

Ofsted
Big Listen
31 May 2024

Schools

Priority 1: Reporting

Ofsted's inspection and regulatory reports must work for different audiences, from advising parents to informing local and national government.

Our school reports, for example, have multiple purposes. They provide information for parents, local authorities and/or academy trusts, as well as policy makers. They provide feedback for leaders and teachers. As the regulator for schools in England, the Department for Education (DfE) uses our reports to hold schools to account. This is particularly important, given over half of pupils are in academy schools which have greater freedoms over the curriculum and spending.

We want parents to find those reports useful for selecting schools for their child's education. We also know that some school practitioners and leaders want reports to have more detail about their strengths and recommended areas for improvement.

You can find inspection reports on the providers you are most interested in on our [reports website](#).

Question:

We know that our inspection reports are important. Below, we have set out the aims that we believe every inspection report should achieve. Some of these are already required by law. We would like to know your views on these.

Options: Very important; Important; Neutral; Not very important; Not at all important.

- **Make it clear what attending the school is like for the pupil, such as whether children or learners are safe and happy there.** Very important
- **Give a clear judgement on the quality of education at the school. This includes how well children or learners acquire the knowledge and skills that they need and how well the school plans and teaches the curriculum and checks that children/learners have learned it.** Very important
- **Give a clear judgement on how well school leaders and staff have fostered positive behaviour and attitudes among children, including what they are doing to ensure good or improved attendance levels.** Very important
- **Give a clear judgement on the quality of personal development for children. This includes the extent to which the curriculum extends beyond the academic, how well children are supported to develop their character, and whether the school prepares children for future success in their next steps.** Very important
- **Give a clear judgement on the quality of leadership and management at a school, and how this impacts children or learners.** Very important
- **Make clear how effective the school is at keeping children safe and protected from harm.** No response
- **Make clear what the school does to support children with special educational needs (SEN) and/or disabilities.** Very important
- **Make clear how inspectors have considered pupils' outcomes (such as educational performance and wider local context) and other data (such as attendance), and how these have affected the overall grade for the school.** Very important
- **Make it clear how well the most disadvantaged pupils learn, achieve, and are supported in the school.** Very important
- **Report on the performance of the wider group (such as the multi-academy trust (MAT), diocese, or chain of independent schools) that the school is part of and may share resources, staff and practice with (Ofsted does not have authority to do this currently).** Very important

Please tell us what you think Ofsted's priorities should be when reporting on inspection and regulation and why and what we can improve.

NASUWT Comments:

1. The NASUWT has always been clear that schools should be held accountable for the contribution they make to children and young people's educational progress and achievement, and that independent inspection is an important aspect of the accountability system. However, it is important that schools are held to account for the right things and in the right ways.
2. In order to fulfil its functions, any fit for purpose inspection regime will involve the production of reports of outcomes of the schools and the other settings it inspects. Such reports provide important information to all those with a stake in inspected schools and in the education system more broadly. It is clear that the areas identified in the questions above all touch upon important aspects of the work that schools and other settings undertake with children and young people.
3. We have specific observations about the role of the inspectorate in respect of safeguarding and child protection that are addressed in the safeguarding section of this submission.
4. However, it is important to state at the outset that determining the most appropriate ways in which the nature and content of inspection reports, their intended audiences and the uses to which they are put are dependent on the purposes of inspection and its relation to the wider accountability regime of which it is a component part.
5. We are clear that the current inspection and accountability framework in England does not provide for an effective, equitable and supportive means by which all settings and institutions that have an impact on the progress and achievement of pupils can be held to account for their activities. The current inspection system, and the wider accountability regime, operates largely on the basis of a fiction that the responsibility for the quality of children and young people's educational experience rests primarily within the boundaries of each individual school. Other bodies and organisations that have a direct impact on the quality of educational provision, including the government, are not held to account for their decisions and their consequences.
6. It is recognised that many of the shortcomings of the current inspection and accountability framework are beyond Ofsted's direct control, given that it operates within a framework that is established on a statutory basis and through the exercise of ministerial powers. These aspects of the framework drive many of the concerns that teachers, leaders and others continue to express about the implications of inspection, including in respect of the workload and psychological and physical wellbeing of staff working in inspected settings.

7. In our engagement on inspection and accountability policy, we have always drawn a distinction between those matters that are within Ofsted's control and those that are not. There are significant concerns about the operation of inspection that Ofsted itself can, and must, put right. These issues are addressed in this submission.
8. However, in respect of other relevant matters, it is important to recognise that the Chief Inspector has a duty under the Education and Inspections Act 2006 to make reports to the Secretary of State on matters that appear to them to be appropriate and that relate to Ofsted's functions. In light of the impact that policy and practice determined by Parliament and ministers has on the ways in which inspection is undertaken and its implications, it is important that these impacts are recognised. We recommend that Ofsted and the Chief Inspector use the opportunity provided by the Big Listen exercise to highlight the extent to which government policy and current statutory provisions generate problems that are often associated with inspection and accountability processes.
9. This submission, therefore, identifies matters that are pertinent to the experience and impact of inspection but that fall outside Ofsted's remit, as well as those matters over which it has full or substantial control.
10. On the specific issue of reporting, many of the concerns frequently identified with inspection reports relate directly to the unfit for purpose context in which inspection takes place. In particular, Ofsted reports seek to serve different purposes and the needs of different audiences by means of a single, short published report. These audiences include parents, pupils, staff in schools, governors, employers, including academy trusts, as well as the government.
11. It is difficult to envisage how a single inspection report written in its current form can meet the legitimate needs of all the diverse audiences it intends to serve. For example, technical information that a school might value for strategic improvement and development purposes is unlikely always to be of particular value to parents or to national-level policymakers.
12. This issue serves to highlight the confused and confusing range of purposes that the current inspection regime is intended to fulfil. Without clarifying these purposes, it is unlikely that the current model, based on a single inspection report, is ever likely to produce meaningful narratives for all intended audiences. We have, therefore, called for a fundamental review of inspection and accountability systems to not only identify how these systems should operate but also, more fundamentally, to confirm the purposes they are intended to serve.

13. The use in the current inspection reporting system of four so-called 'single-word grades' serves to underline these concerns. These grades are not only designed to provide a snapshot for parents and others of the performance of schools in respect of their broad activities but are also the basis on which highly consequential interventions by employers and the government are based. A fundamental function of inspection is to give assurance that schools are providing an acceptable standard of education. Differentiated grade descriptors do not align with this function and are so broad that they can never provide the level of precision they purport to about the performance of a school. They hinder the production of valid and detailed evaluations of the performance of schools, especially those that will be of practical use to teachers and leaders with school improvement responsibilities. They also undermine the important principle, particularly in respect of the 'outstanding' category, that all schools should seek to improve.
14. For this reason, we advocate the introduction of a 'passed/not passed' inspection outcome system to affirm whether an acceptable standard of educational provision is in place. Where schools are deemed to have 'not passed', they should be signposted by the inspectorate to sources of support to enable them to secure the improvements that need to be made. Any re-inspection should be conducted in a timely way in order to verify that provision now meets the standards required.
15. It is also clear that inspection reports in their current form seek to provide not only a description for parents about the quality of education in a school provides but also useful information for leaders, teachers and those responsible for governance on areas of strength and future development. These two purposes are legitimate but require inspection outcome reporting to be tailored to the interests of different audiences.
16. We believe that a balanced scorecard approach, alongside greater emphasis on qualitative evaluation, would have significant merit and should be explored further. Inspections should seek to report more helpful feedback to schools and recognise that this reporting is likely to be different in nature to the report provided to parents. Inspection and accountability generally should recognise the very different contexts and challenges that schools face and the importance of accountability in promoting an inclusive education system. A balanced scorecard would provide an opportunity to embed this principle more securely in inspection and other accountability-related processes.

Priority 2: Inspection practice

Our work covers millions of children and learners, hundreds of thousands of professionals, and tens of thousands of education and children's services providers. Ofsted's inspections take many forms across different types of providers. There are different processes, depending on whether they are education inspections or regulatory inspections for early years and children's social care.

It is vital that school inspections are robust enough for us to provide assurance about schools' effectiveness. But we also must work constructively alongside those we inspect to ensure that children and young people learn and progress as much as they can.

Inspection should not be a process to 'get through'. The point of inspection is to raise standards and improve lives. It should be an opportunity for schools to showcase good practice and understand where they can improve.

Question:

Our ambition is that Ofsted education inspections should always do the following.

How important are the following to you?

Options: Very important; Important; Neutral; Not very important; Not at all important.

- **Inspections are carried out in a way that is consistent from place to place. Very important**
- **The way we carry out inspections is consistent across the same phases of education (such as primary or secondary) offered by different types of schools (such as local authority maintained, academy, faith school, grammar school). Very important**
- **Inspections are long enough to allow inspectors to make accurate judgements. Very important**
- **The time between notifying a school about a forthcoming inspection and carrying out the inspection is short but appropriate (for school inspections, the notice period is half a day). Important**
- **We consider the context of the school's local area as part of our inspections, and in the judgements that we make. Very important**

Your views

Do you have any comments on Ofsted's current inspection practices and whether these should change?

NASUWT Comments:

17. Many of the concerns expressed about the validity and reliability of inspection relate to the failure of the current accountability regime to take effective account of the context within which schools operate. In particular, Ofsted will be aware of persistent concerns, reflected consistently in the feedback we receive from teachers and leaders, that inspection does not recognise the particular challenges that schools might face. For example, evidence continues to suggest that schools serving relatively less disadvantaged communities are more likely to secure positive inspection outcomes than other schools with greater challenges in these respects. If the purpose of an accountability system is to hold settings to account for factors that are within their control, then the influence of the socioeconomic context within which schools operate should, as is not currently the case, be incorporated into the determination of inspection judgements.
18. As noted above, there are other exogenous influences on the ability of individual schools to meet the needs of learners. Reforms to accountability should recognise that individual schools operate within a broader educational and children's services framework. While it is right that there is inspection of individual schools, the impact of the actions of other agencies and bodies must also be recognised within the accountability system.
19. A clear early step that could be taken to assist in addressing this shortcoming would be to introduce inspection of multi-academy trusts (MATs). As Ofsted has noted, these bodies have a significant influence on the educational experiences of pupils in the schools for which they are responsible, but their key decision-makers cannot be held to account in the same way as senior staff within each individual setting.
20. In addition, the government and individual ministers should be held publicly accountable for their actions given that they determine the extent of funding that is made available to schools and are responsible for the statutory and regulatory framework within which schools operate.
21. There are no effective measures in place to ensure that Department for Education (DfE) Regional Directors are held accountable in ways that are adequately transparent and that secure public and professional confidence that they are discharging their functions equitably and effectively. Options for enhancing accountability of these increasingly powerful post holders,

including through subjecting them to external and impartial scrutiny and quality assurance, should be explored further.

22. On the accountability of the government and other national-level bodies, we recognise the valuable work undertaken by the House of Commons Education Select Committee, other Parliamentary select committees and the National Audit Office. The scrutiny exercised by these bodies plays a critical role in highlighting the strengths and weaknesses in the development and implementation of national policy and has often resulted in important changes in practice.
23. However, in the context of strategic oversight of standards in education, Ofsted has been the servant of the government rather than a body that holds it to account. A paradigm shift is required, in our view, which ensures that systemic strengths and weaknesses are properly interrogated and reported by the inspectorate.
24. It is of concern that ministers are under no effective obligation to take meaningful action to address concerns raised by select committees. Ministers, therefore, have significant scope to act in ways that are contrary to the recommendations of these committees and that undermine the quality of provision of education.
25. For example, in 2017, the Education Select Committee described in stark terms the scale and extent of the teacher supply crisis facing the education system and its roots in policy decisions taken since May 2010. The Committee's concerns and analysis of this crisis were reflected in the House of Commons Committee of Public Accounts 2018 Inquiry into teacher supply. This Committee concluded that the DfE had 'failed to get a grip on teacher retention'. However, notwithstanding the accuracy of both Committees' assessments of the recruitment and retention crisis, the steps that had to be taken to tackle it and the likely adverse consequences of persisting with current policy approaches, no effective action by ministers followed.
26. The current accountability regime therefore holds accountable individual schools and their staff for problems that are in substantial part the responsibility of ministers and the government. The fundamental reassessment of accountability we have called for must, therefore, include an examination of the ways in which the work of the inspectorate and Parliament can be strengthened so that the scope for ministers to evade responsibility is minimised.
27. Individual schools also operate within a wider children's services context that has significant implications for the outcomes against which schools are held to account. In areas including supporting children with special

educational needs and disabilities or securing high rates of attendance, schools depend upon access to sufficient resources as well as external services and sources of expertise. However, at present, accountability mechanisms such as performance tables and inspections place a disproportionate and inequitable burden of responsibility on schools for the impact of deficits in the availability and quality of these services.

28. Further, it is not evident that decision-makers with responsibility for these services, including ministers and national-level bodies, are held to account for the impact of their decisions on the ability of individual schools to undertake their core functions. Reforming accountability meaningfully will require recognition of the interconnected nature of the impacts that schools and wider services have on children's educational outcomes and life chances. An accountability regime that recognises these interconnections would not only allow for a more precise identification of responsibilities but would also ensure that support for securing improvements across services and settings can be offered on a sufficiently informed basis.
29. In respect of those areas within Ofsted's direct control and influence, despite reforms introduced by the 2019 Education Inspection Framework (EIF) and associated handbooks, including the greater focus in inspection on workload and wellbeing and its more appropriate appreciation of the limitations of schools' internally generated assessment data, it is becoming clear that these reforms have not had the positive impacts that might have been anticipated when they were first introduced.
30. We acknowledge that the current EIF reflects a more appropriate appreciation of the limitations of internally generated pupil assessment data. Reflecting the findings of the DfE-commissioned report, Making Data Work, inspectors were directed not to request such information from schools and to consider the extent to which production of it results in unreasonable workload demands.
31. Further, the focus of inspection under the EIF helpfully moved away from the scrutiny of assessment data towards the fitness for purpose of the school's curriculum offer and its primacy in the quality of pupils' learning experiences.
32. Nevertheless, however well-intended these reforms were, they have often not resulted in the improvements in the experience of inspection that might have been expected. For example, it is not clear that inspectors are always actively investigating the extent to which teachers and leaders are subject to excessive and unnecessary workload demands. This should be regarded as a core function of inspection and we are clear that no school

should be deemed to have passed its inspection if it is not taking action to tackle workload and promote staff wellbeing.

33. The sharper focus on inspection of the curriculum has also resulted in a significant degree of confusion about the purpose of subject-based deep dives, which have prompted many schools to introduce unsupportive, workload-intensive practices that distract from, rather than support, teaching and learning. While the recent announcement that ungraded inspections will no longer involve deep dives may be helpful, it will be critical that the alternative process to be introduced from September 2024 does not inadvertently create new workload burdens by imposing requirements to provide alternative evidence to that which would have been obtained through the deep dive process.
34. Much attention rightly continues to be focused on the credibility of the inspection regime and the extent to which it takes effective account of the realities of those working directly with pupils in classrooms. Without such credibility, inspection will never be able to command the highest possible levels of professional confidence of teachers and school leaders. While it is important that those with current leadership experience and professional inspectors continue to have a role in the inspection process, it is striking that very few inspectors are active classroom practitioners with recent and relevant experience of the classroom. This is in contrast to other public service inspection models, where the skills and experience of relevant practitioners are central to their inspection methodologies. The same approach should be adopted in the inspection of schools.
35. Credibility of the inspection system requires that those making potentially consequential judgements about schools are – and are seen to be – entirely disassociated from the schools they inspect. The role of the inspector in any effective system must be to make judgements without fear or favour on the basis of the evidence before them.
36. As the Chief Inspector has acknowledged, there are also legitimate concerns about the phase and subject experience of inspection teams. It is important that teams are able to make judgements on the basis of practical and current expertise relevant to the types of setting they inspect. In addition, Ofsted has rightly acknowledged that it has more work to do to ensure that the composition of inspection teams reflects the diversity of the education system and of the wider society it serves. It will be important for the Chief Inspector to build on previous work to support and encourage into inspection more appropriately qualified personnel with protected characteristics who are currently underrepresented.

Priority 3: Impact

We start from the position that Ofsted aims always to be a force for good in this country, with the interests of children and learners as our priority.

We hold to account those responsible for educating children, keeping them safe and improving their lives. We must ensure that our impact is entirely for the good of children and learners, while being mindful of the wellbeing and workload of the leaders of schools we inspect and the professionals who work for them.

We know that most schools are good or outstanding. But we also know that education in England could and should improve, especially for disadvantaged and vulnerable children.

We want to ensure that our inspections do not have unintended consequences. For example, we do not want inspections to lead to schools excluding pupils too readily, putting children at risk by not using their exclusion powers, or placing children off site in unsuitable alternative provision.

Our work must raise standards and improve children's lives. This is why we have to look at the impact of our inspections and ask whether we are constantly driving improvement or, in some cases, holding it back.

We also want views on whether we reflect enough on what a school does to support children to thrive. We want all children to have great careers advice, art, drama, dance, music, sport and physical education, and, of course, to be happy and healthy. We know how hard schools work at this.

Question:

Do you agree with the following statements?

Options: Agree; Neither agree nor disagree; Disagree; Don't know.

- **Ofsted holds schools to account for the quality of education they provide.** Neither agree nor disagree
- **Ofsted holds schools to account for keeping children safe.** No response
- **An unintended consequence of Ofsted's inspection process is that schools exclude, suspend, 'off-roll'* or place pupils off site.** Agree

- **An unintended consequence of Ofsted’s inspection process is that schools keep pupils in the classroom who may put other pupils at risk, may benefit from off-site provision or may require suspension or even exclusion. Agree**
- **The number of schools graded good and outstanding in England gives you a strong indication of the overall quality of the schools system. Disagree**
- **Ofsted should be able to inspect groups that schools may be a part of, such as MATs, local authorities, dioceses, or owners of large private independent school providers, in order to understand their overall impact on children and learners. Agree**

***Off-rolling is the practice of removing a pupil from the school roll without using a permanent exclusion, when the removal is primarily in the best interests of the school, rather than the best interests of the pupil. This includes pressuring a parent to remove their child from the school roll.**

Your views

How do you think Ofsted could best raise standards and improve lives for children and learners?

NASUWT Comments:

37. Inspection has become high stakes because any adverse judgement will trigger a process over which schools have little or no influence or control. A fit-for-purpose system of school inspection would necessitate a dialogue about how best to support those schools that need support, which involves schools and their staff, employers and other stakeholders. Schools should be enabled to become active participants in their improvement journeys rather than the passive recipients of external interventions. School inspection outcomes should not be accompanied, as at present, by threats of forced academisation or forced re-brokering to another academy trust.

38. The high-stakes accountability context within which schools operate has encouraged pressure from ministers and other advocates of particular practices, interests or curriculum content to secure their inclusion in the inspection framework. This is not a coherent basis on which to determine the foci of inspection and merely increases the accountability demands placed on schools.

39. It is our experience that while the process and requirements of inspection itself can create workload burdens, many of the issues associated with

inspection are the result of misconceptions about these requirements. Schools have often imposed practices on staff on the basis that inspectors will expect to find them in place, when this is not, or should not, be the case. Often, such practices are advocated by expensive external consultants engaged by schools who have no recent experience of conducting inspections.

40. The publication by Ofsted in 2015 of the Clarification for Schools document, which sought to identify unnecessary practices and eliminate redundant inspection preparation, was a positive step. However, it is apparent that more robust action is needed to ensure that schools do not add to already significant workload burdens in this way.
41. It is also clear that these pressures have created profoundly unhelpful incentives that have led to some schools off-rolling children, temporarily removing children from school when an inspection is taking place or failing to take action to address pupil indiscipline out of concern that exclusions and suspensions, however objectively justifiable, will result in adverse inspection outcomes.
42. However, we have continued to make clear that it is necessary to recognise – and is often overlooked in debates on the role of Ofsted – that decisions about what should happen to a school following inspection outcomes that are regarded as unacceptable are taken by bodies other than the inspectorate. These bodies include: the DfE, operating through its Regional Directors; leaders of academy trusts; school governing bodies; and local authorities.
43. These decisions are often highly consequential. Inspection outcomes are used to determine the future status of schools through their forced transfer from the maintained to the academies sector, or from one academy trust to another. For staff, particularly senior leaders in individual schools, adverse inspection outcomes can prompt employers – either acting on their own volition or under pressure from the DfE, local authorities or diocesan bodies – to dismiss those they identify as responsible for such outcomes.
44. The impact that such a process has on the mental health and future employability of those involved is often profound. The anxiety that anticipation of inspection causes, given the consequences that may follow an outcome judged by employers and others as unacceptable, is wholly understandable and profoundly damaging.

Priority 4: Culture

Ofsted's ambition is to be a world-class inspectorate and regulator, trusted by parents, children, learners and the sectors we work with.

Achieving this ambition means listening to feedback, accepting criticism and delivering reforms that lead to continuous improvement in everything we do. This includes ensuring that the quality of Ofsted's education and regulatory work is consistently high, as well as reviewing the way we work and how open we are.

We inspect and visit a wide range of schools, education providers and care settings. These cover a diverse range of faiths, communities, heritages and backgrounds. It is crucial that we are culturally sensitive to the providers we work with, to reassure them that we understand the context that they work in and the people they work with.

We must also think about the impact of our work on the wellbeing of everyone we work with and work for. Some of our work around this is covered in [our response](#) to the tragic death of headteacher Ruth Perry and to the Coroner's inquest.

We want to hear your views on what we should focus on now.

Your views

Do you have any comments on Ofsted's openness and how easy it is to provide feedback for us to improve?

NASUWT Comments:

45. Discussions on the role and work of Ofsted can often focus disproportionately on the Ofsted 'brand' and whether or not it should be retained, while distracting attention away from consideration of options for reforms to the ways in which school inspection is undertaken. For this reason, there is a strong case for accompanying the introduction of reforms with the discontinuation of the Ofsted brand.
46. Ensuring that the legitimate interests of those impacted by inspection are respected requires a process that allows for effective and timely complaints to be made and for any appropriate remedies identified following the investigation of complaints to be implemented.
47. It is apparent that the current complaints system is not fit for purpose in this respect. The current procedure is heavily weighted towards the judgement of the inspector and it is unacceptable that there is no effective appeals process to challenge an inspection judgement that relates to standards. The current system makes it extremely difficult for individual members of staff to pursue complaints about an inspection. The timescale for making complaints is too rigid and excludes cases where it has taken time for the full evidence to become available. It is not evident to us that existing mechanisms for the external scrutiny of complaints provide a

sufficiently robust means by which Ofsted's inspections can be subject to objective and expert scrutiny and correction.

48. Addressing these issues will be critical to ensuring the highest possible levels of professional and public trust and confidence in the inspection system. The complaints system must also allow for inaccuracies and unreasonable judgements to be challenged fully before inspection reports are placed into the public domain.

Safeguarding in schools

Safeguarding is the action that is taken to promote the welfare of children and protect them from harm. Every school must have effective arrangements in place to safeguard children and young people.

We inspect schools to ensure that they both comply with their statutory duties to safeguard children and have a wider culture of safeguarding to keep the children in their care safe. This includes working closely with local services.

We will never compromise on the safety and wellbeing of children. Safeguarding is at the heart of everything Ofsted does. We inspect a range of education and care providers, from local authority children's services to children's homes, to colleges and early years settings. Our safeguarding expertise is deep and cuts across all types of provision for children and young people.

But we want to explore how we might inspect and report on safeguarding in schools in a different way. We want views from parents and professionals on safeguarding's place within the [inspection framework](#).

Separate judgement for safeguarding

Our judgement on whether safeguarding arrangements in a school are effective currently comes under the 'leadership and management' judgement. This means that the safeguarding judgement often affects the school's overall grade, as the 'leadership and management' judgement is closely linked to this.

Instead of this approach, we could have a safeguarding judgement that is separate from the leadership and management judgement.

There are merits to that approach. For example, it would be instantly clear to parents and decision-makers how effective the school's safeguarding arrangements are. A safeguarding judgement would likely

still inform the overall judgement, as protecting children from serious harm is so important.

Do you think safeguarding should be a separate judgement from the leadership and management judgement?

- **Yes**
- **No X**
- **Don't know**

NASUWT Comment

49. We are particularly concerned by the education system's almost complete reliance on Ofsted to ensure that schools' safeguarding practices are effective. Quality assurance of safeguarding cannot be established on this basis securely, in light of the lengthy intervals between inspections to which the substantial majority of schools are subject. This function should, instead, be undertaken by appropriately resourced and empowered local authorities, given their statutory responsibilities and their knowledge of local contexts. Inspection should be focused on matters related directly to the quality of educational provision.

50. Inspection will always be periodic and the intervals between inspections will always mean that issues can arise in these intervening periods. We continue to insist that greater investment in the monitoring of all educational settings by local authorities, including those in the private, voluntary and independent (PVI) sectors, is critical if the best possible safeguarding practice is to be established and maintained in all circumstances. Local authorities must be given the resources required to fulfil their statutory responsibility to ensure that all children and young people are kept safe and to provide information, advice and guidance for all settings on securing the highest possible safeguarding standards.

Frequency of safeguarding inspections

Most school inspections happen about once every four years. We reinspect some schools sooner than this, due to their inspection grade, and we also carry out emergency inspections. But this does mean that we only inspect safeguarding in most schools about every four years.

Given the importance of safeguarding, should we inspect it more regularly than other areas?

- **Yes**
- **No X**

- **Don't know**

NASUWT comment

51. See response to question above.

Reinspecting safeguarding in some cases

Following the Coroner's report into the tragic death of headteacher Ruth Perry, we have looked further at the scenario where one school is ineffective for safeguarding but good in other areas and another school is inadequate in multiple areas. Both schools receive the same overall grade of inadequate, despite the differences between them.

We have taken swift action to address the issue of otherwise good schools receiving inadequate grades due to ineffective safeguarding.

Now, when there are minor safeguarding issues that can be resolved quickly, we give the school time to do this during the inspection before we make a judgement. This means that fewer schools will be in the position where they are ineffective for safeguarding but good in other areas. Where the issues are more serious and leaders have proven capacity to fix them urgently, but not during the inspection, we carry out a rapid reinspection within three months. This new approach allows the school to put matters right and have its grade changed swiftly back to good or outstanding.

We are, however, exploring other options.

Following an internal review, we are considering changing this approach. Where safeguarding arrangements are ineffective but the school is good or better in all other areas, we could withhold finalising a judgement for three months to allow the school to fix the issues. Unlike our current approach, this would mean holding back the report. After three months, we would reinspect safeguarding at the school and then publish our report. If the safeguarding issues are resolved at this reinspection, the school would be awarded a good or outstanding grade.

Do you have any comments on our new approach or our proposal to go further?

Comments:

See response above

Pause policy

In January 2024, we introduced a new ‘pause policy’. This allows inspectors or the responsible body for a school to ask for an inspection to pause. This could happen, for example, if it is necessary to provide additional support for a headteacher.

A pause allows the governors/trust/local authority (or, for an independent school, the proprietor) to arrange support for school leaders. It also gives them time to put alternative leadership in place, where necessary.

When creating our pause policy, we were mindful that inspectors can – and sometimes must – make difficult judgements if children’s safety or education are compromised. We inspect to make sure that children are safe and receiving a high-quality education. This means that we try to resume inspections as soon as possible after a pause.

We want it to be easy to ask for a pause to inspection or to raise concerns.

Do you have any comments on Ofsted’s new pause policy and how we can make it work better for schools and children?

NASUWT Comments:

52. We restate our call for consideration to be given to an immediate freeze of all inspections in order that a full mental health impact assessment of teachers and school leaders can be carried out and that the current inspection framework should be replaced with one that supports the work of schools in raising standards.

53. We remain clear that pausing inspection may be important; for instance, to ensure that the headteacher is supported. However, separating the inspection of safeguarding from the wider inspection of the school would help to address this issue. This would be particularly important if there were wider changes to inspection and if inspection were made more supportive and developmental.

Special Educational Needs and Alternative Provision

Priority 1: Reporting

Ofsted’s inspection and regulatory reports must work for different audiences, from advising parents to informing local and national government.

We want to look at how we report on SEND across the education, health and care systems. We know that the way we report on SEND varies across multiple different types of providers and services and across

different types of inspections. How we report on the SEND provision in a mainstream school is different from how we report on it when we inspect special schools, support for learners with high needs in further education colleges, or overall SEND provision and partnership work in local areas.

Similarly, the level of detail when we report on alternative provision (AP) in a mainstream school will be different from the level we offer on a registered AP school or pupil referral unit (PRU). We do not directly inspect unregistered AP, which makes up a substantial proportion of AP placements.

You can find inspection reports on the providers you are most interested in on our [reports website](#).

Question:

We know that our inspection reports are important. Below, we have set out the aims that we believe every inspection report should cover. Some of these are already required by law. We would like to know your views on these.

How important are each of the following to you?

Options: Very important; Important; Neutral; Not very important; Not at all important.

- Make it clear what attending the provision or service is like for the child or learner, such as whether children and learners are safe and happy there. Very important**
- Make it clear how effective the provision or service is, including whether it is meeting children and learners' individual needs. Very important**
- Make it clear how well the provider or service understands the outcomes for children and learners with SEND and/or in AP, and how that understanding informs the provision they offer to support children and learners. Very important**
- Explain how well the provider or service is performing in relation to the quality of local SEND or support services (for example, where the health or local authority provision is weak but the school's provision is strong). Very important**
- Explain how effectively a setting or service supports children and**

learners with SEND and prepares them to move on to a suitable and appropriately challenging next phase of education and/or adulthood.

Important

- **Explain how effectively the provider or service works with parents and carers and responds to children's ambitions.** Important
- **Explain how effectively the provider or service works with partners to address the needs of children with SEND in the local area.** Very important

Your views

Please tell us what you think Ofsted's priorities should be when reporting on provision, AP or services for children and learners with SEND and why, and what you think we could improve.

NASUWT Comments:

54. Ofsted needs to address the education of learners who have SEND, including those on SEN Support in mainstream schools, and recognise that this aspect of inspection goes beyond simply including groups of learners who have SEND in deep dives. There is a need to step back and consider whether inspections of mainstream provision are flexible enough to take account of the learning needs of some learners with SEND.
55. Schools continue to face huge challenges accessing specialist support, including long waiting times and practices in some local authorities designed to manage or restrict access to specialist services and support. This must be recognised in inspection judgements and changes must not lead to schools or settings being penalised for difficulties that are outside their control.
56. There is a need for inspection to make links across inspection evidence, such as problems accessing specialist services and early intervention identified in mainstream school inspections should be captured and be made available as evidence to support SEND area inspections.
57. This is an area where it is particularly important to address the issue of context – some of the problems schools and local authorities may arise as a result of national policy decisions. The Chief Inspector must use the powers and duties of the office noted above to highlight issues that are the result of national policy.

Priority 2: Inspection practice

Our work covers millions of children and learners, hundreds of thousands of professionals, and tens of thousands of education and children's services providers. Ofsted's inspections take many forms across different types of providers. There are different processes, depending on whether they are education inspections or regulatory activity for early years and children's social care.

In no area does the diversity of Ofsted's work apply as much as it does in our inspections of provision for children with SEND. We need to make sure our processes and practices work equally well, whatever type of SEND provision or AP we are inspecting. That includes provision offered in schools (including special schools) or in AP, or services commissioned by schools or local authorities.

It is vital that inspections are robust enough for us to provide assurance about the effectiveness of SEND and AP providers and services. But we also must work constructively alongside those we inspect to ensure that children and learners are protected and progress as much as they can.

Inspection should not be a process to 'get through'. The point of inspection is to raise standards and improve lives. It should be an opportunity for providers and services to showcase good practice and understand where they can improve.

Question

Our ambition is that Ofsted inspections should always do the following.

How important are each of the following to you?

Options: Very important; Important; Neutral; Not very important; Not at all important.

- Work with leaders and practitioners during the inspection to understand whether the school, AP, service or wider local area partnership is meeting the needs of children and young people with SEND. Very important**
- Work with leaders and practitioners during the inspection to understand whether the school, AP, service or wider local area partnership is offering a positive experience for children and young people with SEND that will improve their future outcomes. Very important**
- Use any available data on the outcomes of children and young people to understand whether the school, AP, service or wider local area partnership**

is offering them a positive experience that will improve their future outcomes. Very important

- **Use feedback from parents and carers, and children where appropriate, to understand whether the school, AP, service or wider local area partnership is meeting the needs of children and young people with SEND.** Very important

Your views

Do you have any comments on Ofsted's current inspection practices and whether they should change?

NASUWT Comments:

58. We would emphasise the importance of join-up of evidence across inspections. It is also important to note that what is required to raise standards and improve lives may be dependent on national policy and practice and relate to matters that are outside of the control of individual schools.

59. We would further draw attention to the need for inspection teams to include members with relevant expertise and experience of working with pupils with SEND in the type of setting subject to inspection.

Priority 3: Impact

We start from the position that Ofsted aims always to be a force for good in this country, with the interests of children and learners as our priority.

We hold to account those responsible for educating children, keeping them safe and improving their lives. We must always focus on what is in the best interests of children and learners, their outcomes, their experiences and whether they are well cared for and safe. And as we do this, we should be mindful of our impact on the leaders of the providers we inspect and the professionals who work for them.

We currently judge most SEND and AP to be good or outstanding, whether they are special schools and AP schools, or mainstream schools with SEND children and internal AP. We also know that thousands of children are in AP settings that we do not inspect, which is called unregistered AP. This means there are limitations to our oversight role because we do not inspect a significant proportion of the provision many children are placed in.

We know that many individual children and learners achieve positive outcomes from their time in specialist or AP settings. We also know, however, that long-term education, employment and health outcomes for many children and learners with SEND, and many children who experience AP, are simply not good enough. We know this is partly due to the context that these providers work in and not just the quality of education or care that they offer.

We want to ensure that we raise standards and improve lives through the providers and services we inspect. This is why we must look at the impact of our inspections on children with SEND and other vulnerable children and ask whether we are helping to improve the sector or holding it back.

Question:

Do you agree with the following statements?

Options: Agree; Neither agree nor disagree; Disagree; Don't know.

- Ofsted holds early years settings to account for the quality of their SEND provision. Agree**
- Ofsted holds mainstream schools to account for the quality of their SEND provision. Agree**
- Ofsted holds schools, independent providers and PRUs to account for the quality of their AP. Agree**
- Ofsted holds special schools (including special academies, independent and non-maintained special schools) to account for the quality of their SEND provision. Agree**
- Ofsted holds further education and skills providers to account for the quality of their SEND provision. Agree**
- Ofsted holds local areas to account for how well they support children with SEND and other vulnerable children, including the provision and services they commission for children. Agree**
- An unintended consequence of Ofsted's inspection and regulation is that mainstream schools exclude, suspend, off-roll, or place pupils with SEND off-site pupils. Agree**
- An unintended consequence of Ofsted's inspection and regulation is that mainstream schools are less inclusive of pupils with SEND, so**

they are not offered tailored provision off site or in special schools.

Agree

- **The number of good and outstanding SEND and/or AP providers and services in England gives a strong indication of the overall quality of the SEND and/or AP system.** Neither agree nor disagree
- **Ofsted should be able to inspect groups of providers as a single entity to understand their overall impact on children and learners. These include MATs and owners of large independent school providers or residential care homes.** Agree
- **Ofsted should have an oversight role for smaller unregulated settings such as unregistered AP.** Agree

Your views

How do you think Ofsted could best raise standards and improve lives for children and learners with SEND or in AP settings?

NASUWT Comments:

60. We agree that all settings should be held to account for the quality of their SEND provision.

61. We remain concerned about unregistered settings and the restrictions on Ofsted's ability to inspect these settings. We were disappointed that the withdrawal of the Schools Bill in 2022 meant that the powers required to undertake inspection of unregistered settings were not progressed. We will continue to support the efforts of the Chief Inspector to ensure that these powers introduced on a statutory basis as soon as possible.

62. It is important that schools and other settings are not blamed for failings that are the result of other services and policies. Schools must not be held accountable for not providing a child with specialist support if that service is not available or there are long waiting times. Rather, inspectors should recognise what the school is doing while drawing attention to weaknesses in national policy and external support.

63. We recognise the importance of SEND area inspections because they address the way that different services work together and how schools are supported to enable them to meet the needs of their pupils with SEND. While we agree with the principle of local areas being held to account for the way that services work together to support vulnerable children and children with SEND, it is important to recognise the problems that arise

from national policies, including underinvestment in services, that contribute to the challenges that local areas face.

64. We are concerned that the high stakes nature of inspection and accountability means that schools are not always incentivised to be appropriately inclusive. We are also concerned that because national policy is that more children should have their needs met in mainstream schools and because there are no spare places in special schools or tailored provision, or because services are so stretched that assessments and support are not available, schools will continue to be criticised for their provision for such pupils. It should be recognised that patterns of local provision are being driven by funding and that insufficient attention is being paid to building capacity in and support for mainstream schools to enable them to meet the needs of pupils with SEND.

Priority 4: Culture

Ofsted's ambition is to be a world-class inspectorate and regulator, trusted by parents, children, learners and the sectors we work with.

Achieving this ambition means listening to feedback, accepting criticism and delivering reforms that lead to continuous improvement in everything we do.

This includes ensuring that the quality of Ofsted's education and regulatory work is consistently high, as well as reviewing the way we work and how open we are.

We inspect and visit a wide range of schools, education providers and care settings. These cover a diverse range of faiths, communities, heritages and backgrounds. It is crucial that we are culturally sensitive to the providers we work with, to reassure them that we understand the context that they work in and the people they work with.

NOTE: Text repeated on page 8. We must also think about the impact of our work on the wellbeing of everyone we work with and work for. Some of our work around this is covered in [our response](#) to the tragic death of headteacher Ruth Perry and to the Coroner's inquest.

We want to hear your views on what we should focus on now.

Your views

Do you have any comments on Ofsted's openness, and how easy it is to provide feedback to help us improve?

See comments to corresponding question in schools section above.

Dr Patrick Roach
General Secretary

For further information on the Union's response, contact:

Darren Northcott
National Official (Education)
NASUWT
Hillscourt Education Centre
Rose Hill
Rednal
Birmingham
B45 8RS

03330 145550

www.nasuwt.org.uk

nasuwt@mail.nasuwt.org.uk