



House of Commons
Education Committee

**The role and
performance of Ofsted:
Responses from the
Government and
Ofsted to the Second
Report of the
Committee,
Session 2010–12**

**Seventh Special Report of
Session 2010–12**

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The Education Committee

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Seventh Special Report

On 17 April 2011 we published our Second Report of this Session, *The role and performance of Ofsted*.¹ The responses from the Government and Ofsted were received on 10 June 2011 and are published as Appendices 1 and 2 to this Report.

The Committee's recommendations are in **bold text** and the responses are in plain text.

Appendix 1

Government response

1. Introduction

1.1 The Government welcomes the Select Committee's report. We are grateful to the Committee for conducting the inquiry diligently and fairly and for their careful consideration of the evidence and suggested recommendations. The challenges put to us by the Committee are thought provoking and will inform our thinking as we make changes to inspection policy. We are committed to reforming inspection so that it focuses on the issues that matter most. We are determined that inspection should encourage and support improvements by those responsible for delivering services, so that we develop stronger and more effective schools and children's services, whilst operating with significantly fewer financial resources.

1.2 Reform of the accountability system for schools, including the role of school inspection, is central to our plans for the education system. We want to give parents a greater opportunity to send their children to a good school, which has strong discipline in the classroom, high standards, excellent teaching and effective and inspirational leadership. We also want parents, community groups and others to come together to improve the education system by starting new schools. We will promote and assist the reform of schools to enable new entrants to the state school system to respond to parental demand and to ensure that all schools are held properly to account.

1.3 The Government is committed to re-focusing inspection on the things that really matter: recognising the achievements of the highest performers by freeing them from inspection burdens; and helping to address inequality and disadvantage and improve standards. We will move away from a universal approach to one that targets inspection where it is needed most. Inspection will focus around the core aspects of services and we will remove any unnecessary administrative processes, data collection and bureaucracy that get in the way of effective performance. Already, we have made arrangements for the complete removal of the centrally prescribed Self Evaluation Form (SEF) for schools; taken steps to free outstanding schools and Further Education colleges from routine inspection; and have announced our intention to end the annual assessment of local authority children's services at the earliest opportunity.

1.4 We are also committed to promoting decentralisation and democratic engagement; reducing top-down government and reducing the overall cost and bureaucracy associated with inspection. Whilst our aim is to encourage greater local accountability, centrally supported, independent inspection can help headteachers, senior managers of services, governors, local authorities and local communities to assess service effectiveness. For example, many parents look to independent inspection reports to enable them to make informed choices about appropriate schools or nurseries for their children. Inspection information also supports and encourages improvement and contributes to the analysis of policy effectiveness. Many of the services inspected by Ofsted cater for the needs of vulnerable children and young people. The higher risks associated with this group strengthen the case for continuing to inspect these services.

1.5 The Government believes, firmly, that inspection must change, if it is to continue to help to improve the education system. That is why we have made clear already our intention to shift to a more risk based and proportionate approach, targeting inspection resources particularly on the weakest performers. Where there is failure, we will ensure that appropriate improvement action is taken. Primarily, inspection will be to assure parents and others about the quality of schools and children's services. These principles provide the context within which public service inspection needs to operate in future and have informed our response.

2. *The role and remit of Ofsted (report Chapter 2)*

The breadth of Ofsted's remit

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)

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 CAF/CASS. 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)

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)

2.1 The Government has looked carefully at the key recommendation and supporting arguments from the Select Committee, to split Ofsted into two inspectorates.

2.2 The Committee has expressed important concerns about the need for inspection arrangements to distinguish sufficiently between each of the sectors that Ofsted inspects and so ensure that inspection arrangements for each sector are both appropriate and effective. We share those concerns. The Government accepts fully that improvements can always be made and is keen to make them. We agree with the Select Committee about the importance that must be given to the issues of leadership and quality in inspection, which is why we have embarked already on a programme of inspection reforms that put these concerns at the centre. We also agree that inspection teams should have appropriate experience in the areas they inspect. High quality inspections are clearly vital to the credibility of the inspectorate. We will continue to work closely with Ofsted’s leadership to deliver these reforms as quickly and safely as possible.

2.3 Whilst, as with all Arms Length Bodies, the Government will continue to keep the justification and remit for Ofsted under review, we do not agree with the Select Committee that the concerns they have highlighted support the argument for splitting the current inspectorate. We agree with the witnesses who have observed that structural change is less important than quality of personnel and inspection methods. Structural change is costly (in terms of time, as well as money) and disruptive. Prioritising it would divert attention and resources from the more critical and urgent task of pursuing and securing the inspection reforms we consider to be vital. We are not convinced that making structural changes would address directly the improvements to the leadership and quality of inspections that the Select Committee has rightly identified.

2.4 As the Committee has recognised in setting out its evidence, there remain arguments, supported by key stakeholders, for continuing with a single inspectorate. The current system in England is built around single points of accountability in local authorities, under the control of Directors of Children’s Services and the Government has no current plans to change this.

2.5 We agree with the Select Committee that the Government’s new policy direction for inspection presents an ideal opportunity for us to pursue many of the proposed improvements it has identified. The Secretary of State for Education has recently appointed a new Chair to Ofsted’s non-executive board and is in the process of making additional

appointments to bring to it further appropriate experience, sector knowledge and understanding across the breadth of Ofsted's remit. Also, the ongoing process to recruit a new Chief Inspector is expected to conclude by the end of the summer, so that the new arrival can take up post from October 2011. Ofsted has indicated already that, in the light of an appointment decision, it may consider whether it should appoint someone in a deputy role who has a professional background that complements that of the new Chief Inspector (for example, a deputy from a children's social care background if the new Chief Inspector is from an education background). We welcome this initiative and will work with Ofsted's new leadership team on the reforms we intend to bring about to ensure that inspection activity is focused on what really matters and is conducted more proportionately.

The definition of inspection

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)

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)

2.6 The Government agrees with the Select Committee about the need for different inspection approaches for different sectors and that inspection should encourage improvement in inspected settings. We have asked Ofsted to propose new arrangements for inspecting local authority children's services and early years and childcare settings, in line with our reform intentions. Ofsted is developing its proposals and will consult on them later this summer. Once the new arrangements are confirmed, Ofsted will publish its new inspections frameworks. Subsequently it will publish related inspection reports that will continue to identify areas for improvement and contribute to Ofsted's assessment of best practice.

2.7 Professor Eileen Munro has recently published a report and recommendations, following her Review of Child Protection, commissioned by the Secretary of State for

Education. Amongst her specific proposals, Professor Munro recommends that ‘inspection should examine the effectiveness of the contributions of all local services, including health, education, police, probation and the justice system to the protection of children’. Professor Munro argues strongly for a ‘child-centred system’, highlighting the need for professionals from different agencies to work together effectively to meet a child’s needs and for a move from ‘compliance to a learning culture’, which supports the development of professional confidence and judgement. She considers this is key to driving service improvement. Linked to this Professor Munro recommends that inspection should examine the child’s journey and the effectiveness of help provided, informed by the views of children and young people themselves.

2.8 Dame Clare Tickell recently published a report and recommendations, following her review of the Early Years Foundation Stage (EYFS). She has concluded that the EYFS framework should continue to apply to all providers working with children in the early years and that Ofsted should continue to work with local authorities to be clear about how it will inspect in this area.

2.9 DfE Ministers are considering the reports and the Government will respond to both later this year. Inspection policy reforms will be informed by the Munro and Tickell reviews. The Government considers it will be important to allow time for policy developments recommended by the reviews to work through and to review at a later stage their impact and the influence of new inspection approaches on the quality and effectiveness of service provision in that context. As we move forward, whilst Ofsted will need to continue to report as it finds, the Government will look to Ofsted to be celebratory, just as much—if not more—than it is condemnatory, and to recognise and reflect more overtly in its practice, the Chief Inspector’s statutory duty to perform functions for the general purpose of ‘encouraging the improvement’ of the areas it inspects.

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)

2.10 Although the Government does not agree with the Select Committee’s recommendation to split Ofsted into two inspectorates, we agree with the Committee that a clearly articulated and appropriately differentiated mission statement, made available to parents, professionals and the wider public, is desirable. The recent appointment of a new Chair for Ofsted’s non-executive board and the planned appointment, later this year, of a new Chief Inspector, provide a timely opportunity for the inspectorate to consider this. Ofsted has separately confirmed its commitment to refreshing its communications arrangements and its revised website will provide a good platform for it to communicate its mission statement and the purpose and focus of its operational activity.

The case for abolition of inspection

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)

2.11 The Government welcomes the Committee's conclusion that there is a place for both inspection and for local partnership and self evaluation as part of accountability and improvement. This is relevant to schools and to other aspects of Ofsted's remit. As more mature models of self improvement become embedded in different sectors, the Government will continue to seek to extend the principle of increased proportionality in inspecting these sectors. For example, work is currently taking place with sector representatives to develop capacity for self-improvement in relation to local authority children's services, including consideration of a sector led approach to improving services. Reforms to the inspection of these services will need to be informed by these wider developments. Our aim is to encourage providers to take greater responsibility for improving their services, whilst reducing the overall burden and cost of inspection.

3. The performance and independence of Ofsted (report Chapter 3)

Ofsted and the Department for Education

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)

3.1 The Government agrees with the Select Committee that it is important to have appropriate senior front-line voices advising the Department for Education and is committed to accessing the best, most current expertise. There are different ways to achieve this. For example, the Secretary of State recently announced the appointment of an Expert Adviser on Behaviour, who has been an experienced front-line headteacher and is a behavioural specialist. Following her child protection review, Professor Eileen Munro has recommended that Government creates a Chief Social Worker, whose remit may include adults' social work and who may report to both the Department for Education and the Department for Health. The Government is considering all Professor Munro's recommendations and will respond by the summer.

3.2 The Select Committee's example in regard to health professionals is an interesting approach, but mirroring it would need to involve a number of experts covering different areas of specialism within the education and care professions. The Department for Education currently has access to various sources of advice about professional issues, including professional advisers. Our view is that a single professional operating as a 'figurehead' for each of the broad areas of education and children's care could not cover all the professional interests within those two territories. We also consider that an advisory 'front line voice' to provide recent practical experience to inform inspection and related policy development is a different proposition to an adviser operating as a 'head of profession' giving advice on professional and related policy issues. We do not think we would achieve additional benefits from a new, parallel structure within the department.

3.3 Dame Clare Tickell's review of the EYFS, which the Government has welcomed, has recommended that the principles of integrating care and education in the early years should continue. The Government's recent Green Paper, *Support and aspiration: A new approach to special educational needs and disability*, commits to strengthening the integration of educational and social care provision rather than separating them. The Munro Review has also focussed on 'early help' and multi-agency cooperation and contributions, including from schools, to child protection. We support the broad principle of the Select Committee's suggestion that we secure advice from appropriate 'front-line voices' to inform policy, but consider that alternatives to Chief Officer appointments would work more effectively for our purposes.

Communicating and engaging with the public

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).

3.4 The Government supports the Select Committee's conclusions and recommendations about the need to improve Ofsted's website. This website is one of the most widely used in the public sector. It provides important information for government, providers and service users. Ofsted has confirmed that a new website is imminent and we look forward to seeing improved accessibility and signposting within it, so that the benefits of Ofsted's inspection reports and other publications are promoted clearly and their use maximised. The Department is also encouraging Ofsted to explore more creative ways for parents and carers to make their concerns heard about issues in schools and early years settings, or arising from their experiences with children's services. Ofsted will consider these concerns alongside other relevant evidence to decide whether to intervene.

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)

3.5 The Chief Inspector is responsible for inspection reports. The Government notes the Select Committee's conclusions about the quality, accessibility and timeliness of inspection reports, which are used by many different groups of parents, local authorities, young people and service providers. Striking the right balance between the needs of these different groups must be a priority in any planned revisions to inspection arrangements. Reports are also the starting point for inspectors in revisiting schools and other provision and so need, in particular, to set out clearly the aspects of service performance where action needs to be taken to bring about improvement.

3.6 Timeliness in publishing reports is important and successive Chief Inspectors have reduced the intervals between inspection and publication of reports. Speed of publication must not be at the expense of quality, however, and the existing opportunity for providers to comment on reports must not be compromised by any subsequent changes. Adjusting the survey programme content and publication schedule to align it more closely with current policy priorities will help to ensure that the currency and value of Ofsted's reports is not diminished by delays in publishing. We will explore with Ofsted what more can be done to achieve this.

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)

3.7 The Government agrees that engagement of parents and carers in the inspection process is important and we agree with the Select Committee that this should remain a priority for the inspectorate. The Committee has acknowledged the inherent tension between the desirability of carrying out inspections with limited, or no notice, and opportunities for engaging with parents and carers. There will be occasions where the urgency of response to an identified need for inspection must take precedence, for example, in following up complaints about safety, or concerns about behaviour and discipline.

3.8 We note the Select Committee's suggestion that the Government might consult parents and young people about improvements to inspection reports and wider communications by Ofsted and we support the principle. Consultation about the quality of inspection reports is a matter for the Chief Inspector, rather than for the Government.

Transparency of contractual information

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)

3.9 We welcome the Select Committee's support for the Government's transparency agenda, which includes commitments on procurement and contracting, as set out in the Prime Minister's letter of 31 May 2010, that all new central Government tender documents for contracts over £10,000 will be published on a single website and all new central Government contracts will be published in full from January 2011. These requirements apply to all central Government departments and so extend to Ofsted. Subject to any commercial confidentiality issues, we look forward to seeing Ofsted's plans for increasing the amount of public information it will make available about its inspection service provider contracts, including details of provider's performance.

Financial effectiveness and efficiency

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)

3.10 The Government welcomes the acknowledgment by the Select Committee that Ofsted has already made significant savings as a result of becoming a single inspectorate and that it is on a trajectory to continue to do so. The cost of inspection has been reducing steadily over the last five years. In 2004–05, the notional aggregated cost of the inspection activity that is now within Ofsted's remit was £265 million. Ofsted was set a budget reduction target by the Better Regulation Executive, to deliver inspection services more efficiently—as part of the rationale for bringing the activities together. It has achieved this, reducing its annual expenditure to £183m in 2010–11 (a reduction of 31%). By the end of the Spending Review period 2014–15), Ofsted's expenditure will have fallen by 46% from 2004–05, to £143m.

4. *The quality and consistency of inspectors (report Chapter 4)*

The variability of inspector performance

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)

4.1 Operational issues relating to the selection, training and monitoring of the inspection workforce are matters for the Chief Inspector. This said, we welcome the importance attached by the Committee to ensuring inspectors are effective and agree that it is essential for Ofsted to be seen as credible by those it inspects and those using inspected services. We are reassured by the consistent high levels of satisfaction—over 90%—expressed by settings that have been inspected, in response to survey questionnaires, but recognise that it is necessary to review continually the effectiveness and suitability of inspectors. We will encourage Ofsted to continue to conduct quality assurance work on its inspection activities that can be independently validated.

Secondments into the inspectorate

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)

4.2 The Government agrees with the importance attached by the Select Committee to ensuring that the overall ‘pool’ of inspectors contains significant numbers with current or recent practitioner experience. Whilst the Committee views the current percentage of inspectors who are serving practitioners as too low, we are pleased to note that Ofsted has indicated previously that it is working with its contractors to increase the proportion of inspector practitioners. It will be important for Ofsted to maintain an appropriate balance, though, to ensure its inspector cadre includes sufficient numbers of inspectors with a well developed understanding of effective inspection techniques and good experience of the range of tasks and skills required in undertaking successful inspections, as well as those with recent front-line experience. Suggested arrangements for a secondment programme are certainly worth considering, although care would be needed to avoid a negative impact on schools and other settings, as a result experienced teachers, practitioners and leaders from the management and operation of settings being released to conduct inspections.

The training and role of Additional Inspectors

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)

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)

4.3 We welcome the Select Committee's endorsement of the expertise of contracted Additional Inspectors (AI) alongside Her Majesty's Inspectors (HMI). While there is no evidence to suggest that HMI are better than AI—satisfaction levels, from inspected settings, being the same for both groups of inspectors—it is important to recognise that HMI are deployed to lead the more complex inspections. Also, as the Committee has recognised, HMI add significant value to the training of AI. Our principal concern is that all inspections, whether they are led by HMI or contracted inspectors, are delivered to a consistently high standard.

4.4 The Chief Inspector has a legal responsibility to ensure that inspectors have the necessary qualifications, skills and experience to act on her behalf. Ofsted has well developed arrangements in place to enable rigorous selection, induction and training processes so that inspectors have the appropriate experience and inspection skills for the sectors they are assigned to. The Select Committee has reproduced in its report, evidence suggesting that schools being inspected are not particularly interested in the background of the inspectors, providing that inspection arrangements are appropriate and inspections are undertaken effectively. This must be right. The Select Committee's recommendation that Ofsted should provide greater detail about the background and experience of inspectors and their professional training is a helpful one; to improve perceptions about the credibility of individual inspectors and the inspection processes they follow. We will encourage the Chief Inspector to consider it.

5. *Experiences and mechanics of inspection (report Chapter 5)*

Ofsted and stress

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)

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)

5.1 The Government recognises that periodic inspection by an independent body, leading to a published report can put pressure on the inspected institution. We also agree

with the Select Committee that both Ofsted and those it inspects have a responsibility to minimise the pressure on individuals associated with inspection. We also note the Select Committee's suggestion that the Chief Inspector should consider pressures faced by inspectors. This is an internal matter for the Chief Inspector and Ofsted's inspection providers to consider.

5.2 Making those subject to inspection aware of the basics of the inspection process and the areas that they will be assessed on will help to ensure they can approach inspection with realistic expectations. We will continue to encourage Ofsted to make appropriate information available, so that misunderstandings can be corrected and senior managers in inspected settings equipped appropriately to communicate with their staff about what inspection will involve. Little or no notice of inspection and proportionate approaches to inspection scheduling, alongside effective engagement of staff during inspections and high quality, consistent inspection delivery should all contribute to keeping anxiety about inspection to a minimum.

5.3 The Government has committed to reducing inspection related burdens by announcing its intention that outstanding schools and colleges should be exempt from routine inspections and by ensuring that, in future, inspections hold service providers to account for performance in relation to their core functions, rather than in every aspect of their work. This is an important element of our inspection reform programme.

Notice of inspections

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)

5.4 The Government agrees with the Select Committee that little or no notice to providers of inspections should be the norm. This is the case already for most Ofsted inspections. As the Committee has noted, inspections of children's homes are conducted without notice. Ofsted is currently preparing arrangements for a new inspection framework for local authority children's services, which it will consult on later this year. It is likely to propose that these inspections should be unannounced including, in light of the recommendation from Professor Munro, that inspections of child protection are unannounced.

5.5 We share the Select Committee's view that, for certain settings, a notice period may be appropriate. Where this is the case, our view is that the notice period should be minimal. In the case of schools, for example, a short period of notice enables parents and carers to be consulted in advance, so that their views can inform the focus of the inspection visit. Equally, governors, whose volunteered time has to fit with other commitments, need some notice to enable them to become involved. The Select Committee has raised the importance of engaging governors in the inspection process, so an appropriate balance must be struck.

5.6 All of this notwithstanding, even in settings where some notice is the norm, it is important that Ofsted is free to use its powers to inspect without notice where there is a particular reason to do so; for example, where parents or others have raised serious concerns.

The role of school governors in the inspection process

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)

5.7 The Government agrees with the Select Committee that governors should be engaged in the inspection process and encouraged to attend post-inspection feedback sessions. Governors' roles in directing and supporting a school's response to inspection findings are key and we will ask Ofsted to consider how they might mitigate the tension between the desire for little or no notice and the requirement to engage governors. The significance of governors is reflected in the statutory provisions relating to school inspection, which assign them responsibility for matters such as notifying parents about the inspection and distributing the inspection report. These provisions also place an obligation on inspectors, in conducting inspections, to have regard to the views expressed by governors.

Voluntary Childcare Register

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)

5.8 The Government acknowledges the Select Committee's concerns about the operation of the Voluntary Childcare Register and agrees the need for related reforms.

5.9 The Voluntary Childcare Register has been operating since April 2007. It replaced the Childcare Approval Scheme, which had been administered by a private contractor. The purpose of the Voluntary Childcare Register (and its predecessor the Childcare Approval Scheme) is to provide a very basic assurance check on providers not obliged to register with Ofsted. It also serves an administrative purpose, enabling eligible parents to claim childcare tax credits, since the use of registered or school-run provision is a requirement for such claims. The requirement for Ofsted to maintain the Voluntary Childcare Register is set out in the Childcare Act 2006.

5.10 This is just one aspect of early years and childcare inspection and regulation that is currently under review, as part of our overall inspection reforms. DfE officials are currently working with Ofsted colleagues on a range of regulation and inspection issues relating to early years and childcare, in the light of Dame Clare Tickell's review of the EYFS. The Department for Education is planning to make a statement on the Government's policy for the Foundation Years later this summer. Proposals for reforming policy in relation to the Voluntary Childcare Register will be considered in the light of this work.

Inspection of sixth form and further education colleges

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)

5.11 The Government acknowledges that, in recognition of their distinctive purposes and ways of operating, different inspection frameworks are used by Ofsted for the inspection of schools and Further Education (FE) colleges. By publishing *Framework for Excellence*, we have taken significant steps already to increase the data available to parents and students to help them make important choices about education options. We will continue to enhance the transparency of the system through our plans for the FE public information system and reforms to the 16–18 performance tables. As part of those plans, we have committed to publishing comparable data across the post 16 sector. We expect to have comparable performance measures in place by 2013.

6. The future direction of inspection policy (report Chapter 6)

The need for clarity

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)

6.1 The Government has already set out its timetable for the revision to inspection arrangements for local authority children's services in the DfE's Departmental Business Plan. This timetable is mirrored in Ofsted's Departmental Business Plan. The Department for Education first published its plan in November 2010 and is reporting regularly on progress.

6.2 A new, more streamlined and proportionate framework for such local authority children's services inspections will be developed by December 2011 and is scheduled to be in place for May 2012. For providers of the EYFS, a revised inspection framework is planned for September 2012. The policy on which these new inspection arrangements will

be based will be informed significantly by the Munro Review of Child Protection and the Tickell Review of the EYFS.

6.3 Inspection plans for the Further Education (FE) sector build on plans for the school sector. They include the same underpinning principles of high levels of autonomy for all FE providers with high levels of accountability. The requirement in funding agreements for sixth form colleges to complete a self evaluation form has been removed and, as with schools, the Department is progressing plans through the Education Bill to free outstanding FE colleges from routine inspection, which will allow Ofsted to re-focus its attention on weaker post 16 providers. The freedom will also apply to training providers, but this does not require legislation. Exempt FE colleges will be free to request and pay for an inspection if they believe it will add value to the information they hold on their own performance.

6.4 The current FE inspection framework is being reviewed. A public consultation on the proposed changes will take place in the autumn. Changes will result in more focused inspections, with fewer judgements and grades, leading to reports on the most important aspects of the quality of learning and skills provision. Ofsted is also considering what further action should be taken to ensure that providers who are ‘stuck’ at satisfactory levels take the steps necessary to bring about clear and sustained improvement.

Cessation of inspection for outstanding providers

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—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)

6.5 The Government welcomes the Select Committee’s support for our plans to exempt ‘outstanding’ schools from routine inspection by Ofsted. The exemption will free over 3,000 highest performing schools from the burdens of regular inspection and will introduce greater proportionality into the school inspection arrangements.

6.6 Ofsted’s evidence shows that over 90% of the outstanding schools inspected since 2005 were judged either good or outstanding when re-inspected. While this is a positive finding, it also demonstrates that not all outstanding schools maintain their performance.

The Government is clear that exemption from inspection does not mean that schools will be free from accountability. It is conditional on the schools maintaining their performance, and the confidence of parents.

6.7 Ofsted will continue to assess the risks of all exempt schools on a regular basis. In doing so, it will take account of the full range of available evidence including performance data; the views of parents, local authorities and others, including complaints; and structural changes to school organisation. Where, on the basis of this evidence, the Chief Inspector is of the view that a school's performance has declined, Ofsted will have the necessary powers to re-inspect it. It is not the Government's intention that a re-inspection should be triggered automatically by, for example, a change in headteacher. We want the decision to re-inspect to be a professional judgement, informed fully by risk assessment evidence.

6.8 The Government shares the Select Committee's view that the exemption from inspection should not lead to a reduction in available best practice information. 'Outstanding' schools will continue to be subject to non-routine inspection visits as part of Ofsted's programme of subject and themed surveys. It will continue to be an important element of Ofsted's work programme to identify good practice through its survey and disseminates its findings to schools and others, as appropriate.

Differentiation of grading for satisfactory schools

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)

6.9 In the schools White Paper, *The Importance of Teaching*, we proposed that Ofsted should differentiate within the broad 'satisfactory' category between identifying schools with a good capacity to improve and those that are 'stuck'. The Government also proposed that 'satisfactory' schools that are making little progress should be more likely to receive follow-up monitoring visits by Ofsted within the next year. We welcome Ofsted's positive response and its plans to re-inspect sooner, where monitoring indicates that a 'satisfactory' school is making inadequate progress.

6.10 We welcome the Select Committee's general endorsement of this approach. The Government agrees that the inspection framework and guidance documents that are currently being developed by Ofsted should provide schools and inspectors with a clear understanding of the differences between categories of 'satisfactory' schools. That clarity should also extend to inspection reports.

6.11 The decision as to how best to achieve differentiation of grading for satisfactory schools is primarily a matter for Ofsted. What concerns the Government is that schools and parents must be left in no doubt about which category a school is judged to fit into and that appropriate action is taken to follow-up those schools judged to be 'stuck'.

New framework for school inspections

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)

6.12 The Government welcomes the Select Committee's endorsement of our plans to slim down and to re-focus the schools inspection framework on the core areas of responsibility: pupil achievement; teaching; leadership and management; and pupils' behaviour and safety.

6.13 We agree with the Select Committee that school inspectors should take appropriate account of the performance of governors in challenging the school to improve and ensuring that it does. In that context, we welcome Ofsted's proposal to retain this as a key consideration in relation to the judgement about the effectiveness of a schools' leadership and management.

6.14 A benefit of a narrower inspection framework is that inspectors will have the opportunity to look in more detail at the central aspects of school performance. This should provide even greater scope for inspectors to form professional judgements, informed, but not determined, by data. We share the Select Committee's view that a stronger focus on observation, by well qualified and trained inspectors, should further improve inspection quality and consistency.

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)

6.15 The Government is inclined towards the Select Committee's view that there should be no need for 'limiting' judgements under the new school inspection framework. We want inspectors to have space to make professional judgements about the performance of individual schools. Equally, we appreciate the need for there to be some consistency in the inspection approach, so that schools know where they stand. Achieving the right balance between these two aspects will be a key consideration for Ofsted as they develop the new school inspection framework.

The Self-Evaluation Form

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)

6.16 The Government believes that school self-review is most effective when it forms an integral part of a school’s plans for development. It should not be a distracting and overly burdensome process, nor should it be performed with the exclusive aim of responding to requirements associated with Ofsted school inspection, perceived or otherwise.

6.17 We welcome the Select Committee’s endorsement of our drive to reduce unnecessary constraints and burdens on schools and note the Committee’s view that Ofsted should continue to publish a simplified self-evaluation form, which should be non-obligatory. While we accept that this approach would go some way to addressing our concerns about the current arrangements, it would not, we believe, go far enough. The Government has committed to complete removal of the centrally prescribed school self-evaluation form, and has no plans to move away from this position.

6.18 There is a tendency for simple documents and forms to become appended and grow increasingly complex over time, often through pressure from Government itself. Completion by schools of the current, lengthy, self-evaluation form is not obligatory, but almost all schools complete it and perceive they should do so. We believe that only through ending central prescription of school self-review will we give schools clear autonomy to really reflect on what effective self-review means and so develop their own innovative approaches and confidence, tailored to their specific needs and priorities. Naturally, schools will want to give some consideration to areas that will be assessed during an Ofsted inspection, but should not be constrained by a prescribed format for doing so.

Measuring progression and attainment

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)

6.19 The Government welcomes the Select Committee’s support for our plans to increase publicly available information on schools and agrees with the Committee that progress measures should be given suitable prominence within the accountability arrangements.

6.20 The schools White Paper set out our intention to put greater emphasis on the progress of every child, with more prominence given to this dimension within performance tables. Progress measures will be used within floor standards to ensure that they are as fair as possible. Where pupils make better than average progress between the relevant key stages, the school will be exempt from falling below the floor.

6.21 Progress measures will encourage schools to take particular responsibility for the progress made by all pupils, across the full range of ability groups. This policy is further

supported by a proposal in the Special Educational Needs and Disabilities Green Paper for new indicators relating to the progress of the lowest attaining pupils (between Key Stages 1 and 2, and Key Stages 2 and 4, in English and mathematics) to be included in the performance tables.

6.22 We agree that the progress made by different groups of pupils should be an important consideration within the new school inspection framework. Current legislative proposals require inspectors, in reporting on the four core areas, to consider how well schools meet the needs of the range of their pupils.

Appendix 2

Ofsted response

1. Introduction

1.1 Ofsted welcomes the Education Committee's report. We are grateful for the Committee's careful consideration of the evidence and for its recommendations. We are pleased that the Committee recognises the impact of Ofsted's work, the importance of our independence, and the role inspection plays in raising standards and improving quality. The overarching recommendation made by the Committee, that Ofsted be re-organised into two inspectorates, is ultimately a matter for the Government. But it is important that we respond to the underlying issues raised in the report and we are taking action to address the Committee's concerns.

2. The role and remit of Ofsted

The breadth of Ofsted's remit

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)

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 CAF/CASS. 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)

2.1 Any change in Ofsted's remit, or the establishment of new inspectorates, is a matter for the Government.

2.2 We expect that the Government would want to consider both the immediate and the longer-term costs of re-organisation. This type of structural change can be costly in terms of time and money, and would inevitably divert attention and resources from both the core business of inspection, and the work we are carrying out to continue to improve the way we inspect. We note that the Committee believes two organisations could be run without incurring significant new costs. The cost of carrying out the inspection and regulation of children and learners is now £80 million less than it was in 2003–04, when it was carried out by four separate organisations, a saving of around a third. Following last year's Spending Review, Ofsted's budget is to be further reduced from £185m in 2010–11, to £143m in 2014–15. This kind of saving will be challenging and any substantial re-organisation could make it even more difficult to achieve.

2.3 There are also benefits arising from having a single inspectorate for children and learners which the Government might want to consider when responding to this recommendation. As bodies such as the Association of Directors of Children's Services have pointed out, a single inspectorate is in a position to provide a joined-up view across a range of services, locally and nationally. This means Ofsted is well placed to consider and report on what Professor Eileen Munro described in her recent report to the Government on child protection arrangements as "the child's journey".

2.4 The Government may also want to consider the impact such a re-organisation might have on the sectors we inspect and regulate. As the Fostering Network pointed out in its evidence to the Committee, the number of different inspectorates of children's social care over the last ten years has in itself been an issue.

2.5 Since the creation of the new Ofsted in April 2007, we have made improvements across the range of our work, with regular reviews of our inspection frameworks to take into account the new and higher expectations society has of its publicly funded services. In recent years, we have also made significant changes to our organisational structure and business processes to increase both our efficiency and effectiveness. As witnesses to the Committee noted, for example, we recognised that we needed more senior managers with a social care background than transferred to the new Ofsted in April 2007 from the Commission for Social Care Inspection and have employed a number of additional senior managers in response.

2.6 We see this kind of improvement as a necessary and ongoing process and are keen to learn from the Committee's findings to make further improvements to the way we work and the way we communicate our role and findings.

2.7 We note, for example, the Committee's concern that Ofsted should do more to increase the visibility of what it describes as our "non-education remit". Ofsted carries out

over 4,500 inspections of children's social care services each year, including two inspections of every children's home in England, and an unannounced inspection of child protection arrangements in each local authority. We believe those we inspect, and the children and young people being cared for, are aware of our role. But we recognise we can, and should, do more at a sector level, and with the wider public, to communicate our work and to lead debate.

2.8 To help address this we plan to establish clear figureheads for different aspects of Ofsted's work. In practice how this will be constituted will depend upon the background and expertise of the Chief Inspector at any given time. If, for example, the Chief Inspector has an education background, they might appoint an individual to act as a deputy chief inspector (children's social care). That person would have a key role both internally and externally for inspection and regulatory policy and practice in the sector. They would have clear responsibility for ensuring inspection policy reflects the particular needs of the children and young people using the services we inspect and would be expected to work closely with all those with an interest in the way we work to ensure we are both efficient and effective, and continue to improve. This would be possible without the need for legislative change and whilst representing a significant change, it would not require significant re-organisation, avoiding the disruption that would cause.

2.9 Those acting as deputy chief inspector would have clear responsibility for communicating Ofsted's inspection findings in relation to their sector. They might do this by producing in-depth reports on the different areas of Ofsted's remit throughout the year. There is always great interest in HMCI's annual report on the state of education, children's services and skills, and it is right that we bring our findings together into a single report to Parliament. But producing these reports concentrating on each area of our work in addition, should help ensure each receives the same kind of focus and attention.

2.10 We also plan to support this proposal with improvements in how we disseminate our findings, including regular events and lectures to highlight key issues and publicise each area of the inspectorate's work. We hope that these will be useful for providers and policy makers alike, as well as of interest to the wider public, and that they will also help address the Committee's concern about the visibility of the full extent of our role.

The definition of inspection

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)

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)

2.11 We note that the Committee believes there is confusion as to the purpose of inspection, and that a distinction can be drawn between what the purpose of inspection should be in relation to education and what it should be in relation to children’s care.

2.12 Ofsted has to act in accordance with the legislation determining our role and responsibilities. The purpose of inspection in relation to all of Ofsted’s work is set out in the Education and Inspections Act 2006. That sets out that we must: promote improvement; focus on those using the services inspected; and encourage the efficiency and effectiveness of these services. To do this we use expert inspectors, focus on the front-line and what matters to our users, that is children and learners, parents and employers, and make clear recommendations for improvement and share best practice.

2.13 We agree with the Select Committee that inspection practice needs to reflect the circumstances of the sectors inspected, and the particular needs of the children, young people and adult learners using those services. That is why we produce and publish for each type of inspection we carry out clear inspection frameworks, which set out in detail how we will inspect the particular type of service, and how we will make our judgments. We consult widely on these frameworks to ensure they are as well tailored to the particular types of provider as possible whilst fulfilling our statutory role.

2.14 We note that the Committee believes the inspectorate of children’s care should have an expanded role to work more closely with social workers and childcare professionals to support their improvement. This type of expansion of the remit of the inspectorate is a matter for the Government to consider as it would require change to the legislation that underpins our work and would have an impact on the resources needed by the inspectorate. Inspection is an important part of the accountability system in this sector, but not the only part. The Government would want to consider the extent to which increasing the involvement of the inspectorate in this way would be in line with its work with this sector on “sector-led improvement”.

2.15 Ofsted is currently working on new proposals for the inspection of local authority children’s services. These will be informed by the Government’s response to Professor Eileen Munro’s Review of Child Protection. Professor Munro’s review emphasises the continuing importance of independent Ofsted inspection to support improvement in the protection of children. In relation to Ofsted, the report’s key recommendations state that our new inspection framework should examine the child’s journey from needing to receiving help, and the effectiveness of the help provided by all local services. This kind of child-focused approach would build on the strengths of our current inspection

programmes. We are currently working with the Government to help develop the implementation of the key proposals.

2.16 We note that the Select Committee proposes that a Children’s Care Inspectorate would be responsible for the inspection of childcare. Again, such a change would be a matter for the Government. Ofsted is awaiting the Government’s response to Dame Claire Tickell’s report and recommendations following her review of the Early Years Foundation Stage (EYFS). This report found that the EYFS, which covers both care and education for young children, should continue to apply to all early years providers. If the Government is to support this conclusion, it would appear to follow that a single inspectorate should continue to be responsible for inspecting both the care and education provided, as Ofsted has done since 2001.

2.17 We are pleased that as the report notes, “several organisations, particularly from the non-schools area of Ofsted’s remit” told the Committee that they value the new Ofsted’s work, with Kidsunlimited, for example, saying that it “has been a far more effective instrument for promoting improvement in Early Years and Childcare” than under previous arrangements. However, we recognise the criticism picked up by the Committee of a continuing lack of awareness amongst the wider public about this aspect of our work and we will work to improve the way it is communicated.

The case for abolition

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)

2.18 We are pleased that the Select Committee recognises the importance of independent inspection of schools. We agree with the Committee about the importance of effective self-evaluation. Ofsted’s focus on this in recent years has seen significant improvements in self-evaluation practice. There has been a much stronger emphasis on school self-evaluation since September 2005. Since then, the quality and effectiveness of school evaluation improved steadily. The proportion of schools in which it was good or outstanding rose from 65% in 2005–06 to 76% in 2008–09—at which point it was inadequate in only 2% of schools.

3. *The performance and independence of Ofsted*

Ofsted and the Department for Education

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)

3.1 We are pleased that the Committee strongly supports the continuing independence of the inspectorate. As the Committee notes the independence of Ofsted is valued by inspectors and by the public at large. It is essential we are able to report without fear or favour on what we find.

3.2 We note the Committee’s recommendation that two new posts should be created within the Department for Education—a Chief Education Officer and a Chief Children’s Care Officer. This is a matter for the Government’s consideration.

Communicating and engaging with the public

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)

3.3 As stated by HMCI in evidence to the Committee, we are currently working on remodelling our website to ensure it is more user-friendly. We intend to launch the new site imminently, and understand its importance as a resource for communication with parents and carers, children and learners, employers and service providers. Ofsted publishes around 35,000 inspection reports on its website each year and the site can receive up to 8 million hits a month. We recognise the importance of making the site and the information we hold as accessible as possible. The new site will have much improved search facilities and will enable the user to navigate the site according to their particular interests. We are also introducing an improved new subscription service, through which members of the public will be able to sign up to receive updates when reports in their local area or about a topic of interest. Members of Parliament, for example, will be able to sign-up to receive updates on inspection reports published on providers in their constituencies. As the Committee recommends, we will also ensure the new website includes clear information about our complaints procedures.

3.4 We have recently introduced a new good practice section to the site in order to provide better access to this kind of information. It currently includes examples of good practice across the range of our remit drawn from survey reports, case studies and inspection reports and can be searched by topic and provider type. It is already proving

popular, with over 14,000 page views in its first full month (April 2011) and has been widely welcomed. The Association of School and College Leaders, for example, has recognised the new section of the website as extending the way Ofsted has been promoting collaboration and more closely involving professionals in the inspection process.

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)

3.5 We agree with the Committee that inspection reports need to be of a high quality and are pleased that they found many to be well-written and balanced. We accept that we can do more to make our reports more accessible. In response, we will look to introduce new summary sections to the start of reports, as the Committee suggests, aimed at those using the particular service and with the intention of giving a user-friendly description in plain English of what we found during the inspection. We are currently piloting this as part of our new arrangements for the inspection of schools.

3.6 We are also committed to publishing our reports in a timely manner and generally do so. At the same time, they must continue to be of a high quality and have had the appropriate pre-publication checks. We have reduced the time it takes to publish reports across all areas of our work over the last five years, and are continuing to improve our performance.

3.7 We note the Committee’s comments in respect of the publication of reports on college inspections and are pleased to clarify the situation. The apparent poor performance was based on a study of the dates of publication noted on the Ofsted website against the dates on which the inspections were carried out. Unfortunately due to a technical error the dates of publication on the website were not accurate. We have checked and in most cases the reports had been published within the required timescales. That is not to say we cannot improve. In respect of college inspections, for instance, from September 2010 we published 83% of inspection reports within the target time of 25 days. For the last 3 months ending 30 April 2011, 100% of college inspection reports have been published with 25 days.

3.8 As the Committee recommends, we will now publish this kind of information for each of our inspection remits. We will set out this data in our annual departmental reports so our performance is transparent and open to scrutiny.

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)

3.9 We welcome the Committee's recognition of our focus on ensuring those using the services we inspect and regulate are central to all we do. As the Committee recommends, we will continue to build on this work. In relation to schools, for example, we are currently exploring ways in which we can gather and make better use of parental feedback between inspections. From September, we will introduce a new feature to our website through which parents will be able to tell us what they think about different aspects of the schools attended by their children. The proposal is to make this information available to other parents so they can see people's views. We will also consider what parents have told us when deciding whether to bring forward an inspection as part of our regular risk assessments of schools. This type of feedback from parents will be of particular importance when deciding whether to inspect schools which had previously been found to be good or outstanding. We will consider introducing similar arrangements for our other remit areas, if it proves effective.

3.10 We note that the Committee believes we should do more to feed back to children and older learners following inspections. We currently write letters to pupils following our school inspections and have started to write to children in care councils following inspections of children's services in local authorities. These letters highlight our key findings in a way that is accessible to children and focused on what matters to them. We will consider the effectiveness of feeding back in this way in other areas of our remit.

Transparency of contractual information

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)

3.11 We welcome the Committee's points on the transparency of information in respect of the Inspection Service Providers. We welcome also the Government's wider emphasis on transparency, and, supporting this, will make more information available, while bearing in mind the terms of the contracts held with Inspection Service Providers and any requirements for commercial confidentiality. Ofsted will work with the Inspection Service Providers to establish the additional information to be shared both in respect of contractual information and our regular performance monitoring. We will also publish detailed and appropriate information in our annual departmental report.

The role of the Ofsted Board

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)

3.12 As the Committee notes, the role of the Ofsted Board is set out in the Education and Inspections Act 2006 which lays out Ofsted’s functions. Any review of these functions would be a matter for the Government.

3.13 We note the Committee’s concerns about the make-up of the Board. The current members of the Ofsted Board have a wide range of experience and skills and have made an important contribution to the development of Ofsted. However, we recognise the concerns raised by the Committee. A recruitment process to appoint new members is currently underway, and the Chair of Ofsted will make recommendations about suitable candidates to the Secretary of State. We do not wish to pre-judge those decisions, but in line with the Committee’s view, in recommending members with appropriate skills and experience, we will look to recommend candidates with a background in a relevant sector.

3.14 We will also do more to communicate the role and work of the Ofsted Board both internally and externally. This will include identifying with Board members those sectors in which they have a particular interest and arranging for them to join meetings with those providing and using services in that sector as part of a detailed programme of engagement opportunities. Internally, we will ensure Board members have more opportunities to meet staff, including inspection teams, so staff are more aware of the Board’s role and Board members are close to emerging issues.

4. *The quality and consistency of inspectors*

The variability of inspector performance

Secondments into the inspectorate

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)

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)

4.1 We agree with the Committee that it is important to have a well-trained workforce with experience in relevant areas. Ofsted has a comprehensive programme of induction for new HMI and social care regulatory inspectors. We ensure inspectors are kept up to date with developments through regular training events and targeted training programmes in the run up to the introduction of new inspection frameworks.

4.2 We agree with the Committee that secondment can be a good way to bring more colleagues with recent experience into the organisation. As the Committee notes we already have some stretching targets for the Inspection Service Providers (ISPs) in relation to Additional Inspectors. We have asked the ISPs that by the end of March 2015, they be in a position where the deployment of current practitioners in the maintained schools sector reaches 33% of days spent on inspection. Following the Committee's recommendation, we will now look to increase that figure.

4.3 For a number of years we have also run a successful programme seconding senior managers from schools and colleges into the HMI workforce and we are currently advertising for the 2011–12 programme. We are also considering whether the secondment programme might be linked with other initiatives for sharing experience and knowledge across the sector, such as linking it with the new teaching schools initiative. We agree with the Committee that the inspectorate—and the sector—can benefit from this kind of experience.

4.4 However, as the Committee also recognises, it is not always possible or appropriate to bring into the inspectorate senior managers from front-line services. We would not want to bring senior managers into Ofsted whose absence would be detrimental to the service provided. It is also important to note that recent experience of a particular sector is by no means a guarantee of being a skilled inspector. As the Committee's report states, inspecting itself is a great skill, and those with sustained inspection understanding and experience are essential to inspection teams. Headteachers and senior managers seconded to Ofsted consistently tell us they benefit from the experience but in their feedback remark on the learning curve involved. The important thing is to get this balance right. We know we can always improve, but those we inspect tell us in around nine out of ten post-inspection surveys, that they were satisfied with the inspection team and the way the inspection was carried out.

The training and role of Additional Inspectors

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)

4.5 We are pleased that the Committee found that there is no definite or systematic difference in quality between Her Majesty's and Additional Inspectors and that it was disinclined to recommend that all inspections should be led by HMI. We agree with the Committee that HMI—who have considerable experience of inspection practice—should continue to be well-utilised in the training of other inspectors.

4.6 We note the Committee's concern that we should prioritise transparency over the provenance of inspection teams. Ofsted does currently provide information about inspection teams, including biographical details. For example, a biography of an HMI might read '[Name] joined Ofsted as an HMI in 2002 and before this taught in a number of schools in the North West and held a variety of senior management positions, including as a secondary school headteacher'. Following the Committee's recommendation, we will consider whether the provision of more detailed information would improve the quality of inspections or build greater public confidence.

5. Experiences and mechanics of inspection

Ofsted and stress

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)

5.1 Ofsted notes that the Committee found that an element of stress in relation to inspection is probably inevitable and that it can be positive as it makes settings focus more keenly on their potential weaknesses in advance of an inspection. But we agree that we should do all we can to reduce unnecessary worry about inspection and to ensure it is not unduly burdensome.

5.2 As the Committee is aware, Ofsted publishes all our inspection frameworks so people can be clear about what we will focus on during inspections. In recent years, we have also significantly reduced the amount of notice we give before inspections, providing little or no notice in most cases, so providers are not under pressure to take action in the run up to an inspection. We have also increased the involvement of senior managers in the inspection process, something that has been widely welcomed by those we inspect.

5.3 Our post-inspection surveys tell us that 84% of schools and 95% of learning and skills providers found that the benefits of inspection outweighed any negative aspects. We note, though, the concerns expressed to the Committee by some sector representative bodies and we will continue to work with them as we develop our inspection arrangements and to help challenge the myths that can develop about the way we work.

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)

5.4 We note the Committee's concern that inspection can be stressful for inspectors, and its recommendation that Ofsted should build further preparation time into inspections. However, as the Committee notes, we have to be mindful of financial constraints and the need for efficiency. We want to ensure inspectors are able to spend as much time as possible directly observing front-line services and any increase in preparation time would have an impact on this. We will continue to look at ways to make the pre-inspection information available to inspectors sharper to help reduce the need for preparation time.

Notice of inspections

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)

5.5 We agree with the Committee's view that little or no notice to providers should be the norm and that it is important inspectors see a setting as it really is. That is why Ofsted has reduced the notice given to settings in most sectors it inspects in recent years. As the Committee notes, this includes unannounced inspections as a matter of course for children's homes. We also carry out unannounced inspections of child protection arrangements in local authorities. And schools now get no more than two days for standard section 5 inspections and in most cases no notice before a monitoring inspection. A significant reason for giving some notice of inspections is that it provides more opportunity to gather the views of those using the service being inspected. But we will continue to reduce notice periods wherever practicable as we review each of our inspection arrangements over the coming years.

The role of school governors in the inspection process

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)

5.6 We agree with the Committee about the importance of the role played by school governors, as will be seen from the report we published last month, *School governance: Learning from the best*. For this report, inspectors visited 14 schools where governance was judged outstanding to identify their key characteristics. Ofsted has a statutory responsibility to have regard to the views of governors during inspections and we are mindful of the need to engage with them properly. One of the reasons we decided to give some notice of inspections of schools, for example, was to help ensure governors have the opportunity to be involved in the inspection. However, we have heard the concerns raised with the Committee by the National Governors' Association and are considering how we

might better engage with governors as we develop the new school inspection arrangements for introduction in January 2012.

Voluntary Childcare Register

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)

5.7 We recognise the concerns the Committee has about the Voluntary Childcare Register and would welcome its revision. The requirement for Ofsted to maintain the Voluntary Childcare Register is set out in the Childcare Act 2006. Any change to this legislation would be a matter for the Government. We understand the Department for Education is considering what these changes might be as part of its response to Dame Clare Tickell's review of the Early Years Foundation Stage due to be announced later this summer. We note that the Committee recommends that Ofsted should add expiry dates to letters of registration to make registration time-limited. Our legal advice is that this too would require a change to the current legislation.

Inspection of sixth form and further education colleges

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)

5.8 We note the Committee's concern about the current inspection processes for sixth forms, schools and colleges. Ofsted uses different frameworks for the inspection of schools and Further Education colleges in recognition of the differences in these types of organisation. However, there is no question of one type of provider being judged more harshly than the other as a result of these differences. During inspections of school Sixth Forms and of colleges, inspectors take significant account of factors such as the standards of observed teaching and learning, learners' views and their standard of work, leadership and management, and capacity to improve.

5.9 In 2009, and following consultation with schools and colleges, Ofsted introduced a common approach for measuring level 3 students' progress. The 'learner achievement tracker' (LAT) is freely available to all 16–18 providers and is produced by the Young People's Learning Agency. The LAT is used consistently on all school Sixth Forms and college inspections as it tracks each student's progress relative to their starting point.

5.10 Wider changes to the information available to the public are a matter for the Government but we understand the Government is considering building on the publication of the *Framework for Excellence* by introducing the FE public information system and reforming the 16–18 performance tables.

6. *The future direction of inspection policy*

The need for clarity

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)

6.1 Ofsted notes the Committee’s concern about the need for clarity over inspection policy across its remit. We can assure the Committee that we have worked with the Department for Education to establish an agreed timetable for the introduction of changes to inspection arrangements. This is reflected in the DfE’s Departmental Business Plan and Ofsted’s Departmental Business Plan, both first published in November 2010.

6.2 In relation to children’s social care and early years inspection, we await the Government’s responses to the Munro Review of Child Protection and the Tickell Review of the Early Years Foundation Stage. The Government’s responses will inform the new inspection arrangements for these areas scheduled for May 2012 and September 2012 respectively.

6.3 The current FE inspection framework is under review with consultation planned for this autumn. The new framework will reflect the changes proposed in the Education Bill currently before Parliament, which includes the exemption of outstanding FE colleges from routine inspection.

Cessation of inspection for outstanding providers

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)

6.4 We note the Committee's support for the Government's plans to exempt outstanding schools from routine inspection. This move is in line with Ofsted's increasing focus in recent years on under-performing schools. However, we also note the concerns expressed by a number of respondents to the Committee about this proposal. The concerns raised with the Committee included the potential for outstanding schools to decline rapidly in performance and the need to ensure inspectors are able to identify and share best practice for the benefit of other schools.

6.5 To help identify those schools where performance has declined, we are proposing to continue to carry out annual risk assessments of all outstanding schools, beginning three years after their previous inspection. Where we have concerns about a school's performance as a result of this risk assessment, we will use our powers to inspect it. The risk assessment will include factors such as:

- current attainment and progress
- changes in attainment and progress since the last inspection
- pupils' attendance
- findings from any survey visits
- any significant issues brought to Ofsted's attention, including safeguarding concerns and parental perceptions and complaints.

6.6 A risk assessment can only ever be as good as the information available at the time and does not give the same kind of assurance as to what practice is actually like for children and learners as would be provided by an inspection. We will work closely with local authorities, parents and others to ensure we are provided with as much up-to-date information as is available.

6.7 We can also assure the Committee that Ofsted will continue to inspect some outstanding schools as part of our non-routine programme of subject and thematic surveys. This should help ensure we are in a position to identify and share the best practice information required by the sector.

6.8 This should go some way to addressing the concerns raised with the Committee. But as with any new inspection arrangements, once the new arrangements are in place, we will undertake a full evaluation of their impact to confirm the measures are having the intended effect and to see if they can be further improved.

Differentiation of grading for satisfactory schools

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)

6.9 We recognise the Committee’s concern about the slow progress of some satisfactory schools. We agree that some satisfactory schools do appear to be ‘stuck’ and unable to take the steps necessary to bring about clear and sustained improvements.

6.10 In order to address this, since September 2009, Ofsted has selected up to 40% of schools previously judged to be satisfactory for a monitoring inspection on the basis of the weaknesses identified in their previous inspection and an assessment of their subsequent performance. These monitoring inspections take place between 12 and 24 months after the previous full inspection.

6.11 We agree with the Committee that there is scope to adopt a more differentiated approach to satisfactory schools and we agree with the Committee’s recommendation that there should be specific criteria developed in relation to extra monitoring for ‘stuck’ schools. In our consultation on the new school inspection arrangements to be introduced in January 2012, we have proposed to focus our monitoring of satisfactory schools where some or all of the following factors are present:

- the school’s leadership and management are only satisfactory
- test and examination results are particularly volatile or are below the minimum levels of performance expected for all schools
- the school has been judged satisfactory in each of its last two inspections
- no aspect of the school’s work was judged to be better than satisfactory at its last inspection
- there is a worrying level of parental complaints.

6.12 We are not proposing to introduce a new “stuck at satisfactory” grade for schools and we are not aware of the Government intending to do so. But we are proposing to lower the threshold for bringing forward a full inspection of a satisfactory school. At present, we only bring forward an inspection where there are serious concerns about a school. We propose in future to bring forward a full inspection if the monitoring inspection suggests that the school has made limited or poor progress in improving its performance. Again, we will have clear criteria for this. As we say in the consultation document, this might be considered where:

- standards of attainment and progress, including standards of reading in primary schools, are persistently low and there are few signs that the teaching strategies adopted by the school are bringing about the necessary improvements
- the quality of teaching and learning varies greatly across subjects and/or year groups and this is not being tackled effectively by leaders and managers

- persistent disruption in lessons and misconduct around the school are impeding pupils' progress and undermining parents' confidence in the school.

New framework for school inspections

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)

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)

6.13 We are pleased that the Committee strongly supports Ofsted's recent consultation on our plans for school inspection. The new school inspection framework will be designed to deliver a focus on what matters most: achievement; the quality of teaching and learning; leadership and management; and behaviour and safety.

6.14 We note that the Committee fails to see an ongoing need for limiting judgements. We can confirm that we do not intend to include limiting judgements in the re-focused inspection framework. Our proposal is to judge the overall effectiveness of the school by giving particular attention to the judgements about: the achievement of all pupils; behaviour and safety; the quality of teaching; and leadership and management. There will also be consideration of how well the school promotes pupils' spiritual, moral social and cultural development, and the extent to which the education provided enables every pupil to achieve her or his potential, particularly disabled pupils and pupils who have special educational needs.

The Self Evaluation Form

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)

6.15 We note the Committee's concerns about the decision to no longer make available a non-compulsory Self Evaluation Form. However, we agreed with the Government in 2010 that we would stop making available the form from September this year and there are no plans to move away from that position.

6.16 We can assure the Committee that the use of self-evaluation and its accuracy will continue to be a key factor within our judgement on a school's leadership and management. To do this, we will draw information from whatever self-evaluation systems the school uses.

6.17 We note that the Committee would like information available easily available to headteachers and governors on effective self-evaluation. We will therefore carry out a best practice survey on the approach to self-evaluation in the most effective schools in the coming year.

Measuring progression and attainment

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)

6.18 The progress pupils make has long been at the heart of the judgements we make on school effectiveness. We are pleased that the Committee was encouraged to read in Ofsted's last Annual Report that low attainment alone does not prevent schools from being judged as good. As the Committee observes, in 15% of primary schools and 20% of secondary schools judged to be outstanding overall, attainment was broadly below average but typically in these schools the pupils have made good or outstanding progress from their low attainment on entry. We can assure the Committee that the proposed new inspection framework will continue to place judgements about pupils' progress at the heart of our decisions about a school's overall effectiveness.