



House of Commons  
Education Committee

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# The role and performance of Ofsted

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**Second Report of Session 2010–11**

## *Volume I*

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minutes*

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## The Education Committee

The Education Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Department for Education and its associated public bodies.

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## Summary

With one in three people in England using the services which it inspects or regulates, Ofsted is a major entity in the English education and children's care systems today. It has grown substantially since its creation in the early 1990s and is now responsible for inspection of maintained schools, some independent schools, childminders, children's services and social care, children's centres, adoption and fostering agencies, the Children and Family Court Advisory and Support Service (CAFCASS), further education, initial teacher training, adult skills, and prison learning.

Ofsted has grown too big to discharge its functions as efficiently as smaller, more focussed and specialist organisations might. At the heart of our report, therefore, is the recommendation that Ofsted should be divided into two new organisations—the Inspectorate for Education and the Inspectorate for Children's Care—which we consider will make a marked difference to the value of inspection in this country.

At the same time, we believe that inspection itself needs to be more clearly defined. From inspectors, practitioners and parents, there is clear confusion as to whether the existing Ofsted is a regulatory and inspection body, or an improvement agency. We agree with the Government that education and care inspection require different approaches, and we recommend that the new inspectorates establish these with clarity early in their existence. Crucially, that clarity needs to be clearly articulated for the benefit of the wider public as well as inspectors themselves. We do believe that inspection has an important role to play in improving young people's life chances, but we agree with the Government that—for schools inspection—this should increasingly focus on the worse-performing institutions.

We maintain that the new inspectorates should, like Ofsted, be independent of the Department for Education, but we share some witnesses' concerns that the Department may not be making best use of inspection information. For that reason, we recommend the Government considers creating two new positions within the DfE—the Chief Education Officer and the Chief Children's Care Officer—who would be seasoned front-line practitioners working alongside the Chief Inspectors to ensure that policy is informed by evidence and by recent and relevant experience of schools through a method other than consultation.

With a remit as broad as Ofsted's, communication is key, and we believe there is more the inspectorate could do to ensure a positive online experience for visitors to its website. Similarly, although many inspection reports are already well-written and balanced, we believe they could be more parent-friendly and at the same time contain a greater depth of intelligence useful to practitioners. Clearly, reports need to be published on time, which it seems is not consistently the case. Furthermore, we recommend that Ofsted does more to engage parents, young people and learners throughout the inspection process, as well as improving contact with school governors.

Ofsted's savings programme to date has been significant and we were reassured by the further plans outlined by the Chief Inspector, and by the financial data which is accessible to the public. The same accessibility is not true, however, concerning the contracts with

and performance of the three companies who undertake inspection on Ofsted's behalf, and we recommend greater transparency in that arena. This, we feel, would aid greater public confidence in the inspectorate, as would greater specialist knowledge on any future non-executive Board.

We agree with the witnesses who told us that there are many excellent inspectors. However, too few of these have recent and relevant experience of the types of settings they inspect, which diminishes the organisation's credibility. Our report recommends that more is done to ensure that inspectors can develop their skills and experience at the front line, but also that more practitioners are seconded into Ofsted, perhaps with such secondments built into senior local authority and school leaders' job descriptions.

We are not convinced that there is a definite or systemic difference in quality between Her Majesty's Inspectors and Additional (contracted) Inspectors. However, we do believe that greater transparency over the provenance of inspectors would aid their credibility with the front line.

We are convinced that unannounced inspections are the preferable model, and we recommend that this becomes the norm as far as possible, whilst recognising that there are certain barriers to this. Perhaps a more urgent area for reform is the Voluntary Childcare Register, the current operation of which is misleading to parents.

Our report is more positive, however, about the direction of schools inspection laid out by the new Government. Urgent articulation is needed by the Department for Education on what its plans are for the remainder of Ofsted's current remit, as the new Government's current inspection policy has focussed almost entirely on schools. We support the cessation of inspection for outstanding schools, as well as the new "stuck" grade for persistently satisfactory schools. We also welcome the new, streamlined, proposed framework for schools inspections, although we would similarly welcome greater clarity on what the four categories might include. We believe that, once the new framework is in place, there will be no call for limiting judgments, and these should therefore be abandoned.

The less teachers are constrained by bureaucracy, the better. However, the inspectorate should continue to provide a school self-evaluation form (which we agree should be non-compulsory), as well as guidance, so that heads and governors can use this model if they choose. Finally, we welcome reassurances that the new framework will look at progression as well as raw attainment, and we think it is essential that the Inspectorate prioritises its reporting on efforts made for, and progress made by, pupils across the full range of ability groups. The Department should give these measures prominence comparable to other key measures such as 'five good GCSEs' and the new English Bacculaureate.

# 1 Introduction

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1. With one in three people in England using the services which it inspects or regulates, Ofsted is a major entity in the English education and children’s care systems today. As the state inspectorate in England for education, skills and children’s services, its remit includes the scrutiny not just of schools, colleges and local authority children’s services but also a wide range of other settings including children’s homes, education on the secure estate, nurseries, adoption and fostering agencies, and adult learning establishments. By Ofsted’s own reckoning, its work touches millions of people; indeed, it receives more than seven million hits to its website every month.<sup>1</sup>

2. As a non-Ministerial Department, Ofsted has an Accounting Officer—Her Majesty’s Chief Inspector of Education, Skills and Children’s Services—who reports to Parliament on the organisation’s work. Under the Chief Inspector, an executive board of seven directors is responsible for the day-to-day running of the organisation, as well as for the delivery and development of inspection across Ofsted’s broad remit. The Chief Inspector also sits on Ofsted’s non-executive board, chaired by Baroness Morgan of Huyton, which sets Ofsted’s strategic direction, targets and objectives, and ensures the Chief Inspector’s functions are performed “efficiently and effectively”.<sup>2</sup> The role of the Board is discussed in Chapter 3 of this report, and a basic organisation chart for Ofsted can be seen at Annex 3. Ofsted’s own workforce numbers around 1,500, including around 400 Her Majesty’s Inspectors. Around 2,700 Additional Inspectors are employed by the three Regional Inspection Service Providers who undertake inspections on Ofsted’s behalf.<sup>3</sup> Their roles are discussed more in Chapters 3 and 4. In 2009–10, Ofsted’s estimated total public spending was over £201m.<sup>4</sup>

3. Perhaps inevitably for an organisation with the scope to touch so many lives, Ofsted is a source of much controversy. Despite the Government’s recent abolition of several high-profile agencies and arms-length bodies—including the Qualifications and Curriculum Development Agency (QCDA) and the British Educational Communications and Technology Agency (BECTA)—Ofsted has remained intact on the grounds that it is “performing a technical function which requires impartiality”:<sup>5</sup> a sure sign of the Government’s own regard for the role the inspectorate plays. Ofsted’s own surveys emphasise how valued its work is by the public as well: the Chief Inspector told the Committee that “nine out of ten [responses] are very positive”, based on the thousands submitted. Independent evaluations commissioned by Ofsted—for example by BMG Research—suggest similar figures.<sup>6</sup>

4. By stark contrast, evidence from the teacher unions shows a very different picture regarding Ofsted’s performance. For example, in a recent poll conducted by the National

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1 See <http://www.ofsted.gov.uk/Ofsted-home/About-us/Working-for-Ofsted>

2 See <http://www.ofsted.gov.uk/Ofsted-home/About-us/Our-structure-and-leadership>

3 These figures were provided by Ofsted staff for the purposes of this inquiry

4 Ofsted Resource Accounts 2009–10, HC 302, p. 72. See Chapter 3 of this report for further detail on Ofsted’s savings targets

5 Explanatory Notes to the Public Bodies Bill, HL Bill 25-EN

6 See Q 396

Association of Head Teachers (NAHT) of its members, almost a quarter of the 1,500 respondents described Ofsted's performance as inadequate; only three respondents called it "outstanding".<sup>7</sup> Similarly, Ofsted's children's care inspections have come in for considerable criticism, not least in the wake of the death of baby Peter Connelly.

5. It is in the context of this enormous scope and influence that the Committee undertook its inquiry into the role and performance of Ofsted. Our terms of reference aimed to examine the very reasons for Ofsted's existence, its impact on improvement in the settings it scrutinises, the breadth of its remit, and its performance—at both strategic and operational levels. In light of the formation of the Coalition Government and its principles of professional and institutional autonomy, the terms of reference also called for evidence on Ofsted's role in inspecting a system with greater localised freedom, as well as on existing frameworks and inspection processes. Additionally, in Chapter 6, we consider key policies of the new Government relating to Ofsted, including its proposal for the new schools inspections framework.

6. We received 120 written submissions from a spectrum of witnesses including parents, teachers, retired inspectors, local authorities, universities, Members of Parliament and unions, as well as from various settings inspected or regulated by Ofsted. The Committee then heard oral evidence from ten panels, where witnesses ranged from former Chief Inspectors to academics to front-line practitioners.<sup>8</sup>

7. The Committee also advertised, via the Times Educational Supplement and online, for serving and retired inspectors to attend a seminar at the House of Commons, and was very pleased to receive 219 responses. Of these, twelve—representing the breadth of Ofsted's remit, as well as a good geographical spread—were selected to attend the seminar. All the other applicants were sent a questionnaire, and the 77 responses provided very useful information for the Committee's inquiry.<sup>9</sup>

8. Finally, ever-keen to learn from international practice, five Committee members undertook an official visit to Finland, consistently ranked as one of the world's finest and fairest education systems despite its complete lack of formal centralised school inspection.<sup>10</sup>

9. We are grateful to all witnesses for taking the time to contribute to this important inquiry—whether in writing or in person—and especially to those who travelled substantial distances to take part in panels in London. We are particularly grateful to Gerard Kelly, Editor of the Times Educational Supplement, for advertising our seminar; to Matthew Lodge, Her Majesty's Ambassador to Finland, and Mark Armstrong and Susanna Eskola at the British Embassy in Helsinki; and to officials at Ofsted and the Department for Education for their assistance and knowledge.

10. Finally, special thanks are due to the Committee's standing advisers, Professor Alan Smithers and Professor Geoff Whitty, and to the specialist advisers for this inquiry: Dame

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7 Ev 111

8 A list of witnesses and written evidence received can be found at the back of this report

9 A note of views expressed at the seminar can be found at Annex 1. The questionnaires were conducted on a non-attributable basis and, therefore, comments quoted from those are not referenced

10 A note of the visit can be found at Annex 2



Denise Platt and Dr David Moore CBE. The Committee has benefited greatly from their combined expertise.<sup>11</sup>

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11 Specialist Advisers have declared the following interests: Professor Geoff Whitty declared interests as Director of the Institute of Education and Trustee of the University of London, until 31 December 2010, and as Trustee of the IFS School of Finance; Dame Denise Platt declared interests as a member of the Committee on Standards in Public Life, as a Trustee of the NSPCC, as a Governor of the University of Bedfordshire, as a Trustee of the Adventure Capital Fund, as Chair of the National Aids Trust, as a member of the Independent Review Board Cheshire Fire and Rescue Services, and as a member of the Commission on Assisted Dying; she is also a former Chief Inspector of the Social Services Inspectorate and former Chair of the Commission for Social Care Inspection. Dame Denise took no part in the development of the NSPCC's evidence to this inquiry

## 2 The role and remit of Ofsted

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### The breadth of Ofsted's remit

11. Ofsted has been described as “the mergers and acquisitions giant of the education sector”, and it is difficult to argue with that verdict.<sup>12</sup> Originally designed in the early 1990s as an inspectorate of schools and colleges, Ofsted has grown extensively and its remit now extends to inspection or regulation of, *inter alia*, childminders, children’s services and social care, children’s centres, adoption and fostering agencies, the Children and Family Court Advisory and Support Service (CAFCASS), further education, initial teacher training, adult skills, and prison learning.<sup>13</sup> That the current Chief Inspector’s very job title has four more words in it than her original predecessor’s once did is evidence in itself of the organisation’s growth.<sup>14</sup>

12. By Ofsted’s own reckoning, this means that the inspectorate’s work “touches the lives of millions of people in England every day.”<sup>15</sup> In 2009–10, Ofsted conducted over 31,500 inspections, including of over 6,000 maintained schools, 2,000 children’s homes, and 20,000 childcare and early years providers.<sup>16</sup>

13. The previous Government set great store by the theory and practice of ‘joined-up services’, particularly with regard to young people, and Ofsted’s expanded remit is one visible manifestation of that policy. It is clear to us that there are significant advantages of a single inspectorate, not least that Central Government then reflects front-line practice, as the Local Government Group told us:

We believe [a single inspectorate] is important because, on the ground, front-line services for children and young people are required to act in concert to ensure effective provision and outcomes.<sup>17</sup>

14. Other witnesses argued that a single inspectorate across education and children’s services can “ensure consistent standards and approaches to an issue”<sup>18</sup> and, at a less localised level, share “broadly similar aims”.<sup>19</sup> Several organisations, particularly from the non-schools areas of Ofsted’s remit, told us that they value the new, larger inspectorate. Kidsunlimited, for example, argued that Ofsted “has been a far more effective instrument for promoting improvement in Early Years and Childcare” than under previous arrangements.<sup>20</sup> Ofsted’s own Trade Union Side acknowledged that “there have

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12 Baker, M., ‘Ofsted—big, bland and bureaucratic?’, BBC News, 28<sup>th</sup> November 2009 (at <http://news.bbc.co.uk/1/hi/education/8383408.stm>)

13 See full list at <http://www.ofsted.gov.uk/Ofsted-home/About-us/Services-we-inspect-or-regulate>

14 Stewart Sutherland, now Lord Sutherland of Houndwood KT, was the inaugural head of Ofsted: Her Majesty’s Chief Inspector of Schools. Christine Gilbert CBE, who has led Ofsted since 2006, is Her Majesty’s Chief Inspector of Education, Skills and Children’s Services

15 <http://www.ofsted.gov.uk/Ofsted-home/About-us/Working-for-Ofsted>

16 Annual Report of Her Majesty’s Chief Inspector of Education, Children’s Services and Skills 2009–10, p. 7

17 Ev 155

18 Ev w99

19 Ev w75

20 Ev w48

undoubtedly been problems in creating ‘one Ofsted’ but that “the potential benefits to be had from sharing cross-remit expertise are apparent if not yet realised.”<sup>21</sup> However, we also heard significant evidence that Ofsted is still seen as an inspectorate of education alone. Kate Groucutt, Policy Director at the Daycare Trust, said in oral evidence that “awareness that Ofsted inspects and regulates child care is very low”,<sup>22</sup> and Robert Tapsfield—Chief Executive of the Fostering Network—agreed that “in the public’s eye, I’m sure [Ofsted is] seen as a schools inspectorate”.<sup>23</sup>

15. Maurice Smith CB, a former Chief Inspector at Ofsted, rightly pointed out to the Committee that the arguments for or against Ofsted’s remit depend on whether you “look at it through institutional eyes [or] through the child’s eyes” because “the child doesn’t just go to school; it goes to the doctor’s, and it may end up in the social care system.”<sup>24</sup> Whilst that argument is convincing, Lord Sutherland’s rejoinder is perhaps more so—that “the things that affect a child’s life are the whole context of the society in which they live... and you’re into everything the minute you move from the institution.”<sup>25</sup>

16. Other witnesses argued, again with good reason, that structure is far less important than sound practice within the structure. For example, the General Teaching Council for England explained that “whether there ought to be one or more inspectorates of children’s services is... of lesser order than the credibility and expertise of inspection teams in every kind of setting”<sup>26</sup>—a valuable and vital point to which we shall return—and one with which Lord Hill of Oareford, the Parliamentary Under-Secretary of State for Schools, appeared to agree. He argued that “the key question is whether the right people are performing the different bits of inspection... provided things are being done properly, I personally would not be too fussed about whether they sit in one big entity”.<sup>27</sup> The Fostering Network drew attention to the frequent changes of inspectorate for that sector, and pointed out that such “turnover is in itself a problem—each inspection body requires time to settle down.”<sup>28</sup>

17. Despite these arguments, the Committee was struck, in oral evidence especially, by the number of experts who consider Ofsted’s remit to have grown too large to make as profound a positive difference to the sector as smaller organisations might. Many witnesses argued that Ofsted did not have the sufficient expertise at senior levels, as Lord Sutherland explained:

I am disappointed that these additional responsibilities have been given to Ofsted for the purely practical reason that if you are in the seat at the top... it is rather a lot to ask and to find one individual, be it the person who chairs the board or the chief

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21 Ev w69

22 Q 297

23 Q 331

24 Q 70

25 Q 71

26 Ev w193

27 Q 455

28 Ev 147

inspector, who carries the can ultimately and who will have expertise in all those areas... it is really a very wide, broad remit to take home to one individual.<sup>29</sup>

The National Society for the Prevention of Cruelty to Children (NSPCC) emphasised that Ofsted “did not appoint anyone in a senior position with a social care background until very recently”.<sup>30</sup> Other witnesses drew attention to the lack of non-education expertise at all levels within Ofsted. For example, Sense—the national charity for deafblind people—told us that “different parts of the sector could be better served by either smaller inspectorates with a stronger individual focus... or the enhancement of specialist teams working within the current single inspectorate structure.”<sup>31</sup> Others still have argued that the joined-up approach has not, in practice, worked; Baroness Perry, a former Chief Inspector of Schools, told the inquiry that “some of the dreadful cases we have had... have demonstrated that there need to be more communications, but that of Baby P demonstrated that even after you have merged, you do not get any better service.”<sup>32</sup>

18. One convincing argument for the creation of a single inspectorate looking at education for young people and adults, children’s services, and children’s social care, was that it presented significant savings. However, as Lord Sutherland emphasised to us, back office functions could be shared by a greater number of smaller inspectorates which retained elements of specialism:

If you’re looking for savings, look for savings in an accounting context rather than in terms of perhaps reducing the quality of the operation.<sup>33</sup>

Maurice Smith agreed that that was a “perfectly acceptable” value for money argument<sup>34</sup> and certainly it seems that there is no reason why two inspectorates, with the exception of an additional Chief Inspector’s salary, should prove substantially more expensive than one.

19. Perhaps the most convincing evidence provided, though, was that during the inquiry it became very obvious that education and care are, in fact, different beasts which accordingly need to be treated differently. Nowhere was this distinction between the two sides of the remit more apparent than in the evidence given by the two Parliamentary Under-Secretaries of State from the Department for Education, where they described different inspection systems for the education and non-education sides of Ofsted’s remit. These differing purposes of inspection—which are discussed in more detail in the next section—are in themselves strong evidence for the division of Ofsted and its duties. In the words of one inspector who wrote to us, “Education and social care are not easy bedmates.”

**20. We believe that having a single children’s inspectorate has not worked well enough to merit its continuation. The expanded Ofsted has lost the elements of specialism**

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29 Q 2

30 Ev w102. The Chief Inspector, in her evidence, noted that “things are very different from when that comment was made”, but the NSPCC submitted its evidence in late 2010, specifically for this inquiry. At the time of this report’s publication, only one Development Director at Ofsted—John Goldup, the Director of Development for Social Care—has a background outside education

31 Ev w63

32 Q 95

33 Q 69

34 Q 70

associated with its predecessor bodies, at senior and operational levels. Ofsted has not adequately communicated its non-schools remit and, as such, is still seen by the public as an education-focused organisation. Moreover, different inspection regimes are needed for the very different sectors Ofsted deals with. In order to focus greater attention on children's services and care, and to ensure inspection is respected by its customers, we recommend that the Government splits Ofsted into two inspectorates.

21. The Inspectorate for Education should hold responsibility for the inspection of education and skills, including nurseries, schools and colleges, adult education, secure estate education, and teacher training, and local authority commissioning of schools. The Inspectorate for Children's Care should focus entirely on children's services and care, including children's homes, adoption services, childminders and CAFCASS. The two inspectorates should, for the sake of financial efficiency, consider how best to share administrative functions, and should of course work closely together—most particularly in conducting joint inspections of nurseries and children's centres—but should retain different elements of expertise and separate Chief Inspectors. The Chief Inspectors should demonstrate, in their annual reports, how the two inspectorates are working together. We are convinced that this division will not only raise the quality of inspection experience, but also the profile of what is currently Ofsted's non-education remit. With the recent formation of the Coalition Government, and a new direction of policy concerning young people, as well as the impending retirement of the incumbent Chief Inspector, now is a good time to begin this move.

22. For the remainder of this report, we will refer to two separate organisations, as our recommendations are sometimes specific to one rather than both of the proposed new inspectorates. Where we refer to 'Ofsted', this indicates the current organisation.

23. As suggested above, Ofsted has been hampered by its perception as a schools inspectorate. The new Education Inspectorate must ensure that the breadth of its remit is understood from the start, and the current Ofsted and any future inspectorates need to ensure they communicate better than is currently the case. This is discussed further below, and in Chapter 3.

## The definition of inspection

24. One clear disadvantage of a single inspectorate, which reared its head throughout the inquiry, is that its purpose has become increasingly blurred. There is clearly significant confusion amongst parents, front-line professionals and, perhaps most worrying, Ofsted's own workforce, as to what the purpose of inspection actually is.

25. The debate lies fundamentally in the balance between inspection for the sake of service improvement, and inspection purely as regulation and judgment. Headteacher Lynn Jackson, whose school in Newcastle-under-Lyme is one of the most improved in the country, made it clear that “when somebody comes in we want them to come in to help us to improve”,<sup>35</sup> and David Sherlock CBE—formerly Chief Inspector of Adult Learning before that inspectorate's merger with Ofsted—agreed that inspection “is an improvement

tool... it should be a developmental process, and if it is, it is welcomed by providers.”<sup>36</sup> This view was shared by several inspectors in their questionnaire responses to the Committee: one said that direct improvement work is the part of inspection “most valued by schools”. Inspectors’ broad overview of the system is part of the reason for this, as another inspector explained:

When Ofsted inspectors... lead training or advice sessions for schools, local authorities and subject associations, their views are greatly valued, because those views are informed by such broad and detailed experience.

The National Association of Head Teachers, which represents 28,000 leaders in education, also argued for Ofsted’s “focus being much more on a supportive process that is about school improvement and driving that forward.”<sup>37</sup>

26. Some evidence, however, suggests that—despite this preference by some school leaders and certain inspectors for a developmental, supportive improvement-based inspection model—Ofsted’s impact on school improvement is limited at best and negative at worst. Research from Keele University has suggested that “Ofsted visits seem to have adverse effects on the standards of exam performance achieved by schools in the year of the Ofsted inspection.”<sup>38</sup> More recent research by the Institute of Education and Bristol University argues that, whilst inspection can trigger immediate improvement in failing schools, it is short-lived:

[T]here is a positive causal effect of failing an Ofsted inspection on the school’s subsequent GCSE performance. This effect is statistically and substantively significant, but it appears to be transient. It peaks at two years after the inspection but has disappeared by four years after.<sup>39</sup>

27. Teachers did not generally concur that Ofsted causes direct improvement in schools, despite recommendations in reports which are intended to lead remedial action. 84% of over 1,500 respondents to a National Association of Head Teachers poll were clear that inspection did not accelerate improvement,<sup>40</sup> and the Association of Teachers and Lecturers’ survey provided a still-high 69%.<sup>41</sup>

28. Sir Mike Tomlinson, who was Chief Inspector at Ofsted from 2000–06, is adamant that for Ofsted to drive improvement directly would represent a conflict of interest, telling the Committee that “inspecting your own advice is not a particularly objective exercise.”<sup>42</sup> It is a view shared by inspectors at various levels within Ofsted. One questionnaire response told us that if Ofsted “were to get more involved in the improvement process then it would

36 Q 7

37 Q 122

38 Rosenthal, L., ‘The cost of regulation in education: do school inspections improve school quality?’ (Department of Economics, University of Keele, 2001), quoted in MacBeath, J., ‘A New Relationship with Schools?’, in de Waal, A. (ed.), *Inspecting the Inspectorate* (Civitas, 2008)

39 Ev w93

40 Ev 111

41 See Ev w221

42 Q 28

lose its objectivity and some credibility as it would be inspecting itself’; another argued that inspection should “provide an organisation with the information it needs to improve” but that it “is the job of other bodies to support these organisations”. The current Chief Inspector, Christine Gilbert, has written that inspectors “do not want to replicate the role of the school improvement partner, nor would it be right for inspectors to advocate particular commercial improvement tools”.<sup>43</sup>

29. David Bell—a successor to Sir Mike as Chief Inspector, and now Permanent Secretary at the Department for Education—felt that the argument was insoluble:

To say inspection causes improvement is fundamentally unprovable. I think there are examples of where you have greater evidence of improvement being brought about by inspection, but again it’s still not quite the same as saying it causes it. For example, [Ofsted’s] monitoring of schools with special measures is not causing improvement but most head teachers say... that the process of professional debate and discussion with HMI [Her Majesty’s Inspectors] brings some real bite to the improvement process.<sup>44</sup>

That view chimes with the oft-quoted inspectors’ mantra of “doing good as you go”, and indeed one inspector told the Committee that inspectors “are very conscious of not telling providers how to improve but can be very clear on what needs to improve”. That distinction is important, and begins to address the confusion surrounding Ofsted’s current role in the settings it visits. As Christine Gilbert emphasised in the *Times Educational Supplement* last year, Ofsted does share the best practice it collects, not least through its publications, and through the dialogue between inspectors and teachers, and therefore plays an important improvement role without directly driving change in schools.<sup>45</sup>

30. Tim Loughton MP, responsible for children and families policy at the Department for Education, said care inspection was not about “the fact that [social workers] followed all the procedures, which might result in the child still being harmed”, and agreed that this was more improvement-focussed than the school inspection system. Mr Loughton said the “improvement advisory role” offered by the old Commission for Social Care Inspection “could be a useful role” for the inspectorate, as did several written memoranda submitted to us.<sup>46</sup> We believe there is an important role for peer review to play in inspections, which is discussed in Chapter 4.

31. By contrast, Lord Hill—who oversees the schools side of Ofsted’s work—portrayed a different ideal system, which is “primarily inspection and seeing what’s going on”. He acknowledged that “the direction of travel on school improvement more generally is to try and encourage local approaches... and to try to encourage schools to work together and learn from best practice.”<sup>47</sup> Such an improvement model is markedly different from the care side of Ofsted’s remit, where many inspected settings are in fact individuals or

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43 Writing in ‘We strive to do better, too’, *The Times Educational Supplement*, 19 February 2010

44 MacBeath, J., *School Inspection and Self-evaluation* (Routledge, 2006), quoted in MacBeath, J., ‘A New Relationship with Schools?’, in de Waal, A. (ed.), *Inspecting the Inspectorate* (Civitas, 2008)

45 See ‘We strive to do better, too’, *The Times Educational Supplement*, 19 February 2010

46 See Q 453 and Q 454

47 Q 453



organisations which, for a variety of reasons, cannot form partnerships in the way schools can for improvement purposes, or do not benefit from the same kind of local authority support. We therefore agree with Mr Loughton that social care needs a more improvement-focussed model, whilst continuing to regulate against certain statutory procedures as well.

**32. The Committee is clear, from the evidence it has taken, that different models of inspection are needed for different settings, which is reflected in our desire for Ofsted to be split. The role of the Education Inspectorate should be, firstly, to inspect institutions and to provide judgments and recommendations which can drive better outcomes for individual children, young people and learners; and, secondly, to provide an overview of the education system as a whole. It should not aim to be an improvement agency, although inspection should of course hold up a mirror to an institution's failings and recommend areas for improvement without dictating how that improvement should come about. Similarly, it should continue Ofsted's work disseminating best practice, not just through inspections but through its website and publications as well. We do not envisage the Inspectorate being the sole repository of best practice, as the new 'Teaching Schools' and others will also have a role to play.**

**33. The Children's Care Inspectorate should more actively support service improvement, including a focus on the quality of practice and the effectiveness of help. This is largely because many of the remits it will inspect—such as childminders and adoption agencies—may not have easy access to the partnership-based improvement model which applies to schools, not least because of the size and scope of their activities. The Children's Care Inspectorate should ensure that its workforce has experienced practitioners who command the respect of social workers and childcare professionals, and who can promote and support improvement as well as regulating for statutory purposes. Inspectors should, for example, sit in on case conferences and attend visits to observe practice.**

34. It is all very well for those at the top of an organisation to understand its role, but it is equally important for those throughout the organisation and, in the case of a public body, members of the public, to understand what that role is. During the seminar and questionnaires we arranged, it became apparent to the Committee that not all inspectors are signed up to the same mission statement, and that this worrying confusion is transmitting itself to parents and professionals in the settings Ofsted visits. The negative views of Ofsted put forward by the school leader unions may, in part, be due to their members having very differing understandings of what the inspectorate does. Whilst Ofsted does have, on its website and in its publications clear, easily accessible 'mission statements' of its role, there is little clarity offered about precisely what constitutes inspection.

35. Evidence from a variety of other sources concurs with that of the seminar and questionnaires. Christine Ryan, Chief Inspector of the Independent Schools Inspectorate, told us that there

...needs to be clarity about what you are asking Ofsted to do, and I don't think there is that clarity anymore. For any organisation to be successful, it needs to know what



its purpose is and have very clear aims and objectives. I think those aren't clear at the moment."<sup>48</sup>

On the non-education side of Ofsted's remit, the Daycare Trust agreed that "there are clearly issues there about communication".<sup>49</sup>

**36. Both the Education and Children's Care Inspectorates need clearly-articulated mission statements easily available to parents, professionals and the wider public, as well as to their own staff, along the lines established above. These should also explain how the two organisations work together, and where. At present, inspection's role in improvement is not clear, leading to a variety of views within and without Ofsted's own walls, and thence to inconsistent experiences and expectations of inspection.**

37. It is worthy of note that the recommendations concerning school inspection in this chapter are broadly in line with those of our predecessor committee and its report on School Accountability. In particular, we agree with that report that Ofsted does not have an active role to play in school improvement (as did the Government response), and that its role therein needs clarification for the benefit of the whole system. We also note that report's recommendation that "Government should be alert to any sign that the growth of Ofsted's responsibilities is causing it to become an unwieldy and unco-ordinated body"<sup>50</sup>— and the then Government's response that it would "continue to draw on the evidence from the Committee's work in considering this matter."<sup>51</sup> The evidence we have received suggests that Ofsted is moving in that unwieldy and unco-ordinated direction, which supports our call for two new Inspectorates to replace the existing one.

## The case for abolition

38. Some evidence called for the complete abolition of schools inspection. Professor Michael Bassegy believes that Ofsted has played a useful role but that that role has now largely expired:

[Ofsted] has certainly raised awareness of the need for schools to [raise standards]. Now that schools are gaining greater autonomy, Ofsted inspections should be replaced by the more effective local accountability of schools self-evaluation supported by partner schools and governing bodies. Ofsted is a quango that has served its purpose. It can go.<sup>52</sup>

Professor Nick Foskett, a former teacher and lecturer, and now Vice-Chancellor of Keele University, similarly told the Committee to "question whether resources channelled into

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48 Q 207

49 Q 297

50 *School Accountability: First Report from the Children, Schools and Families Committee, Session 2009–10, HC 88-I, para 20 (and see other recommendations)*

51 *School Accountability: Responses from the Government and Ofsted to the First Report of the Committee, Session 2009–10: Third Special Report from the Children, Schools and Families Committee, Session 2009–10, HC 486, p. 10*

52 Ev w32

Ofsted might be resources that would be better channelled directly into the education service itself to raise standards in schools and universities.”<sup>53</sup>

39. Professor Bassey is supported by the evidence the Committee saw during its trip to Finland, which has no school inspection at all. Substantial autonomy for teachers and school principals, and significant trust placed in them by central Government, means that there is no call for formal intervention or regulation of any kind. Finland’s education system is deemed one of the world’s finest, consistently ranked higher than the United Kingdom in international league tables, and one from which the Government has expressed a desire to learn.<sup>54</sup>

40. Indeed, our visit has persuaded us that there are important lessons to be learnt from the Finnish system, including with regard to inspection. For example, a lack of inspection means a lack of the stress associated with it (see Chapter 3 below), and this in turn can mean that schools have productive and amiable relations with central and local Government, of which we saw evidence in Finland. Similarly, the autonomy given not only to heads but classroom teachers as well, when they are free from any form of external scrutiny, is a probable factor in the popularity of teaching among Finnish graduates.<sup>55</sup> However, despite these lessons and others, there are major differences between our education system and Finland’s which do support the retention of school inspection in this country. Perhaps foremost amongst these is that there is the variations in school performance and the extent to which socio-economic background is responsible for that, as the 2009 PISA results explain:

In Finland [and other countries], differences in the socio-economic background of schools account for less than 30% of the already-small performance differences between schools. In the United Kingdom [and others], the between-school performance variance explained by the socio-economic intake of schools is larger than 70%...<sup>56</sup>

As inspection measures progression as well as attainment—which we consider in further detail in Chapter 6—we believe external evaluation therefore remains important in this country.<sup>57</sup> **Whilst we fully agree that local partnership and self-evaluation are important mechanisms for school accountability and improvement, and support increased autonomy for heads and schools, we do not accept the case for the complete abolition of school inspection at this point. However, we support the principle of proportionate inspection and more focus on lower-performing schools. The Education Inspectorate should see as part of its mission a role to support the development of robust self and peer evaluation through appropriate partnerships. The expectation would be that over time the role of the Education Inspectorate would reduce, as a mature model of self-improvement based on trust becomes embedded.**

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53 Q 167

54 See *The Importance of Teaching—The Schools White Paper 2010*, p. 3

55 Figures supplied to the Committee by the Finnish National Board of Education show that, in 2010, there were almost 7,000 applicants for admission into class teacher education in Finland, of which around 12% were admitted to training.

56 *PISA 2009: Overcoming Social Background* (OECD, 2010), Volume II, p. 86

57 A note of the Committee’s visit to Finland can be found at Annex 2

## 3 The performance and independence of Ofsted

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### Ofsted and the Department for Education

41. In his oral evidence to the Committee, David Sherlock—formerly Chief Inspector of Adult Learning—praised the combined knowledge and evidence of inspectorates:

In a way, they are monster think-tanks. They gather together a large amount of educational expertise together in one place, which can deploy in a variety of different ways.<sup>58</sup>

Baroness Perry, a former Chief Inspector of Schools, argued that Ministers need to make better use of that expertise in policy-making:

I really do think Ministers need that regular contact with Ofsted, both to hear in a much more rounded way what is happening in the school system and for Ofsted to be able to raise real problems... [We] need to [have] the good evidence base that we all want to see... round the Secretary of State's table, at Ministers' ears, so that they have good evidential back-up for their policies...<sup>59</sup>

42. We are certainly keen to support the principle and practice of policy which is fully grounded in evidence, from a variety of sources. However, moving Ofsted back into the Department for Education—as it was before 1992, and as Baroness Perry and Professor Tony Kelly advocated to the Committee—would, we feel, create as many problems as it would solve. The independence of Ofsted is valued by inspectors and by the public at large, and we agree with the Government that, in the past, Ofsted “has been required to focus too much on inspecting schools against government policies”—a renewed danger if it sat within the Department for Education.<sup>60</sup> Anastasia de Waal, who, in her book on Ofsted, has accused the organisation of being a “government lapdog” which “forces schools to comply with the latest and ever-changing fads from Whitehall”,<sup>61</sup> agreed that Ofsted's independence was valuable:

[W]hat is very important is that Ofsted should have credibility in its own right, and not as part of the Department... We want to see an inspectorate that is not too friendly with the Department and is not afraid of it, but it is equally important that the Department does not have to take on board everything that Ofsted says.<sup>62</sup>

43. As Buckinghamshire County Council told us, schools' confidence in the inspection process is diminished if frameworks are “over-responsive to and driven by governmental demands.”<sup>63</sup> We believe that the same is true for parents, as Kate Groucutt of the Daycare

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58 Q 37

59 Q 119

60 *The Importance of Teaching—The Schools White Paper 2010*, p. 69

61 de Waal, A., *Inspection, Inspection, Inspection!* (The Institute for the Study of Civil Society, 2006), p. ix

62 Q 242

63 Ev w83

Trust told us: “Parents can certainly have more confidence in the judgment of an independent regulator that is a distinct voice from the Department.”<sup>64</sup>

44. On the other side of the argument, however, it is important that Ofsted—which has a unique overview of the education and well-being of children across the country—is a serious voice in the policy-making process, and that its evidence is considered fully by Ministers. As one inspector summed it up, “If we are to have an inspection system that is independent of political influence, then the least that can be done is to listen to....the reports that are made by it!” The Committee, for that reason, sees merit in the proposal—put forward by Baroness Perry and Dr John Dunford—for a new “Chief Education Officer” role to be created within the Department for Education. Dr Dunford outlined to us what that role would entail, and how it would sit alongside—rather than replace—the Chief Inspector:

[The Chief Education Officer] will be the senior professional voice in the policy-making process with direct access to the Secretary of State, as the chief inspector used to have, and use evidence from Ofsted. Ofsted’s role should then be to stand between the Government on the one hand and individual institutions on the other, reporting without fear or favour, on the performance of not only the institutions, but of Government policy, and feeding that back into the chief educational officer’s advice.<sup>65</sup>

45. Furthermore, the Committee is inclined to agree with Baroness Perry that the Department for Education, in lacking such a figure at present, stands alone within central Government:

The only major Government spending Department which does not have a chief officer to help it with policy is the Department for Education. The Department of Health has a chief medical officer... and a chief nursing officer. The Home Office has chief officers in all its various range of expertise. The Department of Education... does not have a chief education officer, which seems very strange to me.<sup>66</sup>

46. In light of our recommendation to split Ofsted into two new inspectorates, we feel that this proposal has significant merit, but should be applied not only to the education aspects of the Department’s remit. These two professional officers, whilst playing no part whatsoever in inspection judgments and therefore in no sense replacing the important roles of the Chief Inspectors of both inspectorates, would act as senior policy advisers to the Secretary of State, using inspection findings alongside other evidence to ensure that Ministers had access to recent and relevant experience of the settings they are dealing with around their table in Whitehall. There is no reason why these appointments could not, in the interests of financial efficiency, be either part-time or advisory, if the Department is so

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64 Q 340

65 Q 240

66 Q 119. The Department of Health has six professional officer posts, details of which are available at <http://www.dh.gov.uk/en/Aboutus/Chiefprofessionalofficers/index.htm>. Several Government Departments have Chief Scientific Advisers, including the Department for the Environment, Food and Rural Affairs (DEFRA) and the Home Office. Other professional advisers across Government include the Chief Fire and Rescue Adviser at the Department for Communities and Local Government

inclined. They could even be current senior practitioners on secondment from their own institutions.

47. Furthermore, and conversely, the Chief Officers would be able, where necessary, to temper any indication that Ofsted judgments were being over-used in the policy-making process. The Institute of Education shared a concern with us that “the inspection process is [currently] being asked to bear too great a weight in policy development”,<sup>67</sup> for example in the approval of early applications for Academy status, and Professor Tony Kelly agreed that the existing evidence base is not strong enough to support some of the policy burden it is asked to bear.<sup>68</sup>

**48. Ofsted’s independent status is broadly valued by inspectors, by professionals, and by the public, and we strongly support the retention of that status. However, the Committee is concerned that there is no front-line voice within the senior echelons of the Department for Education, working alongside the inspectorates and Ministers to ensure that policy is informed by recent and relevant experience through a more direct means than consultation. We recommend that the Department considers appointing two new senior advisers within the Department—a Chief Education Officer and a Chief Children’s Care Officer—along the lines of the chief professional officers of other Government departments. These roles would in no way replace the Chief Inspectors of Education or Children’s Care; nor would they seek to replace the important existing relationships between civil servants, senior inspectors, and special advisers. Rather, they could work alongside those people within Government, ensuring that the inspectorates can retain their independence.**

## Communicating and engaging with the public

49. With such a broad remit, it is perhaps unsurprising that Ofsted’s communications came in for criticism during our inquiry, not least from the current Chief Inspector herself. She told the Committee that Ofsted “could do a lot more with our website” and that it “has proved really difficult to create a new and better website that is more accessible, more user-friendly and more intuitive.”<sup>69</sup>

50. Other witnesses were inclined to agree. One group of colleges told us that the Ofsted website “has virtually no search facility of benefit to professionals in the sector seeking to find material to support a quality improvement journey”,<sup>70</sup> although such material is available in the form of Ofsted’s best practice guides and other publications. Another umbrella body for colleges noted especially that “there is no search facility for specific aspects of practice”.<sup>71</sup>

51. Some similar issues were raised with the complaints system currently operated by Ofsted. The Committee corresponded with the Independent Complaints Adjudication

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67 Ev w236

68 See Q 120

69 Q 419

70 Ev w14

71 Ev w74

Service for Ofsted, which handles complaints once they have been exhausted through Ofsted's internal processes, and it seems that the recommendations ICASO has made to Ofsted are already having a positive impact on its potentially inflexible existing practice. However, the issue of clear, accessible explanation of the complaints procedure is important, and the new Inspectorates should make sure they articulate these more clearly, so that the public is aware of how to make a complaint—both about inspectors and about individual institutions.

**52. We agree with the incumbent Chief Inspector that the current Ofsted website needs considerable revision to ensure a positive user experience for all of its visitors. The new Chief Inspectors of Education and Children's Care should consult with the public and with front-line professionals in their relevant fields to ensure that the new websites, and in particular their search facilities, are more accessible than the current model. The new websites should include clearer articulation of the inspectorates' complaints procedures.**

53. One London council told us that the “quality of the final reports produced by Ofsted can be very variable”<sup>72</sup> and, in the seminar Committee members held with serving and retired inspectors, the quality of reports was agreed to be somewhat inconsistent, with the language used often being too “technical”. It was raised at the seminar that reports were also for the use of parents, not least because school staff receive verbal feedback which parents do not, and yet the Trade Union Side at Ofsted told us of some evidence that “parents rely more on the brief letter to pupils to learn what the school is like than on the main sections of the text.”<sup>73</sup>

54. Chief Inspector Christine Gilbert, in her evidence to the Committee, acknowledged that “the parental issue is a matter of real concern” and that there “are things that we are trying to do in relation to engaging parents more.”<sup>74</sup> It seems to us that, as reports are studied by parents as well as practitioners, then these might be good places for the new inspectorates to begin a serious effort to improvement engagement with parents. The Daycare Trust has recommended specific ways to make the reports more parent-friendly, which we think are worthy of attention:

We don't think the reports are particularly parent-friendly. They are quite “dry”, with black and white text... There is always more that can be done to put it in plain English, but you have to get past quite a lot of legal jargon at the top and the description of each grade. We would like to see a box really clearly at the top, which says, “This setting is good” or “This means x, y, z”. One or two particularly strong features of the setting could perhaps be highlighted... Because realistically, parents aren't going to read the whole inspection report for a large number of settings. So it should be made more useful for parents to use it as a tool for choice in respect of settings.<sup>75</sup>

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72 Ev w78

73 Ev w69

74 Q 401

75 Q 313



55. At the same time, we feel that reports need to be full enough to provide the information needed to support improvement. Lesley Davies, of the Association of Colleges, told us that “reports are not as full and rich as they used to be”.<sup>76</sup> She also reported that, based on an analysis of over 400 reports, “49% of those reports were published late, some up to 200 days late.”<sup>77</sup> Professor Nick Foskett, a leading academic and former teacher, told us that some reports are also lacking in evidence to support conclusions:

To quote one of my colleagues who has said on a number of occasions, “If the inspection report that was produced on their institution was presented as a master’s level dissertation, it would fail because of lack of evidence to support the judgment.”<sup>78</sup>

56. There are some problems, too, with the engagement of foster carers and of young people themselves—not just during the inspection process, but during feedback. Jonathan Stanley, who runs the National Children’s Bureau Residential Child Care office, told us that “feedback from the inspection to the young people, in our experience, almost never happens, yet it is about their home.”<sup>79</sup>

**57. As a major vehicle for communication between inspectorates and the general public, inspection reports need to be high quality, and we accept that many are well-written and balanced. However, under the structure which we propose, the new Chief Inspectors of Education and especially of Children’s Care would need to ensure that all reports are parent-friendly, and that concise, accurate summaries of settings are given as well as the detail of performance against individual criteria. Reports on care settings, in particular, should be accessible to the young people who use and experience those settings. Reports also need, though, to have a depth of intelligence to make them actively useful to professionals and providers, and need to be delivered on time. The new Inspectorates of Education and Children’s Care should publish, annually, the number of reports which are not delivered on time, and manage performance rigorously.**

**58. Parents and carers need to be engaged more throughout the inspection process, and we would encourage the new Inspectorates to continue the work begun by their predecessor organisation in that regard. Similarly, parents and carers as well as young people themselves need to be better involved in the feedback process following inspections. The Government might like to consider a consultation with parents and young people on how Ofsted’s reports and broader communication could be improved.**

## Transparency of contractual information

59. The Committee was pleased to take evidence from the three organisations which act as Regional Inspection Service Providers (RISPs)—CfBT Education Trust, Serco, and the Tribal Group. The RISPs undertake inspections on behalf of Ofsted, with responsibility for different regions of the country, and employ a workforce of Additional Inspectors who are

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76 Q 187

77 Ibid.

78 Ibid.

79 Q 315

trained by Her Majesty’s Inspectors but who, in many cases, can lead inspections in their own right. At the time of writing, there are around 400 HMI and 2,700 Additional Inspectors.<sup>80</sup>

60. In her oral evidence, the current Chief Inspector told us that “the contractors are, seriously, all performing well at the moment”.<sup>81</sup> The Chair asked if performance assessments of the three organisations were available to the Committee, and the Chief Inspector said she was “sure that we can give you something on the performance of the three providers—and on the performance over the past year, which is really important.”<sup>82</sup> She went on to explain that satisfaction reports from schools, following inspections, are also taken very seriously.<sup>83</sup>

**61. The Committee is supportive of the Government’s drive for more publicly available information and, in that spirit, recommends that Ofsted makes easily accessible its performance assessments of the three Regional Inspection Service Providers, as well as contractual details. We believe this may have the additional benefit of providing more substantive evidence about the relative performance of Additional Inspectors as compared to Her Majesty’s Inspectors, about which we have heard contrasting views. (We return to this issue in Chapter 4).**

## Financial effectiveness and efficiency

62. We agree with Anthony Douglas CBE, the Chief Executive of CAF/CASS (which is inspected by Ofsted), that, when considering inspection, “we have to approach it from the public purse’s point of view of what the benefit is of this and what its impact on outcomes is.”<sup>84</sup> Ofsted has, like all Government Departments, committed to making savings during this Parliament, and we were grateful to the Chief Inspector for outlining these during her oral evidence:

We have a savings target of 30%, but it is not all for next year; it is to be achieved over the next four years... It is £186 million this year and, in 2014–15, we go down to £143 million... There will be—we have made plans for this already—over a third reduction in back office support services.<sup>85</sup>

Furthermore, Ofsted has already done commendable work in making savings, as Christine Gilbert explained:

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80 The 2007–10 Ofsted Strategic Plan refers to “approximately 2,700 staff across England”, of which “over half are inspectors”, and goes on to say that “In addition, our partners in the private sector, the regional and national inspector providers, deploy a further 1,100 inspectors” (p. 22). More recent figures sent to the Committee by Ofsted for this inquiry suggest that there are just over 400 Her Majesty’s Inspectors, and around 2,700 employed by the regional providers. The total Ofsted workforce, in the same correspondence, was set at around 1,500 (including 400 HMIs)

81 Q 390

82 Q 391. See Ev 134 and Ev 138 for further information provided to the Committee by Ofsted and the Inspection Service Providers

83 Ofsted tells us that, in an independent survey carried out by Ipsos MORI in 2009, “only 9% of parents said they were not in favour of school inspection”. (Ev 106, footnote 3)

84 Q 266

85 Q 432



Because we were compliant and dutiful and made a 30% saving required by the Better Regulation Executive in creating the new organisation, we made a lot of reductions.<sup>86</sup>

63. Further financial information is available in the Ofsted Departmental Report for 2008–09, which reveals that the cost of inspection per child or learner “has continued to fall as a result of efficiency savings”,<sup>87</sup> and goes on to offer similar breakdowns for the various institutions inspected by Ofsted. The report also includes total public spending on the regulation and inspection of education, children’s services, and skills, although it offers no breakdown of costs for those separate areas.<sup>88</sup>

**64. We believe that Ofsted, as it exists now, has made significant savings and has plans to continue that direction of travel. We recommend that the Government is alert to value for money if the inspectorate is divided into two new organisations, and ensures that there is no extra cost to the public purse of any new inspection system. The two inspectorates should be charged to work together to maximise the efficiency of back office support services and continue to reduce costs and deliver improved value for money.**

## The role of the non-executive Board

65. An independent review of Ofsted’s non-executive board suggested that, whilst its overall performance is outstanding, a number of conventional governance arrangements do not apply to its operation. For example, “whilst the Board has a statutory role in monitoring her performance, HMCI [Her Majesty’s Chief Inspector] is not wholly accountable to them.”<sup>89</sup> Similarly, “the Board’s functions are tightly ring-fenced... so that it does not, for example, have any control over Ofsted’s budget and resources.”<sup>90</sup> These arrangements, described by one witness to the independent evaluation as “quirky”, derive from the Education and Inspections Act 2006, which lays out Ofsted’s functions.

66. Annex 3 to this report shows the current organisation of Ofsted and the present composition of the Board. Its members are drawn from various walks of life, and include a former Chief Executive of a local authority (Chris Trinick) and a Director in a Primary Care Trust (Jane Roberts). However, we note the recommendation of the 2009 independent evaluation concerning the Board’s membership:

There are...specialist areas in which the Board’s familiarity might be deepened as further opportunities arise. Examples are education (currently well addressed by the co-option of Sir Alan Steer), social care and criminal justice.<sup>91</sup>

67. Some inspectors were less hesitant to suggest Ofsted’s Board did not have enough understanding of the inspectorate’s work: one wrote that the Board is “largely irrelevant”

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86 Ibid.

87 Ofsted Departmental Report 2008–09, p. 49

88 Idem., p. 67

89 Independent Performance Evaluation of the Ofsted Board by The Results Partnership, May 2009, p. 9

90 Ibid.

91 Idem., p. 6

with “a membership completely divorced from the work of inspectors”; another wrote that its role is “a mystery to the workforce”. Controversial comments reported in the press have not aided to the Board’s standing within or without the organisation.<sup>92</sup>

68. Concern has been expressed in the appointment of Baroness Morgan of Huyton as Zenna Atkins’ successor.<sup>93</sup> Baroness Morgan, a former Director of Government Relations under Tony Blair, is an Adviser to Absolute Return for Kids (ARK, which runs several academies, including one of which she is a governor) and to the New Schools Network. The NASUWT union, amongst others, has questioned the appointment, with General Secretary Chris Keates arguing that “The chair has to be able to comment without fear or favour. How can she do that when she’s simultaneously advising the board of a body that has a vested interest in the expansion of academies?”<sup>94</sup> Ministers told us that there is no conflict of interest, not least because the Board cannot interfere in the inspection process itself.<sup>95</sup>

**69. We acknowledge that the Ofsted Board cannot intervene in inspection judgments, and do not suggest any change to that. However, any non-executive Board needs to command the confidence of its organisation and of the general public. We therefore recommend that the new Inspectorates of Education and Children’s Care have, on their non-executive Boards, members whose experience is directly relevant to the remit of the inspectorate, to inspire confidence in their leadership and scrutiny, and that make it clear precisely what their duties are, as agreed with the Secretary of State for Education. Similarly, we recommend that—in the event of the creation of new inspectorates—the legislation from which the Board’s functions derive is reviewed.**

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92 See, for example, ‘Ofsted chief: we need useless teachers’, *The Daily Telegraph*, 12 July 2010. Zenna Atkins, former Chair of Ofsted, was quoted as saying that, “One really good thing about primary school is that every kid learns how to deal with a really \*\*\*\* teacher... I would not remove every single useless teacher because every grown-up in a workplace needs to learn how to deal with the moron who sits four desks down without lamping them and to deal with authority that’s useless... I would like to keep the number low, but if every primary school has one pretty naff teacher, this helps kids realise that even if you know the quality of authority is not good, you have to learn how to play it.”

93 See, for example, ‘Ofsted chair and academy adviser, but DfE denies conflict of interest for Morgan’, *The Times Educational Supplement*, 18 February 2011 (<http://www.tes.co.uk/article.aspx?storycode=6070578>)

94 Ibid.

95 See Q 470–Q 476

## 4 The quality and consistency of inspectors

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### The variability of inspector performance

70. Of the 77 inspectors who responded to the Committee's questionnaire for this inquiry, almost 60% judged the performance of their peer inspectors to be variable at best, although very few thought that the majority of inspection teams performed poorly, and many inspectors said that inconsistency was often caused by newly-recruited inspectors finding their way.<sup>96</sup> Other evidence we have taken agreed with the inspectors' self-verdict that, in the words of one, "inspection teams often contain inspectors with little knowledge of the phase or aspects they are inspecting and often with limited experience of inspection itself."

71. There is little doubt, as the National Association of Head Teachers told us, that "there are many excellent inspectors working in the field"<sup>97</sup> or that, as SCORE (Science Community Representing Education) reported, "subject inspectors within Ofsted are often hugely knowledgeable".<sup>98</sup> However, the evidence we have heard also leaves little doubt that there are, in the words of teacher Dr Steve Austin, "inspectors who do not have any recent and relevant experience of the kind of school that they are inspecting."<sup>99</sup> David Singleton OBE, a former Deputy Director of Education at Ofsted, is clear that, on the education side of the house, "too many inspectors have been too long out of schools... Too many are not fully up to date; they have little notion of the pressures on modern teachers."<sup>100</sup> Baroness Perry, a former Chief Inspector, supported this in her evidence to the Committee, stating categorically that there are "inspectors who have never taught a day in their lives".<sup>101</sup>

72. The picture does not appear to be vastly different away from schools inspections. Robert Tapsfield, who leads the Fostering Network, reported that agencies have been inspected by people "with very little experience of fostering and that has caused a problem."<sup>102</sup> Jonathan Stanley, whose expertise is in children's homes, agreed that inspection works best when the team has "some knowledge, skills, expertise and experience of the setting in which you're working", before adding that this "is clearly not the case in all residential child care inspections."<sup>103</sup> The British Association of Social Workers which, as a representative body, has a national perspective on such issues, reported that some inspectors "appear to have very little understanding of the work of the sector they are

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96 The questionnaire asked "In your experience of working as an inspector, are inspection teams uniformly high quality?" as part of an open-text question. Of those who directly responded to that question (74 out of 77 responses), 41% said that teams were broadly or consistently high quality; 54% said quality was variable; and 5% said that generally the quality was low

97 Ev 111

98 Ev w125

99 Ev w3

100 Ev w12

101 Q 92

102 Q 327

103 Q 307

inspecting.”<sup>104</sup> Special school heads appear to feel “very passionately” that “inspectors have some experience in the area of special needs education that they are looking at”.<sup>105</sup>

73. Ofsted has acknowledged that secondment out of the organisation is a “valuable developmental tool” and that “increasing the proportion of inspectors who have recent and relevance experience of the schools sector” is a major benefit of such secondments.<sup>106</sup> However, of the six outward secondments listed in the Departmental Report for 2008–09, only one was to the front-line (with a local authority); the others were to other Governmental or central organisations.<sup>107</sup> We believe that this lack of recent and relevant experience of the front-line has contributed to a loss of faith in the inspection system. As one commentator has written, “inspectors have to be trusted and recognised as expert” if they are to command “the respect of the profession [they] seek[s] to regulate”.<sup>108</sup> Urgent reform is needed to ensure that the new Inspectorates of Education and Children’s Care have credibility within their respective sectors, which will in turn bring the “mutual trust and respect”<sup>109</sup> on which successful inspections rely.

74. Furthermore, we believe this ties closely to the Government’s desire—articulated in the recent White Paper *The Importance of Teaching*—to focus inspection more on observation than on data:

We will ask Ofsted to return to focusing its attention on the core of teaching and learning ... [allowing] inspectors to get back to spending more of their observing lessons, giving a more reliable assessment of the quality of education children are receiving.<sup>110</sup>

We heard evidence that in some inspections there is “an over-reliance on data”.<sup>111</sup> Research by the National Foundation for Educational Research found that “many [schools] would prefer an even greater emphasis on observations of teaching and learning, and less emphasis on data and systems.”<sup>112</sup> We will return to the new framework in Chapter 6, but this specific issue relates directly to our recommendations below concerning the experience and expertise of inspectors, as more observation would appear to imply that inspectors need a greater appreciation of the settings they are visiting.

75. At the same time, a number of inspectors accepted that the front-line values experience of inspection as well as experience of the sector. There is a fine balance to be struck between the two. Inspecting is itself a great skill, and those with sustained inspection understanding and experience are as valuable as their colleagues who have been at the

104 Ev 148

105 National Association of Head Teachers, Q 141

106 Ofsted Departmental Report 2008–09, p. 55

107 See list, *ibid.*

108 Kelly, G., ‘Woodhead wants Ofsted closed down...’, *The Times Educational Supplement*, 12 February 2010

109 Association of School and College Leaders, Q 141

110 *The Importance of Teaching—The Schools White Paper 2010*, paras 6.17 and 6.19

111 Ev 154

112 Ev w108

front-line more recently as well. Inspection teams need to achieve this mix in order to command the respect of teachers and other professionals.

**76. There are too many inspectors lacking recent and relevant experience of the settings they investigate. The Inspectorate of Education should extend and develop mechanisms—such as outward secondments to the front line—for ensuring that its inspectors remain in touch with the system and changes therein. The Inspectorate of Children’s Care, which we envisage would operate on a more improvement-based model, will need to ensure that alongside its ‘practitioner inspectors’ it has inspectors who, by contrast, have experience of inspection practice over a longer time period. We feel it is essential that inspectors have regular opportunities for professional development, most particularly to keep up-to-date with practice at the front-line.**

### Secondments into the inspectorate

77. Broadly, then, we agree with the inspector who told us (and the many others who agreed) that a sizeable percentage of the inspectorate workforce “should be experts drawn from their fields.” However, we acknowledge that there are many barriers to that, which Janet Tomlinson, Managing Director of Inspections at Tribal Group, outlined for us:

For very small schools, it can be difficult to release people. Also, we find that serving practitioners, particularly from smaller schools, are reluctant to leave their schools too often in a year. Maybe they only want to leave to do one or two inspections, and then it’s hard for them to keep up to speed with what’s going on in the inspection world. It’s harder for them to write the reports quickly—to do whatever they need to do quickly—because they are not accustomed to doing it that often.<sup>113</sup>

78. We also acknowledge that the Regional Inspection Service Providers (RISPs)—CfBT, Serco and Tribal—are currently making concerted efforts to increase the numbers of serving practitioners who are also inspectors, although they are doing so from very low baselines. All three told us that currently 10% of their schools workforce is serving practitioners, and they are aiming to increase that to 20–30% over the next three years; in learning and skills, the increase will be to a far more impressive 50% (from a baseline of 40%). However, as Janet Tomlinson explained, “With learning and skills, it’s easier, because you’ve got colleges that are so much larger that it’s easier for staff to be released to go on inspections.”<sup>114</sup>

79. We were pleased to hear the methods outlined by all three RISPs for increasing those figures, including training programmes, conferences, taster courses and peer support.<sup>115</sup> We agree with the inspector who suggested that “secondments directly to Ofsted or to the contractor could ensure more practitioners for a longer time”, and are pleased that Ofsted already encourages this.<sup>116</sup> Eleanor Schooling, Director of Children’s Services for Islington, argued that—for this to become more normal practice—it would “need to be part of my

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113 Q 358

114 Q 358

115 See Q 360

116 See Ofsted Departmental Report 2008–09, p. 55

job and of my job description that there is an expectation that I would go to do peer review and sector-led support for other local authorities”,<sup>117</sup> which might be one way of addressing the barriers outlined above.<sup>118</sup>

80. Furthermore, we are convinced not only that inspectors have more credibility when they are serving practitioners, but also that there are benefits to be gained for the inspection service itself as well as for the settings inspected. Christine Ryan, Chief Inspector at the Independent Schools Inspectorate, told us what those are:

Within our system, the team inspectors are themselves current, serving practitioners. We deploy around a thousand of these a year to go into and inspect other schools. The exchange of information and the opportunity to see the most effective practice and to take it back into their own institutions... is phenomenal. The inspectors themselves frequently comment that it is the best professional development that they get, as well as the benefit to the sector as a whole.<sup>119</sup>

Professor Nick Frost, whose expertise is in the social care side of Ofsted’s remit, agreed that peer review would help to “spread good practice and good practice models.”<sup>120</sup>

**81. The Inspectorates of Education and Children’s Care which we propose, working with the Department for Education, need to develop ways to increase dramatically the percentage of inspectors who are serving senior practitioners on secondment from the front-line. The targets currently set by the Regional Inspection Service Providers for schools are too low, and we believe a greater proportion would aid the credibility and quality of inspection teams. We suggest that such secondments could be built into job descriptions for practitioners, and would encourage Government, centrally and locally, to consider how that might work. Consideration should continue to be given to other ways to ensure that practitioners are encouraged to become inspectors.**

## The training and role of Additional Inspectors

82. A very common theme in evidence from education institutions was the huge difference in opinion as to whether Her Majesty’s Inspectors offer a better service to schools than their Additional Inspector colleagues. There is a stark contrast in the evidence submitted by the teacher unions with that of Ofsted itself.

83. Teacher unions have been calling for some time for all inspections to be led by Her Majesty’s Inspectors, who are the full-time workforce employed directly by Ofsted. In an article in the Times Education Supplement in March 2010, the National Association of Head Teachers explained its rationale:

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117 Q 266

118 The Committee’s attention has been drawn to the Australian practice of ‘Long Service Leave’ where employees are entitled to additional, accumulated leave based on their length of service. Some Australian citizens choose to spend this additional leave on secondment to other organisations or visiting similar workplaces abroad. The entitlement is nationwide, but administered regionally; more information on the system in Victoria, for example, can be found at [http://www.business.vic.gov.au/BUSVIC/STANDARD/PC\\_63017.html](http://www.business.vic.gov.au/BUSVIC/STANDARD/PC_63017.html). Such a model might provide an interesting starting point for any Governmental consideration of how a “secondments entitlement” might work in this country

119 Q 209

120 Q 274



The thing about HMIs is there is the quality assurance in terms of training and standards which we don't necessarily believe is there with other inspectors, although there are some very good teams out there.<sup>121</sup>

In its evidence to this inquiry, the NAHT maintained its position, arguing that “we receive very few complaints about HMI” and that the “overwhelming majority of the ‘problem’ inspectors” are Additional Inspectors.<sup>122</sup> The National Union of Teachers also raised concerns “about the performance and behaviour of inspectors employed by inspection service providers”, although “approval ratings of HMI... have consistently been relatively high.”<sup>123</sup> For the Association of School and College Leaders this is because “there is a clear rigorous assessment process on appointment of HMIs” which is lacking for Additional Inspectors.<sup>124</sup>

84. By contrast, Ofsted's own evidence suggests that there are “more complaints about HMI-led inspections of schools than [there are about] additional inspector-led ones.”<sup>125</sup> Janet Tomlinson of Tribal offered an explanation of this contrast in evidence:

One of the things that our inspectors find, in schools particularly, is that schools are not really aware of who are HMIs and who are additional inspectors—they get very confused. We find—sometimes to our embarrassment, sometimes to Ofsted's – that schools get confused between what is Ofsted and what is Tribal. As far as they are concerned, they are having an inspection; they do not always mind or care who is doing it, as long as those people are doing it well.<sup>126</sup>

85. This issue was tackled by our predecessors on the Children, Schools and Families Committee, which recommended in its 2010 report on School Accountability that:

We believe that Ofsted should aspire to have HMIs lead all inspections. Schools causing concern should always be inspected by a team headed by an HMI.<sup>127</sup>

That recommendation was not accepted by either Government or Ofsted, with the former arguing that there “are many effective and highly qualified additional inspectors who have delivered very good inspections and reports”<sup>128</sup> and the latter agreeing that there would not “be any great advantage to having all inspections led by HMI—especially if this diminished their critical role in quality assurance.”<sup>129</sup>

86. That final point does raise concerns about the principle of HMIs leading all inspections. As a smaller, full-time and more costly workforce than their Additional Inspector

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121 ‘Heads’ union demands that all inspections are HMI-led’, *The Times Educational Supplement*, 19 March 2010

122 Ev 111

123 Ev w155

124 ‘Heads’ union demands that all inspections are HMI-led’, *The Times Education Supplement*, 19 March 2010

125 Q 426

126 Q 361

127 *School Accountability: First Report of the Children, Schools and Families Committee, Session 2009-10*, HC 88-I, para 21

128 *School Accountability: Responses from the Government and Ofsted to the First Report of the Committee, Session 2009-10: Third Special Report of the Children, Schools and Families Committee, Session 2009-10*, HC 486, p. 10

129 *Idem.*, p. 26

colleagues, HMIs have an important role in overseeing the training of Additional Inspectors, and we are convinced by Ofsted's evidence that this is a better deployment of their expertise than having them lead every inspection. However, we also agree with Janet Tomlinson that transparency around the provenance and experience of inspectors may be partly responsible for the wildly different evidence submitted by Ofsted and the unions.

87. On the subject of training, we also acknowledge the evidence submitted to us by the NASUWT union:

For all inspectors, effective training and development remain key concerns. It is for this reason that the NASUWT remains concerned that the nature, scope and quality of Ofsted's training programmes are not open to independent scrutiny.<sup>130</sup>

**88. We are not convinced that there is a definite or systemic difference in quality between Her Majesty's and Additional Inspectors, and are inclined to agree with the inspector who told us that "HMI are not universally better than AI and many AI are certainly better than HMI." We are therefore disinclined to recommend that all inspections are led by HMIs. We do agree, however, that HMIs—who have considerable experience of inspection practice—should continue to be well-utilised in the training of other inspectors.**

**89. In line with our earlier recommendation concerning performance-related transparency, we believe that the new Inspectorates should prioritise transparency over the provenance of their inspection teams, including providing fuller biographies and curricula vitae to settings in advance of inspections. This would increase all inspectors' credibility—whether Her Majesty's or Additional—as well as support professional dialogue with settings. Greater transparency over the training of inspectors would also be welcome.**



## 5 Experiences and mechanics of inspection

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### Ofsted and stress

90. It is, of course, the case that any form of examination or inspection has stress, as one witness told us, “built into the system”.<sup>131</sup> To a degree, we believe that an element of stress is, as the same witness said, “never going to go away”<sup>132</sup> from inspection, and indeed it could be argued that an element of that inevitable stress is, to quote another witness, “probably how life is and should be”,<sup>133</sup> and makes settings focus more keenly on their potential weaknesses in advance of inspection.

91. However, an element of healthy stress is a far cry from the “headteachers and governors hamstrung by fear” which the Association of Teachers and Lecturers drew our attention to with regard to Ofsted inspection. Serving head teacher Lynn Jackson acknowledged that “the fear that Ofsted brings is very much in every head’s mind as soon as we get that phone call.”<sup>134</sup> Social workers appear to agree that Ofsted has “built a culture of negativity around inspection.”<sup>135</sup>

92. We were particularly concerned to hear evidence suggesting that the stressful impact of Ofsted inspection might be deterring people from entering, or continuing in, their chosen profession. Professor Nick Foskett of Keele University said to us:

I am certainly aware of quite a number of people within ITE [initial teacher education] who have experienced quite severe personal health issues as a result of their experiences of Ofsted inspection, particularly where those judgements were deemed to be unfair, unrealistic and based on inappropriate evidence and where there was a high-stakes negative consequence that came with that.<sup>136</sup>

Similarly, Anthony Douglas of CAF/CASS reported:

The impact of inspection... is profound on social workers. It generally contributes to a low-level anxiety, which, when you are doing very anxious work anyway, is a factor that we need to be much more aware of. If we are not really careful, we will drive people out of this work; they won’t be coming into it.<sup>137</sup>

Similarly, we read evidence which reported that inspection can be stressful enough to produce negative results in an institution’s performance. Leslie Rosenthal, of the Department of Economics at Keele University, has suggested that “the efforts required by teaching staff in responding to the demands of the school inspection system are great enough to divert resources from teaching so as to affect pupil achievement in the year of

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131 Q 198

132 Ibid.

133 Q 305

134 Q 78

135 Ev 148

136 Q 197

137 Q 276

the visit.”<sup>138</sup> A study conducted by Hertfordshire secondary students reported “a tenuous relationship with their teachers” in advance of inspection.<sup>139</sup>

**93. It is the responsibility of the inspectorate to ensure that inspection processes are not unduly burdensome, and the responsibility of those being inspected to prepare for a process which may be stressful. The inspectorate and the inspected should do everything possible to minimise any negative impact of inspection on young people and learners.**

94. Inspectors themselves considered the job to be stressful: only 10% of those responding to our survey said that inspection was not a stressful process for teams, although a good number also said that pressure was an important part of the job which they did not resent. The most common reason cited for this was the lack of preparation time built into inspection regimes. **We suggest that the new Chief Inspectors of Education and Children’s Care, whilst having due regard to the financial efficiency of their organisations, consider how best to build further preparation time into inspection schedules.**

## Notice of inspections

95. Panels of witnesses were very split over the subject of notice periods for inspections. Currently:

Schools receive between zero and two working days’ notice of a section 5 inspection, with most receiving between one and two days notice. HMCI may arrange for any school to be inspected without notice where there are particular reasons, such as those connected to pupils’ welfare, or where there are concerns about safeguarding or rapid decline in performance. Monitoring visits will be conducted without notice.<sup>140</sup>

There are, however, some problems with no-notice inspections, particularly in non-schools settings, as former HMCI Maurice Smith explained to us:

We introduced no-notice inspection for early years, so in early years inspectors turn up on the doorstep... that is partly because early years are always there. We can’t do it with child minders—we’ve had a miss rate of 25%, because they’ve gone to the park.<sup>141</sup>

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138 Rosenthal, L., ‘The cost of regulation in education: do school inspections improve school quality?’ (Department of Economics, University of Keele, 2001), quoted in MacBeath, J., ‘A New Relationship with Schools?’, in de Waal, A. (ed.), *Inspecting the Inspectorate* (Civitas, 2008)

139 See Macbeath, J., ‘A New Relationship with Schools?’, in de Waal, A. (ed.), *Inspecting the Inspectorate* (Civitas, 2008)

140 [http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Education-and-skills/Schools/\(language\)/eng-GB](http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Education-and-skills/Schools/(language)/eng-GB). Section 5 refers to section 5 of the Education Act 2005, under which school inspections are carried out

Sir Mike Tomlinson said that could also happen with schools: “if you just pull up with no notice, there is the possibility that the school is not in operation and you’ve wasted an awful lot of public resource.”<sup>142</sup>

96. Despite this, Mr Smith went on to say that he thinks “little or no notice works pretty well with schools”, and that in other settings inspectors “have the power and... should use it occasionally.”<sup>143</sup> His former HMCI colleague Lord Sutherland, however, noted that “one thing you lose with no notice is the possibility of a school saying that they have a particular issue on which it would be very helpful to have an inspector’s professional view”, although he too felt that “generally... the less notice, the better.”<sup>144</sup>

97. Other witnesses were far less positive about the merits of unannounced inspections. David Sherlock said that giving three months notice provided time for “a dialogue between the provider’s nominee and the lead inspector”, and that this could bear significant fruits: “if the organisation improved itself during those three months, because they knew that an inspection was imminent, the learners benefited, and generally speaking that improvement was permanent.”<sup>145</sup> Christine Ryan agreed that with only two days’ notice “you have no opportunity to establish a dialogue with the school”<sup>146</sup> and expressed relief that the Independent Schools Inspectorate was able to offer five days’ notice.

98. One concern, however, associated with giving notice of inspection is that it allows time for “window dressing” by the setting.<sup>147</sup> For instance, one governor told us of a school which “having received notice of inspection gave two days holiday to all the pupils they did want the inspectors to meet.”<sup>148</sup> Evidence suggests that young people themselves would also rather be spared the notice period, as one headteacher notes:

I asked my pupils what their suggestion for an improvement to the inspection process would be: they said that there should be no notice given to schools. Inspectors should come and see us as we are!<sup>149</sup>

99. Despite Mr Smith’s concerns about the cost of unannounced inspections’ “miss rate”, witnesses from the children’s care side of the Ofsted house expressed support for no notice inspections. Eleanor Schooling, representing the Association of Directors of Children’s Services, said that “once you get used to the fact that it will be unannounced” it is “an easier situation to be in.”<sup>150</sup> Anthony Douglas of CAF/CASS was more positive still about unannounced inspections, for two reasons:

142 Q 23

143 Ibid.

144 Ibid.

145 Q 24

146 Q 217

147 Ev w239

148 Ev w30

149 Nanthabalan, B., ‘The Experience of an ‘Outstanding Provider’’, in de Waal, A. (ed.), *Inspecting the Inspectorate* (Civitas, 2008)

150 Q 257

First, they don't cost as much. The announced full monty is really an industry, and just too big. [But] unannounced inspections... are not costing much, and I do not personally think they should be confined to poorer-performing organisations, because the best...can quickly become the worst, and the worst can quickly become the best... A random, unannounced, focussed inspection...would help us all.<sup>151</sup>

100. On 16 February 2011, Ofsted launched a new framework for the inspection of children's homes, which set out that all future inspections will be unannounced.<sup>152</sup>

**101. We welcome the intention, in the new framework for the inspection of children's homes, for all future inspections of those settings to be unannounced. Whilst we accept that for certain settings a notice period is appropriate, we recommend that in the future little or no notice to providers should be the norm. We believe that the disadvantages raised by some witnesses are outweighed by the merits of unannounced inspection, particularly in ensuring that inspectors see the setting as it truly is.**

### The role of school governors in the inspection process

102. The recent Schools White Paper undertakes to increase the recognition, support and attention of schools governors, claiming that they are still not accorded the respect they deserve.<sup>153</sup> Evidence from the National Governors' Association suggested that "there is some concern that inspectors do not fully understand governance or the role of governors."<sup>154</sup> The NGA "does not feel that governance is given sufficient scrutiny" under the existing framework,<sup>155</sup> and we agree that it would be beneficial for inspectors and schools to have a spotlight shone more brightly on governance arrangements. We will return to this issue in the light of the new schools inspection framework proposed by the Government, in Chapter 6.

103. The NGA also told us that it is not "entirely clear" whether Ofsted reports to the head teacher or the governors following an inspection.<sup>156</sup> There is a clear tension inherent in existing arrangements, as the NGA notes:

The governing body is the accountable body in the school and is responsible for disseminating the [inspection] report, but it is not currently compulsory for governors to be invited to the feedback session.<sup>157</sup>

Similarly, we acknowledge that there is a tension between including governors more and yet giving schools very little notice of inspection: governors, of course, are not always on-site.

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151 Q 259

152 Framework available at <http://www.ofsted.gov.uk/Ofsted-home/News/News-Archive/2011/February/New-inspection-system-to-improve-outcomes-for-children-living-in-children-s-homes>

153 See *The Importance of Teaching—The Schools White Paper 2010*, p. 71

154 Ev 120

155 Ev 122

156 Ev 121

157 Ibid.

104. We agree with the National Governors' Association that chairs of governors' attendance at post-inspection feedback sessions should be encouraged by inspectors (and preferably that of other governors as well). This is particularly worthwhile in light of the changing responsibilities governors will have in schools. Outside feedback sessions, the inspectorate should have a clear policy of engaging governors as much as possible throughout the inspection process.

## Voluntary Childcare Register

105. As part of its regulation of childcare professionals, Ofsted operates two registers. The Compulsory Register is for childcare providers of children under the age of eight years, although there are some exceptions. However, registration is not compulsory if, amongst other reasons: care is provided for children over eight only; care is provided for less than two hours a day; care is provided in the child's own home; or you are part of a home education arrangement, or are a foster parent.<sup>158</sup>

106. For those for whom registration is not compulsory, a Voluntary Childcare Register exists. We received evidence from the Recruitment and Employment Confederation (REC)—which represents around 8,000 recruitment company branches and over 140 childcare recruitment agencies—that the current operation of that Register is seriously flawed:

A system of self-declaration (the applicant simply ticking boxes to say they meet the criteria) appears to be acceptable to Ofsted and they rely on a small number of physical inspections each year to verify these... Nannies have also been found to be producing false documents to support their application... [one] nanny who had successfully registered on the Voluntary Childcare Register had a false visa and was illegally working in the UK, yet was able to produce a letter from Ofsted confirming her registration... Once a nanny is registered, they receive a letter from Ofsted confirming their registration. This has no expiry date on it, which means that even if a nanny is "removed" from the register, they would still have a letter to show to unsuspecting parents.<sup>159</sup>

The Confederation further explained to us that "the name Ofsted has meant that parents view the register as a verification that a nanny is suitable to work with children", even though Ofsted – by its website's own admission – carries out minimal checks.<sup>160</sup> A survey conducted by the REC and Mumsnet revealed that 67% (on a sample of 1,000 mothers) saw Ofsted registration as a "thorough stamp of approval."<sup>161</sup>

107. In her oral evidence to this inquiry, the Chief Inspector at Ofsted said the Voluntary Register "very much concerns me, because I think it gives false reassurance to parents."<sup>162</sup>

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158 More information on the Early Years and Childcare Registers can be found at <http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Care-and-local-services/Childcare#childcareRegister>

159 Ev w149

160 See <http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Care-and-local-services/Childcare#childcareRegister>

161 Ev w149

162 Q 406

She went on to acknowledge that Ofsted conducts “absolutely minimal checks” on people applying to the Voluntary Childcare Register, and encouraged Government to look into changing the legislation surrounding it.<sup>163</sup>

**108. We agree with the Recruitment and Employment Confederation that the current set-up of the Voluntary Childcare Register is misleading and in need of very urgent reform. We are concerned that the current procedures, far from providing the public with a reliable system of registration and safeguarding, might mislead parents by suggesting a level of quality assurance that has not been undertaken. We urge the Government to improve the existing Register, through legislation where necessary, and to provide the public with a more reliable system for vetting carers which provides greater scrutiny of applicants. In the meantime, we recommend that Ofsted takes immediate action to improve the existing system—such as adding expiry dates to letters of registration.**

### Inspection of sixth form and further education colleges

109. The Committee received written evidence from the Sixth Form Colleges’ Forum concerning the inspection of colleges:

Ofsted use differentiated judgments which set different standards for schools, FE colleges, other providers and Sixth Form Colleges. If a sector, like Sixth Form Colleges, is high-performing, then the standards are high and vice-versa. This means that a school or FE College, judged outstanding, often has a lower performance than a Sixth Form College judged good or even satisfactory. This can happen where institutions are in close geographical proximity and compete for students with each other.<sup>164</sup>

When we investigated this further during oral evidence, Lesley Davies, representing the Association of Colleges, supported the Forum’s statement, saying that the existing system offers “completely different way[s] of looking at the same age group.”<sup>165</sup>

110. Ofsted itself, in oral evidence, acknowledged that two different methods of data collection for college inspections is not an ideal situation, saying that Ofsted “would welcome—and it would be much easier for parents and learners to deal with—a level playing field in relation to data” for inspection of colleges and school sixth forms.<sup>166</sup> Lord Hill, the responsible Minister at the Department for Education, agreed on this issue that “the more we can have consistency, the better.”<sup>167</sup>

**111. We are concerned that the current inspection processes for sixth forms, schools and colleges are not consistent with each other, giving a potentially misleading impression of those institutions’ performance. The data used to judge institutions need**

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163 Q 406–Q409

164 Ev w73

165 Ibid.

166 Q 427

167 Q 482

**to be the same for students in the same age groups, and we recommend that this is remedied as swiftly as possible.**



## 6 The future direction of inspection policy

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### The need for clarity

112. The recently-published White Paper *The Importance of Teaching* lays out the Department for Education's broad policy concerning schools inspection. Whilst we do broadly welcome the direction of travel laid out by the White Paper and, as shall be seen, agree with some of its key proposals, its complete non-mention of the majority of Ofsted's remit does provide us with considerable cause for concern. We appreciate absolutely that *The Importance of Teaching* is a schools-centred document; nonetheless, we cannot help but agree with Sir Paul Ennals' comments at the last National Children's Bureau annual conference:

Virtually nothing on early education, on extended services, on promoting wellbeing, on supporting families. The vision is fine as far as it goes—but our vision is wider. Ours is a vision of schools at the heart of their communities, meeting the diverse needs of children and families...<sup>168</sup>

More specifically, Kate Groucutt of the Daycare Trust reiterated to the Committee that the children's sector would “certainly welcome clarification” on “whether the arrangements announced for schools will also apply to early years.”<sup>169</sup>

113. Attempts by the Committee to clarify the position have so far borne little fruit. The Committee Chair asked a written question of Department for Education ministers on whether the cessation of inspection for outstanding schools would apply to other settings, and was told in response that “consideration is currently being given to the appropriateness of extending the principle... to other areas of Ofsted's remit.”<sup>170</sup> Tim Loughton MP, the responsible Minister, told us in his oral evidence that “it would [be] inappropriate for us to say definitively what we were going to do” until the Munro Review had been published.<sup>171</sup>

**114. We believe the Government needs to articulate, as clearly as it has explained its inspection policy for schools, its plans for the other settings currently inspected by Ofsted. The current focus on schools in Department for Education pronouncements on Ofsted alone does not reflect or respect the breadth of the inspectorate's influence, or show enough concern for the many settings which are not schools and which are understandably keen to know how their inspection arrangements are likely to change. This is particularly important in light of our earlier recommendation to split Ofsted, in which case some early steers for the Children's Care Inspectorate would be welcome.**

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<sup>168</sup> Reported in *Children and Young People Now*, 30 November 2010

<sup>169</sup> Q 336

<sup>170</sup> HC Deb, 1 March 2011, col. 347W

<sup>171</sup> Professor Eileen Munro was commissioned in June 2010, by the Secretary of State for Education, to conduct an independent review into children's social work and frontline child protection practice.



## Cessation of inspection for outstanding providers

115. *The Importance of Teaching* advocates a “highly proportionate approach to inspection”, with more focus on lower-performing schools and cessation of routine inspection of schools and colleges previously judged to be outstanding. Subject to legislation, this exemption will apply to primary and secondary schools, and sixth-form colleges, from autumn 2011, although the White Paper also announces the Government’s intention to extend this to special schools and Pupil Referral Units. Ofsted and the Government will work together to develop triggers for re-inspection.<sup>172</sup>

116. Broadly, however, the inspectors we took evidence from were against the policy of no inspection for outstanding schools. We were told that heads of those schools “want to be inspected and held to account”, and that this view had been shared with inspectors. More frequently raised was a concern that “schools can change almost overnight” and that outstanding grades do not therefore ‘stick’ even from one inspection to another. This is supported by Ofsted’s own statement in the 2009–10 Chief Inspector’s report:

55% of the 220 schools previously judged outstanding and reinspected on the basis of risk were no longer outstanding in their inspection this year.<sup>173</sup>

Furthermore, as one inspector pointed out to us, many outstanding schools do well “because of the high ability and motivation of the students” rather than “as a result of the high quality of provision and teaching”. With a new proposed framework focussing more than ever on the quality of teaching, that evidence is enough to give pause for thought over the complete cessation of inspection for outstanding schools.

117. A number of inspectors also shared concerns voiced by Professor Tony Kelly in his oral evidence:

I am not sure good schools need to be inspected, but I think all schools need good schools to be inspected... The system needs to know where its leading edge is, as what the good schools are doing can be replicated across the system... the inspectorate and the practitioners themselves [need to] know what the leading edge is doing.<sup>174</sup>

One inspector told us that “inspectors themselves benefit from seeing the best possible practice to disseminate to others”, and another queried how inspectors would “now identify where *current* best practice is located” if the best schools were not routinely visited. Professor Chris Husbands, now Director of the Institute of Education, was clear that “one consequence of outstanding schools and colleges not being inspected is that we will know considerably less about what is happening in the best parts of the system than we have known over the past 15 years.”<sup>175</sup>

**118. We support the cessation of inspection for outstanding schools. We feel that schools should be encouraged to achieve higher levels of performance and then depend**

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172 See paragraph 6.21 of *The Importance of Teaching—The Schools White Paper 2010*

173 Annual Report of Her Majesty’s Chief Inspector of Education, Children’s Services and Skills 2009–10, p. 31

174 Q 88 and Q 89

175 Q171

on self-evaluation and partnership with other schools as the key drivers to maintain and further improve performance. We disagree with inspectors that knowledge of current best practice will be lost: the inspectorate can still gain and disseminate this through, for example, its surveys and subject reports. These, in turn, will ensure inspectors can stay in touch with best practice across the country and maintain sight of the benchmark of high performance. However if there are signs that performance standards are not being maintained at a school, or if there is a major management change, there should be a trigger mechanism to bring forward inspections at the school—*not just, as proposed in *The Importance of Teaching*, for special schools and PRUs but for all educational institutions.* We have heard that such considerations do in any case influence inspection scheduling, but recommend formalising the triggers, so that parents can be assured the new regime will not lead to any school missing out on the attention it needs. Such triggers may include, for example, a material change in exam results, a change of head, a spike in the number of exclusions, or a major increase in staff turnover.

### Differentiation of grading for satisfactory schools

119. Currently, Ofsted inspections commonly result in one of four grades: outstanding, good, satisfactory or inadequate.<sup>176</sup> The Committee heard substantial evidence arguing for a new, fifth, grade to be used in Ofsted judgments. Although a few witnesses, such as the Fostering Network, felt that there was little benefit in a new grade—as agencies should be focussed on getting “good” or “outstanding” only<sup>177</sup>—the majority of witnesses questioned on this issue were supportive. Lesley Gannon, Assistant Secretary of the National Association of Head Teachers, told us that the “immediate preference” of her members was for a fifth grade:

It is about splitting that position between “satisfactory”, “inadequate” and “good”. There is not enough fine grading. When you have an even number, a divide tends to be put somewhere where it does not necessarily lie.<sup>178</sup>

Lord Sutherland, the first head of Ofsted, argued even more strongly for the grade to be between “satisfactory” and “inadequate”:

There should be something above failing, above special measures, but that implies there is room for manoeuvre.<sup>179</sup>

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<sup>176</sup> There are some exceptions to this basic grading structure. For example, between 1 October 2010 to 28 February 2011, an interim framework was in use for inspections of CAF/CASS, where one of three grades was awarded: ‘good progress’, ‘satisfactory progress’, and ‘inadequate progress’. That interim framework can be found at <http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Other/General/Ofsted-inspects-Cafcass>. Similarly, some inspection judgments are not graded. For example, unannounced inspections of contact, referral and assessment for children in need and children who may be in need of protection do not result in a graded judgment, but rather in a letter to the relevant Director of Children’s Services outlining the inspectors’ findings. More information can be viewed at <http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Other/General/Unannounced-inspections-of-contact-referral-and-assessment-from-1-September-2010>

<sup>177</sup> See Q 311

<sup>178</sup> Q 157

<sup>179</sup> Q 33

Eleanor Schooling, Director of Children’s Services in Islington, agreed that a fifth grade would bring benefits for schools if placed as Lord Sutherland argued:

To differentiate between somebody who is stuck and somebody who is improving, who may have quite similar outcomes in all other respects, is very important. If an institution... is starting to make progress and make inroads into the issues and has the capacity, that needs to be described differently from somebody who may still not be achieving good enough standards and is not doing anything about it.<sup>180</sup>

120. The three Regional Inspection Service Providers—who submitted written evidence together—went furthest in suggesting that pressure be put specifically on schools which have been consistently graded “satisfactory” and show little sign of improvement. They pointed out to us that “a failing school is expected to make progress with 12 months – there is no such time pressure on schools that have remained grindingly satisfactory year on year”.<sup>181</sup>

121. We agree with the witnesses and are therefore supportive of the White Paper’s statement on these issues of grading:

Ofsted will differentiate within the broad “satisfactory” category, between schools which are improving and have good capacity to improve further, and schools which are stuck. Schools which are satisfactory but making little progress will be more likely to receive a monitoring visit from Ofsted within the next year, and may be judged inadequate if they have not improved.<sup>182</sup>

**122. The Committee welcomes the Government’s decision to divide the ‘satisfactory’ grade in two, and the extra monitoring for “stuck” schools, but recommends that specific criteria are developed to suggest why a school might be placed in either category (for example, how long a school need be “satisfactory” before it is considered “stuck”), and how the lower of the two grades differs from “inadequate”. The categories need to be clearly named to differentiate between them. A similar fifth grade should be developed for “stuck at satisfactory” providers other than schools.**

## New framework for school inspections

123. The new Coalition Government has made very clear its views on the framework for school inspections:

The current Ofsted framework inspects schools against 27 headings—many reflecting previous government initiatives. In place of this framework, Ofsted will consult on a new framework with a clear focus on just four things—pupil achievement, the quality of teaching, leadership and management, and the behaviour and safety of pupils... It will allow inspectors to get back to spending more of their

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180 Q 287

181 Ev 129

182 *The Importance of Teaching—The Schools White Paper 2010*, para 6.22

time observing lessons, giving a more reliable assessment of the quality of education children are receiving.<sup>183</sup>

124. Evidence taken for this inquiry suggests that the proposed new framework is broadly welcomed by inspectors. Ofsted’s own Trade Union Side wrote to us that

The current framework has become too complex and... imposed a level of prescription which is not helpful. A tighter focus on fewer judgments... will give inspectors more time to engage in extended dialogue with teachers and school leaders...<sup>184</sup>

125. The teacher leader unions were a little more hesitant in accepting the new framework, although the National Association of Head Teachers acknowledged that the categories are the right ones to have “in the foreground”.<sup>185</sup> However, the NAHT went on to state that “it very much depends on how those four areas are defined, and the details behind it.”<sup>186</sup> The Association of School and College Leaders agreed, posing several specific questions for Government to answer:

We are not quite sure what behaviour and safety will encompass... Does it include safeguarding? Would that come under leadership and management? What will the definition of behaviour be? What will be looked at?<sup>187</sup>

The ASCL also argued that four areas could rapidly expand, asking “whether it will be only four areas, or whether other things will be included where there is a statutory obligation to look at it.”<sup>188</sup> Other questions around precisely what would be included in the new framework—and, crucially, the guidance given to inspectors—included take-up of Free School Meals and breakfast clubs and other healthy eating initiatives, which can “be assessed as indications of a school’s commitment to disadvantaged children.”<sup>189</sup> In the leadership and management category, it is not clear the extent to which that will include the performance of governors. The National Governors Association suggested to us that “governance is not always adequately covered or more importantly understood by inspectors”,<sup>190</sup> which is at odds with the Government’s stated desire (in the White Paper) to raise the status of school governors.

126. The Committee heard a variety of evidence on the concept of ‘limiting judgments’. These are the grades given to schools for three categories—attainment, safeguarding, and equality and diversity—and which have a limiting effect on the overall grade given to the institution. In our first evidence session, former Chief Inspector Sir Mike Tomlinson said they have “not been a particularly good innovation”,<sup>191</sup> and David Sherlock agreed that

183 *Idem.*, paras 6.18–6.19

184 Ev w68

185 Q 156

186 *Ibid.*

187 Q 155 and Q 156

188 Q 155

189 Ev w143

190 Ev 122

191 Q 58

they are “unfortunate”.<sup>192</sup> However, several inspectors argued, in response to our questionnaire, in favour of the limiting judgments, with one stating that they are “absolutely right” and asking “How can a school be performing well without these three factors being taken into account?”.

**127. The Committee believes that a slimmer framework for schools inspection is the right, and mature, way to go. However, we agree with witnesses that clarity is needed on precisely what the four categories will include, and we strongly support the recently-launched consultation.<sup>193</sup> We similarly suggest that the leadership and management category makes specific reference to the performance of governors in scrutinising a school as well as the effectiveness of performance within it. We also welcome the new framework’s focus on observation: inspectors, if they are highly-qualified and well-trained, should have time to observe practice and form professional opinions rather than focus on scrutinising data against a large number of separate headings.**

**128. If schools are inspected against only four categories—and assuming a school’s commitment to safeguarding its pupils is covered under the new ‘behaviour and safety’ or ‘leadership and management’ headings—we fail to see the continued need for limiting judgments, and therefore recommend that these are abandoned once the new school inspection framework is in place.**

## The Self-Evaluation Form

129. *The Importance of Teaching* announces the Government’s intention to make the existing Self-Evaluation Form (SEF) non-compulsory for schools:

The new framework will not require schools to have completed a self evaluation form, allowing governing bodies and head teachers to choose for themselves how to evaluate their work.<sup>194</sup>

Some concerns were expressed to the Committee about this proposal. Lord Sutherland told us that “a decent governing body” would hold a school to account for that information anyway, but we are concerned that that presumes too much about the consistency of governors’ scrutiny of schools’ self-evaluation across the country. The National Governors’ Association itself “is concerned that the abolition of the SEF will lead to a deterioration in the quality of school self-evaluation... [and] believes... that there should be a generic self-evaluation form for schools.”<sup>195</sup> However, the NGA did acknowledge that elements of the current SEF are “too long and bureaucratic”<sup>196</sup>, whilst Tony Kelly argued that the abolition is “neither here nor there, because good schools self-evaluate” and that inspectors should examine “the extent to which schools are self-evaluating”.<sup>197</sup>

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192 Ibid.

193 Ofsted launched a consultation on changes to school inspection on 21 March 2011. See <http://www.ofsted.gov.uk/Ofsted-home/News/News-Archive/2011/March/Ofsted-launches-consultation-on-changes-to-school-inspection-in-England> for more information

194 *The Importance of Teaching—The Schools White Paper 2010*, para 6.19

195 Ev 122

196 Ibid.

197 Q 108

130. We agree with the Government that the less teachers are constrained by bureaucracy, the better. However, we recommend that the inspectorate continues to publish a simplified Self-Evaluation Form, albeit non-obligatory, and to make it—and guidance on good evaluation—easily available to heads and governors.

## Measuring progression and attainment

131. The Committee was heartened to hear the Parliamentary Under-Secretary of State for Schools emphasise that attainment is not the only measure of a school's success:

Children come in different shapes and sizes and schools have different intakes, and to judge solely on the basis of attainment when children come from a range of different prior achievements does not seem to be a very subtle measurement of how the school is doing.<sup>198</sup>

We were similarly encouraged to read, in the Chief Inspector's most recent Annual Report, that a school's role in progressing its pupils was considered by Ofsted:

Low attainment alone does not prevent schools from being judged as good. Furthermore, in 15% of primary schools and 20% of secondary schools judged to be outstanding overall, attainment was broadly average... Typically, their pupils make good or outstanding progress from their low attainment at entry.<sup>199</sup>

Similarly, the Chief Inspector has written that pupil progress is already treated more importantly than attainment alone:

I want to make it clear that the driving factor in determining a school's effectiveness is the difference it is making for its pupils, not raw exam results.<sup>200</sup>

132. This approach could, perhaps, be seen as at odds with the Government's intention to raise the 'floor standard' for schools, as well as the introduction of the English Baccalaureate, both of which highlight further a school's performance based on exam results. However, Lord Hill explained to us that the English Baccalaureate is "separate from the Ofsted process... it is another light that shows us how schools are doing."<sup>201</sup> He argued that "you need to have progression, but you also need to see how children are doing in terms of whether they are getting some qualifications at the end of it."<sup>202</sup>

133. The Government has also announced its intention to abolish the existing 'contextual value added' measure:

The measure is difficult for the public to understand, and recent research shows it to be a less strong predictor of success than raw attainment measures. It also has the effect of expecting different levels of progress from different groups of pupils on the

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198 Q 458

199 Annual Report of Her Majesty's Chief Inspector of Education, Skills and Children's Services 2009–10, p. 39

200 Christine Gilbert, HMCI, in a letter to *The Times* ('It is important to look beyond exam results'), 9 June 2010

201 Q 461

202 Q 460

basis of their ethnic background, or family circumstances, which we think is wrong in principle.<sup>203</sup>

**134. The Committee supports more publicly available information on schools, including more comprehensive attainment tables. We think it is essential that the inspectorate prioritises its reporting on efforts made for, and progress made by, pupils across the full range of ability groups (including both those in the very highest or ‘gifted and talented’ group, and those with the lowest incoming test scores or assessment), and those with special educational needs. The Department should seek to give these progress measures prominence comparable to other key measures such as ‘five good GCSEs’ and the new English Baccalaureate.**

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203 *The Importance of Teaching—The Schools White Paper 2010*, p. 68



## 7 Concluding remarks

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136. Whilst we do not go as far as some evidence which proposes the complete abolition of Ofsted and of formal inspection, we do agree with Baroness Perry when she said that Ofsted “needs some radical change and very radical reform.”<sup>204</sup> The inspectorate as it is now has played a large role in the education and care of children and young people, as well as in adult, teacher and prison education, and we acknowledge the considerable good it has done in a variety of ways. However, we consider that Ofsted has simply grown too big to provide as effective a service as could be achieved otherwise.

137. The split of Ofsted into two new Inspectorates of Education and Children’s Care would, we believe, have a significant impact in a variety of ways. Firstly, it would raise confidence that the inspection of all settings is being carried out by inspectors with relevant training and experience. Secondly, it would raise the profile of the large part of Ofsted’s remit—the non-schools aspects—which currently get much less public attention, and which many do not realise Ofsted inspects at all. Thirdly, it would enable different approaches to and mission statements for inspection to be developed – the current practice of inspecting all settings under similar arrangements does not sufficiently respect their differences. Finally, it would ease the recruitment and workloads of inspectors themselves, who have expressed concerns that they are not always expert in a setting they find themselves visiting.

138. The other recommendations in this report are, we believe, similarly grounded in the evidence we have heard, and could make a similarly sustained impact on the quality and value of inspection. In particular, we would encourage Government to make appropriate use of the evidence base which inspection itself provides, and are concerned that this is not invariably the case. We believe that the appointment of Education and Children’s Care Advisers to the Department for Education would go some way to redressing this.

139. Evidence submitted to our inquiry has made it clear that inspection has an important role to play in the education and care of young people across England, and that the current inspection regime has made some very important contributions. However, the evidence also compels us to believe that now is the time for a fundamental shift in how inspection operates. We believe that a more proportionate, specialist, and focussed inspection system will play an even greater role in improving outcomes for children, young people and learners, and we hope that our recommendations provide a useful foundation on which to build that change.

## Annex 1: Note of the Committee's Seminar with Ofsted Inspectors, 1 February 2011

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These notes are a general account of the opinions expressed by a group of Ofsted inspectors, including those from the Regional Inspection Service Providers (RISPs), as described below, who met Committee members for an informal discussion.

The inspectors were sifted from over two hundred applications received by the Committee, in response to advertisements in the Times Educational Supplement and online. All inspectors not selected to attend were invited to complete a questionnaire asking four broad questions about Ofsted and relevant to the Committee's inquiry.

Comments in double inverted commas indicate a direct verbatim quotation, although these are not attributed.

### *The role and remit of Ofsted*

There was a general agreement from inspectors that the role of Ofsted needed clarification. There was some disagreement within the group as to whether Ofsted should be focussed primarily on judgement, regulation and inspection, or on direct improvement of the services and settings it inspects. One inspector commented that the danger of fulfilling too many roles is that you could end up "not doing any of [them] well enough".

It was noted that Ofsted is still seen, predominantly, as a "schools inspectorate", and that this could be partly because of the composition of the senior inspectors and leaders in the organisation, who are largely from education backgrounds. However, the comment was also made that "restructuring isn't necessarily the solution". One serving inspector noted that Ofsted is widely regarded as the "best [inspection] system in the world", but there was acknowledgement that its non-schools remits need to be taken more seriously.

There was consensus that, even if it is an improvement agency, Ofsted should not be responsible for 'after-care' or 'operational' matters for schools, and that there were "perverse conflicts of interest" inherent in inspecting your own advice. Another inspector commented that the organisation having any improvement function was "muddying waters". It was noted that the role of local authorities has changed significantly since Ofsted's creation, and that the support function has not been replaced with as tangible a system now. However, the crucial role that can be played by School Improvement Partners (SIPs) and school partnership working was noted. "Developing a school's capacity to improve"—or the HMI mantra of "doing good as you go"—was seen by one inspector as a good compromise between working as a direct improvement force and offering no advice whatsoever.

### *Inspections processes and frameworks*

It was broadly agreed that setting leaders (for example head teachers) should be directly involved in the inspection process and the discussions around it—indeed, that this "dramatically improves" the inspection process. Giving advice was seen as a trademark of

the very best inspectors, but managing to do this without being “cosy”. Indeed, the follow-up support given to ‘inadequate’ schools was seen as “particularly effective” by inspectors, who would “hate to see it disappear”. This is, not least, because inspectors have a “bird’s-eye” view of similar settings across the country, whereas a head’s view may be more localised.

One inspector commented that the slimming down of the framework was “crucial” in improving the focus on lesson observation. One inspector felt it would be “fantastic” if a new limiting judgement were proposed that every ‘outstanding’ school had to form a partnership with a weaker school, but there was general dissent from this view. However, separate inspections of partnerships’ working practices were suggested as an alternative. On self-evaluation, there was a view that a “good school will do [it] anyway”.

Giving teachers feedback was seen as a very beneficial exercise, but one inspector argued that there is not currently time to do this effectively, because inspections have become shorter. One inspector also suggested that, to offer feedback which is helpful, an inspector needs to have seen the teacher in action for a significant period of time.

The difficulties of gathering accurate data were emphasised. Edubase is often out-of-date, and inspectors’ assessment of risk (relating to settings’ performance) is therefore patchy across the country and across Ofsted’s remit. It was suggested that a technical solution—such as linking Ofsted’s data and the Department for Education’s more exactly—would be a major saving in the longer term. It was suggested that ‘outstanding’ schools, which are now to be exempt from regular inspection, should nonetheless be closely risk assessed. There was a concern that reliance on the ‘outstanding’ grade could lead to self-satisfaction and slipping standards in schools, and that inspectors might lose sight of the benchmark.

### *The quality of inspectors*

The credibility of inspectors, in the eyes of practitioners and the public, was seen as very important. Some examples were given of very poor knowledge by inspectors, although one attendee commented that, “By and large... inspectors do have the experience and specialisms... The incompetent are the minority.” There was broad consensus that deployment is more of an issue than the breadth and quality of individual inspectors, and that deployment could be strengthened by Ofsted and the RISPs, although training and experience are also important.

The need “to recruit more serving practitioners into the inspectorate” was acknowledged, as was the current situation that “we would never have enough specialists to put one in every specialist area”. The view that Her Majesty’s Inspectors could be allowed to inspect any setting purely by dint of their seniority was seen as “dangerous”. Conversely, effective practitioners did not necessarily, or always, have all of the skills to be good inspectors. Weekend training was suggested as one way of ensuring more serving practitioners became inspectors (because they cannot give up weekdays during term-time as easily), which can also improve the teacher’s performance in-school as well.

The perceived difference (primarily by teacher unions) between HMIs and Additional Inspectors was noted, although the meeting’s view was that Ofsted’s own data was reliable and correct in recognising very little difference in complaint levels between the two groups.

However, the different standards of treatment within Ofsted—for HMIs and AIs—was noted by some inspectors present, and, for this reason, it was suggested that there is a potential value-for-money case for using more AIs in inspection. It was argued that, in this regard, Ofsted could learn from best practice within its own walls as well as from outside them. Others present, however, argued that there is no actual double standard, and that all inspectors' expenses are carefully scrutinised.

### *Inspection reports*

The question of who reports are written for was discussed, with a general agreement that they were for parents. However, the current style of writing was seen as “too technical” by some inspectors, but lacking in detail for the needs of teachers.

It was suggested by one attendee that “Ofsted does not focus enough on children from vulnerable groups”, and by another that the focus should be entirely on outcomes for individual pupils rather than for institutions. It was suggested by one attendee that Ofsted reports should comment specifically on how the school is delivering for its most vulnerable 25% of pupils.

## Annex 2: Note of the Committee's visit to Finland, 17 and 18 February 2011

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This note offers a brief record of the visit to Finland undertaken by five members of the Education Select Committee, as part of its inquiry into the role and performance of Ofsted. The objective of this short visit was to establish how Finland manages to have such a world-leading education system with a complete lack of central inspection, and with very little public scrutiny of its schools.

Members in attendance:

- Graham Stuart MP (Chair)
- Neil Carmichael MP
- Nic Dakin MP
- Ian Mearns MP
- Lisa Nandy MP

### *Briefing*

In advance of the Committee's visit, the Committee Chair and Specialist met the British Ambassador to Finland in London. On the morning of Thursday 17 February, the Ambassador and Embassy staff provided Committee members and staff with a fuller briefing on Finland's education system.

Compulsory education in Finland begins at age 7; basic education continues until 16. At that point, students attend either general or vocational schools. Teaching is a much-admired profession, with only around 12% of applicants being accepted for training, and there is very little central prescription: in addition to the lack of inspection, very little attainment data is published, and spending is entirely devolved to municipalities. There is also great emphasis placed on continuity of education policy: the direction of travel has remained similar for fifty years. One in three Finns has aged 25–64 has a higher education degree, and there are no fees payable for higher education.

It is worthy of note that Finland is, in many respects, a very different country to the UK. The population is dramatically smaller (5.4m compared with 62m) and there is substantially less immigration. Politically, Finland is commonly governed by Coalitions; geographically, it is very large with a very sparsely populated north.

### *Vesala Comprehensive School, Helsinki (ages 13–15)*

The Committee's first visit was to Vesala School, where members were hosted by headmaster Juha Juvonen and special education co-ordinator Niina Halonen-Malliarakis. Vesala is situated in an area of some deprivation, and students hail from twenty-three nationalities, accounting for around 27.5% of the 387 students. There are seventy special

needs pupils. All forty-six teachers have Masters level degrees, and the school has an emphasis on nature and science, including an outstanding greenhouse facility where students learn about and care for animals and plants. The school receives ‘positive discrimination funding’ because of its situation in a socio-economically deprived neighbourhood.

The Committee was particularly struck by the Finnish school system’s emphasis on welfare. A nurse works in the school every day; other welfare staff include a social worker (half the week), a psychiatric nurse (half the week), and a psychologist (one day a week). Great attention is also accorded to students with special needs. Almost a third are “integrated” into mainstream classes, with others taught in a variety of other special needs classes. The Committee was also interested to see the flexible solutions offered, where students participate in school on a part-time basis.

Mr Juvonen explained the processes used at Vesala for quality evaluation, in the absence of external inspection. Staff undergo a yearly evaluation with the school leadership, but are not often observed by the headteacher in their own classrooms. Pupils and parents are both offered questionnaires, and exam results are submitted to the Helsinki municipality, although they are not usually made public. Mr Juvonen explained that dismissing poorly-performing staff is a complex and lengthy procedure, but does not often happen, attributed in part to the high quality of Finnish teachers. Ms Halonen-Malliarakis explained that Finnish education, and society more broadly, places great store on equality between adults and children. This was demonstrated in, for example, the lack of uniform, and the first-name terms between teachers and students. However, Ms Halonen-Malliarakis also noted that this can lead to difficulties around behaviour and discipline, because boundaries are not sufficiently drawn between teachers and their classes.

### *Lunch with members of the Finnish Parliament*

The Committee was delighted to meet its counterparts from the Finnish Parliament’s Education and Culture Committee. Lunch, held at the Parliament building, was hosted by Ms Raija Vahasalo (Committee Chair) and her fellow members Mr Tuomo Hanninen and Mr Paavo Arhinmaki. Discussion between members focussed on the lessons which the two countries’ education systems could learn from each other, as well as the respective programmes of work for their committees.

### *Seminar at the Finnish National Board of Education*

A seminar was hosted at the National Board of Education with a focus on school inspection and accountability. The Committee was hosted by Ms Jaana Palojarvi, Director for International Relations at the Ministry of Education and Culture.

Dr Kristiina Volmari, Senior Adviser at the Board of Education, presented an overview of the Finnish education system, including school accountability. She told the Committee that Finland has strong political consensus on education—as well as on childcare entitlements, and it was noted that the direction of policy has changed very little in fifty years, which has given Finland the opportunity to focus on improvement. There is also very little private education in Finland (less than 1% of students)—there is also little Church involvement in education—and throughout the system there is an average class size of under nineteen



students. Officially, there are no catchment areas for schools but priority is given to local parents; nearly everyone gets their 'first choice' school. Finland does not have a strong sense of 'class': education is valued, because it is firmly seen throughout society as the way to get better prospects, jobs and lifestyle. For example, Finns are ineligible for unemployment benefits under the age of 25 unless they have applied for further education.

Dr Volmari emphasised that a major factor in Finland's consistently high performance in international education tables is the quality of its teachers. The profession is one of the most popular among graduates—only around 12% of applicants are admitted into teacher training—although there are currently efforts to recruit more men. Men are, however, over-represented in school leadership positions. 57% of principals are men, compared to just 25.4% of primary school teachers, and 20% of special needs teachers

Another major factor, which relates directly to inspection, appeared to be the professional autonomy accorded to teachers and school leaders. Finland operates on a system of trust, and considerable budgetary, curriculum and pedagogical power is devolved to school level. For example, decisions on the education of special needs pupils, and how to spend the extra money they receive, is left to headteachers. Similarly, much of the curriculum, outside the core subjects, is dictated at local level, as are all quality assurance and teacher evaluation methods. There is no directive on how much teacher observation heads should conduct; nor are there central regulations on class size or allocation of municipal subsidies. This, in turn, promotes a strong relationship between school leaders and the local government. There is also a good relationship between Government and the single union for education staff, which Dr Volmari said is involved in all decision-making.

Following Dr Volmari's presentation, the Committee heard from Dr Pasi Reinikainen, the Secretary-General and Director of the Finnish Education Evaluation Council. The Council is an independent expert body which assists the Ministry of Education and Culture, as well as individual institutions, in matters pertaining to evaluation. Dr Reinikainen outlined reasons for Finland's outstanding performance in international education tables, such as PISA. He emphasised that there is socio-economic background makes very little difference to Finnish students' performance, as there is great emphasis on providing equality of education at all schools; the variation in student performance between schools is very minimal. Like Dr Volmari, Dr Reinikainen placed great emphasis on the quality of Finnish teachers, who are accorded great status and are educated to Masters degree level. Local partnership working and substantial school autonomy are, he felt, major factors in the system's high performance, as is the substantial per-pupil funding and the low levels of formal testing.

Dr Reinikainen explained how Finland manages school accountability without an inspectorate. Schools are accountable for spending to municipal and regional offices, who have devolved power for spending, and who are also responsible for scrutinising a school's examination performance. The Education Evaluation Council works with Government to provide schools with support to evaluate their own performance, and schools have 'welfare boards' concerned with the broader well-being of students. However, because the focus has been on equating performance across schools, it was reasoned that there is thus no need for an external inspectorate to judge performance across the country. Committee members noted, however, that—considering the lack of publicly available, or much collected, data—



it is difficult to establish whether schools are, indeed, performing at consistent levels, which might be considered an argument for inspection.

Interestingly, the aim of evaluation was seen as the gathering and analysis of information to develop education generally, rather than to direct improvement in individual settings—again supporting the focus on a fair and balanced system, rather than on changing individual school practices.

### *Meeting at the Ambassador's Residence*

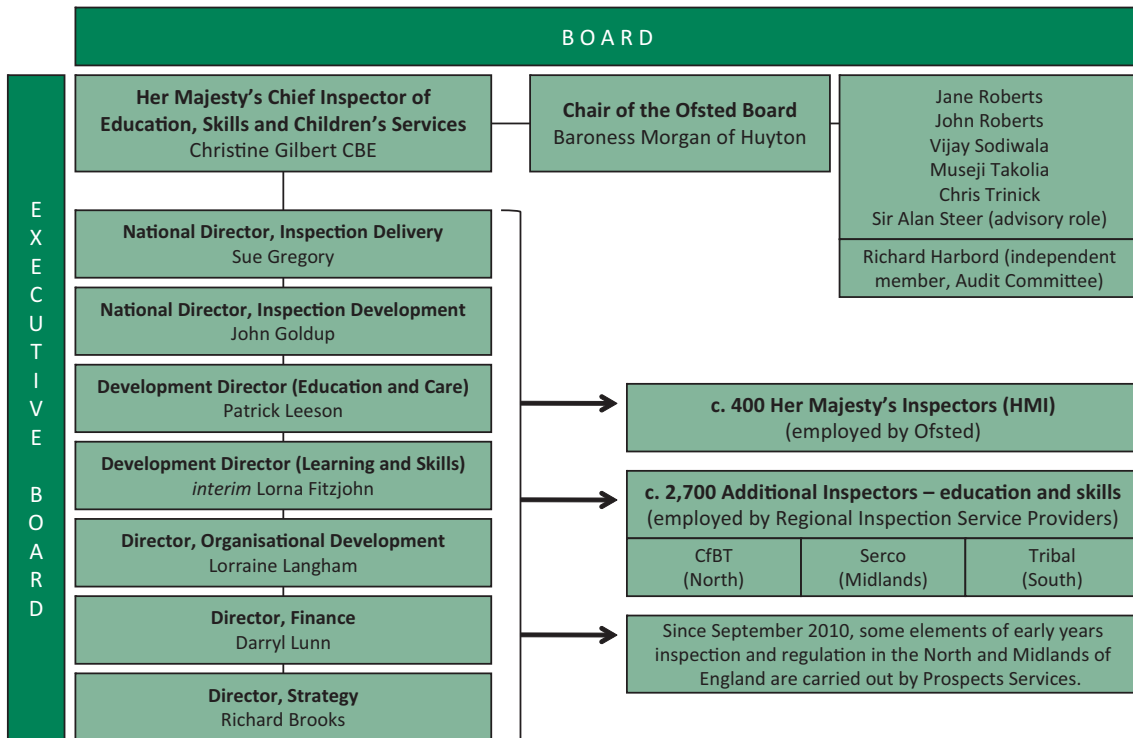
The British Ambassador to Finland hosted a meeting with guests drawn from across the Finnish education system. These included local politicians, Government and municipal officials, academics and headteachers. Conversation covered a wide range of topics concerning education and children's services, including local provision and autonomy, curriculum and qualifications, the role of independent scrutiny, Government policy, and international comparison.

### *Lansimaki School, Vantaa (ages 7–12)*

To conclude their brief stay in Finland, Committee members visited Lansimaki School, where they were hosted by Principal Ms Virpi Lehmusvaara and members of her staff, along with Mr Ilkka Kalo, Director of Basic Education for the City of Vantaa. Lansimaki School has a focus on music education, with additional funding from the local authority to support its orchestra, as well as provision of instruments and specialists. The school serves a diverse section of the population, including immigrant students from a number of cultures.

The Committee toured the school and visited classes, as well as meeting students and staff. Similar observations were made to the experiences at Vesala School, not least in the focus on children's well-being; small class sizes; and the degree of professional autonomy available to teachers.

# Annex 3: Ofsted organisation chart



# Conclusions and recommendations

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## The role and remit of Ofsted

1. We believe that having a single children's inspectorate has not worked well enough to merit its continuation. The expanded Ofsted has lost the elements of specialism associated with its predecessor bodies, at senior and operational levels. Ofsted has not adequately communicated its non-schools remit and, as such, is still seen by the public as an education-focussed organisation. Moreover, different inspection regimes are needed for the very different sectors Ofsted deals with. In order to focus greater attention on children's services and care, and to ensure inspection is respected by its customers, we recommend that the Government splits Ofsted into two inspectorates. (Paragraph 20)
2. The Inspectorate for Education should hold responsibility for the inspection of education and skills, including nurseries, schools and colleges, adult education, secure estate education, and teacher training, and local authority commissioning of schools. The Inspectorate for Children's Care should focus entirely on children's services and care, including children's homes, adoption services, childminders and CAFCASS. The two inspectorates should, for the sake of financial efficiency, consider how best to share administrative functions, and should of course work closely together—most particularly in conducting joint inspections of nurseries and children's centres—but should retain different elements of expertise and separate Chief Inspectors. The Chief Inspectors should demonstrate, in their annual reports, how the two inspectorates are working together. We are convinced that this division will not only raise the quality of inspection experience, but also the profile of what is currently Ofsted's non-education remit. With the recent formation of the Coalition Government, and a new direction of policy concerning young people, as well as the impending retirement of the incumbent Chief Inspector, now is a good time to begin this move. (Paragraph 21)
3. The Committee is clear, from the evidence it has taken, that different models of inspection are needed for different settings, which is reflected in our desire for Ofsted to be split. The role of the Education Inspectorate should be, firstly, to inspect institutions and to provide judgments and recommendations which can drive better outcomes for individual children, young people and learners; and, secondly, to provide an overview of the education system as a whole. It should not aim to be an improvement agency, although inspection should of course hold up a mirror to an institution's failings and recommend areas for improvement without dictating how that improvement should come about. Similarly, it should continue Ofsted's work disseminating best practice, not just through inspections but through its website and publications as well. (Paragraph 32)
4. The Children's Care Inspectorate should more actively support service improvement, including a focus on the quality of practice and the effectiveness of help. This is largely because many of the remits it will inspect—such as childminders and adoption agencies—may not have easy access to the partnership-based improvement model which applies to schools, not least because of the size and scope

of their activities. The Children’s Care Inspectorate should ensure that its workforce has experienced practitioners who command the respect of social workers and childcare professionals, and who can promote and support improvement as well as regulating for statutory purposes. Inspectors should, for example, sit in on case conferences and attend visits to observe practice. (Paragraph 33)

5. Both the Education and Children’s Care Inspectorates need clearly-articulated mission statements easily available to parents, professionals and the wider public, as well as to their own staff, along the lines established above. These should also explain how the two organisations work together, and where. At present, inspection’s role in improvement is not clear, leading to a variety of views within and without Ofsted’s own walls, and thence to inconsistent experiences and expectations of inspection. (Paragraph 36)
6. Whilst we fully agree that local partnership and self-evaluation are important mechanisms for school accountability and improvement, and support increased autonomy for heads and schools, we do not accept the case for the complete abolition of school inspection at this point. However, we support the principle of proportionate inspection and more focus on lower-performing schools. The Education Inspectorate should see as part of its mission a role to support the development of robust self and peer evaluation through appropriate partnerships. The expectation would be that over time the role of the Education Inspectorate would reduce, as a mature model of self-improvement based on trust becomes embedded. (Paragraph 40)

### The performance and independence of Ofsted

7. Ofsted’s independent status is broadly valued by inspectors, by professionals, and by the public, and we strongly support the retention of that status. However, the Committee is concerned that there is no front-line voice within the senior echelons of the Department for Education, working alongside the inspectorates and Ministers to ensure that policy is informed by recent and relevant experience through a more direct means than consultation. We recommend that the Department considers appointing two new senior advisers within the Department—a Chief Education Officer and a Chief Children’s Care Officer—along the lines of the chief professional officers of other Government departments. These roles would in no way replace the Chief Inspectors of Education or Children’s Care; nor would they seek to replace the important existing relationships between civil servants, senior inspectors, and special advisers. Rather, they could work alongside those people within Government, ensuring that the inspectorates can retain their independence. (Paragraph 48)
8. We agree with the incumbent Chief Inspector that the current Ofsted website needs considerable revision to ensure a positive user experience for all of its visitors. The new Chief Inspectors of Education and Children’s Care should consult with the public and with front-line professionals in their relevant fields to ensure that the new websites, and in particular their search facilities, are more accessible than the current model. The new websites should include clearer articulation of the inspectorates’ complaints procedures. (Paragraph 52)

9. As a major vehicle for communication between inspectorates and the general public, inspection reports need to be high quality, and we accept that many are well-written and balanced. However, under the structure which we propose, the new Chief Inspectors of Education and especially of Children's Care would need to ensure that all reports are parent-friendly, and that concise, accurate summaries of settings are given as well as the detail of performance against individual criteria. Reports on care settings, in particular, should be accessible to the young people who use and experience those settings. Reports also need, though, to have a depth of intelligence to make them actively useful to professionals and providers, and need to be delivered on time. The new Inspectorates of Education and Children's Care should publish, annually, the number of reports which are not delivered on time, and manage performance rigorously. (Paragraph 57)
10. Parents and carers need to be engaged more throughout the inspection process, and we would encourage the new Inspectorates to continue the work begun by their predecessor organisation in that regard. Similarly, parents and carers as well as young people themselves need to be better involved in the feedback process following inspections. The Government might like to consider a consultation with parents and young people on how Ofsted's reports and broader communication could be improved. (Paragraph 58)
11. The Committee is supportive of the Government's drive for more publicly available information and, in that spirit, recommends that Ofsted makes easily accessible its performance assessments of the three Regional Inspection Service Providers, as well as contractual details. We believe this may have the additional benefit of providing more substantive evidence about the relative performance of Additional Inspectors as compared to Her Majesty's Inspectors, about which we have heard contrasting views. (Paragraph 61)
12. We believe that Ofsted, as it exists now, has made significant savings and has plans to continue that direction of travel. We recommend that the Government is alert to value for money if the inspectorate is divided into two new organisations, and ensures that there is no extra cost to the public purse of any new inspection system. The two inspectorates should be charged to work together to maximise the efficiency of back office support services and continue to reduce costs and deliver improved value for money. (Paragraph 64)
13. We acknowledge that the Ofsted Board cannot intervene in inspection judgments, and do not suggest any change to that. However, any non-executive Board needs to command the confidence of its organisation and of the general public. We therefore recommend that the new Inspectorates of Education and Children's Care have, on their non-executive Boards, members whose experience is directly relevant to the remit of the inspectorate, to inspire confidence in their leadership and scrutiny, and that make it clear precisely what their duties are, as agreed with the Secretary of State for Education. Similarly, we recommend that—in the event of the creation of new inspectorates—the legislation from which the Board's functions derive is reviewed. (Paragraph 69)

## The quality and consistency of inspectors

14. There are too many inspectors lacking recent and relevant experience of the settings they investigate. The Inspectorate of Education should extend and develop mechanisms—such as outward secondments to the front line—for ensuring that its inspectors remain in touch with the system and changes therein. The Inspectorate of Children’s Care, which we envisage would operate on a more improvement-based model, will need to ensure that alongside its ‘practitioner inspectors’ it has inspectors who, by contrast, have experience of inspection practice over a longer time period. We feel it is essential that inspectors have regular opportunities for professional development, most particularly to keep up-to-date with practice at the front-line. (Paragraph 76)
15. The Inspectorates of Education and Children’s Care which we propose, working with the Department for Education, need to develop ways to increase dramatically the percentage of inspectors who are serving senior practitioners on secondment from the front-line. The targets currently set by the Regional Inspection Service Providers for schools are too low, and we believe a greater proportion would aid the credibility and quality of inspection teams. We suggest that such secondments could be built into job descriptions for practitioners, and would encourage Government, centrally and locally, to consider how that might work. Consideration should continue to be given to other ways to ensure that practitioners are encouraged to become inspectors. (Paragraph 81)
16. We are not convinced that there is a definite or systemic difference in quality between Her Majesty’s and Additional Inspectors, and are inclined to agree with the inspector who told us that “HMI are not universally better than AI and many AI are certainly better than HMI.” We are therefore disinclined to recommend that all inspections are led by HMIs. We do agree, however, that HMIs—who have considerable experience of inspection practice—should continue to be well-utilised in the training of other inspectors. (Paragraph 88)
17. In line with our earlier recommendation concerning performance-related transparency, we believe that the new Inspectorates should prioritise transparency over the provenance of their inspection teams, including providing fuller biographies and curricula vitae to settings in advance of inspections. This would increase all inspectors’ credibility—whether Her Majesty’s or Additional—as well as support professional dialogue with settings. Greater transparency over the training of inspectors would also be welcome. (Paragraph 89)

## Experiences and mechanics of inspection

18. It is the responsibility of the inspectorate to ensure that inspection processes are not unduly burdensome, and the responsibility of those being inspected to prepare for a process which may be stressful. The inspectorate and the inspected should do everything possible to minimise any negative impact of inspection on young people and learners. (Paragraph 93)



19. We suggest that the new Chief Inspectors of Education and Children’s Care, whilst having due regard to the financial efficiency of their organisations, consider how best to build further preparation time into inspection schedules. (Paragraph 94)
20. We welcome the intention, in the new framework for the inspection of children’s homes, for all future inspections of those settings to be unannounced. Whilst we accept that for certain settings a notice period is appropriate, we recommend that in the future little or no notice to providers should be the norm. We believe that the disadvantages raised by some witnesses are outweighed by the merits of unannounced inspection, particularly in ensuring that inspectors see the setting as it truly is. (Paragraph 101)
21. We agree with the National Governors’ Association that chairs of governors’ attendance at post-inspection feedback sessions should be encouraged by inspectors (and preferably that of other governors as well). This is particularly worthwhile in light of the changing responsibilities governors will have in schools. Outside feedback sessions, the inspectorate should have a clear policy of engaging governors as much as possible throughout the inspection process. (Paragraph 104)
22. We agree with the Recruitment and Employment Confederation that the current set-up of the Voluntary Childcare Register is misleading and in need of very urgent reform. We are concerned that the current procedures, far from providing the public with a reliable system of registration and safeguarding, might mislead parents by suggesting a level of quality assurance that has not been undertaken. We urge the Government to improve the existing Register, through legislation where necessary, and to provide the public with a more reliable system for vetting carers which provides greater scrutiny of applicants. In the meantime, we recommend that Ofsted takes immediate action to improve the existing system—such as adding expiry dates to letters of registration. (Paragraph 108)
23. We are concerned that the current inspection processes for sixth forms, schools and colleges are not consistent with each other, giving a potentially misleading impression of those institutions’ performance. The data used to judge institutions need to be the same for students in the same age groups, and we recommend that this is remedied as swiftly as possible. (Paragraph 111)

### **The future direction of inspection policy**

24. We believe the Government needs to articulate, as clearly as it has explained its inspection policy for schools, its plans for the other settings currently inspected by Ofsted. The current focus on schools in Department for Education pronouncements on Ofsted alone does not reflect or respect the breadth of the inspectorate’s influence, or show enough concern for the many settings which are not schools and which are understandably keen to know how their inspection arrangements are likely to change. (Paragraph 114)
25. We support the cessation of inspection for outstanding schools. We feel that schools should be encouraged to achieve higher levels of performance and then depend on self-evaluation and partnership with other schools as the key drivers to maintain and



further improve performance. We disagree with inspectors that knowledge of current best practice will be lost: the inspectorate can still gain and disseminate this through, for example, its surveys and subject reports. These, in turn, will ensure inspectors can stay in touch with best practice across the country and maintain sight of the benchmark of high performance. However if there are signs that performance standards are not being maintained at a school, or if there is a major management change, there should be a trigger mechanism to bring forward inspections at the school school—not just, as proposed in *The Importance of Teaching*, for special schools and PRUs but for all educational institutions. We have heard that such considerations do in any case influence inspection scheduling, but recommend formalising the triggers, so that parents can be assured the new regime will not lead to any school missing out on the attention it needs. Such triggers may include, for example, a material change in exam results, a change of head, a spike in the number of exclusions, or a major increase in staff turnover. (Paragraph 118)

26. The Committee welcomes the Government’s decision to divide the ‘satisfactory’ grade in two, and the extra monitoring for “stuck” schools, but recommends that specific criteria are developed to suggest why a school might be placed in either category (for example, how long a school need be “satisfactory” before it is considered “stuck”), and how the lower of the two grades differs from “inadequate”. The categories need to be clearly named to differentiate between them. A similar fifth grade should be developed for “stuck at satisfactory” providers other than schools. (Paragraph 122)
27. The Committee believes that a slimmer framework for schools inspection is the right, and mature, way to go. However, we agree with witnesses that clarity is needed on precisely what the four categories will include, and we strongly support the recently-launched consultation. We similarly suggest that the leadership and management category makes specific reference to the performance of governors in scrutinising a school as well as the effectiveness of performance within it. We also welcome the new framework’s focus on observation: inspectors, if they are highly-qualified and well-trained, should have time to observe practice and form professional opinions rather than focus on scrutinising data against a large number of separate headings. (Paragraph 127)
28. If schools are inspected against only four categories—and assuming a school’s commitment to safeguarding its pupils is covered under the new ‘behaviour and safety’ or ‘leadership and management’ headings—we fail to see the continued need for limiting judgments, and therefore recommend that these are abandoned once the new school inspection framework is in place. (Paragraph 128)
29. We agree with the Government that the less teachers are constrained by bureaucracy, the better. However, we recommend that the inspectorate continues to publish a simplified Self-Evaluation Form, albeit non-obligatory, and to make it—and guidance on good evaluation—easily available to heads and governors. (Paragraph 130)
30. The Committee supports more publicly available information on schools, including more comprehensive attainment tables. We think it is essential that the inspectorate

prioritises its reporting on efforts made for, and progress made by, pupils across the full range of ability groups (including both those in the very highest or 'gifted and talented' group, and those with the lowest incoming test scores or assessment), and those with special educational needs. The Department should seek to give these progress measures prominence comparable to other key measures such as 'five good GCSEs' and the new English Baccalaureate. (Paragraph 134)

# Formal Minutes

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**Wednesday 23 March 2011**

Members present:

Mr Graham Stuart, in the Chair

Neil Carmichael	Ian Mearns
Nic Dakin	Tessa Munt
Bill Esterson	Lisa Nandy
Damian Hinds	Craig Whittaker
Charlotte Leslie	

Draft Report (*The role and performance of Ofsted*), proposed by the Chairman, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 139 read and agreed to.

Annexes agreed to.

Summary agreed to.

*Resolved*, That the Report be the Second Report of the Committee to the House.

*Ordered*, That the Chairman make the Report to the House.

Written evidence was ordered to be reported to the House for publication on the Internet.

*Ordered*, That embargoed copies of the report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Wednesday 30 March 2011 at 9.15 am

## Witnesses

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### Wednesday 3 November 2010

Page

**David Sherlock CBE**, Chief Inspector of Adult Learning 2000–07; **Maurice Smith CB**, Her Majesty's Chief Inspector, Ofsted, 2006; **Lord Sutherland of Houndwood KT**, Chief Inspector of Schools 1992–94, and **Sir Mike Tomlinson**, Her Majesty's Chief Inspector, Ofsted, 2000–02

Ev 1

### Wednesday 10 November 2010

**Lynn Jackson**, Headteacher, Chesterton Community Sports College, Newcastle-under-Lyme; **Professor Tony Kelly**, Professor of Education, University of Southampton, and **Baroness Perry of Southwark**, Chief Inspector of Schools 1981–86

Ev 20

**Lesley Gannon**, Assistant Secretary (Policy), National Association of Head Teachers; **Emma Knights**, Chief Executive, National Governors' Association, and **Jan Webber**, Inspections Specialist, Association of School and College Leaders

Ev 29

### Wednesday 24 November 2010

**Lesley Davies**, Assistant Chief Executive, Association of Colleges; **Professor Nick Foskett**, Vice-Chancellor, Keele University; **Professor Chris Husbands**, Director-Designate, Institute of Education, and **Asha Khemka OBE**, Principal and Chief Executive, West Nottinghamshire College

Ev 39

**Professor Chris Chapman**, Professor of Education, University of Manchester; **Dr John Dunford OBE**, Educational Consultant; **Christine Ryan**, Chief Inspector and Chief Executive Officer, Independent Schools Inspectorate, and **Anastasia de Waal**, Deputy Director (Research) and Director of Family and Education, Civitas

Ev 47

### Wednesday 8 December 2010

**Anthony Douglas CBE**, Chief Executive, CAFCASS; **Professor Nick Frost**, Professor of Social Work (Children, Childhood and Families), Leeds Metropolitan University; **Eleanor Schooling**, Director of Children's Services, Islington, representing the Association for Directors of Children's Services, and **Councillor David Simmonds**, Deputy Leader of the Council, London Borough of Hillingdon, representing the Local Government Association

Ev 59

**Kate Groucutt**, Policy Director, The Daycare Trust; **Sue Kent**, Professional Officer (England), British Association of Social Workers; **Jonathan Stanley**, Principal Officer, National Children's Bureau Residential Child Care, and **Robert Tapsfield**, Chief Executive, The Fostering Network

Ev 68

### Wednesday 12 January 2011

**Carol Glover**, Head of Inspections, CfBT Education Trust; **Tony Stainer**, Director of Inspections, Serco, and **Janet Tomlinson**, Managing Director of

Ev 77

Inspections, Tribal Group

**Christine Gilbert CBE**, Her Majesty's Chief Inspector of Education, Children's Services and Skills; **Lorna Fitzjohn**, Interim Director, Development, Learning and Skills, Ofsted; **John Goldup**, Director, Development and Social Care, Ofsted, and **Patrick Leeson**, Director, Development, Education and Care, Ofsted Ev 84

### Wednesday 2 March 2011

**Lord Hill of Oareford CBE**, Parliamentary Under-Secretary of State for Schools, and **Tim Loughton MP**, Parliamentary Under-Secretary of State for Children and Families, Department for Education Ev 96

## List of printed written evidence

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1	Ofsted	Ev 106
2	National Association of Head Teachers	Ev 110
3	Association of Colleges (AoC)	Ev 112
4	Association of School and College Leaders	Ev 117
5	National Governors' Association	Ev 120
6	The Independent Schools Inspectorate (ISI)	Ev 122
7	Department for Education	Ev 124
8	Institute of Education, University of London	Ev 127
9	CfBT, Tribal and Serco	Ev 129; 138
10	Letter from Christine Gilbert, Her Majesty's Chief Inspector, Ofsted	Ev 133; 134; 136; 137
11	Daycare Trust	Ev 143
12	The Fostering Network	Ev 146
13	British Association of Social Workers	Ev 148
14	Association of Directors of Children's Services	Ev 150
15	Local Government Group	Ev 152

## List of additional written evidence

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(published in Volume III on the Committee's website [www.parliament.uk/education-committee](http://www.parliament.uk/education-committee))

1	London School of Islamics	Ev w1
2	Sue Allen	Ev w1
3	Dr Steve Austin	Ev w2
4	Ruth Welsh	Ev w5
5	Liz Rook	Ev w6
6	D Baird, Nafferton Primary School	Ev w6

7	Bob Prince MA	Ev w7
8	Mike Bostock, New Media Learning	Ev w8
9	Sheelagh Webster	Ev w10
10	David Singleton OBE	Ev w11
11	Landex	Ev w13
12	DEA	Ev w16
13	Shirley Finch	Ev w17
14	CASCAiD	Ev w18
15	Emeritus Professor Malyn Newitt	Ev w19
16	National Association of Independent Schools and Non-Maintained Special Schools (NASS)	Ev w21
17	Christopher Thomson, Principal, Brighton Hove and Sussex Sixth Form College	Ev w23
18	Daycare Trust	Ev w23
19	Chailey Heritage School	Ev w27
20	Jonathan Prest, Principal of Barton Peveril Sixth Form College	Ev w28
21	Dr John Oversby	Ev w29
22	Martin Brader	Ev w30
23	David Wright	Ev w30
24	Frank Shore	Ev w30
25	Incorporated Society of Musicians	Ev w31
26	Michael Bassey	Ev w32
27	Paul Carvin, Head of Raising Achievement Service, Gateshead Council	Ev w34
28	Staffordshire County Council	Ev w36
29	Jonathon Godfrey, Principal, Hereford Sixth Form College	Ev w38
30	The Howard League for Penal Reform	Ev w39
31	Governors of Heaton Manor School, Newcastle upon Tyne	Ev w42
32	Newcastle College Group	Ev w42
33	British Humanist Association	Ev w45
34	Kidsunlimited	Ev w48
35	Barnardo's	Ev w50
36	Essex County Council Early Years and Childcare	Ev w51
37	Independent Association of Prep Schools (IAPS)	Ev w52
38	Mr and Mrs Dominic Williams	Ev w53
39	National Primary Heads	Ev w56
40	Governing body and stakeholders of a faith based primary school	Ev w57
41	SkillsActive	Ev w58
42	Sense	Ev w62
43	National Childminding Association	Ev w64
44	The Universities' Council for the Education of Teachers	Ev w66
45	Paul Neilson, FDA national officer and Jon Richards, UNISON national officer, on behalf of Trade Union Side (TUS) at Ofsted	Ev w67
46	The Fostering Network	Ev w69
47	The Chartered Institute of Public Finance and Accountancy (CIPFA)	Ev w71
48	Neil Roskilly, Chief Executive Officer, The Independent Schools Association	Ev w72
49	Sixth Form Colleges' Forum	Ev w73

50	Association of National Specialist Colleges, Natspec	Ev w74
51	The Nationwide Association of Fostering Providers	Ev w76
52	Westminster City Council	Ev w77
53	National Children's Bureau (NCB)	Ev w79
54	Buckinghamshire County Council	Ev w82
55	Tony Lau-Walker, Chief Executive of Eastleigh College and Chair of the Windsor Group of Colleges	Ev w85
56	The Royal Society of Chemistry	Ev w87
57	Professor Dame Julia Higgins FRS, Chair, The Advisory Committee of Mathematics Education	Ev w89
58	Wandsworth Council	Ev w91
59	Rebecca Allen, Institute of Education, University of London and Simon Burgess, CMPO, University of Bristol	Ev w93
60	NSPCC	Ev w99
61	A+ Education Ltd	Ev w103
62	The National Foundation for Educational Research	Ev w105
63	Sam Preston	Ev w109
64	Play England	Ev w111
65	Ofsted	Ev w114
66	British Association of Social Workers	Ev w118
67	Boarding Schools' Association and State Boarding Schools' Association	Ev w120
68	SCORE	Ev w123
69	Special Educational Consortium	Ev w125
70	Napo	Ev w129
71	Stonewall	Ev w135
72	The Food for Life Partnership	Ev w138
73	National Association of Head Teachers	Ev w145
74	Recruitment and Employment Confederation	Ev w148
75	General Social Care Council	Ev w150
76	National Union of Teachers	Ev w154
77	Association of Colleges (AoC)	Ev w162
78	Association of School and College Leaders	Ev w167
79	Voice: the Union for Education Professionals	Ev w170
80	HMC	Ev w172
81	National Deaf Children's Society (NDCS)	Ev w174
82	The Association for Science Education	Ev w176
83	National Governors' Association	Ev w177
84	Association of Governors of Independent Schools (AGBIS)	Ev w180
85	Save the Children	Ev w180
86	Independent Children's Homes Association	Ev w183
87	Centre for Studies on Inclusive Education	Ev w185
88	Granada Learning	Ev w185
89	Association for Tutors in Science Education	Ev w189
90	Care Quality Commission	Ev w191
91	General Teaching Council for England	Ev w193
92	NASUWT	Ev w196



93	Association of Directors of Children's Services	Ev w200
94	Oxfordshire County Council	Ev w203
95	Children's Food Campaign	Ev w205
96	Institute of Physics	Ev w207
97	Carrie Dunne	Ev w207
98	Mrs Carole Thomson	Ev w212
99	Angela Cross-Durrant	Ev w212
100	CfBT, Tribal and Serco	Ev w216
101	Association of Teachers and Lecturers	Ev w220
102	Lancashire County Councillor John Shedwick, Chair of the county council's Scrutiny Committee	Ev w223
103	Ann Coffey MP	Ev w224
104	National Day Nurseries Association	Ev w225
105	Girls' Schools Association	Ev w228
106	Local Government Group	Ev w229
107	Department for Education	Ev w232
108	Institute of Education, University of London	Ev w235
109	East Riding of Yorkshire Council	Ev w237
110	Reading Borough Council	Ev w238
111	Alan Quinn	Ev w240
112	School Food Trust	Ev w244
113	South East Association of the Directors of Children's Services	Ev w244
114	John Riley	Ev w245
115	The Independent Schools Inspectorate (ISI)	Ev w246
116	Pam Barrow-Jones	Ev w248
117	Professor Colin Richards	Ev w248; 249
118	Dorothy Latham	Ev w249
119	Katharine Birbalsingh	Ev w250
120	Veale Wasbrough Vizards	Ev w251

## List of Reports from the Committee during the current Parliament

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The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

### Session 2010–11

First Special Report	Young people not in education, employment or training: Government Response to the Children, Schools and Families Committee's Eighth Report of Session 2009–10	HC 416
Second Special Report	The Early Years Single Funding Formula: Government Response to the Seventh Report from the Children, Schools and Families Committee, Session 2009–10	HC 524
Third Special Report	Transforming Education Outside the Classroom: Responses from the Government and Ofsted to the Sixth Report of the Children, Schools and Families Committee, Session 2009–10	HC 525
Fourth Special Report	Sure Start Children's Centres: Government Response to the Fifth Report from the Children, Schools and Families Committee, Session 2009–10	HC 768
First Report	Behaviour and Discipline in Schools	HC 516-I and -II
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