

# Non-association independent school inspection handbook

Handbook for inspecting non-association independent schools in England under  
section 109(1) and (2) of the Education and Skills Act 2008

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**Age group:** 0–19

**Published:** April 2018

**Reference no:** 160050



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## Introduction

1. This handbook describes the main activities undertaken during inspections of non-association independent schools in England under section 109(1) and (2) of the Education and Skills Act 2008 from September 2015.<sup>1</sup> It sets out the evaluation criteria that inspectors use to make their judgements and on which they report. This includes the extent to which the school meets the requirements of the Education (Independent School Standards) Regulations 2014 (referred to as the independent school standards).<sup>2</sup>
2. The handbook has two parts:
  - Part 1. How non-association independent schools (referred to as schools) will be inspected.  
This contains information about the process before, during and after the inspection.
  - Part 2. The evaluation schedule.  
This contains the evaluation criteria inspectors use to make the graded judgements about schools. It includes the kinds of evidence used and activities carried out by inspectors to make their judgements.
3. This handbook is primarily a guide for inspectors on how to carry out school inspections. However, it is made available to schools and other organisations to ensure that they are informed about the process and procedures of inspection. It seeks to balance the need for consistency in inspections with the flexibility required to respond to the individual circumstances of each school. This handbook should not be regarded as a set of inflexible rules, but as an account of the procedures that normally govern inspection. Inspectors will exercise their professional judgement when using it. This handbook is for school inspections to be carried out from September 2015 under the new 'Common inspection framework: education, skills and early years' (the CIF).<sup>3</sup>
4. This handbook applies to standard inspections. It does not cover the range of additional inspections that Ofsted undertakes of independent schools: emergency, progress monitoring, pre-registration and material change inspections. Guidance on these inspections is available in the 'Handbook for additional inspections of non-association independent schools'.<sup>4</sup>

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<sup>1</sup> Education and Skills Act 2008; [www.legislation.gov.uk/ukpga/2008/25/contents](http://www.legislation.gov.uk/ukpga/2008/25/contents).

<sup>2</sup> The Education (Independent School Standards) Regulations 2014; [www.legislation.gov.uk/uksi/2014/3283/contents/made](http://www.legislation.gov.uk/uksi/2014/3283/contents/made).

<sup>3</sup> 'Common inspection framework: education, skills and early years', Ofsted, 2015; [www.gov.uk/government/publications/common-inspection-framework-education-skills-and-early-years-from-september-2015](http://www.gov.uk/government/publications/common-inspection-framework-education-skills-and-early-years-from-september-2015).

<sup>4</sup> 'Handbook for additional inspections of independent schools', Ofsted, 2015; [www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools](http://www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools).

## **Part 1. How schools will be inspected**

### **What are the legal requirements for the inspection of schools?**

#### **How schools are selected for inspection**

5. All independent schools are inspected at the direction of the Department for Education (DfE), which is the registration authority for independent schools. Therefore, Ofsted may be asked to inspect an independent school at any time. This might occur, for example, where the DfE has particular concerns about a school.
6. The CIF and this handbook set out the arrangements for standard inspections of independent school carried out from September 2015.
7. These inspections are conducted under section 109(1) and (2) of the Education and Skills Act 2008.

#### **Frequency of inspections**

8. All schools will have a standard inspection within three years from September 2015.
9. Schools inspected from January 2015 that are judged as requires improvement or inadequate will normally have a standard inspection within two years of the previous standard inspection.
10. Schools that are judged to be requires improvement following a standard inspection from January 2015 may also receive a progress monitoring inspection before their next standard inspection. The purpose of the progress monitoring inspection is for inspectors to judge whether the school has addressed any un-met independent school standards and the qualitative issues identified at the previous standard inspection.
11. On a progress monitoring inspection of a school that was judged as requires improvement but met all the independent school standards, inspectors will judge whether the school continues to comply with the standards to which the qualitative issues identified at the previous standard inspection relate.
12. The progress monitoring inspection of schools judged as inadequate in inspections from January 2015 will also judge whether schools have addressed any un-met independent school standards and the qualitative issues identified at the previous standard inspection.

#### **Conducting additional inspections as part of a standard inspection**

13. The DfE may commission Ofsted to conduct an additional inspection as part of a standard inspection. It may commission Ofsted to consider a school's application to make a material change to its registration, a school's progress in

implementing its action plan and in meeting un-met independent school standards, or a complaint or other issue about a school, as part of a standard inspection. The DfE will request this in an inspection commissioning form.

14. Similarly, if the DfE commissions Ofsted to carry out an additional inspection and a standard inspection is already scheduled to take place in the same or next term, Ofsted may recommend to the DfE that the additional inspection be carried out as part of the standard inspection.
15. In both cases, the 'additional matters' will normally be considered as part of the standard inspection in a single inspection event. For 'education-only' and 'integrated' education and boarding inspections, Ofsted will typically report on the 'additional matters' to the DfE in the report for the standard inspection and complete one independent school standards compliance record. The report will clearly set out the legislative basis for both inspection types and the reason for the additional inspection. The report will be published on the Ofsted website.<sup>5</sup> However, there may be occasions, such as when a progress monitoring inspection is commissioned with a standard inspection, when two reports are written and published on the Ofsted website. This is in order to ensure that the progress against previously unmet standards is reported clearly to the DfE. 'Welfare-only' inspections will be reported on separately.

## **New schools**

16. Proprietors wishing to open a new school must apply to the DfE for registration. They are asked to supply the information set out in section 98 of the Education and Skills Act 2008 and The Education (Independent Educational Provision in England) (Provision of Information) Regulations 2010.<sup>6</sup>
17. The Education and Skills Act 2008 requires Ofsted to conduct a pre-registration inspection of a prospective school before it opens. These inspections are commissioned by the DfE. Inspectors consider the written evidence supplied in the school's application before the pre-registration inspection is made to the school in order to advise the Secretary of State about the school's readiness for registration. Schools may not accept pupils until the school has been registered. Following a pre-registration inspection, the inspector reports to the registration authority indicating the extent to which the independent school standards are likely to be met. This report is not published, but is made available to the school.<sup>7</sup> The decision on whether or not to register the school lies with the DfE.

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<sup>5</sup> <http://reports.ofsted.gov.uk>.

<sup>6</sup> The Education (Independent Educational Provision in England) (Provision of Information) Regulations 2010; [www.legislation.gov.uk/ukxi/2010/2919/contents/made](http://www.legislation.gov.uk/ukxi/2010/2919/contents/made).

<sup>7</sup> Guidance on pre-registration inspections is available in the 'Handbook for additional inspections of independent schools', Ofsted, 2015; [www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools](http://www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools).

18. Once registered, new schools receive their first standard inspection in their first year of operation, at the request of the DfE. These reports are published on the Ofsted website.

### **Boarding or residential provision**

19. Where boarding provision in boarding schools has been judged inadequate or requires improvement, it is inspected again within two years. Where the boarding provision has been judged good or outstanding, it will be inspected within three years. Residential provision in residential special schools is inspected annually.
20. An inspection of boarding or residential provision in a boarding or residential special school will be integrated with the school inspection, where possible (see Annex A). Integrated inspections cannot be carried out when inspection cycles do not coincide. In such cases, we will only inspect the boarding or residential provision.<sup>8</sup>

### **Separately registered childcare provision**

21. Early years or childcare provision of more than two hours a day that is not managed by the school's proprietor/governing body must normally be registered with Ofsted. If provision managed directly by the school's proprietor/governing body includes care for children under two years old, or where no child attending is a pupil of the school, it must be registered by Ofsted. Provision registered in this way is not inspected as part of an inspection of the school.

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

22. Inspection can take place at any point after the end of five working school days from the beginning of the autumn term. For example, if pupils return to school on a Wednesday, inspection can take place as early as the following Wednesday.

### **Before the inspection**

#### **Clarification for schools**

23. The information below serves to confirm facts about the requirements of Ofsted and to dispel myths about inspection that can result in unnecessary workloads in schools. It is intended to highlight specific practices that are not required by

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<sup>8</sup> The boarding/residential provision will be inspected under the Children Act 1989, as amended by the Care Standards Act 2000, having regard to the appropriate national minimum standards. The inspection will follow 'Social care common inspection framework (SCCIF): boarding schools and residential special schools', Ofsted, April 20172017; [www.gov.uk/guidance/social-care-common-inspection-framework-sccif-boarding-schools](http://www.gov.uk/guidance/social-care-common-inspection-framework-sccif-boarding-schools).

Ofsted. Inspectors **must not** advocate a particular method of planning, teaching or assessment. It is up to schools themselves to determine their practices and for leadership teams to justify these on their own merits rather than by reference to this inspection handbook.

### *Lesson planning*

- Ofsted **does not** require schools to provide individual lesson plans to inspectors. Equally, Ofsted **does not** require schools to provide previous lesson plans.
- Ofsted **does not** specify how planning should be set out, the length of time it should take or the amount of detail it should contain. Inspectors are interested in the effectiveness of planning rather than the form it takes.
- Ofsted **does not** expect tutor groups/form time to include literacy, numeracy or other learning sessions. Schools can use form time as they wish.

### *Self-evaluation*

- Ofsted does not require self-evaluation to be graded or provided in a specific format. Any assessment that is provided should be part of the school's business processes and not generated solely for inspection purposes.

### *Grading of lessons*

- Ofsted **does not** award a grade for the quality of teaching or outcomes in the individual lessons visited. Inspectors do not grade individual lessons. Ofsted **does not** expect schools to use the Ofsted evaluation schedule to grade teaching or individual lessons.

### *Lesson observations*

- Ofsted **does not** require schools to undertake a specified amount of lesson observation.
- Ofsted **does not** expect schools to provide specific details of the pay grade of individual teachers who are observed during inspection.

### *Pupils' work*

- Ofsted **does not** expect to see a particular frequency or quantity of work in pupils' books or folders. Ofsted recognises that the amount of work in books and folders will depend on the subject being studied and the age and ability of the pupils.
- Ofsted recognises that marking and feedback to pupils, both written and oral, are important aspects of assessment. However, Ofsted **does not** expect to see any specific frequency, type or volume of marking and

feedback; these are for the school to decide through its assessment policy. Marking and feedback should be consistent with that policy, which may cater for different subjects and different age groups of pupils in different ways, in order to be effective and efficient in promoting learning.

- While inspectors will consider how written and oral feedback are used to promote learning, Ofsted **does not** expect to see any written record of oral feedback provided to pupils by teachers.
- If it is necessary for inspectors to identify marking as an area for improvement for a school, they will pay careful attention to the way recommendations are written to ensure that these do not drive unnecessary workload for teachers.

### *Evidence for inspection*

- Ofsted **does not** expect schools to provide evidence for inspection beyond that set out in this inspection handbook.
- Ofsted **will** take a range of evidence into account when making judgements, including published performance data, the school's in-year performance information and work in pupils' books and folders, including that held in electronic form. However, unnecessary or extensive collections of marked pupils' work **are not** required for inspection.
- Ofsted **does not** expect performance and pupil-tracking information to be presented in a particular format. Such information should be provided to inspectors in the format that the school would ordinarily use to monitor the progress of pupils in that school.
- Ofsted **does not** require teachers to undertake additional work or to ask pupils to undertake work specifically for the inspection.
- Ofsted **will** usually expect to see evidence of the monitoring of teaching and learning and its link to teachers' professional development but this should be the information that the school uses routinely and **not** additional evidence generated for inspection.
- Ofsted **does not** expect to see photographic evidence of pupil's work. Ofsted is very aware of teachers' workload and inspectors are happy to speak to pupils during an inspection about what they have learned.
- Ofsted does not require schools to predict their progress scores. It is impossible to predict progress as test results are compared nationally and this cannot be done until after the tests.
- Ofsted **does not** require schools to hold onto books and other examples of pupils' work for pupils who left school the previous year.
- Inspectors are not required to routinely check personnel files, but may do so in specific cases as part of looking at schools' procedures for checking the suitability of employees to work with children.

### *Statutory provisions*

- Ofsted **will** report on any failure to comply with statutory arrangements, including those relating to the workforce, where these form part of the inspection framework and evaluation schedule (Part 2 of this handbook).

### *Leadership and governance*

- The proprietor/as many members of the proprietorial body and as many governors as possible are invited to meet inspectors during an inspection.
- An inspector may talk to the proprietor and the chair of governors by telephone if s/he is unable to attend a face-to-face meeting with the inspector in school.
- All those responsible for governance need to know the outcome of the inspection as soon as possible. Individual governor representatives must keep the outcomes confidential until the school has received the final inspection report.

## **Inspectors' planning and preparation**

24. The lead inspector, and in the case of integrated inspections the lead social care regulatory inspector, will prepare for the inspection by gaining an overview of the school's recent performance and any changes since the previous inspection. They will check compliance with aspects of the independent school standards where that is possible before an inspection (such as in relation to provision of information).<sup>9</sup> They carry out this activity before they arrive at the school on the first day of the inspection. The lead inspector will use all available evidence to develop an initial picture of the school's performance. Their planning will be informed by analysis of:

- the previous inspection reports, which may include boarding and early years inspection reports
- any reports or advice notes resulting from additional inspections carried out since the last standard inspection, in particular emergency inspections<sup>10</sup>
- the findings of any recent Ofsted survey
- responses from Parent View,<sup>11</sup> Ofsted's online survey for parents<sup>12</sup>

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<sup>9</sup> All planning activity will be recorded on evidence forms and will contribute to the summary evaluation form for the inspection.

<sup>10</sup> Information on additional inspections is contained in the 'Handbook for additional inspections of independent schools', Ofsted, 2015; [www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools](http://www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools).

<sup>11</sup> <https://parentview.ofsted.gov.uk>.

<sup>12</sup> 'Parents' refers to mothers, fathers and/or carers.

- pupils', and if relevant placing authorities', replies to Ofsted's point-in-time surveys (see Annex A)
- information from the provider information portal (PIP)<sup>13</sup>
- information on the school's website, including:
  - the presence of the safeguarding policy, as required by the independent school standards
  - the suitability of the safeguarding policy, taking into account current government requirements
  - curriculum information (so the lead inspector can start to assess the breadth and balance of the school's curriculum and whether it is likely to promote preparation for, and an appreciation of, life in modern Britain)
- information provided by the DfE, in particular any specific focus for the inspection, in the inspection commissioning form, where the DfE has commissioned:
  - the inspection to be brought forward
  - an additional inspection that will form part of the standard inspection
- any complaints from parents or members of the public that the DfE has asked Ofsted to consider as part of the inspection
- the school's census returns
- information on the school's registration status as recorded on the DfE's register 'Get information about schools',<sup>14</sup> such as the number and age range of pupils that the school is registered to take, the name of the proprietor and whether the school is 'section 41 approved'<sup>15</sup>
- the Tier 4 register of licensed sponsors<sup>16</sup>
- information from any other connected providers: this may include registered early years provision or, if the proposed school is part of a chain of independent schools, any relevant information from recent inspections of these schools, such as any reported evidence about the suitability and capability of the proprietor
- any other information publicly available or available from relevant stakeholders such as local authorities and the police.

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<sup>13</sup> The provider information portal (PIP) provides a high-level view for Ofsted inspectors of information about providers we inspect and regulate.

<sup>14</sup> <https://get-information-schools.service.gov.uk/> [https://get-information-schools.service.gov.uk.](https://get-information-schools.service.gov.uk/)

<sup>15</sup> A registered independent school can be approved by the Secretary of State under section 41(1) of the Children and Families Act 2014 to enable the school 'to be the subject of a request for it to be named in an EHC plan'.

<sup>16</sup> <https://www.gov.uk/government/publications/register-of-licensed-sponsors-students>  
[www.gov.uk/government/publications/register-of-licensed-sponsors-students.](https://www.gov.uk/government/publications/register-of-licensed-sponsors-students)

25. Inspectors must find out the identity of the school's proprietor before inspection. This can be confirmed by looking at the previous inspection report, the current 'Get information about schools' record for the school, the school's last census returns and the school's website, if one exists (this may have a section that describes governance arrangements). Any discrepancies between 'Get information about schools' and other sources should be recorded on an evidence form and followed up on inspection.
26. If a registered school has relocated its main or sole site into a different local authority area, the DfE's policy position is that the school will not be treated as a new entity. However, the DfE will change the school's registration number, and consequently the school's unique reference number. Therefore, the lead inspector will refer to the inspection history relating to the school's previous registration.
27. There may be other relevant information that is in the public domain and reported in the press. Inspectors should therefore conduct a brief internet search as part of their pre-inspection planning to see whether there are any safeguarding or other issues – for example a change of governance – that may need to be followed up during inspection.<sup>17</sup>
28. The lead inspector will prepare and distribute brief joining instructions for the inspection team. These will include factual information, a brief analysis of the pre-inspection information, and the key issues and lines of enquiry that are the focus of the inspection.
29. In the case of integrated inspections of boarding and residential special schools, the inspection of boarding or residential provision is undertaken by one or more social care regulatory inspectors. Contact between the education and social care regulatory inspectors takes place before the start of the inspection. Guidance on pre-inspection activity for integrated inspections is set out in the 'Social care common inspection framework (SCCIF): boarding schools and residential special schools'.<sup>18</sup>

### **Notification and introduction**

30. Ofsted will normally contact the school by telephone to announce the inspection around lunchtime on the day before the inspection is due to start.
31. If the headteacher is unavailable when the notification call is made, Ofsted will ask to speak to the most senior member of staff available. Once Ofsted has

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<sup>17</sup> A change in proprietor constitutes a material change to the school's registration, which must be agreed with the DfE before being implemented.

<sup>18</sup> [www.gov.uk/government/publications/inspecting-boarding-and-residential-provision-in-schools-guidance-for-inspectors](http://www.gov.uk/government/publications/inspecting-boarding-and-residential-provision-in-schools-guidance-for-inspectors).

informed the school by telephone that the inspection will take place, it will send confirmation to the school by email.

32. In the notification call, Ofsted will make clear that the inspectors will expect the proprietor(s) and the person(s) responsible for the day-to-day operation of the school to be present during the inspection. This is because inspectors will expect to interview them to judge their ability to promote and implement the relevant policies and procedures.
33. Where it appears that a school is no longer operating, Ofsted will check whether the DfE requires an inspection to be carried out to ascertain whether or not the school is still operating. If the DfE requires such an inspection, the standard inspection will be changed to an emergency inspection. The emergency inspection will be carried out in line with the guidance in the 'Handbook for additional inspections of independent schools'.<sup>19</sup>

### **Requests for deferral or cancellation**

34. If a school requests a deferral of its inspection, the inspection support administrator must immediately make Ofsted aware of this by contacting the Ofsted regional duty desk. Ofsted will consult the DfE and then decide whether to grant deferral in accordance with its deferral policy.<sup>20</sup>
35. In exceptional circumstances, an inspection might be cancelled or deferred after the school has been notified, following a request made by the school. Normally, however, if pupils are receiving education in the school, an inspection will go ahead.
36. The deferral policy makes clear that where the inspection of a school has been deferred previously on two consecutive occasions because there were no pupils on roll, the inspection will not be deferred for a third time (see Annex A).
37. The deferral policy also makes clear that the absence of the headteacher is not normally a reason for deferring an inspection. If a school is within six months of confirmed closure, but the headteacher does not request a cancellation when the inspection support administrator makes contact, the inspection support administrator should call the duty desk to highlight this. The duty desk will seek a decision from the DfE whether the inspection should still be carried out. A decision will be made on a case-by-case basis.

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<sup>19</sup> 'Handbook for additional inspections of independent schools', Ofsted, 2015; [www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools](http://www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools).

<sup>20</sup> 'Deferring Ofsted inspections', Ofsted, 662016; [www.gov.uk/government/publications/deferring-ofsted-inspections](http://www.gov.uk/government/publications/deferring-ofsted-inspections).

38. In the case of unannounced inspections, any requests for a deferral will be passed to the Ofsted Regional Director, who will decide whether the request can be granted.

### **No-notice inspections**

39. Ofsted may conduct inspections without notice.<sup>21</sup> Where this is the case, there will not be a prior telephone call.

### **The lead inspector's initial telephone call**

40. In announced inspections, the lead inspector will contact the school and ask to speak to the headteacher. This will be after Ofsted's initial notification telephone call, and is normally on the morning of the inspection. The call will be short and focused on practical issues. The lead inspector will arrange a time during the afternoon to start the inspection.
41. The purpose of the lead inspector's initial call is to:
- make the school aware of the need to inform parents of the inspection, and that Parent View is the main vehicle for gathering the views of parents at the point of inspection; inspectors should remind the school that Ofsted's letter to parents containing the link to Parent View may be sent electronically or as a paper copy via pupils
  - establish whether the school has any pupils who attend off-site alternative provision, either on a full- or part-time basis. Inspectors must ask the school about the registration status of any alternative providers that it uses. Any provider of alternative provision must be registered as an independent school if it caters full-time for five or more pupils of compulsory school age, or one such pupil who is looked after, has an education, health and care (EHC) plan, or has a statement of special educational needs
  - establish whether the school has an off-site unit to cater for pupils with behaviour or attendance difficulties either run by the school or in partnership with other schools
  - establish whether the school is likely to operate from more than one site. For example, early years or post- 16 provision that may operate on separate premises. Inspectors must establish the full address of each of the premises, record this in their evidence base and report this to the relevant Senior HMI

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<sup>21</sup> Inspection without notice will be considered where there are serious concerns about one or more of the following: the breadth and balance of the curriculum; rapidly declining standards; safeguarding including a decline in standards of pupils' behaviour and the ability of staff to maintain discipline; and standards of leadership or governance.

- make arrangements for the inspection; this includes an invitation to the headteacher to participate in observations of teaching and learning and to observe the main inspection team meetings
  - make arrangements for meetings with key staff
  - confirm with the headteacher or most senior member of staff the identity of the individual proprietor or proprietor body of the school and to arrange with the headteacher an appropriate time to speak to the proprietor and the person(s) responsible for the day-to-day operation of the school during the inspection
  - establish what the governance structure of the school is, and make arrangements for a meeting with the chair of governors and as many governors as possible, and/or representatives of those responsible for governance, and request that as many governors as possible are also present at the final feedback meeting
  - request that relevant school documents are made available as soon as possible from the start of the inspection (see paragraph 42)
  - provide an opportunity for the school to ask any questions
  - establish whether the school has received support from other schools or services (it will be important to establish the extent and the impact of this).
42. Inspectors will ask the school to make the following information available at the start of the inspection. This includes the information required to comply with the independent school standards:
- a summary of any school self-evaluation or equivalent
  - school timetable, current staff list and times for the school day
  - any information about pre-planned interruptions to normal school routines during the inspection
  - the single central record of the checks and vetting of all staff working with pupils
  - records and analysis of exclusions, pupils taken off roll, incidents of poor behaviour and any use of internal isolation
  - records and analysis of bullying, discriminatory and prejudicial behaviour, either directly or indirectly, including racist, disability and homophobic bullying, use of derogatory language and racist incidents
  - a list of referrals made to the designated person for safeguarding in the school and those that were subsequently referred to the local authority, along with brief details of the resolution
  - a list of all pupils who are open cases with children's services/social care and for whom there is a multi-agency plan
  - up-to-date attendance analysis for all groups of pupils

- documented evidence of the work of the proprietor and/or governors and their impact.

43. Inspectors may request additional information, such as:

- the current school improvement plan
- records of the evaluation of the quality of teaching, learning and assessment
- any reports of external evaluation of the school.

### **Using a school's self-assessment during inspection**

44. Ofsted does not require schools to produce a self-evaluation document or summary in a particular format. Any assessment that is provided should be part of the school's business processes and not generated solely for inspection purposes.

### **Safeguarding**

45. Inspectors will always have regard for how well children and learners are helped and protected so that they are kept safe. Although inspectors will not provide a separate grade for this key aspect of a provider's work, they will always make a written judgement under leadership and management in the inspection report about whether the arrangements for safeguarding children and learners are effective.

46. Ofsted has published a document setting out the approach inspectors should take to inspecting safeguarding in all the settings covered by the CIF. The document 'Inspecting safeguarding in early years, education and skills settings', August 2015,<sup>22</sup> should be read alongside the CIF and this handbook.

47. It is also essential that inspectors are familiar with the statutory guidance in relation to safeguarding:

- 'Keeping children safe in education: Statutory guidance for schools and colleges'<sup>23</sup>
- 'Working together to safeguard children'.<sup>24</sup>

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<sup>22</sup> 'Inspecting safeguarding in early years, education and skills settings', Ofsted, August 2015; [www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015](http://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015).

<sup>23</sup> 'Keeping children safe in education', Department for Education, 2016; [www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2).

<sup>24</sup> 'Working together to safeguard children', Department for Education, 2015; [www.gov.uk/government/publications/working-together-to-safeguard-children--2](http://www.gov.uk/government/publications/working-together-to-safeguard-children--2).

## Reporting on evidence or allegations of child abuse

48. On a very small number of occasions, inspectors may come across evidence or ongoing allegations of child abuse within a school. Inspectors should consult 'Inspecting safeguarding in early years, education and skills settings' and 'Guidance for inspectors: what to do if a child or young person discloses a safeguarding concern'.<sup>25</sup> Inspectors must not attempt to investigate the incident.

## Seeking the views of registered parents, pupils and other stakeholders

49. When a school is notified of a standard inspection, it is asked to notify all registered parents of registered pupils at the school, including those who have been excluded, are placed in alternative provision, or are away from school.
50. Ofsted's email confirming the inspection includes a letter that formally notifies parents. It also explains how to use Parent View and how parents can contact inspectors. Schools should encourage parents to complete Parent View by placing a link on their website to the Parent View website.<sup>26</sup> In addition, inspectors should encourage the school to notify parents using its own electronic systems (such as SMS messages), where these are available.
51. Inspectors will review the evidence from Parent View throughout the inspection to ensure that all online responses received during the inspection are taken into account. If the response rate for Parent View is low, inspectors may take steps during the inspection to gather further evidence of parents' views.
52. Inspectors will also take into account any other evidence from parents, including the results of any past surveys the school has carried out or commissioned.
53. If individual parents raise serious issues, inspectors should follow these up with the school and record its response.
54. During integrated inspections of boarding or residential special schools, social care regulatory inspectors will take account of the views that parents have given on Parent View about the school's boarding or residential provision. Views of pupils, local authorities that place and fund pupils in schools, boarders or residential pupils and boarding staff will have been gathered through Ofsted's annual point-in-time surveys (see Annex A).
55. The views of the staff at schools are gathered through a questionnaire, which the inspection support administrator sends to the school by email alongside the

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<sup>25</sup>Safeguarding concerns: guidance for inspectors, Ofsted 2016;  
[www.gov.uk/government/publications/safeguarding-concerns-guidance-for-inspectors](http://www.gov.uk/government/publications/safeguarding-concerns-guidance-for-inspectors).

<sup>26</sup> <https://parentview.ofsted.gov.uk>.

formal notification of inspection letter. The school is asked to distribute the questionnaire to all staff apart from those in the boarding provision, whose views will have already been sought through the point-in-time survey.

56. The questionnaire states that staff should complete and return their questionnaires in a sealed envelope marked 'Confidential – for the attention of the Ofsted inspection team' by 11am on the second day of inspection, where practicable.

## During the inspection

### Days allocated to inspection and inspection team members

57. Standard inspections do not normally last longer than three days. The size of the inspection team will vary according to the size and nature of the school. Inspectors will spend most of their time gathering first-hand evidence to inform judgements and to check the extent to which the school complies with the independent school standards.
58. All inspectors are suitably trained to inspect all types of independent school. There is no requirement to deploy inspectors of a particular faith to inspect a school of the same faith. It would be unusual for an inspection team of a faith school to consist entirely of inspectors of that faith.

### The start of the on-site inspection

59. The lead inspector should meet briefly with the headteacher and/or senior leadership team at the beginning of the inspection to:
  - introduce any team inspectors
  - make arrangements for a longer meeting at a convenient time with the headteacher to discuss the school's self-evaluation or equivalent and other relevant matters
  - confirm arrangements for meeting with the proprietor or representatives of the proprietorial body
  - confirm arrangements for meetings with representatives of those responsible for the governance of the school and with key staff
  - confirm arrangements for providing feedback following teaching and learning observations in lessons
  - request information about staff absence and other practical issues
  - check whether there are reasons why any teachers should not be observed, for example where they are subject to performance management procedures
  - ensure that the headteacher is aware that Ofsted's evidence from observations of teaching and learning, whether joint or otherwise, must not be used as evidence in capability/disciplinary proceedings or for the purposes of performance management
  - establish how the school will give the lead inspector access to its policy documents and records so that inspectors can check the school's compliance with the independent school standards.
60. Where there is more than one inspector, a short team meeting should take place to clarify inspection activities, the initial lines of enquiry the team should explore and individual roles and responsibilities.

61. Please refer to Annex A for information on inspections of schools where there are no pupils on roll.

### **Gathering and recording evidence**

62. Inspectors will gather evidence of the school's compliance with the independent school standards, and to secure the inspection judgements.
63. Inspectors must spend as much time as possible gathering evidence about the quality of teaching, learning and assessment in lessons and other learning activities. They must gather a range of evidence about the typicality of teaching, learning and assessment in the school. Inspectors will scrutinise pupils' work, talk to pupils about their work, gauging both their understanding and their engagement in learning, and obtain pupils' perceptions of the typical quality of teaching in a range of subjects.
64. Inspectors will evaluate evidence relating to the achievement of pupils in the school, including disadvantaged pupils, the most able pupils and pupils who have special educational needs and/or disabilities. The pupil groups focused on will depend on the areas for investigation during the inspection. Inspectors will give specific attention to the quality of learning within mainstream lessons and on-site separate provision and evidence of learning in off-site alternative provision.
65. Other evidence gathered by inspectors will include discussions with pupils and staff, listening to pupils read and looking at examples of pupils' work to seek out evidence for progression in knowledge and understanding. Inspectors will also scrutinise the school's records and documentation relating, for example, to pupils' academic and vocational achievement and the welfare and safety of pupils in alternative provision.
66. Inspectors will expect to meet with the proprietor(s) and the person(s) responsible for the day-to-day operation of the school during the inspection. Without meeting these individuals, inspectors may not be able to gather sufficient evidence in order to judge whether the school meets paragraph 34(1) of the independent school standards, which concerns the quality of leadership and management.
67. Evidence is recorded on evidence forms. Inspectors will also use an 'independent school standards compliance record' to record whether a school complies with the requirements of all paragraphs of the independent school standards.

### **Observing teaching, learning and assessment**

68. Inspectors will visit lessons to gather evidence about teaching, learning and assessment and will consider this first-hand evidence alongside documentary evidence about the quality of teaching and views from leaders, governors, staff, pupils and parents. Inspectors will also include evidence from observing pupils'

learning in, for example, extra-curricular activities. This range of evidence also informs evaluation of pupils' progress, pupils' personal development, behaviour and welfare, and the impact of leaders' and managers' improvements to teaching and assessment.

69. Once discussed with the headteacher, the lead inspector will share the strategy for observing in lessons with the inspection team and ensure that senior leaders and inspectors understand the rationale for it. Observations in lessons will cover a wide range of subjects, key stages and ability groups. The school will not normally be informed in advance about which classes will be visited. Not all teachers and classes will necessarily be observed. This will be the case in most secondary schools and large schools.
70. Inspectors may engage in:
- short visits to a number of lessons, spending a few minutes in each
  - short observations of small group teaching
  - observing teaching in lessons, during which they may observe activities, talk with pupils about their work and scrutinise pupils' hard copy and electronic work
  - joining a class or specific group of pupils as they go from lesson to lesson, to assess their experience of a school day or part of a school day. In this way, the experience, progress and learning of these pupils can be judged within the context of other pupils' experience, such as their behaviour, their attitudes to learning and their access to the curriculum
  - joint observations of teaching and learning carried out with the headteacher and/or senior staff.

### **Feedback to and discussion with teachers and other staff after observations**

71. Inspectors must offer feedback to teachers. Feedback may take a variety of forms, at the discretion of inspectors, such as one to one, discussions with groups of observed teachers, or to whole staff groups. The lead inspector should make the arrangements clear to senior leaders so that all staff understand how feedback will be conducted. These discussions should encourage a dialogue between the inspector and teacher about the strengths and weaknesses in the teaching observed, the context of the lesson and how the lesson fits into the pupils' programme of learning.
72. Inspectors must **not** provide an overall grade (either numerically or in words) for the lesson or for the quality of teaching, learning and assessment or outcomes. The headteacher is responsible for advising staff that the feedback will not be used by the school for performance management purposes; it is provided in confidence.

## Joint observations

73. The lead inspector should invite the headteacher or senior and/or middle leaders to take part in a selection of joint observations. The number of these is at the discretion of the lead inspector.
74. After a joint observation, the inspector and headteacher or other leader must discuss their views about the strengths and weaknesses of the teaching, learning and assessment or other aspects of the lesson they have observed. Following a joint observation, the headteacher or leader will feed back to the teacher observed. If possible, the inspector should observe this feedback. This may provide evidence about the quality of the leaders' discussion about pedagogy, and the effectiveness of the school's arrangements for professional development.
75. If the headteacher or other leader offers a written record of the observation, the inspector should consider this. The inspector and the school's observer should discuss any differences in their analysis of the quality of teaching, learning and assessment or other aspects of the lesson they have observed and the pupils' personal development, behaviour and welfare. Any notes taken by the headteacher or other leader should remain in the school. They should not be included in the evidence base for the inspection.

## Talking to and observing pupils outside of lessons

76. Inspectors must ensure that they observe pupils in a range of situations outside normal lessons to evaluate other aspects of personal development, behaviour and welfare, for example:
  - at the start and finish of the school day
  - during lunchtime, including in the dining hall, and break or play times
  - during assemblies and tutor periods
  - when moving between lessons
  - during enrichment activities (including clubs and activities outside the normal timetabled curriculum).

## The use of performance information

77. During inspection, inspectors should consider performance information presented by the school for current pupils across year groups and previous cohorts, including that provided by external organisations. They should also consider the published data available to them before the inspection.
78. Performance information must be considered alongside other evidence gathered during the inspection on progress, attainment, attendance and exclusion to evaluate:

- overall consistency in performance, trends of improvement or decline, and differences in the performance of groups, but only if groups are large enough for valid inferences to be drawn, because we might otherwise form unfair judgements about a provider. Underperformance by a sub-group may indicate specific problems with one or more children, or equally may reflect deficiencies in the provider's main curriculum provision
  - the accuracy of the school's assessment of pupils' progress and attainment
  - the robustness and accuracy of the school's self-evaluation or equivalent, particularly about pupils' outcomes, teaching, learning and assessment, and pupils' personal development, behaviour and welfare.
79. Inspectors should consider a wide range of information. No single measure or indicator determines judgements.
80. Inspectors should not report separately on small numbers (typically fewer than five) where individual pupils could be identified.

### **Meetings with pupils, parents, staff and other stakeholders**

81. Inspectors must take advantage of opportunities to gather evidence from a wide range of pupils, both formally and informally. During informal conversations with pupils, inspectors must ask them about their experiences of learning and behaviour in the school, including the prevention of bullying and how the school deals with discrimination and prejudiced behaviour, if they happen.
82. As well as meeting pupils, inspectors should usually conduct meetings with:
- parents (these may be informal at the start and end of the day)
  - staff
  - other stakeholders.
83. Many schools gather views regularly from these groups and inspectors will consider findings from these consultations/surveys.
84. These meetings must take place without the presence of the proprietor, headteacher or senior staff. In drawing on evidence from such meetings, every effort must be made to protect the identity of individuals. There may be circumstances, however, in which it is not possible to guarantee the anonymity of the interviewee. Inspectors have a duty to pass on disclosures that raise child protection or safeguarding issues and/or where there are concerns about serious misconduct, bullying of staff or criminal activity.

## Meeting those responsible for governance

85. Inspectors must always seek to speak to the proprietor during the inspection. The purpose of this is to evaluate the effectiveness of the proprietor's work in monitoring how leaders at the school ensure that all the standards are met.
86. Inspectors will always seek to meet with governors (if the school has them) during the course of the inspection.
87. The contribution of the proprietor and/or governors to the school's performance is evaluated as part of the judgement on effectiveness of leadership and management. As with the meetings between inspectors and pupils, parents and staff, meetings with the proprietor and/or governors should take place without the presence of the headteacher or senior staff.

## Meetings during inspection

88. The lead inspector should meet the headteacher periodically throughout the inspection to:
  - provide an update on emerging issues, including initial general findings about teaching, learning and assessment, and enable further evidence to be provided
  - allow the headteacher to raise concerns, including any related to the conduct of the inspection or of individual inspectors
  - alert the headteacher to any serious concerns.
89. The lead inspector must ensure that the executive headteacher or equivalent, if such arrangements exist, is invited to contribute to the inspection.
90. The inspection team will meet briefly at different points during the inspection. In particular, the team should:
  - meet briefly in the morning on day two
  - meet at the end of day two to discuss and record emerging findings (the proprietor and headteacher should be invited)
  - meet at the end of day three to finalise judgements and identify areas for improvement<sup>27</sup>
  - record important points from, and the outcomes of, all team meetings on evidence forms, including electronic summary evaluation forms.

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<sup>27</sup> This meeting will be at the end of day two in the case of inspections of small schools, where there are up to four pupils on the school's roll.

91. The lead inspector should invite the headteacher and proprietor to the final team meeting. It is important that the lead inspector makes it clear that observers who are invited to attend the final team meeting are there to listen to the scrutiny of evidence and corporate judgements made by the inspection team. As appropriate, the lead inspector may request that observers clarify key points during the meeting.
92. If there is evidence that the school may be judged inadequate or requires improvement, the lead inspector should alert the headteacher and proprietor to this possibility. It must be emphasised that final judgements are not made until the final team meeting at the end of day three.

### **Reaching final judgements**

93. Inspection activity, including lesson observations, should continue throughout the second and third day. The team should also ensure that time is set aside to complete any feedback to staff and to prepare for the final team meeting and the final feedback. At the final team meeting on day three, an electronic summary evaluation form will be completed. The main points for feedback to the school will be recorded as the meeting progresses.

### **Providing feedback**

94. The on-site inspection concludes with a final feedback meeting with the school. Those connected with the school who are likely to attend include:
  - the proprietor, headteacher and other senior leaders agreed by the lead inspector and headteacher
  - if the school has a governing body, the chair and as many representatives as possible from the governing body.
95. During this meeting to the school, the lead inspector will ensure that the those attending are clear:
  - about the independent school standards that are met and those that are not met
  - that the DfE will decide any action to take in respect of any standards that are not met
  - about the provisional grades awarded for each key judgement; sufficient detail must be given by the lead inspector to enable all attendees to understand how judgements have been reached and for those responsible for governance to play a part in beginning to plan how to tackle any areas for improvement
  - that the grades are provisional and so may change as a result of quality assurance procedures or moderation and must, therefore, be treated as restricted and confidential to the relevant senior personnel (as determined by the school), including those responsible for governance; they must not

be shared beyond the school's leadership team; information about the inspection outcomes should be shared more widely only when the school receives a copy of the final inspection report

- that the main findings of the inspection and the main points provided orally in the feedback meeting, subject to any change, will be referred to in the text of the report, although the text of the report may differ slightly from the oral feedback
- about any recommendations for improvement
- that where the school has been judged requires improvement or inadequate, it will be subject to a progress monitoring inspection
- that, on receipt of the draft report, they must ensure that the report remains restricted and confidential to the relevant senior personnel (as determined by the school) and that the information contained within it is not shared with any third party or published under any circumstances
- that the headteacher or proprietor is invited and encouraged to complete the post-inspection survey
- about the procedure for making a complaint about the inspection.

### **Inadequate schools**

96. If inspectors reach the conclusion that the school is not complying with one or more independent school standards and this is having a negative impact on pupils' welfare, health and safety, academic or personal development, including the promotion of pupils' spiritual, moral, social and cultural development, and therefore the school's overall effectiveness is inadequate, the lead inspector will complete 'Form A – initial advice to the registration authority that an independent school is not complying with the independent school standards'. Ofsted will provide the Form A to the DfE as soon as possible.
97. The purpose of Form A is to alert the registration authority – the DfE – to the judgement that the school is not meeting all the independent school standards. The DfE will use the information to determine whether to take regulatory action and to prioritise those schools that require most urgent attention.

## **After the inspection**

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

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

99. Where an additional inspection has formed part of the standard inspection, the outcomes will be included in the report and independent school standards compliance record for the standard inspection.
100. Inspection reports will be quality-assured before Ofsted sends a draft copy to the provider. The draft report is restricted and confidential to the relevant personnel (as determined by the school), including those responsible for governance, and should not be shared more widely or published. Ofsted may share a draft of the inspection report with the DfE, as necessary.
101. Ofsted will inform the school of the timescale for commenting on the draft. The lead inspector will consider any factual inaccuracies identified by the school and will make changes as appropriate. Ofsted will notify the school of the lead inspector's response.
102. Typically, schools will receive an electronic version of the final report within 14 working days of the end of the inspection. In most circumstances, the final report will be published on Ofsted's website within 19 working days. Ofsted will notify the school of the publication date when it sends the draft report.
103. If Ofsted decides that a report will be subject to further quality assurance, the school will usually receive an electronic version of the final report within 23 working days. In these circumstances, the final report will usually be published within 28 working days.
104. Paragraph 32(1)(d) of the schedule to the Education (Independent School Standards) Regulations 2014 requires the proprietor to:
- ensure that a copy of the inspection report is published and maintained on the school's website
  - provide a copy of the report to the registered parents of every registered pupil at the school by the date specified by Ofsted, which is five working days from receipt.

The proprietor may send or give a copy of the report to parents. Alternatively, if parents have provided an email address, the school may either email an electronic copy of the report to them, or email a link to where the report is available to download from the internet.<sup>28</sup>

105. The report will normally be published on Ofsted's website after the five working days that are allocated for the proprietor to provide the report to parents. However, Ofsted may publish the report at any time after the report has been received by the school.

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<sup>28</sup> The Education (Independent School Standards) Regulations 2014; [www.legislation.gov.uk/uksi/2014/3283/contents/made](http://www.legislation.gov.uk/uksi/2014/3283/contents/made).

106. Her Majesty's Chief Inspector also expects schools to ensure that all pupils are made aware of the findings of the inspection. The proprietor may also wish to make any local authorities that have placed pupils in the school aware of the report.
107. In all cases, the inspection process should not be treated as complete until all inspection activity has been undertaken and the final version of the inspection report has been sent to the provider.

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

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

### **The inspection evidence base**

109. The evidence base for the inspection must be retained for at least six months from when the report is published. Information must not be disposed of if it is found that it is still required by Ofsted and inspection evidence must be kept for longer than six months, for example when:
- safeguarding is ineffective
  - the school is being monitored because it is less than good or an investigation is linked to the inspection or there is a potential or current litigation claim against Ofsted, such as a judicial review
  - a complaint has been made
  - inspections are of a very sensitive nature, or are likely to be of national or regional importance due to high levels of political or press interest.

## **Quality assurance and complaints**

### **Quality assurance**

110. All inspectors are responsible for the quality of their work. The lead inspector must ensure that inspections are carried out in accordance with the principles of inspection and the code of conduct.
111. Ofsted monitors the quality of inspections through a range of formal processes and HMI/Senior HMI visit some providers to quality-assure inspections. Ofsted

may also evaluate the quality of an inspection evidence base. The lead inspector will be responsible for giving team inspectors feedback about the quality of their work and their conduct.

112. All schools are invited to take part in a post-inspection evaluation in order to contribute to inspection development.

### **Handling concerns and complaints**

113. The great majority of Ofsted's work is carried out smoothly and without incident. If concerns do arise during an inspection, they should be raised with the lead inspector as soon as possible in order to resolve issues before the inspection is completed. The lead inspector should seek advice where necessary. Any concerns raised and actions taken should be recorded in the inspection evidence.
114. If it is not possible to resolve concerns during the inspection, the school may wish to lodge a formal complaint. The lead inspector should ensure that the school is informed of the procedures for making a formal complaint. Information about how to complain is available on the GOV.UK website.<sup>29</sup>
115. Complaints must be submitted no more than 10 working days after the publication of any inspection report. Ofsted does not normally delay publication of an inspection report while complaints are investigated. Complainants should not wait for the outcomes of any related Freedom of Information (FOI) request before making a complaint.

### **Inspections of schools that appear to have closed**

116. This guidance is for use when the Department for Education (DfE) has commissioned an emergency inspection to find out whether a school is still operating.
117. It is also for use in routine standard inspections, and in any type of inspection commissioned by the DfE for any reason, when it transpires that a school appears to have closed. This scenario may arise when Ofsted attempts to notify a school of a scheduled inspection or, in the case of unannounced inspections, when the inspector arrives at a school to carry out the inspection.
118. The inspector will need to consider taking the following actions, as part of pre-inspection activity or while they are on site. This is a general guide, not a definitive list of actions.

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<sup>29</sup> 'Complaints about Ofsted', Ofsted, 2017; [www.gov.uk/government/publications/complaints-about-ofsted](http://www.gov.uk/government/publications/complaints-about-ofsted).

- Consider arriving at a time when pupils would be arriving at the start of the school day and observe if any pupils enter the building or appear to be inside the premises.
- Check whether the school's website suggests that the school is still operating.
- Contact the local authority in which the school is located, or any local authorities that are known to have placed and funded pupils at the school, to check their knowledge as to whether the school no longer admits pupils.
- Check whether there is a sign to identify the school's premises.
- Attempt to gain access to the premises.
- Talk to any persons present, particularly in the case of a school that is registered with Ofsted as a children's home. It might be the case that the children who were previously educated at the school now attend a nearby school.
- Ask if any pupils at the school are educated at a site other than at the main, registered premises. For example, early years or post-16 provision that may operate on separate premises. Inspectors must establish the full address of each of the premises, record this in their evidence base and report this to the relevant regional Senior HMI.
- Ask to see the attendance and admissions registers to check that no children have attended the school in recent days.
- Ask to be shown around the premises in order to check for evidence that might suggest that education is taking place.
- If access cannot be gained, ask anyone available in adjacent buildings whether they are aware that that children are coming to a school on the premises.

119. The inspection findings will be reported to the DfE in a short factual report for an emergency inspection.

## Part 2. The evaluation schedule – how schools will be judged

### Background to the evaluation schedule

120. The evaluation schedule must be used in conjunction with the guidance set out in Part 1 of this document: 'How schools will be inspected' and the 'Common inspection framework: education, skills and early years' (the CIF).<sup>30</sup>
121. The evaluation schedule is not exhaustive. It does not replace the professional judgement of inspectors. Inspectors must interpret grade descriptors in relation to pupils' age, stage and phase of education.
122. In line with the CIF, inspectors will make key judgements on the following areas:
- overall effectiveness
  - effectiveness of leadership and management
  - quality of teaching, learning and assessment
  - personal development, behaviour and welfare
  - outcomes for pupils.
123. Inspectors use the following four-point scale to make all judgements, including, where applicable, judging the effectiveness of the early years provision and the sixth form provision:
- grade 1: outstanding
  - grade 2: good
  - grade 3: requires improvement
  - grade 4: inadequate.
124. In reaching these judgements, inspectors take account of any of the independent school standards that are not met and give appropriate consideration to the impact on the quality of each aspect of the school's work.
125. In the published regulations, each independent school standard is set out in one or more paragraphs.<sup>31</sup> For example, paragraph 12 is a standard in its own right, and paragraph 5(a) is an element of the standard in paragraph 5.

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<sup>30</sup> 'Common inspection framework: education, skills and early years', Ofsted, August 2015; [www.gov.uk/government/publications/common-inspection-framework-education-skills-and-early-years-from-september-2015](http://www.gov.uk/government/publications/common-inspection-framework-education-skills-and-early-years-from-september-2015).

<sup>31</sup> The Education (Independent School Standards) Regulations 2014; [www.legislation.gov.uk/ukxi/2014/3283/contents/made](http://www.legislation.gov.uk/ukxi/2014/3283/contents/made).

However, for the purpose of this guidance document, the term 'compliance with the standard' is used in the context of both examples shown above.

## **The evaluation schedule and grade descriptors**

### **Overall effectiveness: the quality and standards of education**

126. Inspectors must use all their evidence to evaluate what it is like to be a pupil in the school. In making their judgements about a school's overall effectiveness, inspectors will first consider the extent to which the school meets all paragraphs of all parts of the independent school standards.
127. Inspectors will next consider whether the standard of education is good or exceeds good and is outstanding. If it is not good, then inspectors will consider whether it requires improvement or is inadequate.
128. In judging the overall effectiveness, inspectors will take account of the four key judgements. Inspectors should first make the key judgements on:
  - the quality of teaching, learning and assessment
  - personal development, behaviour and welfare
  - outcomes for pupils.
129. In coming to each of these key judgements, inspectors will also draw on evidence from inspection of any early years provision or sixth form provision and consider its impact in the wider context of the school.
130. Inspectors will then judge the effectiveness of any early years or sixth form provision. For either case or both, inspectors must report a grade and write sections in the report that summarise the key findings and explain the effectiveness grading. However, inspectors may decide not to provide a grade and a written section in the report on the provision in early years provision or in sixth form provision if this risks identification of pupils because numbers are so small. Typically, this will be when there are fewer than five pupils.
131. The grade for early years and/or the grade for the sixth form may be the same as, higher or lower than the overall effectiveness grade. Inspectors will take into account the size of the early years and sixth form provision in relation to the size of the school when considering the impact of these judgements on the overall effectiveness grade. Inspectors will explain any difference between the early years and/or sixth form provision and the overall effectiveness grades in the report.
132. Inspectors will then make the key judgement on the effectiveness of leadership and management. In making this judgement, inspectors must take into proportionate account any significant issues in the quality of early years provision and/or sixth form provision that may have an impact on judging the effectiveness of the leadership and management of the school as a whole.

133. Inspectors will always make a written judgement in the section on leadership and management about the effectiveness of the arrangements for safeguarding pupils.
134. Before making the final judgement on overall effectiveness, inspectors must evaluate:
- the effectiveness and impact of the provision for pupils' spiritual, moral, social and cultural development (see below)
  - the extent to which the education provided by the school meets the needs of the range of pupils at the school, including:
    - pupils who have disabilities
    - pupils who have special educational needs.

### **Defining spiritual, moral, social and cultural development**

135. The DfE has published non-statutory advice to help schools understand their obligations under the independent school standards relating to a school's provision for pupils' spiritual, moral, social and cultural development:<sup>32</sup>
- 'Improving the spiritual, moral, social and cultural (SMSC) development of pupils – Departmental advice for independent schools, academies and free schools', DfE, November 2013
  - 'Improving the spiritual, moral, social and cultural (SMSC) development of pupils: supplementary information – Departmental advice for independent schools, academies and free schools', DfE, November 2014.

The advice sets out the aims of each of the standards in part 2 of the independent school standards (spiritual, moral, social and cultural development of pupils).

### **Grade descriptors for overall effectiveness**

#### **Outstanding (1)**

- All of the independent school standards (and, where relevant, statutory requirements of the early years foundation stage) are met.
- The quality of teaching, learning and assessment is outstanding.
- All other key judgements are likely to be outstanding. In exceptional circumstances one of the key judgements may be good, as long as there is convincing evidence that

<sup>32</sup> 'Departmental advice on improving the spiritual, moral, social and cultural development of pupils, and supplementary information', Department for Education, November 2014; [www.gov.uk/government/publications/improving-the-sm-sc-development-of-pupils-in-independent-schools](http://www.gov.uk/government/publications/improving-the-sm-sc-development-of-pupils-in-independent-schools).

<p>the school is improving this area rapidly and securely towards outstanding.</p> <ul style="list-style-type: none"> <li>■ The school's thoughtful and wide-ranging promotion of pupils' spiritual, moral, social and cultural development and their physical well-being enables pupils to thrive.</li> <li>■ Safeguarding is effective.</li> </ul>
<p><b>Good (2)</b></p> <ul style="list-style-type: none"> <li>■ All of the independent school standards (and, where relevant, statutory requirements of the early years foundation stage) are met.</li> <li>■ The quality of teaching, learning and assessment is at least good.</li> <li>■ All other key judgements are likely to be good or outstanding. In exceptional circumstances, one of the key judgement areas may require improvement, as long as there is convincing evidence that the school is improving it rapidly and securely towards good.</li> <li>■ Deliberate and effective action is taken to promote pupils' spiritual, moral, social and cultural development, and their physical well-being.</li> <li>■ Safeguarding is effective.</li> </ul>
<p><b>Requires improvement (3)</b></p> <ul style="list-style-type: none"> <li>■ All of the independent school standards may be met, but the school is not yet demonstrating the characteristics of a good judgement. Any un-met independent school standards (or, where relevant, statutory requirements of the early years foundation stage) are minor, easily rectified and do not have a serious impact on pupils' welfare, health and safety, academic or personal development.</li> <li>■ Other than in exceptional circumstances, it is likely that, where the school is judged to require improvement in any of the key judgements, the school's overall effectiveness will require improvement.</li> <li>■ There are weaknesses in the overall promotion of pupils' spiritual, moral, social and cultural development.</li> <li>■ Safeguarding is effective.</li> </ul>
<p><b>Inadequate (4)</b></p> <p><b>Overall effectiveness is likely to be inadequate if any of the following applies.</b></p> <ul style="list-style-type: none"> <li>■ There are one or more un-met independent school standards (or, where relevant, statutory requirements of the early years foundation stage) that have a negative impact on pupils' welfare, health and safety, academic or personal development, including the promotion of pupils' spiritual, moral, social and cultural development.</li> <li>■ The judgement on overall effectiveness is likely to be inadequate where any one of the key judgements is inadequate and/or safeguarding is ineffective and/or there are serious weaknesses in the overall promotion of pupils' spiritual, moral, social and cultural development.</li> </ul>

## Effectiveness of leadership and management

136. The CIF sets out the overarching criteria for judging the effectiveness of leadership and management.

137. In making this judgement in schools, inspectors will consider:

- whether the school meets all paragraphs in all parts of the independent school standards
- the leaders' vision and ambition for the school and how these are communicated to staff, parents and pupils
- whether leaders have created a culture of high expectations, aspirations and scholastic excellence in which the highest achievement in academic and vocational work is recognised as vitally important
- whether leaders have the highest expectations for social behaviour among the pupils and staff, so that respect and courtesy are the norm
- the rigour and accuracy of self-evaluation and how well it leads to planning that secures continual improvement
- the design, implementation and evaluation of the curriculum, ensuring breadth and balance and its impact on pupils' outcomes and their personal development, behaviour and welfare
- how well the school supports the formal curriculum with extra-curricular opportunities for pupils to extend their knowledge and understanding, and to improve their skills in a range of artistic, creative and sporting activities
- how well the school prepares pupils positively for life in modern Britain and promotes the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect for and tolerance of those with different faiths and beliefs, and for those without faith
- the effectiveness of the actions leaders take to secure and sustain improvements to teaching, learning and assessment and how effectively those responsible for governance hold them to account for this
- how leaders ensure that the school has a motivated, respected and effective teaching staff to deliver a high quality education for all pupils, and how effectively governors hold them to account for this
- the quality of continuing professional development for teachers at the start and middle of their careers, and later, including to develop leadership capacity, and how leaders and those responsible for governance promote effective practice across the school
- how effectively leaders monitor the progress of pupils to ensure that none falls behind and underachieves, and how effectively governors and/or the proprietor holds them to account for this
- how well leaders engage with parents and other stakeholders and agencies to support all pupils
- how effectively leaders use additional funding and measure its impact on outcomes for pupils
- whether leaders are fulfilling all of their legal responsibilities associated with the running of the school, for example in relation to any international students

- how well leaders promote all forms of equality and foster greater understanding of and respect for people of all faiths (and those of no faith), races, genders, ages, disability and sexual orientation (and other groups with protected characteristics)<sup>33</sup> through their words, actions and influence within the school and more widely in the community
- the effectiveness of safeguarding
- the effectiveness of leaders' and governors' work to raise awareness and keep pupils safe from the dangers of abuse, sexual exploitation, radicalisation and extremism, and what the staff do when they suspect that pupils are vulnerable to these issues.

138. If the school has received support, inspectors will evaluate and report on the quality and impact of the support and challenge on improvement in the school.

### Sources of evidence

139. Inspectors will obtain a range of evidence from meetings with leaders and governors and first-hand evidence of their work across the school. Inspectors will use documentary evidence provided by the school, evaluating the impact of leaders' and governors' work, both currently and over time, in conjunction with first-hand evidence. Responses to the staff questionnaire and Parent View will also provide useful evidence for judging the culture that has been established in the school by leaders and managers.
140. Inspectors should consider any evidence the school has from regularly surveying the staff and how leaders and managers have responded to concerns raised by staff or parents, for example about how teachers are supported by senior leaders to tackle low-level disruptive behaviour. Inspectors will always report on the school's activity to survey staff, whether through the school's internal procedures or its use of the Ofsted questionnaire (they will do this in the 'information about this inspection' section).

### Safeguarding

141. In judging the effectiveness of leadership and management, inspectors **must** also judge whether the school's arrangements for safeguarding pupils are effective, and whether those responsible for governance ensure that these arrangements are effective. There is detailed guidance on evaluating safeguarding arrangements in 'Inspecting safeguarding in early years, education and skills settings'.

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<sup>33</sup> As defined by section 4 of the Equality Act 2010: [www.legislation.gov.uk/ukpga/2010/15](http://www.legislation.gov.uk/ukpga/2010/15).

## Governance

142. Inspectors will seek evidence about the impact of those responsible for governance. They will consider whether governors:

- work effectively with leaders to communicate the vision, ethos and strategic direction of the school and develop a culture of ambition
- provide a balance of challenge and support to leaders, understanding the strengths and areas needing improvement at the school
- provide support for an effective headteacher or are hindering school improvement because of a lack of understanding of the issues facing the school
- performance manage the headteacher rigorously
- understand the impact of teaching, learning and assessment on the progress of pupils currently in the school
- ensure that assessment information from leaders provides governors with sufficient and accurate information to ask probing questions about outcomes for pupils
- ensure that the school's finances are properly managed
- are transparent and accountable, including in recruitment of staff, governance structures, attendance at meetings and contact with parents.

143. Inspectors will report on the achievement of pupils who have special educational needs and/or disabilities. They will report on the extent to which the education the school provides meets the needs of these pupils.

## Grade descriptors for the effectiveness of leadership and management

Note: Grade descriptors are not a checklist. Inspectors adopt a 'best fit' approach that relies on the professional judgement of the inspection team.

### Outstanding (1)

- All of the independent school standards (and, where relevant, statutory requirements of the early years foundation stage) are met.
- Leaders and governors have created a culture that enables pupils and staff to excel. They are committed unwaveringly to setting high expectations for the conduct of pupils and staff. Relationships between staff and pupils are exemplary.
- Leaders and governors focus on consistently improving outcomes for all pupils, but especially for disadvantaged pupils. They are uncompromising in their ambition.
- The school's actions have secured substantial improvement in progress for disadvantaged pupils. Progress is rising across the curriculum, including in English and mathematics.
- Governors systematically challenge senior leaders so that the effective deployment of

staff and resources, including special educational needs (SEN) funding, secures excellent outcomes for pupils. Governors do not shy away from challenging leaders about variations in outcomes for pupil groups and between disadvantaged and other pupils nationally.

- Leaders and governors have a deep, accurate understanding of the school's effectiveness informed by the views of pupils, parents and staff. They use this to keep the school improving by focusing on the impact of their actions in key areas.
- Leaders and governors use high quality professional development to encourage, challenge and support teachers' improvement. Teaching is highly effective across the school.
- Staff reflect on and debate the way they teach. They feel deeply involved in their own professional development. Leaders have created a climate in which teachers are motivated and trusted to take risks and innovate in ways that are right for their pupils.
- The broad and balanced curriculum inspires pupils to learn. The range of subjects and courses helps pupils acquire knowledge, understanding and skills in all aspects of their education, including the humanities and linguistic, mathematical, scientific, technical, social, physical and artistic learning.
- Pupils' spiritual, moral, social and cultural development and, within this, the promotion of fundamental British values, are at the heart of the school's work.
- Leaders promote equality of opportunity and diversity exceptionally well, for pupils and staff, so that the ethos and culture of the whole school prevents any form of direct or indirect discriminatory behaviour. Leaders, staff and pupils do not tolerate prejudiced behaviour.
- Safeguarding is effective. Leaders and managers have created a culture of vigilance where pupils' welfare is actively promoted. Pupils are listened to and feel safe. Staff are trained to identify when a pupil may be at risk of neglect, abuse or exploitation and they report their concerns. Leaders and staff work effectively with external partners to support pupils who are at risk or who are the subject of a multi-agency plan.
- Leaders' work to protect pupils from radicalisation and extremism is exemplary. Leaders respond swiftly where pupils are vulnerable to these issues. High quality training develops staff's vigilance, confidence and competency to challenge pupils' views and encourage debate.

## **Good (2)**

- All of the independent school standards (and, where relevant, statutory requirements of the early years foundation stage) are met.
- Leaders set high expectations of pupils and staff. They lead by example to create a culture of respect and tolerance. The positive relationships between leaders, staff and pupils support the progress of all pupils at the school.
- Leaders and governors are ambitious for all pupils and promote improvement effectively. The school's actions secure improvement in disadvantaged pupils' progress, which is rising, including in English and mathematics.
- Leaders and governors have an accurate and comprehensive understanding of the quality of education at the school. This helps them plan, monitor and refine actions to improve all key aspects of the school's work.
- Leaders and governors use professional development effectively to improve teaching.

They use accurate monitoring to identify and spread effective practice across the school.

- Teachers value the continuing professional development provided by the school. It is having a positive impact on their teaching and pupils' learning. Teaching is consistently strong across the school or, where it is not, it is improving rapidly.
- Governors hold senior leaders stringently to account for all aspects of the school's performance, including the use of SEN funding, ensuring that the skilful deployment of staff and resources delivers good or improving outcomes for pupils.
- The broad and balanced curriculum provides a wide range of opportunities for pupils to learn. The range of subjects and courses helps pupils acquire knowledge, understanding and skills in all aspects of their education, including the humanities and linguistic, mathematical, scientific, technical, social, physical and artistic learning. This supports pupils' good progress. The curriculum also contributes well to pupils' behaviour and welfare, including their physical, mental and personal well-being, safety and spiritual, moral, social and cultural development.
- Leaders consistently promote fundamental British values and pupils' spiritual, moral, social and cultural development.
- Leaders promote equality of opportunity and diversity, resulting in a positive school culture. Staff and pupils work together to prevent any form of direct or indirect discriminatory behaviour. Leaders, staff and pupils do not tolerate prejudiced behaviour.
- Safeguarding is effective. Leaders and staff take appropriate action to identify pupils who may be at risk of neglect, abuse or sexual exploitation, reporting concerns and supporting the needs of those pupils.
- Leaders protect pupils from radicalisation and extremism. Staff are trained and are increasingly vigilant, confident and competent to encourage open discussion with pupils.

### **Requires improvement (3)**

- All of the independent school standards may be met, but the school is not yet demonstrating the characteristics of a good judgement. Any un-met independent school standards (or, where relevant, statutory requirements of the early years foundation stage) are minor, easily rectified and do not have a serious impact on pupils' welfare, health and safety, academic or personal development.
- Leadership and management are not yet good.
- Safeguarding is effective.

### **Inadequate (4)**

**Leadership and management are likely to be inadequate if any of the following applies.**

- There are one or more un-met independent school standards (or, where relevant, statutory requirements of the early years foundation stage) that have a negative impact on pupils' welfare, health and safety, academic or personal development, including the promotion of pupils' spiritual, moral, social and cultural development.
- Capacity for securing further improvement is poor and the improvements leaders and governors have made are unsustainable, have been implemented too slowly or are overly dependent on external support.

- Leaders are not doing enough to tackle poor teaching, learning and assessment, which significantly impairs the progress of pupils, especially pupils who have special educational needs and/or disabilities.
- Leaders are not aware of, or are not taking effective action to stem, the decline in the progress of disadvantaged pupils.
- An unbalanced or poorly taught curriculum does not provide adequately for all pupils.
- The range of subjects is narrow and does not prepare pupils for the opportunities, responsibilities and experiences of life in modern Britain.
- Leaders are not taking effective steps to secure good behaviour from pupils and a consistent approach to discipline.
- Leaders and governors, through their words, actions or influence, directly and/or indirectly undermine or fail to promote equality of opportunity. They do not prevent discriminatory behaviour and prejudiced actions and views.
- Safeguarding is ineffective. The school's arrangements for safeguarding pupils do not meet statutory requirements, or they give serious cause for concern. Insufficient action is taken to remedy weaknesses following a serious incident.
- Leaders and governors are not protecting pupils from radicalisation and extremist views when pupils are vulnerable to these. Policy and practice are poor, which means pupils are at risk.

## Quality of teaching, learning and assessment

144. The CIF sets out the overarching criteria for judging the quality of teaching, learning and assessment.

145. Inspectors will make a judgement on the effectiveness of teaching, learning and assessment in school by evaluating the extent to which:

- teachers and other staff have consistently high expectations of what each pupil can achieve, including disadvantaged pupils and the most able
- teachers and other staff have a secure understanding of the age group they are working with and have relevant subject knowledge that is detailed and communicated well to pupils
- assessment information is gathered from looking at what pupils already know, understand and can do, and is informed by their parents/previous providers as appropriate
- assessment information is used to plan appropriate teaching and learning strategies, including to identify pupils who are falling behind in their learning or who need additional support, enabling pupils to make good progress and achieve well
- except in the case of the very young, pupils understand how to improve as a result of useful feedback, written or oral, from teachers

- the school's engagement with parents and employers helps them to understand how children and learners are doing in relation to the standards expected and what they need to do to improve
- equality of opportunity and recognition of diversity are promoted through teaching and learning
- English, mathematics and the skills necessary to function as an economically active member of British society are promoted through teaching and learning.

### Sources of evidence

146. Inspectors will use a considerable amount of first-hand evidence gained from observing pupils in lessons, talking to them about their work, scrutinising their work and assessing how well leaders are securing continual improvements in teaching. Direct observations in lessons will be supplemented by a range of other evidence to enable inspectors to evaluate the impact that teachers and support assistants have on pupils' progress. Inspectors will **not** grade the quality of teaching, learning and assessment in individual lessons or learning walks.

147. Inspectors will consider:

- leaders' evaluations of teaching and its impact on learning
- how information at transition points between schools is used effectively so that teachers plan to meet pupils' needs in all lessons from the outset – this is particularly important between the early years and key stage 1, and key stages 2 and 3
- whether work in all year groups, particularly in key stage 3, is demanding enough for all pupils
- pupils' views about the work they have undertaken, what they have learned from it and their experience of teaching and learning over time
- information from discussions about teaching, learning and assessment with teachers, teaching assistants and other staff
- parents' views about the quality of teaching, whether they feel their children are challenged sufficiently and how quickly leaders tackle poor teaching
- scrutiny of pupils' work, with particular attention to:
  - pupils' effort and success in completing their work, both in and outside lessons, so that they can progress and enjoy learning across the curriculum
  - how pupils' knowledge, understanding and skills have developed and improved

- the level of challenge, and whether pupils have to grapple appropriately with content, not necessarily 'getting it right' first time, which could be evidence that the work is too easy
  - how well teachers' feedback, written and oral, is used by pupils to improve their knowledge, understanding and skills. Inspectors should note the clarification points set out in Part 1 of this document about pupils' work and marking.
148. In evaluating the accuracy and impact of assessment, inspectors will consider how well:
- teachers use any assessment for establishing pupils' starting points, teacher assessment and testing to modify teaching so that pupils achieve their potential by the end of a year or key stage; inspectors should note that Ofsted does not expect to see any particular system of assessment in place
  - assessment draws on a range of evidence of what pupils know, understand and can do across the curriculum
  - teachers make consistent judgements about pupils' progress and attainment, for example within a subject, across a year group and between year groups.

### **Inspecting the impact of the teaching of literacy including reading**

149. Literacy includes the key skills of reading, writing and oral communication that enable pupils to access different areas of the curriculum.
150. Inspectors will consider the impact of the teaching of literacy on outcomes across the curriculum. They will consider the extent to which the school intervenes to provide support for improving pupils' literacy, especially those pupils at risk of underachieving.
151. During the inspections of schools with pupils up to key stage 3, inspectors must listen to children reading. They should place a particular focus on hearing lower-attaining pupils read and should discuss their reading with them. This is to find out how effectively the school is teaching reading and, except where the school has an exemption from the learning and development requirements of the early years foundation stage, to assess whether the pupils are equipped with the phonic strategies needed to tackle unfamiliar words. There may be occasions when inspectors need to hear lower-attaining pupils read in Years 7 and 8 in secondary schools.
152. Inspectors should decide which pupils they will listen to read, taking into account the school's progress information and data on reading and other information such as lesson observations. In addition to the lower-attaining pupils, inspectors should listen to some of the most able pupils read. Inspectors should hear children read from books that are appropriate to their age, including from previously unseen books. When listening to younger children

read, inspectors may use the national phonics check material<sup>34</sup> to help them make their judgements about the impact of phonics teaching. Wherever possible, inspectors should listen to children reading within a classroom or in an open area with which pupils are familiar.

## Inspecting the impact of the teaching of mathematics

153. When evaluating the effectiveness of a school's work in mathematics through the analysis of performance information/data, observations in lessons and scrutiny of pupils' work, inspectors will consider:

- how well the school is identifying and tackling inconsistency in the quality of mathematics teaching between different groups of pupils, key stages, sets and classes, including those taught by non-specialist teachers of mathematics in secondary schools
- in the mathematics lessons observed, through discussions with pupils and scrutiny of their work and by reviewing curriculum plans, how well teaching:
  - fosters mathematical understanding of new concepts and methods, including teachers' explanations and the way they require pupils to think and reason mathematically for themselves
  - ensures that pupils acquire mathematical knowledge appropriate to their age and starting points, and enables them to recall it rapidly and apply it fluently and accurately, including when calculating efficiently and in applying arithmetic algorithms
  - uses resources and approaches to enable pupils in the class to understand and master<sup>35</sup> the mathematics they are learning
  - develops depth of understanding and readiness for the next stage, be it the next lesson, unit of work, year or key stage, and including into post-16 mathematics. Note that the national curriculum for mathematics<sup>36</sup> at key stages 1 and 2 specifies the aims and then states, 'The expectation is that the majority of pupils will move through the programmes of study at broadly the same pace.' At all key stages, the national curriculum<sup>37</sup>

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<sup>34</sup> 'Statutory guidance '2016 Key stage 1: assessment and reporting arrangements (ARA)' (Section 7: Phonics screening check), Standards and Testing Agency, April 2016; [www.gov.uk/government/publications/key-stage-1-assessment-and-reporting-arrangements-ara/phonics-screening-check](http://www.gov.uk/government/publications/key-stage-1-assessment-and-reporting-arrangements-ara/phonics-screening-check).

<sup>35</sup> An increasing number of schools are using mastery approaches to the teaching of mathematics. These approaches reflect particular beliefs and pedagogical practices. However, it for each school to determine, in the best interests of its pupils, how the mathematics curriculum is taught.

<sup>36</sup> 'Statutory guidance - National curriculum in England: mathematics programmes of study', Department for Education, July 2014; [www.gov.uk/government/publications/national-curriculum-in-england-mathematics-programmes-of-study/national-curriculum-in-england-mathematics-programmes-of-study](http://www.gov.uk/government/publications/national-curriculum-in-england-mathematics-programmes-of-study/national-curriculum-in-england-mathematics-programmes-of-study).

<sup>37</sup> 'Statutory guidance – National curriculum in England: mathematics programmes of study', Department for Education, July 2014.

states, 'Decisions about when to progress should always be based on the security of pupils' understanding and their readiness to progress to the next stage. Pupils who grasp concepts rapidly should be challenged through being offered rich and sophisticated problems before any acceleration through new content. Those who are not sufficiently fluent with earlier material should consolidate their understanding, including through additional practice, before moving on.'

- enables pupils to solve a variety of mathematical problems, applying the mathematical knowledge and skills they have been taught
- how well pupils develop and/or use their mathematical knowledge, understanding and skills across the curriculum.

## Grade descriptors for the quality of teaching, learning and assessment

Note: Grade descriptors are not a checklist. Inspectors adopt a 'best fit' approach that relies on the professional judgement of the inspection team.

### Outstanding (1)

- Teachers demonstrate deep knowledge and understanding of the subjects they teach. They use questioning highly effectively and demonstrate understanding of the ways pupils think about subject content. They identify pupils' common misconceptions and act to ensure they are corrected.
- Teachers plan lessons very effectively, making maximum use of lesson time and coordinating lesson resources well. They manage pupils' behaviour highly effectively with clear rules that are consistently enforced.
- Teachers provide adequate time for practice to embed the pupils' knowledge, understanding and skills securely. They introduce subject content progressively and constantly demand more of pupils. Teachers identify and support any pupil who is falling behind, and enable almost all to catch up.
- Teachers check pupils' understanding systematically and effectively in lessons, offering clearly directed and timely support.
- Teachers provide pupils with incisive feedback, in line with the school's assessment policy, about what pupils can do to improve their knowledge, understanding and skills. The pupils use this feedback effectively.
- Teachers set challenging homework, in line with the school's policy and as appropriate for the age and stage of pupils, that consolidates learning, deepens understanding and prepares pupils very well for work to come.
- Teachers embed reading, writing and communication and, where appropriate, mathematics exceptionally well across the curriculum, equipping all pupils with the necessary skills to make progress. For younger children in particular, except where there is an exemption from the learning and development requirements of the early years foundation stage in place, the teaching of phonics is effective in enabling them to tackle unfamiliar words.
- Teachers are determined that pupils achieve well. They encourage pupils to try hard, recognise their efforts and ensure that pupils take pride in all aspects of their work.

Teachers have consistently high expectations of all pupils' attitudes to learning.

- Pupils love the challenge of learning and are resilient to failure. They are curious, interested learners who seek out and use new information to develop, consolidate and deepen their knowledge, understanding and skills. They thrive in lessons and also regularly take up opportunities to learn through extra-curricular activities.
- Pupils are eager to know how to improve their learning. They capitalise on opportunities to use feedback, written or oral, to improve.
- Parents are provided with clear and timely information on how well their child is progressing and how well their child is doing in relation to the standards expected. Parents are given guidance about how to support their child to improve.
- Teachers are quick to challenge stereotypes and the use of derogatory language in lessons and around the school. Resources and teaching strategies reflect and value the diversity of pupils' experiences and provide pupils with a comprehensive understanding of people and communities beyond their immediate experience.

### **Good (2)**

- Teachers use effective planning to help pupils learn well. Time in lessons is used productively. Pupils focus well on their learning because teachers reinforce expectations for conduct and set clear tasks that challenge pupils.
- In lessons, teachers develop, consolidate and deepen pupils' knowledge, understanding and skills. They give sufficient time for pupils to review what they are learning and to develop further. Teachers identify and support effectively those pupils who start to fall behind and intervene quickly to help them to improve their learning.
- Teachers use their secure subject knowledge to plan learning that sustains pupils' interest and challenges their thinking. They use questioning skilfully to probe pupils' responses and they reshape tasks and explanations so that pupils better understand new concepts. Teachers tackle misconceptions and build on pupils' strengths.
- Teachers give pupils feedback in line with the school's assessment policy. Pupils use this feedback well and they know what they need to do to improve.
- Teachers set homework, in line with the school's policy and as appropriate for the age and stage of pupils, that consolidates learning and prepares pupils well for work to come.
- Teachers develop pupils' reading, writing and communication, and where appropriate mathematics, well across the curriculum. For younger children in particular, except where there is an exemption from the learning and development requirements of the early years foundation stage in place, the teaching of phonics is effective in enabling them to tackle unfamiliar words.
- Teachers expect and encourage all pupils to work with positive attitudes so that they can apply themselves and make strong progress.
- Pupils develop the capacity to learn from mistakes and they become keen learners who want to find out more. Most are willing to find out new information to develop, consolidate and deepen their knowledge, understanding and skills, both in lessons and in extra-curricular activities.
- Most pupils commit to improving their work. They are given time to apply their knowledge and understanding in new ways that stretches their thinking in a wide range of subjects, and to practise key skills.

<p>The school gives parents accurate information about how well their child is progressing, how well their child is doing in relation to the standards expected, and what their child needs to do to improve.</p> <ul style="list-style-type: none"> <li>Teachers challenge stereotypes and the use of derogatory language in lessons and around the school. Teachers promote equality of opportunity and diversity in teaching and learning.</li> </ul>
<p><b>Requires improvement (3)</b></p> <ul style="list-style-type: none"> <li>Teaching, learning and assessment are not yet good.</li> </ul>
<p><b>Inadequate (4)</b></p> <p><b>Teaching, learning and assessment are likely to be inadequate if any of the following applies.</b></p> <ul style="list-style-type: none"> <li>Teaching is poorly planned.</li> <li>Weak assessment practice means that teaching fails to meet pupils' needs.</li> <li>Pupils or particular groups are making inadequate progress because teaching does not develop their knowledge, understanding and skills sufficiently.</li> <li>Pupils cannot communicate, read, write, or apply mathematics as well as they should, so they do not make sufficient progress in their knowledge, understanding and skills because they are unable to access the curriculum.</li> <li>Teachers do not promote equality of opportunity or understanding of diversity effectively and so discriminate against the success of individuals or groups of pupils.</li> </ul>

## Personal development, behaviour and welfare

154. The CIF sets out the overarching criteria for judging personal development, behaviour and welfare.
155. Inspectors must make a clear written judgement about behaviour and a separate clear written judgement about personal development and welfare in the report. Where the judgements differ, the lower of the two will determine the overall judgement for personal development, behaviour and welfare and is recorded in the report.
156. Evaluating, judging and reporting behaviour and welfare in this way distinguishes between each aspect so that schools and parents clearly understand the two separate judgements. Inspectors must consider carefully the effectiveness of safeguarding when pupils' welfare is judged to require improvement or be inadequate.

### Attendance and punctuality

157. Inspectors will consider:
- overall absence and persistent absence rates for all pupils, and for different groups in relation to national figures for all pupils

- the extent to which low attenders are improving their attendance over time and whether attendance is consistently low (in the lowest 10%)
- punctuality in arriving at school and at lessons.

### **Sources of evidence**

158. Inspectors will make this judgement using evidence seen during the inspection as well as evidence of trends over time. The judgement will be informed by documentary evidence about behaviour, including how the school tackles poor behaviour, as well as discussions with and observations of pupils at break times, lunchtimes and between lessons. Inspectors will take into account the school's use of exclusion, including the rates, patterns and reasons for exclusion, as well as any differences between groups of pupils. Inspectors will gather the views of parents, staff, governors and other stakeholders.
159. Inspectors must take account of the views different groups of pupils express, their experiences of others' behaviour and attitudes towards them, and their understanding of the importance of such attributes in school and adult life.
160. Inspectors evaluate the experience of particular individuals and groups, such as pupils for whom referrals have been made to the local authority (checking how the referral was made and the thoroughness of the follow-up), pupils who have special educational needs and/or disabilities, children looked after, those with medical needs and those with mental health needs. Inspectors must look at a small sample of case studies about the experience of these pupils.
161. If the school runs (on its own or in partnership with other schools) an off-site unit for pupils whose behaviour is poor or with low attendance, an inspector must visit the unit. Inspectors will assess safeguarding procedures, the quality of teaching and how effectively the unit helps to improve pupils' behaviour, learning and attendance.

## Grade descriptors for personal development, behaviour and welfare

Note: Grade descriptors are not a checklist. Inspectors adopt a 'best fit' approach that relies on the professional judgement of the inspection team.

### Outstanding (1)

- Pupils are confident, self-assured learners. Their excellent attitudes to learning have a strong, positive impact on their progress. They are proud of their achievements and of their school.
- Pupils discuss and debate issues in a considered way, showing respect for others' ideas and points of view.
- In secondary schools, high quality, impartial careers guidance helps pupils to make informed choices about which courses suit their academic needs and aspirations. They are prepared for the next stage of their education, employment, self-employment or training.
- Pupils understand how their education equips them with the behaviours and attitudes necessary for success in their next stage of education, training or employment and for their adult life.
- Pupils value their education and rarely miss a day at school. No groups of pupils are disadvantaged by low attendance. The attendance of pupils who have previously had exceptionally high rates of absence is rising quickly towards the national average.
- Pupils' impeccable conduct reflects the school's effective strategies to promote high standards of behaviour. Pupils are self-disciplined. Incidences of low-level disruption are extremely rare.
- For individuals or groups with particular needs, there is sustained improvement in pupils' behaviour. Where standards of behaviour were already excellent, they have been maintained.
- Pupils work hard with the school to prevent all forms of bullying, including online bullying and prejudice-based bullying.
- Staff and pupils deal effectively with the very rare instances of bullying behaviour and/or use of derogatory or aggressive language.
- The school's open culture actively promotes all aspects of pupils' welfare. Pupils are safe and feel safe at all times. They understand how to keep themselves and others safe in different situations and settings. They trust leaders to take rapid and appropriate action to resolve any concerns they have.
- Pupils can explain accurately and confidently how to keep themselves healthy. They make informed choices about healthy eating, fitness and their emotional and mental well-being. They have an age-appropriate understanding of healthy relationships and are confident in staying safe from abuse and exploitation.
- Pupils have an excellent understanding of how to stay safe online and of the dangers of inappropriate use of mobile technology and social networking sites.
- Pupils' spiritual, moral, social and cultural development equips them to be thoughtful, caring and active citizens in school and in wider society.

### **Good (2)**

- Pupils are confident and self-assured. They take pride in their work, their school and their appearance.
- Pupils' attitudes to all aspects of their learning are consistently positive. These positive attitudes have a good impact on the progress they make.
- Pupils show respect for others' ideas and views.
- In secondary schools, pupils use impartial careers guidance to make choices about the next stage of their education, employment, self-employment or training.
- Pupils are punctual and prepared for lessons. They bring the right equipment and are ready to learn.
- Pupils value their education. Few are absent or persistently absent. No groups of pupils are disadvantaged by low attendance. The attendance of pupils who have previously had exceptionally high rates of absence is showing marked and sustained improvement.
- Pupils conduct themselves well throughout the day, including at lunchtimes.
- The school is an orderly environment. Pupils respond quickly to instructions and requests from staff, allowing lessons to flow smoothly and without interruption. Low-level disruption is rare.
- Pupils' good conduct reflects the school's efforts to promote high standards. There are marked improvements in behaviour for individuals or groups with particular behavioural needs.
- Parents, staff and pupils have no well-founded concerns about personal development, behaviour and welfare.
- Teachers and other adults are quick to tackle the rare use of derogatory or aggressive language and always challenge stereotyping.
- Teachers and other adults promote clear messages about the impact of bullying and prejudiced behaviour on pupils' well-being. Pupils work well with the school to tackle and prevent the rare occurrences of bullying.
- The school's open culture promotes all aspects of pupils' welfare. Pupils are safe and feel safe. They have opportunities to learn how to keep themselves safe. They enjoy learning about how to stay healthy and about emotional and mental health, safe and positive relationships and how to prevent misuse of technology.
- Pupils' spiritual, moral, social and cultural development ensures they are prepared to be reflective about and responsible for their actions as good citizens.

### **Requires improvement (3)**

- Pupils' personal development, behaviour and welfare are not yet good, and/or behaviour in the school is not yet good.
- Pupils are safe and they feel safe.

### **Inadequate (4)**

**Personal development, behaviour and welfare are likely to be inadequate if any of the following applies.**

- Pupils' lack of engagement, persistent low-level and/or high-level wilful, disruption,

contribute to reduced learning and/or disorderly classrooms.

- A significant minority of pupils show a lack of respect for each other or staff and a lack of self-discipline. Pupils ignore or rebut requests from teachers to moderate their conduct. This results in poor behaviour around the school.
- Pupils show negative attitudes about the value of good manners and behaviour as key factors in school life, adult life and work.
- Attendance is consistently low for all pupils or groups of pupils and shows little sign of sustained improvement.
- A significant minority of pupils do not understand how and why to live healthy, positive lives both physically and emotionally.
- Incidents of bullying or prejudiced and discriminatory behaviour, both direct and indirect, are frequent.
- Pupils have little confidence in the school's ability to tackle bullying successfully.
- Pupils or particular groups of pupils are not safe or do not feel safe at school and/or at alternative placements.

## Outcomes for pupils

162. The CIF sets out the overarching criteria for judging outcomes.

163. Inspectors will take account of current standards and progress, including the school's own performance information, and make a relevant judgement on academic and other learning outcomes for pupils by evaluating the extent to which all pupils:

- progress well from their different starting points and achieve or exceed standards expected for their age nationally (at the end of a key stage), or within the school's own curriculum
- attain relevant qualifications so that they can and do progress to the next stage of their education into courses that lead to higher level qualifications and into jobs that meet local and national needs.

164. To judge outcomes, inspectors will evaluate pupils' academic and vocational achievement across the curriculum.

165. In judging achievement, inspectors will give most weight to pupils' progress. They will take account of pupils' starting points in terms of their prior attainment and age when evaluating progress. Within this, they will give most weight to the progress of pupils currently in the school, taking account of how this compares with the progress of recent cohorts, where there are any. Inspectors will consider the progress of pupils in **all** year groups, not just those who have taken or are about to take examinations or national tests. As part of pupils' progress, inspectors will consider the growth in pupils' security, breadth and depth of knowledge, understanding and skills.

## Sources of evidence

166. Inspectors will gather evidence about the progress of current pupils through:

- observations in lessons
- discussions with pupils about their understanding of things they have been learning about
- scrutiny of pupils' acquisition of knowledge, understanding and skills over time as shown in their work, including that in their books
- the school's own information, taking account of the quality and rigour of the assessment on which it is based.

167. Inspectors recognise that published data for small groups of children **must** be treated with caution. They will analyse all pupil-level and group-level data, but there will be some groups that are too small for group-level reporting to be meaningful. Only if groups are large enough will inspectors be able to draw valid inferences from group-level performance. This is to avoid forming unfair judgements about a school. For example, it would not be possible to draw conclusions about trends in relation to small groups. Equally, it would be misleading to compare national progress and attainment rates with progress and attainment rates for small groups or for groups that have high proportions of pupils who have special educational needs arising from their low cognitive abilities.

168. When considering the school's records for the progress of current pupils, inspectors will recognise that some schools that opt to design their curriculum in line with the national curriculum will be moving towards using a system of assessment without national curriculum levels.

169. In scrutinising pupils' work, inspectors will consider how well:

- pupils are making good progress towards meeting or exceeding the expected attainment for their age, as set out in the school's own curriculum and assessment policies
- pupils are set challenging goals, given their starting points, and are making good progress towards meeting or exceeding these
- pupils are gaining and consolidating knowledge, understanding and skills
- pupils do work that deepens their knowledge, understanding and skills, rather than simply undertaking more work of the same difficulty or going on to study different content.

## Disadvantaged pupils

170. Inspectors will take particular account of the progress made by disadvantaged pupils from their starting points. They will consider the progress made by the

end of the key stage compared with that made nationally by other pupils with similar starting points.

171. For current pupils, inspectors will consider the impact of what a school is doing to diminish any differences in progress and attainment between disadvantaged and other pupils with the same starting points. Inspectors must review carefully what data is meaningful and avoid focusing on the performance of small groups for which assessment information is less reliable. For any small groups, inspectors will consider approaches that have an impact on all pupils. Inspectors should talk to leaders about the quality of teaching, behaviour and the design and delivery of the curriculum to examine why there may be underperformance for some pupils. If there is an identifiable shortfall in progress or attainment of disadvantaged children, inspectors should consider:

- the adequacy of the core programme
- any identified needs of the child, such as special educational needs, and how these are met
- any additional provision that the school may offer based on family economic or social disadvantage.

### **The most able**

172. Inspectors will pay particular attention to whether the most able pupils are making progress towards attaining the highest standards and achieving as well as they should across the curriculum. They will also consider whether the most able pupils are receiving the support they need to reach their full potential. For example, inspectors will consider whether a large enough proportion of pupils who had the highest attainment at the end of key stage 2 in English and mathematics achieve the top grades at GCSE in these subjects by the age of 16 and whether enough current pupils are on track to do so. If performance information is limited due to small group size, inspectors should gather a wide range of other evidence to determine whether the school is providing effectively for the most able pupils, including reviewing pupils' work and talking to pupils and teachers.

### **Catching up**

173. Inspectors will consider the progress that lower-attaining pupils are making and the impact of provision for them on raising their attainment so that they reach the standards expected for their age. Inspectors will also consider the impact of provision on raising the attainment of other pupils who have fallen behind so that they attain as well as they should. If performance information is limited due to small group size, inspectors should gather a wide range of other evidence to determine whether school is providing effectively for lower-attaining pupils, including reviewing pupils' work and talking to pupils and teachers.

## **Pupils who have special educational needs and/or disabilities**

174. Inspectors will consider the progress of pupils who have special educational needs and/or disabilities in relation to the progress of pupils nationally with similar starting points. The expectation is that the identification of special educational needs leads to additional or different arrangements being made, and a consequent improvement in progress.
175. For groups of pupils whose cognitive ability is such that their attainment is unlikely ever to rise above 'low', the judgement on outcomes will be based on an evaluation of the pupils' learning and progress relative to their starting points at particular ages and any assessment measures the school holds. Evaluations should not take account of their attainment compared with that of all other pupils.

## **Incomplete key stages**

176. When evaluating pupils' progress, inspectors will take into account those pupils who started a key stage elsewhere or have not completed their current key stage. This could include middle schools and newly opened schools or schools where pupil mobility is high. For nursery schools with children aged three and four years who move to primary school before any nationally comparable assessments are made, inspectors will evaluate the children's learning and progress relative to their age and draw on evidence of their starting points. When evaluating progress between key stages 2 and 4, inspectors will take into account when pupils start part way through a phase or key stage.

## **Off-site provision**

177. Inspectors must consider the progress of pupils who attend off-site alternative provision for all or part of the week and the school's own records of these pupils' progress.

## **Grade descriptors for outcomes for pupils**

Note: Grade descriptors are not a checklist. Inspectors adopt a 'best fit' approach that relies on the professional judgement of the inspection team.

### **Outstanding (1)**

- Throughout each year group and across the curriculum, including in English and mathematics, current pupils make substantial and sustained progress, developing excellent knowledge, understanding and skills, considering their different starting points.
- The progress across the curriculum of disadvantaged pupils and pupils who have special educational needs and/or disabilities currently on roll matches or is improving towards that of other pupils with the same starting points.
- Pupils are typically able to articulate their knowledge and understanding clearly in an age-appropriate way. They can hold thoughtful conversations about them with each

other and adults.

- Pupils read widely and often across subjects to a high standard, with fluency and comprehension appropriate to their age. Except where there is an exemption from the learning and development requirements of the early years foundation stage in place, pupils in Year 1 achieve highly in the national phonics check.
- For pupils generally, and specifically for disadvantaged pupils and pupils who have special educational needs and/or disabilities, progress from starting points is above average across nearly all subject areas.
- From different starting points, the progress in English and in mathematics is high compared with national figures.
- The attainment of almost all groups of pupils is broadly in line with national averages or, if below these, it is improving rapidly.
- Pupils are exceptionally well prepared for the next stage of their education, training or employment and have attained relevant qualifications. Compared with the national average for all pupils, higher proportions of pupils and of disadvantaged pupils progress to a range of higher and further education establishments, apprenticeships, employment or training. These destinations strongly support their career plans.

### **Good (2)**

- Across almost all year groups and in a wide range of subjects, including in English and mathematics, current pupils make consistently strong progress, developing secure knowledge, understanding and skills, considering their different starting points.
- In a wide range of subjects, the progress of disadvantaged pupils and pupils who have special educational needs and/or disabilities currently on roll is close to or is improving towards that of other pupils with the same starting points.
- Pupils read widely and often, with fluency and comprehension appropriate to their age. Except where there is an exemption from the learning and development requirements of the early years foundation stage in place, a very large majority of pupils in Year 1 achieve the expected standard in the national phonics check.
- Pupils' progress is above average or improving across most subject areas. Progress from starting points of disadvantaged pupils and pupils who have special educational needs and/or disabilities is above average or improving.
- From different starting points, progress in English and in mathematics is close to or above national figures. The progress from different starting points of the very large majority of disadvantaged pupils is similar to or improving in relation to other pupils nationally.
- Where attainment overall is low, it shows consistent improvement.
- Pupils are well prepared for the next stage of their education, training or employment and have attained relevant qualifications. The proportion of pupils progressing to higher and further education establishments, apprenticeships, employment or training is close to or above average. They do so at a level suitable to meet appropriate career plans.

### **Requires improvement (3)**

- Outcomes are not yet good.

### **Inadequate (4)**

**Outcomes are likely to be inadequate if any of the following applies.**

- Progress from starting points in any key subject<sup>38</sup> or key stage indicates pupils are underachieving considerably.
- From their different starting points, the progress of pupils in different year groups in English or in mathematics is consistently low and shows little or no improvement.
- For disadvantaged pupils, the progress from their different starting points in English or in mathematics is consistently well below that of other pupils nationally and shows little or no improvement.
- There are wide differences in the progress and/or attainment of different groups from similar starting points and these are not improving.
- The school's performance regularly falls below the floor standards.<sup>39</sup> Any improvement is insufficient, fragile or inconsistent.
- Pupils' proficiency in reading, writing or mathematics is not sufficiently strong for them to succeed in the next year or stage of education, or in training or employment.
- Pupils have not attained the qualifications appropriate for them to progress to their next stage of education, training or employment.

## **Inspecting the effectiveness of the early years provision: quality and standards**

178. Inspectors are required to grade the quality of the early years provision and write a section in the inspection report that summarises its effectiveness.
179. In order to achieve comparability with the way in which registered early years providers are inspected and judged under the CIF, the grade descriptors below reflect those in the early years handbook.
180. Inspectors will judge the overall quality and standards of the early years provision, taking into account:
- the effectiveness of leadership and management
  - the quality of teaching,<sup>40</sup> learning and assessment

<sup>38</sup> 'Key' subjects in primary schools are English and mathematics. In secondary schools, they are English, mathematics, science and any subjects studied by a high proportion of pupils.

<sup>39</sup> Floor standards refer to the expected levels of performance at key stages 2 and 4 set by the government.

<sup>40</sup> Teaching in the early years should not be taken to imply a 'top down' or formal way of working. It is a broad term that covers the many different ways in which adults help young children learn. It includes their interactions with children during planned and child-initiated play and activities: communicating and modelling language, showing, explaining, demonstrating, exploring ideas, encouraging, questioning, recalling, providing a narrative for what they are doing, facilitating and setting challenges. It takes account of the equipment adults provide and the attention given to the physical environment, as well as the structure and routines of the day that establish expectations. Integral to teaching is how practitioners assess what children know, understand and can do, as well

- how well the provision contributes to children’s personal development, behaviour and welfare
- outcomes for children.

181. Inspectors will consider:

- the rigour and effectiveness of systems to drive improvement, including:
  - monitoring of the quality of provision and children’s outcomes
  - the professional development of staff
  - evaluation of the impact of actions taken
  - setting ambitious targets
- the effectiveness of safeguarding procedures and the culture of safeguarding
- how well teaching nurtures, engages and motivates children and promotes their sense of achievement and commitment to learning
- the breadth of the curriculum and how well it is based on accurate assessment of children’s learning and development, so that activities and experiences meet their needs
- the quality and impact of phonics teaching, except where there is an exemption from the learning and development requirements of the early years foundation stage in place
- how well all staff work with parents, engage them in their children’s learning and keep them informed about their children’s achievements and progress
- children’s enjoyment of learning, including their participation and willingness to make choices and decisions, and the extent to which children are active and inquisitive learners who are creative and think critically
- how well children behave, cooperate and share with each other, make friends, respect each other’s differences and build their understanding and respect for different families, people and communities beyond their immediate experience
- the extent to which children behave in ways that are safe, understand how to stay safe and show that they feel safe
- the proportions of children who have made typical or better progress from their starting points, including pupils who have special educational needs and/or disabilities

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as taking account of their interests and dispositions to learn (characteristics of effective learning), and how practitioners use this information to plan children’s next steps in learning and monitor their progress.

- the attainment of children at the end of Reception compared with early years foundation stage profile national figures, including the proportion that achieve a good level of development,<sup>41</sup> particularly in terms of how well children are prepared for key stage 1
- whether outcomes are consistent across areas of learning, particularly in the prime areas and the specific areas of literacy and mathematics
- how quickly disadvantaged children, and any groups of pupils that are underachieving, are catching up.

### **Inspecting provision for two-year-olds**

182. From September 2015, schools that take two-year-olds as part of their early years provision will no longer need to register that provision with Ofsted. The provision for two-year-olds will be inspected as part of the standard inspection of the school. Inspectors should ensure that the written judgement on the effectiveness of early years provision includes evaluation of the provision for two-year-olds.

183. When observing provision for two-year-olds, inspectors will assess whether practitioners are:

- knowledgeable about the typical development and characteristics of learning for two-year-olds, including their emotional and physical dependency on adults
- aware of the large difference in development between children who are 'just two' and those approaching their third birthday
- aware when children need comforting and respond in an appropriate way that provides that comfort
- focused on teaching children through the three prime areas of learning
- attentive to children's care needs and use times caring for them as an opportunity to help children's learning
- giving children time to be in familiar, small groups and opportunities to be in smaller, quieter areas for play
- patient, attentive and allow two-year-olds to express their ideas
- listening to children and responding to children's verbal and non-verbal communication rather than interrupting them
- gently talkative with children and are not put off when there is no response

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<sup>41</sup> A child achieves a good level of development, as defined by the government, if she or he meets the expected level in the early learning goals in the prime areas of learning (personal, social and emotional development; physical development; and communication and language) and in the specific areas of mathematics and literacy. This is not the same as making good progress.

- not reactive when children display a tantrum.

184. Inspectors will be aware that two-year-olds typically:

- continue to develop the language to communicate verbally – they may often use single words, they may string single words together or use language that is hard for adults to discern
- show interest in others but are learning to play cooperatively – children may play ‘side-by-side’ although they may be less willing to share resources
- watch others and copy others as ways of learning
- have conflict with other two-year-olds
- ask ‘what?’ and ‘where?’
- begin to develop their independence – children may often state ‘me do it’ and ‘no’
- use physical means to express themselves.

## **Grade descriptors for the effectiveness of the early years provision**

Note: Grade descriptors are not a checklist. Inspectors adopt a ‘best fit’ approach that relies on the professional judgement of the inspection team.

### **Outstanding (1)**

- All of the independent school standards are met in relation to the early years provision.
- There are no breaches of statutory welfare requirements.
- The pursuit of excellence by leaders and managers is shown by an uncompromising, highly successful drive to improve outcomes or maintain the highest levels of outcomes, for all children over a sustained period.
- Incisive evaluation of the impact of staff’s practice leads to highly focused professional development and improves the quality of teaching.
- Safeguarding is effective.
- Children’s health, safety and well-being are greatly enhanced by the vigilant and consistent implementation of robust policies and procedures.
- Leaders use highly successful strategies to engage parents, including those from different groups, in their children’s learning in school and at home.
- A highly stimulating environment and exceptional organisation of the curriculum provides rich, varied and imaginative experiences.
- Teaching is consistently of a very high quality, inspirational and worthy of dissemination to others; it is highly responsive to children’s needs.
- Assessment is accurate and based on high-quality evidence. It includes all those involved in the child’s learning and development. Provision across all areas of learning is planned meticulously. It is based on rigorous and sharply focused assessments of children’s achievement so that every child undertakes highly challenging activities.

- Children are highly motivated and very eager to join in. They consistently demonstrate curiosity, imagination and concentration. They are highly responsive to adults and each other. They do not distract others or become distracted easily themselves.
- Children are developing a very good understanding of how to keep themselves safe and manage risks. They demonstrate exceptionally positive behaviour and high levels of self-control, cooperation and respect for others.
- Almost all children, including those who have special educational needs and/or disabilities, disadvantaged children and the most able, are making substantial and sustained progress in relation to their starting points. They are extremely well prepared academically, socially and emotionally for the next stage of their education.

## **Good (2)**

- All of the independent school standards are met in relation to the early years provision.
- Leaders and managers have an accurate picture of the strengths and weaknesses of the provision as a result of effective self-evaluation. The impact of concerted and effective action to improve provision, including the training and development of staff, can be seen in children's outcomes.
- Leaders ensure that children's needs are identified and give children the support they need, including through effective partnerships with external agencies and other providers.
- Safeguarding is effective.
- Child protection policies and procedures are implemented consistently; practice is reviewed regularly and clearly evaluated.
- The curriculum provides a broad range of interesting and demanding experiences that meet children's needs and help them make progress towards the early learning goals.
- The quality of teaching is good.
- All adults have high expectations of children based on accurate assessment of children's skills, knowledge and understanding when they join the school. Practitioners use regular and precise assessments of children's learning and development to plan activities that are suitably challenging for all children.
- Parents contribute to initial assessments of children's starting points and are kept well informed about their children's progress. Parents are encouraged to support their children's learning and development at home.
- Children are motivated and interested in a broad range of activities and are keen learners. They listen carefully to adults and each other.
- Children's behaviour is good and shows that they feel safe. They gain an understanding of risk through activities that encourage them to explore their environment. Children are learning to respect and celebrate each other's differences and to build their understanding of diversity beyond their immediate experience through a range of activities that teach them effectively about people in the wider world.
- Children, including those who have special educational needs and/or disabilities, make consistently strong progress from their starting points. Children develop the knowledge, skills and understanding needed to make a positive start to the next stage of their education.

- Where children's starting points are below those of other children of their age, assessment shows they are catching up quickly. Any differences between the attainment of groups and all children nationally, are diminishing.

### **Requires improvement (3)**

- All of the independent school standards may be met in relation to the early years provision, but the early years requires improvement because provision and outcomes are not good. Any un-met independent school standards in relation to the early years provision are minor, easily rectified and do not have a serious impact on children's welfare, health and safety, academic or personal development.
- There are no material breaches of statutory welfare requirements.
- The effectiveness of the early years provision is not yet good.
- Safeguarding is effective.

### **Inadequate (4)**

#### **The early years provision is likely to be inadequate if any of the following applies.**

- There are one or more un-met independent school standards in relation to the early years provision which have a negative impact on children's welfare, health and safety, academic or personal development, including the promotion of children's spiritual, moral, social and cultural development.
- Statutory welfare requirements are not met.
- Self-evaluation is weak, with too little focus on improving children's outcomes and the quality of provision. Any actions taken to tackle areas of identified weakness have been insufficient or ineffective.
- The curriculum does not offer a broad range of experiences that challenge children or promote their understanding of people and communicates beyond their own experience.
- Teachers and other adults are not knowledgeable enough and/or they are not vigilant enough to ensure that children are kept safe and that their health and welfare are promoted.
- Safeguarding is ineffective.
- Leaders and/or staff have a poor understanding of how to promote children's learning and development, resulting in weak teaching that is not matched to children's needs.
- Information from assessment is not accurate and not used well enough to enable children to make the progress they should.
- Children's behaviour is not managed consistently. As a result, more than occasionally, lack of engagement in activities leads to a disorderly environment that hinders children's learning and/or puts them and others at risk.
- Children, or specific groups of children such as pupils who have special educational needs and/or disabilities or the most able, do not achieve as well as they can. Many children start Year 1 without the skills and knowledge they need.
- Low attainment of any group of children shows little sign of improvement. Wide differences between groups of children show little sign of diminishing or may be widening.
- Strategies for engaging parents about their child's learning and development are weak.

As a result, parents do not know what their child is learning or how they can help them to improve.

## **Inspecting the effectiveness of the sixth form provision**

185. Inspectors are required to write a section in the inspection report that summarises the effectiveness of the sixth form provision and to provide a numerical grade for it.
186. In order to achieve comparability with the way 16 to 19 provision within further education and skills providers is inspected and judged under the CIF, the grade descriptors below reflect those in the further education and skills handbook.
187. Inspectors will judge the effectiveness of the sixth form provision, taking into account:
- the effectiveness of leadership and management
  - the quality of teaching, learning and assessment
  - the personal development, behaviour and welfare of learners
  - outcomes for learners.
188. Inspectors will consider how well:
- leaders promote high expectations and use rigorous systems to drive improvement, including through monitoring and developing the quality of sixth form provision and improving the progress and achievement of learners and groups of learners
  - teaching and assessment support and challenge learners
  - programmes of study build on each learner’s prior attainment and enable them to make progress and move on to a higher level of qualification when they are ready to do so
  - learners receive high quality impartial careers guidance that prepares them for their chosen next steps and enables them to make well-informed decisions about their future plans
  - learners develop personal, social, employability and independent learning skills, and achieve high levels of punctuality, attendance and conduct, including through the contribution of non-qualification or enrichment activities and/or work experience
  - learners understand how to keep themselves safe and healthy, both physically and emotionally
  - learners make progress from their different starting points and remain on their programme of study

- learners, and groups of learners, progress to the planned next stage in their careers, such as a higher level of education or training, or to employment or an apprenticeship.

189. Inspectors will also consider whether or not arrangements for safeguarding learners are effective.

## **Grade descriptors: the overall effectiveness of the sixth form provision**

### **Outstanding (1)**

- All of the independent school standards are met in relation to the sixth form provision.
- Leaders pursue excellence. They improve provision and outcomes rapidly and reduce achievement gaps between groups by monitoring the quality of teaching, learning and assessment as well as learners' retention, progress and skill development.
- Leaders plan, manage and evaluate programmes of study so that learners undertake highly individualised and challenging learning that builds on their prior attainment and prepares them very well for future employment.
- High quality and impartial careers guidance ensures learners follow programmes of study that build on their prior attainment and enables them to develop clear, ambitious and realistic plans for their future. Learners understand the options available and are informed about local and national skills needs.
- Teaching, learning and assessment support and challenge learners to make sustained and substantial progress in all aspects of their programme of study. Teaching enables learners who fall behind to catch up swiftly and the most able to excel.
- Learners are confident and conduct themselves well. They are punctual. They have excellent personal, social and employability skills and undertake high quality non-qualification activities and work experience that matches their needs. Attendance rates are high.
- Learners are safe and feel safe. They are thoughtful, caring and respectful citizens. They take responsibility for keeping themselves safe and healthy and contribute to wider society and life in Britain.
- Throughout the time spent on their programmes of study, learners and groups of learners make substantial and sustained progress from their starting points. Rates of retention are high for almost all groups of learners. Any gaps in the progress or retention of groups with similar starting points are closing.
- Almost all learners progress swiftly to higher levels during their programme of study. Almost all learners complete their programmes of study, achieve qualifications relevant to their career aims and move on to sustained education, employment, training or an apprenticeship.
- Progress on level 3 qualifications in terms of value added is above average across nearly all subjects.

### **Good (2)**

- All of the independent school standards are met in relation to the sixth form provision.
- Leaders have high expectations. They improve provision and reduce achievement

gaps between groups by monitoring the quality of teaching, learning and assessment and learners' retention, progress and skill development.

- Leaders plan and manage individualised programmes of study that build on learners' prior attainment and prepare them well for future employment.
- Impartial careers guidance ensures learners undertake programmes of study that build on their prior attainment and enables them to develop clear and realistic plans for their future.
- Teaching, learning and assessment support and challenge learners so that they make strong progress across all aspects of their programmes of study. Learners who fall behind are helped to catch up and the most able are stretched.
- Learners develop personal, social and employability skills, including through high quality non-qualification activities and work experience relevant to their needs. They are punctual and attendance is high.
- Learners are safe and feel safe. They behave well, respect others and understand how to keep themselves safe and healthy and to contribute to wider society and life in Britain.
- The great majority of learners and groups of learners make strong progress from their starting points. Gaps in the progress or retention of groups with similar starting points are closing.
- The great majority of learners progress to higher levels during and after their programme of study. They complete their programmes of study, achieve qualifications relevant to their career aims and move on to sustained education, employment, training or an apprenticeship.
- Progress on level 3 qualifications in terms of value added is above average or improving across most subjects.

### **Requires improvement (3)**

- All of the independent school standards may be met in relation to the sixth form provision, but the sixth form requires improvement because it is not good. Any un-met independent school standards in relation to the sixth form provision are minor, easily rectified and do not have a serious impact on students' welfare, health and safety, academic or personal development.
- Effectiveness of the provision for sixth form students is not yet good.
- Safeguarding is effective.

### **Inadequate (4)**

**The sixth form provision is likely to be inadequate if any of the following applies.**

- There are one or more un-met independent school standards in relation to the sixth form provision which have a negative impact on students' welfare, health and safety, academic or personal development, including the promotion of students' spiritual, moral, social and cultural development.
- Leadership of sixth form provision is weak.
- Programmes of study are insufficiently challenging or relevant to learners' prior attainment or planned next steps.
- Weak assessment practice or poor planning mean that teaching fails to meet learners' needs.

- Learners, or groups of learners, make inadequate progress from their starting points.
- Too few learners are retained on their courses or achieve their core aim.
- Learners, or groups of learners, are ill-prepared for their next steps in terms of attainment, personal skills or behaviours.
- Too many learners or groups of learners are unsuccessful in securing relevant sustained education, employment or training.
- Safeguarding is ineffective.

## Annex A. Additional guidance

### Evaluating the quality of boarding and residential provision in schools

190. Where the school provides boarding or residential provision, inspectors will make four key judgements on that provision. These judgements are made in accordance with the guidance and grade descriptors in the 'Social care common inspection framework (SCCIF): boarding schools and residential special schools'.<sup>42</sup>
191. If the provision does not meet one or more of the national minimum standards, the following standard phrase must appear as one of the recommendations in the inspection report:
- 'The school must ensure that it meets the national minimum standards for boarding schools that have not been met.'
  - or
  - 'The school must ensure that it meets the national minimum standards for residential special schools that have not been met.'
192. The national minimum standards not met should be listed towards the end of the report.
193. Inspectors must consider the impact of the judgements on the boarding/residential provision on the judgements for the whole school. To do this, they will need to take account of the proportion of boarders/residential pupils in the school and the seriousness of the issues found.
194. For the effectiveness of leadership and management, the numerical grades for the school and boarding should either be the same or be within one grade of each other. The inspection report should clearly state the reasons for any differences.

### Integrated inspections of education and boarding or residential provision

195. In boarding or residential special schools, the social care regulatory inspector begins to inspect in the afternoon of the preparation day of the inspection and must use 'boarding time' during the first evening to talk to young people in the boarding or residential accommodation. In schools with boarding or residential provision, lead inspectors should consider the timing of team meetings so that

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<sup>42</sup> 'Social care common inspection framework (SCCIF): boarding schools and residential special', Ofsted, April 2017; [www.gov.uk/government/publications/the-framework-for-inspecting-boarding-and-residential-provision-in-schools](http://www.gov.uk/government/publications/the-framework-for-inspecting-boarding-and-residential-provision-in-schools).

the social care regulatory inspector is available to join them: it is important that the findings of the social care regulatory inspector contribute to all key and overall judgements about the school.

196. Inspectors must work closely together to plan sufficient time to discuss their findings throughout the inspection. The lead education inspector should join the social care regulatory inspector on some inspection activities so that they can gain a full picture of provision at the school. This is particularly important in assessing personal development, behaviour and welfare and the strength of the links between the day school and boarding provision.

### **Aligned inspections of schools with registration as children's homes**

197. The inspection of education in a school that is also registered as a children's home may take place as a stand-alone inspection of the education provision or be aligned with the full inspection of the children's home.<sup>43</sup> Where possible, Ofsted will attempt to align both inspections so that inspectors may work together and share evidence.
198. Where the education inspection takes place as a stand-alone event, inspectors must read the most recent education and children's home reports on the preparation day. They must make themselves aware of any current issues concerning children's welfare that may affect aspects of the school inspection, and ensure that they take these into consideration during the inspection.
199. Where the education and children's homes inspections are aligned, the education and social care regulatory inspectors should work together to share evidence, for example about outcomes. The lead education inspector should contact the social care regulatory inspector in advance to discuss the inspection. The social care regulatory inspector is likely to be more familiar and up to date with developments at the children's home, and this knowledge should be shared. The lead education inspector should share with the social care regulatory inspector any issues arising from the pre-inspection evidence or the initial telephone call to the school.
200. In the notification telephone calls, neither the inspection support administrator nor the lead education inspector will refer to the inspection of the children's home, as such inspections are conducted with no notice.

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<sup>43</sup> All registered children's homes will have at least two inspections in a year. At least one of these will be a full inspection, and the children's homes may also be subject to an interim inspection. All inspections are conducted in line with the 'Social care common inspection framework (SCCIF): children's homes, including secure children's homes' Ofsted, February 2017; [www.gov.uk/government/publications/inspecting-childrens-homes-framework](http://www.gov.uk/government/publications/inspecting-childrens-homes-framework).

201. Throughout the inspection, inspectors should share the evidence that is required by them both in order to make the judgements in their respective evaluation schedules, for example evidence of child protection and safe recruitment procedures, records, risk analyses and matters relating to safeguarding children's welfare, health and safety. They may inspect these matters jointly, where practicable, but in any event should share their judgements with one another to ensure that they match up, and that any inconsistencies are justified and clear to the school and the children's home.
202. Inspectors should aim to feed back their judgements jointly at the end of the inspection, so that the school/home receives clear and consistent messages from Ofsted, particularly about the provision covered in both inspection schedules.
203. Aligned inspections always result in separate reports – one for the DfE, which covers the education provision, and one for Ofsted, which reports the findings from the care inspection.

### **Inspecting schools where there are no pupils on roll**

204. Where the inspection of a school has been deferred previously on two consecutive occasions because there were no pupils on roll, the inspection will not be deferred for a third time. The inspection will go ahead even though there will be no pupils present.
205. The purpose of the inspection will be to check the school's compliance with the independent school standards required for continued registration. Inspectors will still make qualitative judgements about the effectiveness of the school, and will comment on the extent to which it is ready to educate and safeguard pupils.
206. It may not be possible for inspectors to check compliance with the following paragraphs of the independent school standards:
- paragraphs 2(1)–2(1)(a), 2(1)(b)(i)–2(1)(b)(ii), 2(2)(a), 2(2)(b), 2(2)(d)–2(2)(d)(ii), 2(2)(h), 2(2)(i), 3(a)–(j) in part 1
  - any of the paragraphs in part 2
  - any of the paragraphs in part 3.
207. If not, inspectors will record 'insufficient evidence' in the independent school standards compliance record. All other paragraphs of the standards must be checked. This is the only situation where the above mentioned paragraphs can be recorded as 'insufficient evidence'. Compliance with these paragraphs must always be checked where there are pupils on roll.
208. Where there are no pupils on roll, it may not be possible for inspectors to gather sufficient evidence to make secure inspection judgements.

209. However, inspectors must carry out the following inspection activities and consider the following evidence. A judgement must be made if there is sufficient evidence to secure it.
- Check compliance with the standards by carrying out a systematic trawl of documents to determine whether policies are in place.
  - Check whether all schemes of work are in place.
  - Gather evidence of assessment for achievement, if pupils have attended the school within the last three years.
  - Check lesson plans from previous teaching, where available.
  - Check whether curriculum plans are in place and are suitable for the age range of pupils that the school is registered to take.
  - Check provision for and achievement of past pupils of the school who have special educational needs and/or disabilities, including careers advice and links to trainers and providers for students aged 16 and over.
  - In the case of schools that are also registered as children's homes, check how well the care and teaching staff work together in terms of plans for communication between 'home and school', homework arrangements.
  - Discuss with the proprietor, leaders and managers how the school is prepared to take on any pupils.
  - Talk to the proprietor, leaders and managers about methods for monitoring teaching.
210. These matters must be reported in the inspection report, under the appropriate headings.
211. Where it is not possible to make a judgement, inspectors must clearly state that no judgement has been made as there is insufficient evidence. Inspectors must report on the extent to which the school is prepared to educate and safeguard pupils. If there is no evidence of pupils attending in last three years, this should be reported. Similarly, if the school has no tangible plans to have pupils on roll in the next 12 months this should be reported so that the DfE may consider removing the school's registration.
212. The report should reflect that there were no pupils on roll, but the inspection went ahead as it had already been deferred twice. It should also state that the purpose of the inspection was to check the school's compliance with the independent school standards required for continued registration and to report on the extent to which the school is ready to educate and safeguard pupils.

## Independent schools with exemption from the learning and development requirements of the early years foundation stage

### Introduction

213. Section 46 of the Childcare Act 2006 gives the Secretary of State the power to confer exemptions from the learning and development requirements of the early years foundation stage (EYFS) in prescribed circumstances. These circumstances are set out in the Early Years Foundation Stage (Exemptions from Learning and Development Requirements) Regulations 2008, as amended by the Early Years Foundation Stage (Exemptions from Learning and Development Requirements) (Amendment) Regulations 2012.<sup>44,45</sup>
214. From 26 October 2012, when the amendments came into force, schools that meet certain conditions may take up an exemption from the learning and development requirements of the EYFS.
215. There are two routes for applying for exemption: the independent schools route and the established principles route.

### Independent schools route

216. Registered independent schools that meet the four conditions below can take an exemption from all of the learning and development requirements. Exemptions will only be granted for pupils aged three and upwards; however, pupils who are 'rising 3' (that is, children who will turn three within the first term that they attend the school) should be treated in the same way as three-year-olds.

### Quality threshold

217. Quality is determined by the school's most recent inspection report.
218. For a school where the last report still contains a separate EYFS judgement, the school must have received a judgement of good or outstanding for 'Overall effectiveness of the early years foundation stage'.
219. For a school where the last report does not include a separate EYFS judgement, the school must have received a judgement of good or outstanding against parts 1 and 2 of the independent school standards.

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<sup>44</sup> The Early Years Foundation Stage (Exemptions from Learning and Development Requirements) Regulations 2008; [www.legislation.gov.uk/uksi/2008/1743/contents/made](http://www.legislation.gov.uk/uksi/2008/1743/contents/made).

<sup>45</sup> The Early Years Foundation Stage (Exemptions from Learning and Development Requirements) (Amendment) Regulations 2012; [www.legislation.gov.uk/uksi/2012/2463/contents/made](http://www.legislation.gov.uk/uksi/2012/2463/contents/made).

220. In inspection reports written before 1 January 2013, this means a judgement of good or outstanding for quality of education provided and spiritual, moral, social and cultural development of pupils.
221. For inspection reports written after 1 January 2013, this means a judgement of good or outstanding for quality of teaching, quality of curriculum and pupils' behaviour and personal development.
222. For any exemption taken up where the most recent inspection report is dated after 1 January 2013, the report must also show that the school meets any standards under part 1 of the independent school standards relating to the education of children below compulsory school age.
223. The other conditions (seeking the views of parents, informing the local authority and notifying the DfE) are set out in the DfE's guidance 'The early years foundation stage (EYFS) learning and development requirements: guidance on exemptions for early years providers'.<sup>46</sup>
224. Under the independent schools route, exemptions will be granted in full against all the learning and development requirements of the EYFS. An exemption is 'taken up' on the date that the school notifies the DfE provided that it has met all the conditions. The DfE will send an acknowledgement to confirm receipt of the notification. An exemption will remain valid for as long as the school continues to meet the quality threshold.

### **Established principles route**

225. Some independent schools are governed by established principles relating to the learning and development of young children, which cannot be reconciled with some or all of the EYFS learning and development requirements. Such schools can be granted exemption from some or all of the EYFS learning and development requirements via the established principles route if they meet the following conditions, which are taken from the DfE's guidance 'The early years foundation stage (EYFS) learning and development requirements: guidance on exemptions for early years providers'.
226. If the provider's established principles cannot be reconciled with one or more of the learning and development requirements of the EYFS, the provider is required to explain why they cannot be reconciled in their application in order to seek an exemption. They must set out how the early learning goals, educational programmes, or aspects of the EYFS profile assessment, conflict with the provider's established principles.

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<sup>46</sup> 'The EYFS learning and development requirements: guidance on exemptions for early years providers', Department for Education, 2012; [www.gov.uk/government/publications/the-early-years-foundation-stage-eyfs-learning-and-development-requirements-guidance-on-exemptions-for-early-years-providers](http://www.gov.uk/government/publications/the-early-years-foundation-stage-eyfs-learning-and-development-requirements-guidance-on-exemptions-for-early-years-providers).

227. The other conditions (seeking the views of parents, informing the local authority and requesting a direction from the DfE) are set out in the DfE's guidance 'The early years foundation stage (EYFS) learning and development requirements: guidance on exemptions for early years providers'.
228. Under the established principles route, exemptions can be granted, and modifications can be made, against the learning and development requirements. These in turn may be classified into educational programmes, early learning goals and assessment arrangements.
229. If an exemption is granted under the established principles route, it will take effect from the date of the letter from the DfE granting the provider exemption. During the period between applying and receiving the response, the provider is **not** exempt from the EYFS learning and development requirements.

### **What happens after exemption?**

230. Schools that have taken up an exemption must continue to meet the conditions above. They must notify the DfE and the local authority if, after taking up an exemption, they cease to meet the conditions and therefore are no longer eligible for an exemption. Any school that is no longer eligible for an exemption will be required to re-introduce and meet the learning and development requirements of the EYFS.
231. Independent schools that take up full exemption from the EYFS learning and development requirements are still able to practise in a way that meets the EYFS learning and development requirements but they will be classified officially as exempt and will not be subject to local authority moderation.

### **Before an inspection**

232. If the school has EYFS provision, it may transpire in the notification telephone call that the school has recently taken, or is in the process of applying for, exemption from the learning and development requirements of the EYFS. In anticipation of this, the lead inspector must check whether the school meets the quality threshold for exemption, by checking that the previous inspection report contains a judgement of good or outstanding for:
- overall effectiveness of the EYFS, or
  - overall quality of education and quality of provision for pupils' spiritual, moral, social and cultural development where the last report does not have a separate EYFS judgement and was written before 1 January 2013, or
  - quality of teaching, quality of curriculum and pupils' behaviour and personal development, if the last report was written after 1 January 2013.
233. Then, during their initial phone call with the headteacher (after the inspection service provider has notified the school of their inspection), the lead inspector must ask whether the school has or has applied for an exemption from the

learning and development requirements of the EYFS. If so, the lead inspector must ask whether the application was via the independent schools route, or through the established principles route, and if the latter whether the exemption covers all or part of the EYFS learning and development requirements.

234. If the school has applied for an exemption under the independent schools route, and meets the quality threshold, the inspection must proceed as if the exemption has been granted.
235. However, if the school has applied through the established principles route, and has not yet received a letter from the DfE granting the exemption, the school is not exempt from the EYFS learning and development requirements, and will therefore be inspected against them.

### **On-site inspection activity**

236. Where an independent school is exempt from the learning and development requirements (or has applied through the independent schools route for an exemption and meets the quality threshold) EYFS provision for children aged three and over should be inspected against the independent school standards, rather than the learning and development requirements of the EYFS. Exempted independent schools must continue to comply with the independent school standards for children aged three and over, and the EYFS safeguarding and welfare requirements – the Childcare Act 2006 does not allow for any exemptions from the safeguarding and welfare requirements of the EYFS.
237. Inspectors may ask to see copies of letters granting exemptions via the established principles route.
238. All independent schools that have EYFS provision must deliver the EYFS in full, unless they have an exemption or have applied for an exemption through the independent schools route and meet the quality threshold.

### **Inspection reports**

239. Inspection reports must include a line to state that a school is exempt from the EYFS learning and development requirements, or that a school no longer meets the conditions for exemption, as appropriate. Standard text for use by inspectors is available in the guidance 'Independent school inspection reporting requirements and report template instructions'.<sup>47</sup>

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<sup>47</sup> 'Independent school inspection reporting requirements and report template instructions' is an internal training document and is available on the Ofsted intranet only.

## Point-in-time surveys

240. Ofsted will provide each school with the instructions for accessing and completing the online point-in-time surveys. The school is asked to distribute these to all day pupils and, as appropriate, all boarders/residential pupils, boarding staff and the local authorities that place children at the school.<sup>48</sup> The online surveys will normally be open for a period of six weeks during the academic year.
241. All of the point-in-time surveys are available on the Ofsted website as Word documents. Ofsted will provide a copy of them to schools that do not have access to the internet. Widgit, Makaton and Picture Communication System versions of the point-in-time surveys for day pupils and for boarders/residential pupils are published on the Ofsted website, and British Sign Language versions are available on YouTube.<sup>49, 50, 51</sup> Links to these adapted versions are included in the request sent to the school about the distribution and completion of the surveys.
242. Alternatively, schools may adapt the surveys for day pupils and boarders/residential pupils to suit any other needs of their pupils, for example by translating them into Braille or other symbol versions, such as photo symbols. However, it is important that any such translations ensure that the questions remain the same in essence. Schools may also make other reasonable adjustments such as providing additional support with completing the point-in-time survey for pupils who have low literacy skills or learning difficulties. It is important, however, that pupils are able to express their views privately if they so wish.
243. The responses to all surveys are sent directly to Ofsted where they are collated and analysed, so that they can form part of the pre-inspection information for the relevant school's next inspection.
244. During inspection, the lead inspector may share the quantitative data with the school, but any comments from users that are recorded in analyses remain confidential to the inspection team.<sup>52</sup> In the case of boarding schools, there

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<sup>48</sup> The point-in-time survey is only sent to local authorities that place and fund pupils in independent special schools, including residential special schools.

<sup>49</sup> The point-in-time survey for placing authorities: [www.gov.uk/government/publications/point-in-time-survey-for-local-authorities-which-place-and-fund-children-in-independent-schools](http://www.gov.uk/government/publications/point-in-time-survey-for-local-authorities-which-place-and-fund-children-in-independent-schools).

<sup>50</sup> The Word and alternative versions of the point-in-time survey for day pupils: [www.gov.uk/government/publications/point-in-time-survey-for-pupils-aged-3-to-19-at-non-association-independent-schools](http://www.gov.uk/government/publications/point-in-time-survey-for-pupils-aged-3-to-19-at-non-association-independent-schools).

<sup>51</sup> The Word and alternative versions of the point-in-time survey for boarders/residential pupils: [www.gov.uk/government/publications/survey-of-boarders-or-residential-pupils-about-accommodation](http://www.gov.uk/government/publications/survey-of-boarders-or-residential-pupils-about-accommodation).

<sup>52</sup> Inspectors should note that the point-in-time surveys state the following: 'When we write our inspection report, we may refer to the issues you have raised. We may also use the data in our other publications such as the Annual Report of Her Majesty's Chief Inspector of Education, Children's

may be sets of analyses for up to three years of annual point-in-time surveys available to the lead inspector by the time an inspection of the boarding provision is due. All sets will be taken into account, and the lead inspector will explore with the school any particular 'themes' arising from the analyses.

245. In rare cases where there is no analysis from point-in-time surveys, inspectors will need to put greater emphasis on finding alternative ways to seek the views of staff and pupils. For instance, it would be helpful for inspectors to make themselves available at a certain time in a certain place, and make this known to pupils or staff so that they can come forward with any issues.

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Services and Skills. <sup>53</sup> Where this document refers to meeting or not meeting a standard, this applies to a proposed new school or a changing school being 'likely to meet' and 'not likely to meet' a standard in the case of pre-registration and material change inspections.

## Annex B. Inspecting against the independent school standards and other requirements

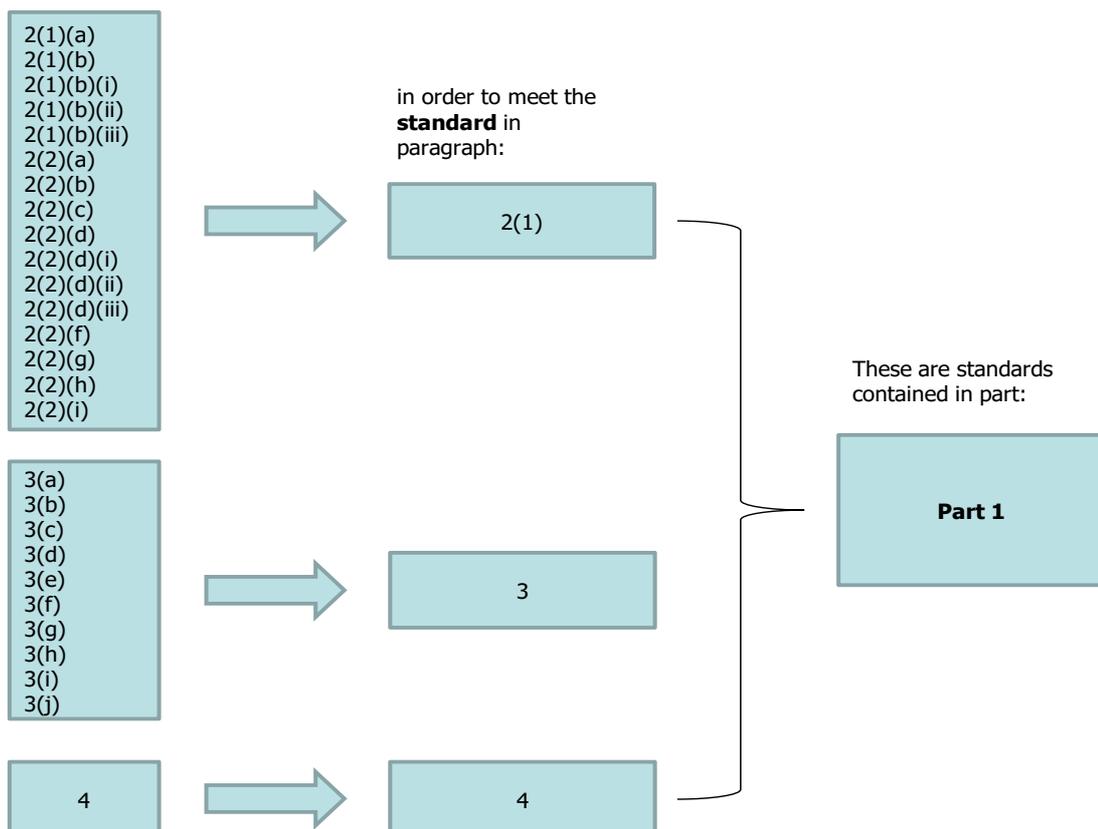
### Technical information about the standards

246. The standards are set out in the schedule to the Education (Independent School Standards) Regulations 2014:

[www.legislation.gov.uk/uksi/2014/3283/contents/made](http://www.legislation.gov.uk/uksi/2014/3283/contents/made).

247. The standards are structured in eight parts. Each part contains one or more standards relating to that particular part. For example, part 1 contains three standards, and part 2 contains one standard. Each standard is set out in one or more paragraphs. For example, paragraph 12 contains a standard in its own right, and paragraph 5(a) is an element of the standard in paragraph 5. Schools must comply with each requirement in each paragraph, in order to meet the standard.

Schools must meet the **requirements of all of paragraphs:**



248. Inspectors check schools' compliance with the requirements of the paragraphs of the standards. They report to the DfE on a school's compliance with the standards, setting out which requirements of which paragraph the school does not meet.

## Gathering and recording evidence

249. Inspectors consider each paragraph of the standards on its own. Particular strengths in one area of a school cannot be used to compensate for evidence that a standard is not met elsewhere.
250. As with all inspection activity, inspectors use evidence forms (EFs) to record the evidence gathered to inform their judgements on whether schools comply with the standards. Inspectors may use a 'running evidence form – independent school standards and other requirements' to record the 'EF numbers' of the evidence forms used for this purpose.
251. Inspectors will be clear in their feedback to schools, written evidence and in the report or advice note about the evidence gathered, which led to the judgement that a standard is not met. The evidence will be linked directly to the wording of the standard.
252. Evidence to support the judgement that standards are met is only recorded in evidence forms, not the inspection report.

## Recording compliance and non-compliance

253. In standard inspections, inspectors check compliance with all paragraphs of the standards, and record 'met', 'not met' or 'not applicable' in the 'independent school standards compliance record'. For pre-registration inspections, inspectors report whether the school is likely to meet all of the standards should the DfE decide to register it. In the rare case that it is not possible to gather sufficient evidence to make a secure judgement on whether a standard is met or likely to be met, inspectors will record 'insufficient evidence'. On a standard inspection, this might happen where there are no pupils on roll (see paragraph 204), and in pre-registration inspections, in respect of the standard about teaching.<sup>53</sup>
254. In material change, emergency and progress monitoring inspections, inspectors only check compliance with the paragraphs of the standards specified by the DfE.<sup>54</sup>
255. For all inspection types, where the requirement of a paragraph is not met, and the paragraph is introduced by a stem, inspectors will record non-compliance with the stem itself, in addition to non-compliance with the specific paragraph, as illustrated in the examples below.

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<sup>53</sup> Where this document refers to meeting or not meeting a standard, this applies to a proposed new school or a changing school being 'likely to meet' and 'not likely to meet' a standard in the case of pre-registration and material change inspections.

<sup>54</sup> For further information refer to 'Handbook for additional inspections of independent schools', Ofsted, 2015; [www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools](http://www.gov.uk/government/publications/conducting-additional-inspections-of-independent-schools).

- Where a school does not comply with paragraph 3(c), this means that it does not meet the standard contained in paragraph 3. Both paragraphs must be reported as not being met:

3 The standard in this paragraph is met if the proprietor ensures that the teaching at the school –

3(c) involves well planned lessons and effective teaching methods, activities and management of class time.

256. If paragraph 18(2)(c)(ii) is not met, inspectors will record non-compliance with 18(2)(c)(ii), 18(2)(c) (which contains the stem) and 18(2) (which contains the standard). All three paragraphs must be reported as not being met.
257. The independent school standards compliance record will contain evidence that justifies any judgement that the requirement of a paragraph of the standards, and the standard to which it relates, has not been met. For example, if paragraph 3(c) is not met, the evidence will make clear that the standard in paragraph 3 is not met because the requirement in paragraph 3(c) is not met.
258. Where there are several elements to a paragraph of the standards, connected by 'and', all elements of the paragraph must be fulfilled for the requirement to be met. For example, paragraph 3(c) requires the proprietor to ensure that the teaching at the school 'involves well planned lessons and effective teaching methods, activities and management of class time'. If the school fails to meet one element of a 'multi-element' paragraph, inspectors will record that the school does not comply with the whole paragraph, and record supporting evidence about the extent of non-compliance, for example, explaining that effective teaching methods are not always deployed and the impact that this has on the pupils.

### **Paragraphs of the standards where compliance is not recorded**

259. Compliance is sometimes not recorded against paragraphs that provide information about other paragraphs in the standards.
260. For example, in part 4, paragraphs 18(4)(a)–18(4)(c) set out the instances when the checks specified in paragraphs 18(2)(d)–18(2)(f) do not need to be carried out. Some paragraphs in part 4, for example 20(1) to 20(5)(b)(iii), set out the checks that the Secretary of State carries out in relation to a proprietor of an independent school.
261. Some paragraphs provide an introduction to other paragraphs. For example, paragraph 1 states that the standards about the quality of education are contained in part 1.
262. There is normally no action for inspectors to take in relation to these paragraphs.

## Definitions of terms used in the standards

263. Regulation 2 of The Education (Independent School Standards) Regulations 2014 provides the definition of some of the terms used in the standards:  
[www.legislation.gov.uk/uksi/2014/3283/regulation/2/made](http://www.legislation.gov.uk/uksi/2014/3283/regulation/2/made).

## References made in the standards, other published resources for schools and technical notes

264. In checking compliance with the standards, inspectors may refer to the published resources referred to below. The published resources include pieces of legislation, statutory frameworks of guidance, non-statutory guidance or department advice, as indicated in brackets below.
265. Some resources are statutory guidance, with which the standards require schools to comply. Other resources are good practice guides that are available only to advise schools. Schools do not have to follow them. Inspectors will not deem a standard to be un-met because the school has not followed exactly what is set out in a published non-statutory guidance document. They will be clear about how the evidence gathered (for example the school's action, or inaction) means that the standard is not met. It is the standards that schools have to comply with; not non-statutory departmental guidance and advice.

## Groups of schools

266. The standards require schools to have and implement several policies. Some schools, which are part of group ownership, may have policies that are common to the group. This is acceptable to the DfE, provided that the policies are tailored so far as needed to each individual school (for example by giving contacts in relevant local authorities) and are fully implemented. If there are separate websites for the schools, the policies should be available on the schools' websites. However, if there is only one website for the group, which is clearly identifiable as the only website for the schools, it is acceptable to the DfE that the policies are published there.

## Key resource applicable to all parts of the standards

- Registration of independent schools, DfE, 2015 (departmental advice);  
[www.gov.uk/government/publications/independent-school-registration](http://www.gov.uk/government/publications/independent-school-registration).

## Part 1. Quality of education provided

### Paragraph 2(2)(a)

- Section 8 of the Education Act 1996 (compulsory school age) (legislation);  
[www.legislation.gov.uk/ukpga/1996/56/section/8](http://www.legislation.gov.uk/ukpga/1996/56/section/8).

### Paragraph 2(2)(d)(ii) (and paragraph 5(b)(vi) in part 2)

- The protected characteristics are set out in Chapter 1 of Part 2 of the Equality Act 2010 (legislation); [www.legislation.gov.uk/ukpga/2010/15/contents](http://www.legislation.gov.uk/ukpga/2010/15/contents):

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

### Paragraph 2(2)(f)

- 'Statutory framework for the early years foundation stage', DfE, 2014 (statutory framework); [www.gov.uk/government/publications/early-years-foundation-stage-framework--2](http://www.gov.uk/government/publications/early-years-foundation-stage-framework--2).
- 'The early years foundation stage (EYFS) learning and development requirements; guidance on exemptions for early years providers', Department for Education, 2012 (non-statutory guidance); [www.gov.uk/government/publications/the-early-years-foundation-stage-eyfs-learning-and-development-requirements-guidance-on-exemptions-for-early-years-providers](http://www.gov.uk/government/publications/the-early-years-foundation-stage-eyfs-learning-and-development-requirements-guidance-on-exemptions-for-early-years-providers).

### Paragraph 3(j)

- Part 6 of the Equality Act 2010; [www.legislation.gov.uk/ukpga/2010/15/part/6](http://www.legislation.gov.uk/ukpga/2010/15/part/6) – see extract below (legislation).
- Schools with religious ethos and schools designated by order as having a religious character:
  - Get information about schools (DfE's register of schools): <https://get-information-schools.service.gov.uk>.
  - Part G of Registration of independent schools, DfE, 2015 (departmental advice); [www.gov.uk/government/publications/independent-school-registration](http://www.gov.uk/government/publications/independent-school-registration)
  - Schedule 11 of the Equality Act 2010 (legislation); [www.legislation.gov.uk/ukpga/2010/15/schedule/11](http://www.legislation.gov.uk/ukpga/2010/15/schedule/11).
- Equality Act 2010: advice for schools (departmental advice); [www.gov.uk/government/publications/equality-act-2010-advice-for-schools](http://www.gov.uk/government/publications/equality-act-2010-advice-for-schools).
- Equality and Human Rights Commission guidance (guidance); [www.equalityhumanrights.com/publication/what-equality-law-means-you-education-provider-schools](http://www.equalityhumanrights.com/publication/what-equality-law-means-you-education-provider-schools).

267. Paragraph 3(j). Schedule 11 of the Equality Act 2010 sets out that sections 85(1) and (2)(a) to (d) do not apply to an independent school registered as having a **religious ethos**. This is explained in part G of the DfE's 'Registration of independent schools'.

85 Pupils: admission and treatment, etc

- (2) The responsible body of such a school must not discriminate against a pupil—
- in the way it provides education for the pupil;
  - in the way it affords the pupil access to a benefit, facility or service;
  - by not providing education for the pupil;
  - by not affording the pupil access to a benefit, facility or service;
  - by excluding the pupil from the school;
  - by subjecting the pupil to any other detriment.

268. Refer to paragraph 287 of this document regarding schedule 10 of the Equality Act 2010.

## Part 2. Spiritual, moral, social and cultural development of pupils

- Improving the spiritual, moral, social and cultural (SMSC) development of pupils – departmental advice for independent schools, academies and free schools, DfE, November 2013 (departmental advice); [www.gov.uk/government/publications/improving-the-smsc-development-of-pupils-in-independent-schools](http://www.gov.uk/government/publications/improving-the-smsc-development-of-pupils-in-independent-schools)
- Improving the spiritual, moral, social and cultural (SMSC) development of pupils: supplementary information – departmental advice for independent schools, academies and free schools, DfE, November 2014 (departmental advice); [www.gov.uk/government/publications/improving-the-smsc-development-of-pupils-in-independent-schools](http://www.gov.uk/government/publications/improving-the-smsc-development-of-pupils-in-independent-schools).

## Part 3. Welfare, health and safety of pupils

- Keeping children safe in education, DfE, 2016 (this is the **statutory guidance** referred to in **paragraph 7(b)**); [www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2).
- Working together to safeguard children (**statutory guidance**). [www.gov.uk/government/publications/working-together-to-safeguard-children--2](http://www.gov.uk/government/publications/working-together-to-safeguard-children--2).

### Paragraph 8–8(b) (and paragraphs 19(2)(e) and 21(5)(b) in part 4 and paragraph 30 in part 5)

- Welfare of children in boarding schools and colleges. Section 87(1) Children Act 1989 (legislation); [www.legislation.gov.uk/ukpga/1989/41/section/87](http://www.legislation.gov.uk/ukpga/1989/41/section/87); [www.legislation.gov.uk/ukpga/2000/14/section/105](http://www.legislation.gov.uk/ukpga/2000/14/section/105); and section 1A was inserted by section 43 of the Education Act 2011; [www.legislation.gov.uk/ukpga/2011/21/section/43](http://www.legislation.gov.uk/ukpga/2011/21/section/43).
- National minimum standards for boarding schools, DfE, 2015; [www.gov.uk/government/publications/boarding-schools-national-minimum-standards](http://www.gov.uk/government/publications/boarding-schools-national-minimum-standards).
- National minimum standards for residential special schools, DfE, 2015; [www.gov.uk/government/publications/residential-special-schools-national-minimum-standards](http://www.gov.uk/government/publications/residential-special-schools-national-minimum-standards).
- The 'Accommodation of Students Under Eighteen by Further Education Colleges: national minimum standards, inspection regulations' no longer apply to schools. The national minimum standards for boarding schools now cover pupils up to the age of

18, even where there are no boarders under the age of 16.

### **Paragraph 9–9(c)**

- Section 548 Education Act 1996 prohibits corporal punishment in independent schools (legislation); [www.legislation.gov.uk/ukpga/1998/31/part/VII/crossheading/abolition-of-corporal-punishment](http://www.legislation.gov.uk/ukpga/1998/31/part/VII/crossheading/abolition-of-corporal-punishment).
- Use of reasonable force in schools: advice for headteachers, staff and governing bodies (departmental advice); [www.gov.uk/government/publications/use-of-reasonable-force-in-schools](http://www.gov.uk/government/publications/use-of-reasonable-force-in-schools).

### **Paragraph 10**

- Preventing and tackling bullying: advice for school leaders, staff and governing bodies [www.gov.uk/government/publications/preventing-and-tackling-bullying](http://www.gov.uk/government/publications/preventing-and-tackling-bullying).

### **Paragraph 11**

- Health and safety, advice on legal duties and powers: for local authorities, headteachers, staff and governing bodies (departmental advice) [www.gov.uk/government/publications/health-and-safety-advice-for-schools](http://www.gov.uk/government/publications/health-and-safety-advice-for-schools).
- Supporting pupils at school with medical conditions, DfE, 2014 (**statutory guidance**); [www.gov.uk/government/publications/supporting-pupils-at-school-with-medical-conditions--3](http://www.gov.uk/government/publications/supporting-pupils-at-school-with-medical-conditions--3).
- School trips and outdoor learning activities: tackling the health and safety myths Health and Safety Executive, 2011 (guidance); [www.hse.gov.uk/services/education/school-trips.pdf](http://www.hse.gov.uk/services/education/school-trips.pdf).
- The HSE website contains the following information about pupil to staff ratios on school trips: 'Pupil to staff ratios for school trips are not prescribed in law. Those planning trips, on the basis of risk assessment, should decide the ratios, taking into account the activity to be undertaken and the age and maturity of the pupils (guidance) [www.hse.gov.uk/services/education/faqs.htm](http://www.hse.gov.uk/services/education/faqs.htm).

### **Paragraph 12**

- Regulatory Reform (Fire Safety) Order 2005 S.I. 2005/1541, to which there are amendments not relevant to these Regulations (legislation); [www.legislation.gov.uk/uksi/2005/1541/contents/made](http://www.legislation.gov.uk/uksi/2005/1541/contents/made).
- Fire safety risk assessment – educational premises (guidance): [www.gov.uk/government/publications/fire-safety-risk-assessment-educational-premises](http://www.gov.uk/government/publications/fire-safety-risk-assessment-educational-premises).
- Fire safety risk assessment: sleeping accommodation (guidance); [www.gov.uk/government/publications/fire-safety-risk-assessment-sleeping-accommodation](http://www.gov.uk/government/publications/fire-safety-risk-assessment-sleeping-accommodation).
- Fire safety law and guidance documents for business (guidance); [www.gov.uk/government/collections/fire-safety-law-and-guidance-documents-for-business](http://www.gov.uk/government/collections/fire-safety-law-and-guidance-documents-for-business).

### **Paragraph 13**

- Guidance on first aid for schools: advice for governing bodies, school leaders and school staff, DfEE (departmental advice); [www.gov.uk/government/publications/first-aid-in-schools](http://www.gov.uk/government/publications/first-aid-in-schools).

### **Paragraph 14**

- Ratios of qualified staff to children in early years provision for children aged two to five, must meet the welfare requirements of the 'Statutory framework for the early years foundation stage', DfE, 2014; [www.gov.uk/government/publications/early-years-foundation-stage-framework--2](http://www.gov.uk/government/publications/early-years-foundation-stage-framework--2).

#### Paragraph 15

- Education (Pupil Registration) (England) Regulations 2006 S.I. 2006/1751, to which there are amendments not relevant to these Regulations (legislation); [www.legislation.gov.uk/uksi/2006/1751/contents/made](http://www.legislation.gov.uk/uksi/2006/1751/contents/made).

### Part 4. Suitability of staff, supply staff and proprietors

- Keeping children safe in education, DfE, 2016 (**statutory guidance**); [www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2).
- Regulated Activity in relation to Children: scope, Factual note by HM Government (guidance); [www.gov.uk/government/publications/dbs-check-eligible-positions-guidance](http://www.gov.uk/government/publications/dbs-check-eligible-positions-guidance).
- Disclosure and Barring Service (executive non-departmental public body website); [www.gov.uk/government/organisations/disclosure-and-barring-service](http://www.gov.uk/government/organisations/disclosure-and-barring-service).

#### Paragraph 18(2)(b), 20(6)(a)(ii)

- Under section 142(1)(a) of Education Act 2002, the Secretary of State may direct that a person may not provide education at an independent school (legislation); [www.legislation.gov.uk/ukpga/2002/32/section/142](http://www.legislation.gov.uk/ukpga/2002/32/section/142).
- The authority for making a prohibition order is section 141B(2) Education Act 2002 (as inserted by section 8 of the Education Act 2011; [www.legislation.gov.uk/ukpga/2011/21/part/3/enacted](http://www.legislation.gov.uk/ukpga/2011/21/part/3/enacted)). Any person that is subject to a prohibition order is prohibited from carrying out teaching work in an independent school (legislation).
- The Secretary of State may make a direction under section 128 of the Education and Skills Act 2008 prohibiting an individual from taking part in the management of independent educational institutions in England (legislation); [www.legislation.gov.uk/ukpga/2008/25/section/128](http://www.legislation.gov.uk/ukpga/2008/25/section/128).

269. The DfE wrote to all independent schools on 11 August 2015 to set out the arrangements for making the checks in 18(2)(b) and 20(6)(a)(ii).

2...[The revised standards which came into force on 5 January] require that checks for teacher prohibition orders issued by the National College for Teaching and Leadership be made when appointments to teaching posts are to be made, or for teaching staff whose appointments have been made since 1 April 2012, and have not already been checked for such orders.

3. The revised standards also require that checks be made for the existence of directions made by the Secretary of State under s.128 of the Education and Skills Act 2008 barring individuals from taking part in the management of an independent school. The power to make such

directions came into force on 8 September 2014, but a mechanism for carrying out checks was not immediately available.

4. However, the department has now agreed procedures with the Disclosure and Barring Service (DBS) and the NCTL so that any s.128 directions made by the Secretary of State will show up on checks made with those bodies. For DBS, the existence of a s.128 direction will show only if a barred list check is made. Since DBS barred list checks can only be made if an individual is in regulated activity, we have also arranged that the existence of a s.128 direction will also show if a check is made through the NCTL (which can be done whether or not the person concerned is a teacher).

What is taking part in the management of an independent school?

5. The scope of the barring directions covers membership of proprietor bodies (including governors if the governing body is the proprietor body for the school), and all staff positions as follows: head teacher, any teaching positions on the senior leadership team, and any teaching positions which carry a department headship. Other teaching posts with additional responsibilities do not count as 'taking part in management'. For non-teaching staff, only posts which are part of the senior leadership team should be regarded as 'management' for the purposes of checking for the existence of a barring direction. All employed school staff are regarded as being in 'regulated activity' for the purposes of these checks.

How should checks be made?

6. This depends on the nature of the post:

- if a person is occupying a teaching post, including headteacher, both the DBS and NCTL routes should be used. Although the s.128 bar would show on the DBS barred list check, the NCTL check also has to be carried out anyway, because of the possibility that a NCTL teaching prohibition order exists;
- if a person is occupying a non-teaching staff post, or is a member of the proprietor body but is in regulated activity, the DBS route only should be used;
- if a person is a member of the proprietor body and is not in regulated activity, the DBS route cannot be used because a barred list check cannot be carried out for persons not in regulated activity. Therefore, the NCTL route should be used.

7. It is not necessary for schools to check existing staff or members of proprietor bodies for the existence of a s.128 direction, even if they are in future promoted internally to a post for which a check is needed. If an individual already at a school is the subject of a direction made from now

onwards, that would be taken up by the department with the school concerned. If an individual barred under s.128 occupies a management position at an independent school, then that may be grounds for removal of the school from the register of independent schools (s.119 of the Act), leading to closure.

*Suitability of all members of staff (other than the proprietor, members of the proprietor body and supply staff)*

Paragraphs to be checked by inspectors: <b>18(2)–(3)</b> .
Paragraphs <b>18(2)(d)</b> , <b>18(2)(e)</b> and <b>18(2)(f)</b> do not need to be carried out where 18(4) applies.
In order to meet paragraph <b>18(3)</b> , the checks in paragraphs: <ul style="list-style-type: none"> <li>■ 18(2)(c) and</li> <li>■ except where paragraph 18(4) applies, 18(2)(e)</li> </ul> must have been carried out prior to each staff member’s appointment.

270. Paragraph **18(2)(a)** relates to the inclusion of a person’s name in:

- the Disclosure and Barring Service barred list, for appointments made from December 2012
- the Independent Safeguarding Authority barred list, for appointments made from 2009 to November 2012
- List 99 for appointments made before 2009

or included in a corresponding list maintained under the law of Scotland or Northern Ireland:

- a list maintained under either Article 6(1)(a) or (b) of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007
- a list maintained under either section 1(1)(a) or (b) of the Protection of Vulnerable Groups (Scotland) Act 2007).

271. The check required in paragraph **18(2)(c)(i)** has been required by the independent school standards since 1 September 2003.

272. The check in paragraph **18(2)(c)(iii)** has been required by the independent school standards since 1 May 2007.

273. The check in paragraph **18(2)(d)** has been required by the independent school standards since 1 September 2003. Until 1 May 2007, an enhanced check was only required for staff regularly caring for, training, supervising or in sole charge of children. From 1 September 2003 to 30 November 2012, enhanced criminal records checks were performed by the Criminal Records Bureau. Since 1 December 2012 they have been carried out by the Disclosure and Barring Service.

274. The check required in paragraph **18(2)(f)** has been required by the independent school standards since 1 September 2003.

275. Paragraph **18(3)** sets out that the checks in paragraphs 18(2)(c) and, except where paragraph 18(4) applies, paragraph 18(2)(e) must be completed before a person's appointment. However, **18(2)(c)(ii)** – checks on medical fitness – should not be checked prior to appointment. The DfE has issued the following advice to proprietors of independent schools.

From 1 October 2010, in accordance with Section 60 of the Equality Act 2010, it is unlawful for employers to ask health-related questions of applicants before job offer, unless the questions are specifically related to an intrinsic function of the work. This means that schools should no longer, as a matter of course, require job applicants to complete a generic health questionnaire as part of the application procedure. Independent schools are advised to review their existing practices to ensure they are complying with both the Education (Independent School Standards) Regulations 2014 and Section 60 of the Equality Act. Schools may decide to ask necessary health questions after job offer. In any case, they should ensure that any health-related questions are targeted, necessary and relevant to the job applied for.

276. Refer to paragraph 80 of 'Keeping children safe in education' for information on checks for existing staff (as opposed to new staff).<sup>55</sup>

*Suitability of all members of supply staff*

Paragraphs to be checked by inspectors: <b>19(2)–(3)</b> .
In order to meet paragraph <b>19(2)(a)(i)(aa)</b> the checks in paragraphs 21(3)(a)(i)–(iv),(vii) and 21(3)(b) must have been made in respect of each member of supply staff appointed.
In order to meet paragraph <b>19(2)(d)(i)</b> , the 'contract or other arrangements which the proprietor makes with any employment business' must require the employment business to provide the notification from the employment business referred to in paragraph 19(2)(a)(i).
In order to meet paragraph <b>19(3)</b> , the certificate in paragraph 19(2)(a)(i)(bb) 'must have been obtained not more than 3 months before the date on which the person is due to begin work at the school', except where paragraph 19(4) applies.

*Suitability of proprietors*

277. Paragraphs 20(3)(b)(i)–(iii) and 20(5)(b)(i)–(iii) set out the checks on proprietors that are carried out by the DfE. Normally inspectors do not check compliance with these paragraphs. If there has been a recent change in the

<sup>55</sup> 'Keeping children safe in education', DfE, 2016; [www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2).

proprietor and it appears that the DfE has not been notified, the inspector will record this in order to inform the DfE.

*Suitability of all members of the proprietor body*

278. Where there is a proprietor body, the DfE will only have checked the chairperson, and it is for the chairperson to carry out checks on other members of that body. Inspectors will ensure that all checks in 20(6)–20(6)(c) have been carried out for all members of the proprietor body, with the exception of the chairperson.
279. Refer to paragraph 269 of this document, regarding the checks in paragraph 20(6)(a)(ii) of the standards.
280. Refer to paragraph 80 of 'Keeping children safe in education' for information on checks for existing staff (as opposed to new staff).

Paragraphs to be checked by inspectors: <b>20(6)–(c)</b> .
Paragraph <b>20(6)(b)</b> is treated as being complied with, where paragraphs 20(7) (pre-registration inspection) or 20(8) (standard inspection) apply.

*Single central register*

281. The proprietor of the school must keep a central register, which shows the information referred to in paragraph 21(3) to (7) as applicable for the school for staff, supply staff or a member of the body corporate or unincorporated that is the proprietor (but not the chair of the school).

Paragraphs to be checked by inspectors: <b>21(1)–(7)(b)</b> .
<b>Each member of staff (other than the proprietor, members of the proprietor body and supply staff)</b>
<b>Paragraphs 21(3)–(b)</b> set out the checks required in relation to each member of staff appointed on or after 1 May 2007, that are required to be recorded on the single central register.
In order to meet <b>paragraph 21(4)</b> , for each member of staff in post on 1 August 2007 who was appointed at any time before 1 May 2007, the following information should be recorded on the single central register: <ul style="list-style-type: none"> <li>■ the checks in paragraphs 21(3)–21(3)(b)</li> </ul> and <ul style="list-style-type: none"> <li>■ whether an enhanced criminal record certificate was obtained, together with the date on which any check was completed or certificate obtained.</li> </ul>
<b>Each member of supply staff</b>
<b>Paragraphs 21(5)–(c)</b> set out the checks required in relation to each member of supply staff, that are required to be recorded on the single central register.
In order to meet <b>paragraph 21(5)(a)(i)</b> , the information in the following paragraphs

should be recorded on the single central register, in respect of each member of supply staff:

- 21(3)(a)(i)–(iv)
- 21(3)(a)(vi) which refers to paragraph 18(2)(d)
- 21(3)(a)(vii).

#### **Each member of the proprietor body**

**Paragraph 21(6)** sets out the checks required in relation to each member of the proprietor body appointed on or after 1 May 2007, that are required to be recorded on the single central register:

- 20(6)(b)
- 'the date they were made and the date on which the resulting certificate was obtained'.

**Paragraph 21(7)–(b)** set out the checks required in relation to each member of the proprietor body in post on 1 August 2007 who was appointed at any time before 1 May 2007, that are required to be recorded on the single central register:

- 20(6)(b)
- 'the date they were made and the date on which the resulting certificate was obtained'

and

- 21(7)(b).

## **Part 5. Premises of and accommodation at schools**

- Standards for school premises, DfE, 2015 (departmental advice); [www.gov.uk/government/publications/standards-for-school-premises](http://www.gov.uk/government/publications/standards-for-school-premises).

282. In considering compliance with the standards about the premises and accommodation of schools, please also refer to paragraph 287 of this document relating to the Equality Act 2010.

283. If a right of way passes through a school's playground, the school must have suitable safeguards in place, for example proper supervision, in order for the standard in **paragraph 25** to be met. The presence of the right of way itself does not constitute evidence of non-compliance.

## **Part 6. Provision of information**

### **Paragraph 32(1)(j)**

- Section 119 of the Education and Skills Act 2008 (legislation); [www.legislation.gov.uk/ukpga/2008/25/part/4/chapter/1/crossheading/unsuitable-persons](http://www.legislation.gov.uk/ukpga/2008/25/part/4/chapter/1/crossheading/unsuitable-persons).
- The Education (Independent Educational Provision in England) (Unsuitable Persons) Regulations 2009 (legislation); [www.legislation.gov.uk/uksi/2009/1633/regulation/2/made](http://www.legislation.gov.uk/uksi/2009/1633/regulation/2/made).

<p><b>Paragraph 32(1)(a)</b> refers to the information specified in paragraph 32(2)(a)–32(2)(d).</p>
<p><b>Paragraph 32(1)(b)</b> refers to paragraph 32(3)(a)–32(3)(g), and</p> <ul style="list-style-type: none"> <li>■ <b>paragraph 32(3)(c)</b> refers to paragraph 2 in part 1 of the standards</li> <li>■ <b>paragraph 32(3)(d)</b> refers to paragraphs 9, 10, 11 and 13 in part 3 of the standards</li> <li>■ <b>paragraph 32(3)(f)</b> refers to paragraph 33 in part 7 of the standards</li> <li>■ <b>paragraph 32(3)(g)</b> refers to reports following standard, progress monitoring and emergency inspections, conducted by Ofsted or one of the independent inspectorates and reports following inspections of boarding or residential provision, conducted by Ofsted or, in the case of boarding schools that are members of Independent Schools Council, the Independent Schools Inspectorate.</li> </ul>
<p><b>Paragraph 32(1)(c)</b> refers to paragraph 7 in part 3 of the standards.</p>
<p><b>Paragraph 32(1)(d)</b> refers to reports following standard, progress monitoring and emergency inspections, conducted by Ofsted or one of the independent inspectorates.</p>
<p><b>Paragraph 32(1)(e)</b> refers to reports following inspections of boarding or residential provision, conducted by Ofsted or, in the case of boarding schools that are members of Independent Schools Council, the Independent Schools Inspectorate.</p>
<p><b>Paragraph 32(1)(g)</b> applies to standard, progress monitoring, emergency and material change inspections (not pre-registration inspections, which are conducted under section 99 of the Education and Skills Act 2008).</p>
<p><b>Paragraph 32(1)(j)</b> refers to paragraph 32(4)(a)–32(4)(c) and</p> <ul style="list-style-type: none"> <li>■ <b>paragraph 32(4)(a)</b> refers to the sections of the Education and Skills Act 2008 under which the Secretary of State may decide to remove a school from the register</li> <li>■ <b>paragraph 32(4)(b)</b> refers to section 116 of the Education and Skills Act 2008 (<a href="http://www.legislation.gov.uk/ukpga/2008/25/part/4/chapter/1/crossheading/failure-to-meet-standards">www.legislation.gov.uk/ukpga/2008/25/part/4/chapter/1/crossheading/failure-to-meet-standards</a>), under which the Secretary of State may impose a 'relevant restriction', where a proprietor has failed to meet one or more of the independent school standards (legislation)</li> <li>■ <b>paragraph 32(5)</b> provides information about paragraph 32(4)(b), and refers to section 117(1) of the Education and Skills Act 2008 (<a href="http://www.legislation.gov.uk/ukpga/2008/25/part/4/chapter/1/crossheading/failure-to-meet-standards">www.legislation.gov.uk/ukpga/2008/25/part/4/chapter/1/crossheading/failure-to-meet-standards</a>), which defines the 'relevant restriction' in section 116 (legislation)</li> <li>■ <b>paragraph 32(4)(c)</b> refers to section 120 of the Education and Skills Act 2008, under which the Secretary of State may apply to a justice of the peace for an order to remove a school from the register.</li> </ul>

284. In order to meet the standards in part 6, the school must provide the information specified in the paragraphs. The content and the quality of the information itself, or its implementation, does not impact on compliance with the standards in part 6 – this is covered by other parts of the standards. The only exceptions are where the school has provided information that is irrelevant to the requirement of the paragraph, or where the information is relevant but is significantly out of date.

285. The DfE has confirmed that the requirement of **paragraph 32(1)(a) and 32(1)(b)** is met if a school has placed the information on the school's website (where one exists) and they have told the parents that is where it can be found. If a school does not have a website or has decided not to place a copy on its website, then it must make a copy available in the school, inform parents of its availability and provide the required information on request. Schools with boarding pupils frequently have additional information, such as a booklet for boarders, aimed specifically at boarders or their parents/carers.

## Part 7. Manner in which complaints are handled

<b>Paragraph 33(e)</b> refers to paragraph 33(d).
<b>Paragraph 33(f)</b> refers to paragraph 33(e).
<b>Paragraph 33(j)</b> refers to paragraph 33(e).
<b>Paragraph 33(k)</b> applies to standard, progress monitoring, emergency and material change inspections (not pre-registration inspections, which are conducted under section 99 of the Education and Skills Act 2008).

## Part 8. Quality of leadership in and management of schools

<p><b>34(1)(c)</b></p> <ul style="list-style-type: none"> <li>■ The definition of 'well-being' in section 10(2) of the Children Act 2004:           <ul style="list-style-type: none"> <li>(2) The arrangements are to be made with a view to improving the well-being of children in the authority's area so far as relating to–</li> <li>(a) physical and mental health and emotional well-being;</li> <li>(b) protection from harm and neglect;</li> <li>(c) education, training and recreation;</li> <li>(d) the contribution made by them to society;</li> <li>(e) social and economic well-being.</li> </ul> </li> </ul> <p><a href="http://www.legislation.gov.uk/ukpga/2004/31/section/10">www.legislation.gov.uk/ukpga/2004/31/section/10</a> (legislation).</p>
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286. If there are any unmet standards in parts 1–7 of the independent school standards, paragraphs 34(1)(a) and 34(1)(b) are also unmet, and so too is 34(1).

## Other requirements checked by inspectors

### *Safeguarding procedure*

<ul style="list-style-type: none"> <li>■ Safeguarding Vulnerable Groups Act (SVGA) 2006 (legislation); <a href="http://www.legislation.gov.uk/ukpga/2006/47/contents">www.legislation.gov.uk/ukpga/2006/47/contents</a>.</li> <li>■ DBS referral guides and factsheets (guidance); <a href="http://www.gov.uk/government/publications/dbs-referrals-factsheets">www.gov.uk/government/publications/dbs-referrals-factsheets</a>.</li> </ul>
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*Duties under schedule 10 of the Equality Act 2010*

- Schedule 10 of the Equality Act 2010 (legislation); [www.legislation.gov.uk/ukpga/2010/15/schedule/10](http://www.legislation.gov.uk/ukpga/2010/15/schedule/10).
- Equality Act 2010: advice for schools (departmental advice); [www.gov.uk/government/publications/equality-act-2010-advice-for-schools](http://www.gov.uk/government/publications/equality-act-2010-advice-for-schools).
- Paragraph 44 of Keeping children safe in education (**statutory guidance**); [www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2).

287. Schools are required to ensure that they comply with the requirements of Schedule 10 of the Equality Act 2010. Schedule 10 relates to accessibility. Paragraph 3 of schedule 10 requires that schools have an accessibility plan in place and defines an accessibility plan as follows.

3(2) An accessibility plan is a plan for, over a prescribed period—

3(2)(a) increasing the extent to which disabled pupils can participate in the school's curriculum,

3(2)(b) improving the physical environment of the school for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and benefits, facilities or services provided or offered by the school, and

3(2)(c) improving the delivery to disabled pupils of information which is readily accessible to pupils who are not disabled.

288. Disability is defined in section 6 of the Equality Act 2010 as follows.

(1) A person (P) has a disability if—

(a) P has a physical or mental impairment, and

(b) the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.

(2) A reference to a disabled person is a reference to a person who has a disability.

*Statutory requirements of the early years foundation stage*

- 'Statutory framework for the early years foundation stage', DfE, 2014 (statutory framework); [www.gov.uk/government/publications/early-years-foundation-stage-framework--2](http://www.gov.uk/government/publications/early-years-foundation-stage-framework--2).
- 'The early years foundation stage (EYFS) learning and development requirements; guidance on exemptions for early years providers', Department for Education, 2012 (non-statutory guidance); [www.gov.uk/government/publications/the-early-years-foundation-stage-eyfs-learning-and-development-requirements-guidance-on](http://www.gov.uk/government/publications/the-early-years-foundation-stage-eyfs-learning-and-development-requirements-guidance-on)

[exemptions-for-early-years-providers.](#)

289. Early years provision for children aged two and above, who are on the school's roll, is inspected as part of the school inspection. This provision must comply with:

- the independent school standards
- the safeguarding and welfare requirements of the early years foundation stage, and
- unless the school has been granted an exemption, the learning and development requirements of the early years foundation stage.

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