor disagreed. There were relatively few text box comments.
- The strong message from respondents was that all colleges and providers needed to be treated in the same way in terms of sector and subject areas, irrespective of the quality of the provider. Grading some providers differently would make inspection results difficult to interpret.
- Those in favour said that in satisfactory/inadequate colleges it was important to include subject areas in order to help with the improvement plan and recommendations. It was suggested that the sample of sector subject areas needed to include both the best as well as the poorest provision.
- Stakeholders stated that if providers were inadequate, this invariably reflected fairly fundamental problems within the organisation. Organisations in this latter group often needed to develop organisation-wide systems and processes to

improve, which ultimately impacted on the sector subject grades. There were likely to be more fundamental issues with leadership and management that needed prioritising.

**Figure 11: Do you agree with Option 2 in which inspectors grade sector subject areas in satisfactory and inadequate colleges and providers only?**  
(percentage of respondents, based on 170 respondents)



### Proposal for the way forward

- Further develop the methodology for inspection of sector subject areas to ensure that it is consistent across colleges and providers, and that it recognises the need to provide some judgements on specialist areas.

### Q12. We would like to introduce reduced notice periods of one week for colleges, and three weeks for work-based learning and nextstep providers. Do you agree with these proposals?

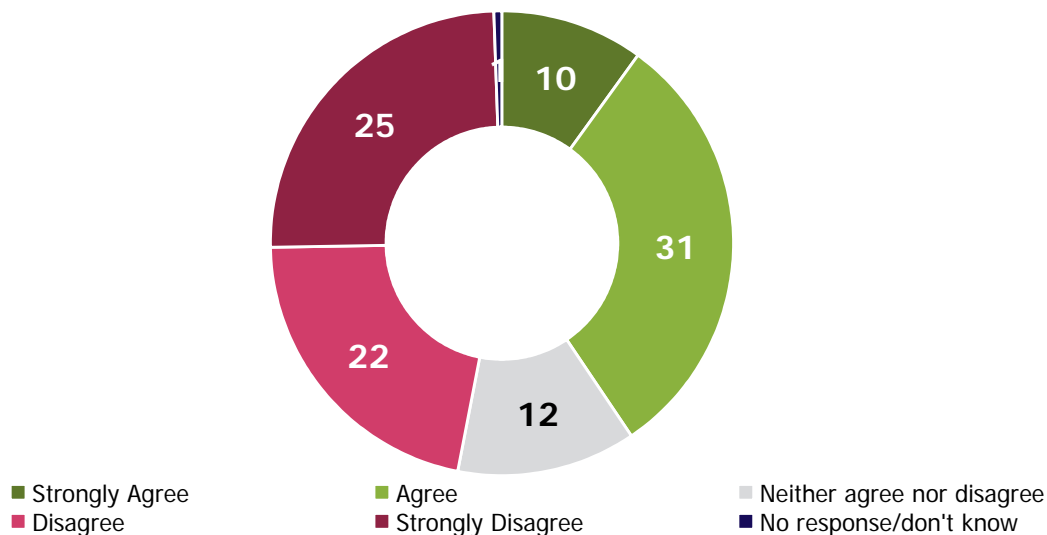
56. Around 41% of respondents agreed with this proposal, with 46% in disagreement. Views from respondent groups varied. Learners, although in agreement with the proposal, wanted to be involved in inspection planning and the collecting of learners' views, and could foresee practical issues in doing this with shorter notice. Employers who offered training to their own employees comprised the group most opposed to shorter notice. Nextstep providers were concerned about possible logistical difficulties in organising an inspection within a short space of time due to the regional nature of their provision and subcontracting arrangements. Opinions differed about ideal notice periods and ranged from one to three weeks.
57. Those in agreement saw short notice periods as ensuring that colleges and providers did not just step up their game for inspection. Inspectors should be able to see how the organisation really operates in practice. Respondents said inspection detracts from the core business of providers, with longer periods to

prepare meaning that providers spend less time on business. A common view was that shorter notice periods would be the fundamental change that would lead to real improvements in the sector, as providers would no longer be able to stage-manage inspections. Inspectors would see what really happens and would be able to make far more accurate judgements.

58. Many of those respondents who agreed with the proposal commented on the practical issues involved in an inspection visit with such short notice. This issue was particularly strong from employers, who stated that a lot of evidence still needed to be collected and referenced; learners, employers and staff needed to be informed (including agreement from employers to enter their premises with inspectors); and nominees and senior management needed to be available.
59. Negative comments focused mainly on the need for all colleges and providers to have the same notice period. Many colleges had extensive work-based learning provision for which the logistics involved in inspection arrangements would be as challenging as for a training provider. Strong concerns were expressed within colleges, suggesting that the length of notice period must be proportionate to the demands made on the institution to provide information, arrange meetings and reschedule accommodation. There was also concern that some key people would not be available if only a week's notice was given. A main concern from employers was their ability to respond at short notice.
60. Situations of both one week's and three weeks' notice were trialled as part of the pilot inspections. Both worked well. One week was trialled for colleges and an employer. The employer was based on one site. The colleges found it challenging to involve employers as fully as would have been expected in an inspection. Those providers with three weeks' notice included a local authority, and a national and a regional work-based provider. All worked well, but pilot sites commented on the challenge one week's notice would bring. All pilot sites volunteered and had been awarded a range of inspection grades on previous inspections.



**Figure 12: We would like to introduce reduced notice periods of one week for colleges, and three weeks for work-based learning and nextstep providers. Do you agree with these proposals?**  
(percentage of respondents, based on 170 respondents)



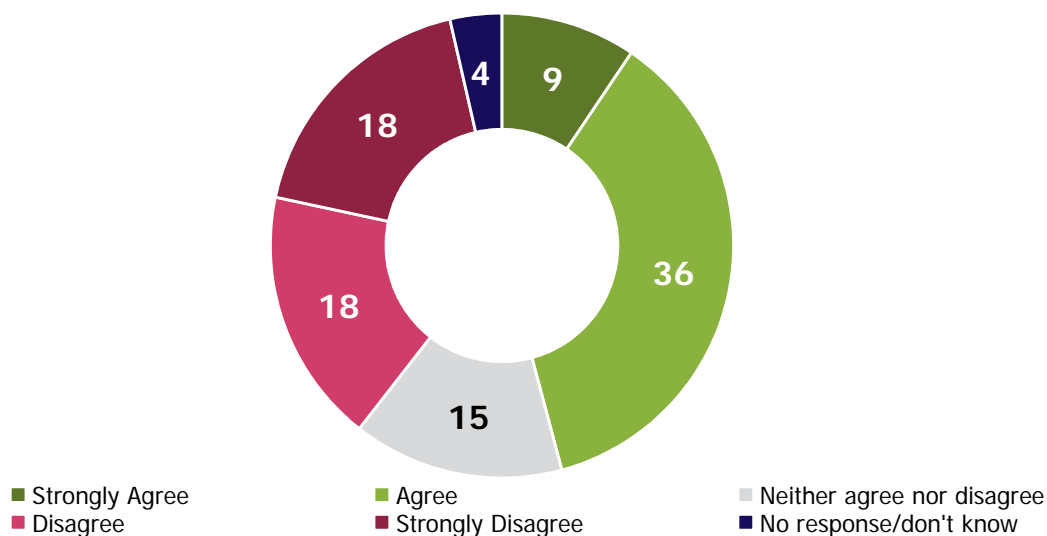
### Proposal for the way forward

- Introduce a standard notice period for all colleges and providers, which is a minimum of two and a maximum of three weeks.

### Q13 Do you agree that there is a place for unannounced inspections?

61. Just under half (46%) recorded agreement. Some 36% of respondents either disagreed or strongly disagreed. Learners largely agreed with unannounced inspections. Employers were strongly against the concept for logistical reasons. There was recognition that Ofsted should have the right to carry out unannounced inspections in certain circumstances as long as they were for serious issues affecting the well-being of learners.
62. Those who responded positively felt that it would enable inspectors to see colleges and providers as they really are. Some respondents thought this arrangement should only apply to good and outstanding colleges and providers; others suggested it should be used for those at high risk. Yet others felt it would only be feasible if colleges and providers published a calendar of events, to ensure that inspections would be convenient. Some respondents believed that the idea should be trialled. Again, it must be noted that some who agreed with this proposal in principle also acknowledged the challenges it posed.
63. The reasons most commonly cited for disagreeing with the proposal were logistical, because of practical difficulties and the disruption it could bring, and the perceived stress this might cause to college or provider staff.

**Figure 13: Do you agree that there is a place for unannounced inspections?**  
(percentage of respondents, based on 170 respondents)



### Proposal for the way forward

- HMCI has powers to conduct unannounced inspections and will exercise these where there are justifiable reasons for doing so.

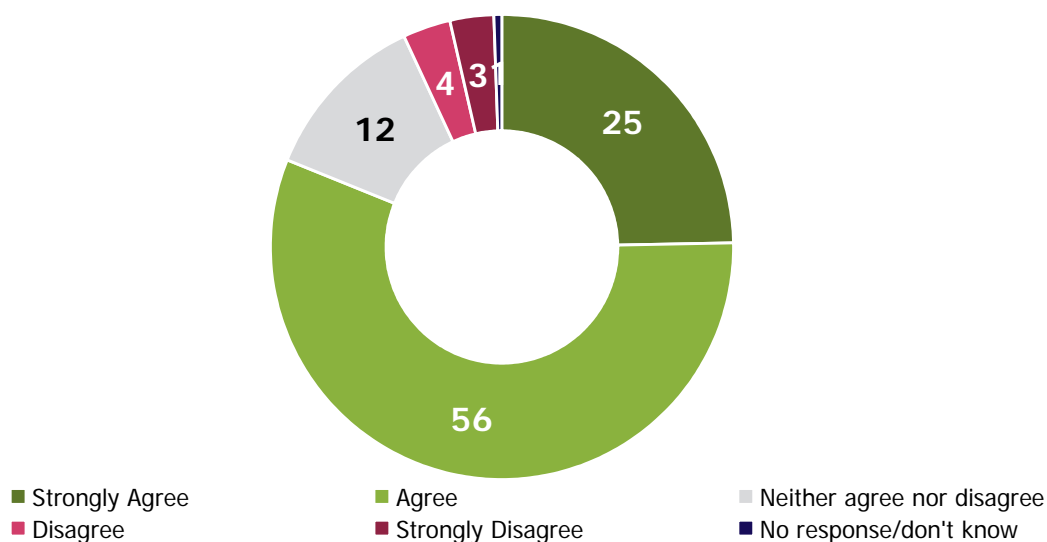
### Q14. Do you agree that there should be single inspection events where all aspects of a college's or provider's provision are subject to inspection at the same time where practical?

64. At 81%, a clear majority of respondents were in favour of this approach. Overall, this question attracted a small percentage of respondents who were against, 6% overall, with 3% who strongly disagreed.
65. Some comments were very positive. Many respondents were of the view that the proposal made good sense, that colleges and providers should not be held accountable for things they had no control over, and that it was important to evaluate such partnerships, particularly where funding was allocated to them. This was seen as a more intelligent way to inspect, with the potential to reduce the overall burden of inspection.
66. Less enthusiastic respondents pointed to logistical difficulties in carrying this out or the complexities involved in evaluating partnerships or consortia where accountability remained unclear. Some suggested this proposal appeared to be a good idea in theory, but they were concerned that in practice the inspection would not be based on risk assessment but on whether it was part of a large provider's portfolio or not. One provider suggested that the proposals for increased survey activity meant that providers may in any case be subject to what they perceived as multiple inspection events. Colleges with higher education provision suggested that Ofsted work with the Quality Assurance

Agency to align the two processes.

**Figure 14: Do you agree that there should be single inspection events where all aspects of a college's or provider's provision are subject to inspection at the same time where practical?**

(percentage of respondents, based on 170 respondents)



### Proposal for the way forward

- Continue to plan for single inspection events whenever it is beneficial practically.

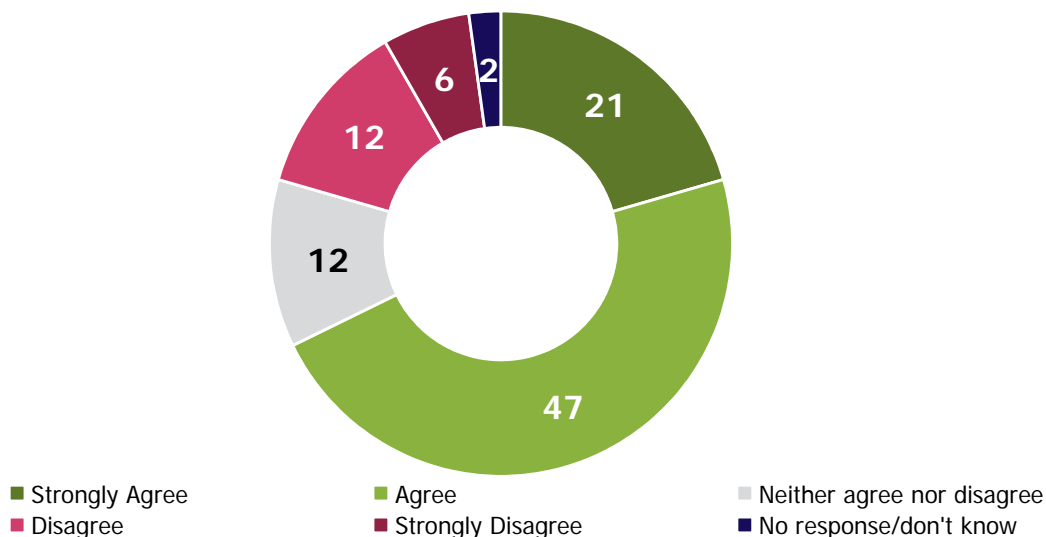
### Q15. Do you agree that there should be a summary report for users, including learners and employers, that also sets out what the college or provider should achieve?

67. This proposal received good support, with 68% of all respondents either agreeing or strongly agreeing. Eighteen per cent of responses were against, with only 6% strongly disagreeing. This approach was popular with both the college and provider sector and with learners. Employers were the least positive group.
68. Many positive comments were received on how learners had a right to key information about colleges and providers. There was a view that this would help drive quality by bringing the outcomes of the inspection to the attention of those receiving or wishing to use the services from the provider. There were also helpful suggestions; for example, that the report should be clear and jargon free, and that it should also identify what learners could do to help the college or provider to improve. Some respondents also thought that there should also be an accessible version for learners with learning difficulties and/or disabilities.
69. Although there were few whose comments were opposed to the introduction of the proposed summary report, by and large, they felt that this was already

achieved by the inspection report and that the separate report would be unnecessary repetition. Such responses suggested that as long as the report was clear in its findings and recommendations, there was no need to introduce the proposed summary report. Some comments concerned the practicalities of how the report would be circulated. Those against the user report felt that providers should be responsible for letting users and employers know the outcomes from inspection.

70. There were strong concerns about shortening current reports and respondents felt that this was one area that really should be developed further, and not over-simplified. A common view held was that if part of the purpose of inspection was to promote continuous improvement, more information was needed, not less. Respondents felt that there was a danger that whatever was produced would not reflect the complexity of inspection and lead to false assumptions being made by users, local politicians and the press. Employers felt strongly that they should be able to have a say in what information goes out to learners who are their employees.
71. Sample summary reports were shown to users throughout the pilot process. Learners liked aspects of the formats produced and a common format has been proposed.

**Figure 15: Do you agree that there should be a summary report for users, including learners and employers, that also sets out what the provider should achieve?**  
(percentage of respondents, based on 170 respondents)



### Proposals for the way forward

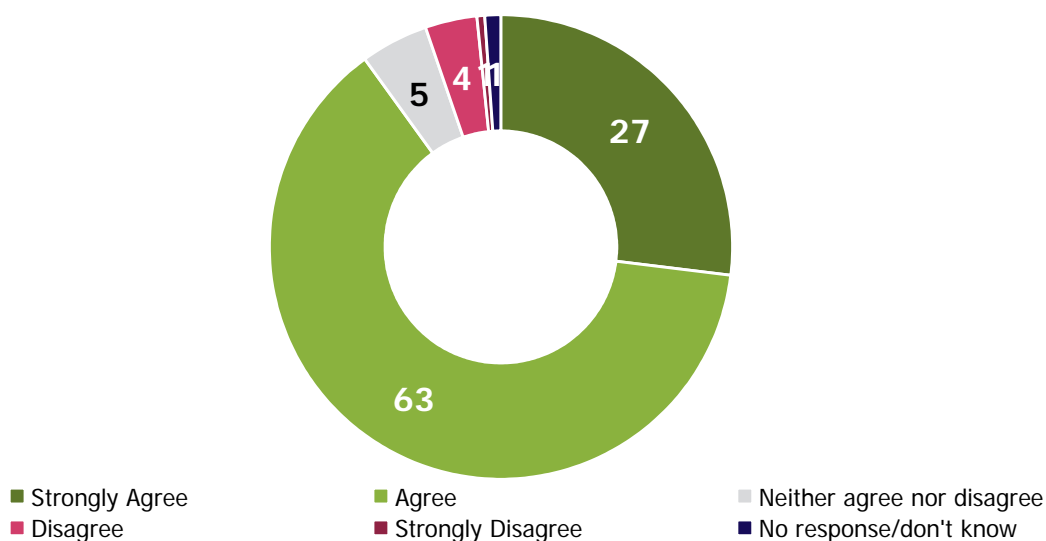
- Agree a common report format, including a summary report for learners/employers, which includes text about the views of users and the achievement of different groups.
- Consult providers and learners about the structure and format of the report

throughout the spring 2009 pilot inspections.

**Q16. Do you agree with the proposals to include recommendations which focus on areas where improvements are needed in inspection reports?**

- 72. This proposal elicited the most positive responses, with 90% of respondents in favour and 4% against. Many stated that this was exactly what inspection should be about and that such recommendations, as long as they were achievable, would be very helpful to colleges and providers. Support was for precise and clear recommendations. Respondents suggested that use of recommendations could only provide greater clarity for providers and therefore contribute to a greater understanding of the issues. They felt that they would ensure that actions were properly targeted by providers and would provide a specific focus for follow-up activity such as risk assessments and health checks.
- 73. Negative comments mainly focused on concerns about unrealistic recommendations that proved to be unsound. There were a few negative responses by those who felt that it was the role of the college or provider to decide what action was needed to bring about improvement. Some questioned whether inspectors would be sufficiently well-informed to make more precise recommendations after only two days at the college or provider, and others cautioned that recommendations should not be so precise as to be prescriptive.
- 74. Recommendations in reports were very much welcomed by pilot providers.

**Figure 16: Do you agree with the proposals to include recommendations which focus on areas where improvements are needed in inspection reports? (percentage of respondents, based on 170 respondents)**



## Proposal for the way forward

- Ensure that detailed feedback is given to the provider nominee throughout the inspection process to help providers improve.
- Explore, through pilot inspections, how inspectors' recommendations might focus more precisely on the action a provider should take to become good or better.

## **Annex B: Analysis by type of respondent**

In total 170 questionnaires were returned to Ofsted. These consisted of:

- 81 further education colleges
- 43 other organisations
- 24 employers
- eight independent specialist colleges
- six independent training providers
- four local authorities
- three nextstep contractors
- one school.