

Ofsted inspects

A framework for all Ofsted inspection and regulation



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Introduction

Ofsted is committed to improving outcomes for children, young people and adult learners. To make sure that inspection and regulation achieve this, Ofsted has undertaken a review of how and where inspection and regulation takes place. We aim to offer a high quality, well coordinated and targeted inspection and regulation service that reflects the interests of users of services and other stakeholders.



Consistent and coherent inspection and regulation methodologies aim to:

- ensure that inspection focuses on key issues
- improve the efficiency and effectiveness of the provider
- make it easier for users to understand the outcomes of inspection, helping to drive improvement
- facilitate better inspection by removing duplication
- align inspection activities
- reduce bureaucracy
- provide value for money to users
- promote the principles of proportionality to ensure that resources are targeted where improvement is most needed
- ensure that Ofsted's work has even greater impact
- enable Ofsted to report more effectively on key themes.

This document sets out a framework that will inform all the inspection and regulation that Ofsted conducts. It provides the basis for the development of detailed frameworks and guidance for each remit. It provides consistency and coherence for inspection and regulation but allows the flexibility to tailor work to the needs of the users in particular remits. The framework will form the basis for liaison with other inspectorates.

Section one of the framework sets out common principles and practice and focuses on the preparation for inspection, the on-site visit made by inspectors and activities that follow the inspection. Section two outlines the codes of practice which apply to the conduct of inspectors, the expected conduct of providers and the management of risk for those carrying out inspections.

The framework is not intended to be detailed guidance; rather, it sets out Ofsted's expectations for inspection and regulation and its commitment to users. It is expected that those responsible for all remits will use the principles and practice set out in this document in a way that matches the context of the provider or setting being inspected.



Section 1

How we inspect

Introduction

This section of the framework identifies the principles that underpin all Ofsted's inspection and regulation activities. These principles should inform the work of staff across the organisation as they develop new inspection and regulation arrangements and make the detailed changes necessary to inspection and regulation frameworks and guidance.

The section details inspection and regulation activities before, during and after an inspection and identifies inspection activities which are carried out as single inspection events.

Principles of inspection and regulation

The principles of inspection and regulation reflect our corporate values and ensure that our statutory duties are carried out efficiently and effectively. They focus on the interests of service users – children, young people, parents and carers, adult learners and employers – and promote improvement in the services we inspect or regulate. They also take full account of our policies on equality and diversity and our intention to embed sustainable development into every area of our work. All inspections carried out by us or on our behalf must comply with these principles.

Support and promote improvement

We will:

- adjust the scale, focus and type of inspection and regulation to have the greatest impact
- ensure inspection and regulation are high quality and rigorous
- use our enforcement powers appropriately.

Be proportionate

We will:

- adjust the scale of inspection and regulation according to the outcomes of previous inspection reports and risk assessment

- minimise the risk to children, young people and adults by taking proper account of assessments of safeguards on health and well-being and the needs of the most vulnerable
- deploy resources where improvement is most needed or where inspection can add most value.

Focus on the needs of users

We will:

- take account of users' views when we plan and carry out inspections
- draw on users' views to inform our judgements and the outcomes of inspection
- encourage providers to focus on the needs of users.

Focus on the needs of providers

We will:

- communicate with providers before, during and at the end of the inspection
- take account of providers' self-evaluation.

Be transparent and consistent

We will:

- make clear and transparent judgements based on sound evidence
- inspect and report with integrity
- have clear success criteria, procedures and guidance which are well understood by providers and users.

Be accountable

We will:

- report the outcomes of inspection and regulation without fear or favour
- consider whether inspection and regulation are really necessary to achieve the outcomes required

Section 1

How we inspect *continued*

- ensure reports and the outcomes of inspection are published swiftly, in an appropriate format
- strive to improve our inspection and regulation activities by gathering the views of stakeholders.

Demonstrate value for money

We will:

- target inspection resources and deploy them effectively and efficiently
- evaluate the outcomes and processes of inspection and regulation and make improvements where necessary.

Single inspection events

- Wherever possible providers will receive one integrated inspection in any inspection cycle.
- This applies where more than one type of regulated and/or inspected service is offered by a single provider and where they have previously received more than one type of inspection.
- Inspections will be carried out by a single inspection team and where possible will result in a single, coherent inspection report.

It is Ofsted's intention that, wherever possible, providers will be inspected only once in any inspection cycle. When inspection cycles coincide and providers offer more than one type of provision, it will all be inspected at the same time by an integrated inspection team and will result in one published report. This will reduce the number of inspections for such providers and their users. The exception will be where any element of the provision is judged to be inadequate.

The following providers have multiple provision and currently receive, or plans are in place for them to receive, integrated inspections:

- maintained or independent schools that provide both education and boarding, and in some cases early years childcare

- children's homes that also provide education
- further education colleges that, in addition to education, provide boarding accommodation for under-18-year-olds
- independent specialist colleges that provide both education and boarding accommodation
- maintained schools and children's centres that provide or have on their sites day care and funded nursery education, whether managed by a private provider or the governing body.

Inspection cycles will be respected but only one inspection will be taking place at any one time. For example, a children's home that also provides education will receive a social care inspection more frequently than the joint social care and education inspection.

Providers will be inspected by inspectors with the appropriate professional knowledge, experience and skills for that remit.

Common evaluation schedule

- The common evaluation schedule will form the basis of all Ofsted's inspection and regulation judgements.
- A common grading system will be used in all Ofsted inspections.
- Minimum acceptable levels will be set, where appropriate, for some inspection judgements.
- Limiting grades will contribute to and affect other inspection judgements, including overall effectiveness.

The common evaluation schedule is at the heart of the inspection and regulation processes. It sets out the structure of the inspection and identifies the key aspects against which judgements will be made. In a regulatory visit these judgements are made against agreed and defined standards.

The framework for inspection and regulation is built around the evaluation schedule and sets out how the inspection will be conducted and details how judgements will be made.

The common evaluation schedule:

- provides inspectors with a structure for gathering evidence and reporting which is common to all Ofsted's inspection and regulation activity, thereby promoting greater coherence and opportunity for collaboration across inspection remits
- enables users to become familiar with Ofsted's work across all remits
- allows greater integration between and across inspection and regulation events
- will ensure that inspection and regulation judgements from across all Ofsted's inspections can be brought together to provide a coherent view of an area, and help to inform the comprehensive area assessment.



The common evaluation schedule

Section 1

Overall effectiveness

- Capacity to improve
- Recommendations (and required actions)

Section 2: Meeting the needs of service users (term specific to remit)

Leadership and management

- Ambition and prioritisation
- Value for money
- Equality and diversity
- Safeguarding
- Evaluation
- Partnerships
- User engagement

Quality of provision (as appropriate)

- Teaching and the impact on learning
- Curriculum/responsiveness
- Assessment
- Care, guidance and support

Outcomes for children, young people and adults

- Be healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic well-being

Operating principles

- The common evaluation schedule will apply to all inspections of settings and organisations.
- Individual remits may have additional judgements to those set out in the common evaluation schedule but all judgements should be included for full inspections.
- In inspection events which have a particular focus some common judgements may be excluded, for example monitoring visits to inadequate providers.
- The terminology within the common evaluation schedule should be adapted as appropriate to suit the provision being inspected.
- Grading will be made on the current four-point scale: outstanding, good, satisfactory and inadequate. If numbers need to be allocated to the grades they should generally be:
 - **outstanding: 1**
 - **good: 2**
 - **satisfactory: 3**
 - **inadequate: 4.**



- Some aspects of the schedule will have limiting grades: that is, grades which contribute to and affect other judgements, including overall effectiveness. These apply to only a small number of critical judgements which Ofsted considers to be essential in assuring the quality of education and the well-being of children, young people and adult learners. The three critical judgements which will apply to all remits are safeguarding, equality and diversity, and capacity to improve. In many remits the judgement on achievement will also be a limiting grade.

Evaluating capacity to improve

- In all remits there will be a reported judgement on the provider's capacity to make further improvement.
- The capacity to improve judgement should be linked to the overall effectiveness judgement but may not always be the same grade.
- The capacity to improve will be a limiting judgement.

Definition

The capacity to make further improvement is a judgement about the ability of a provider to continue to improve standards and make progress based on what it has accomplished so far, or to maintain exceptionally high standards.

Operating principles

The judgement on a provider's capacity to improve is based on:

- sound evidence of a track record of sustained improvement
- a clear vision and articulation of appropriate priorities that will sustain improvement and raise aspirations for all users
- effective self-evaluation processes which lead to demonstrable impact and which include appropriate use of the views of users and stakeholders

- well-considered planning to include effective and ambitious use of targets to raise achievement for all users
- the ability to achieve and demonstrate positive outcomes for users.

Operating practice

Inspectors should seek evidence of the impact of improvements implemented by the provider as shown in its track record and performance since the last visit by inspectors. Good intentions and an aspirational outlook, or a recent change in management or leadership following a period of ineffective leadership, do not in themselves provide sufficient proof of the capacity to achieve improvement.

The basis for making a judgement on capacity to improve will be through evaluating:

- the trend in improvement of the provider and whether this is consistent and improvements are sustained
- the extent to which improvements in outcomes are linked to what a provider is actually doing and has planned
- the accuracy and rigour of self-evaluation¹ and how this secures continuous improvement
- the effectiveness of the provider's systems for managing performance and tackling weaknesses
- the rigour of the analysis of data on performance and progress and how effectively this is used to improve performance
- the quality of leadership including managers where appropriate and their track record in securing improvements
- the extent to which governors or the appropriate body, for example directors or owners, ask challenging questions of senior managers to raise standards
- whether or not the management structure of the provider is appropriate with clear roles and responsibilities to enable it to fulfil its purpose and key priorities²
- the record in setting and meeting appropriate targets



- the sufficiency, adequacy and use of staff and resources to achieve improvement as recorded in the value for money judgement
- the quality and effectiveness of the use of information systems, where appropriate
- the effectiveness and appropriateness of staff development and planning to meet future changes
- the commitment of staff, where there are staff, to bring about sustainable improvements and their confidence in the managers and leaders to provide effective leadership
- the effectiveness of user engagement by the provider.

Limiting judgement

The capacity to improve grade will contribute to and may limit the grade for overall effectiveness in the following ways:

- where a judgement of inadequate is awarded for capacity to improve it is most unlikely that the overall effectiveness of the provider will be better than satisfactory. It is likely that the overall judgement will be inadequate
- where a judgement of satisfactory is awarded for capacity to improve it is most unlikely that the overall effectiveness of the provider will be better than good.

¹ Self-evaluation is taken to mean both the processes and the outcomes of self-evaluation. For example, is this robust and well founded, and are future plans carefully thought through?

² Defined as appropriate to the setting. For example, the mission of a college, or high quality care and support in a care setting.

Before inspection

Risk assessment

- Ofsted will ensure that its statutory duties are met as efficiently and effectively as possible by adjusting the scale and frequency of inspection and regulation according to outcomes of risk assessment.

Operating principles

- Having a proportionate approach to inspection and regulation allows Ofsted to make the best use of inspection resources by targeting inspection activity where it can have the most impact.
- Inspection can have the most impact where data and other information tell us that:
 - quality of provision is stalling or declining
 - the provider is not improving; there is non-compliance with regulation; or children, young people or vulnerable adults are at risk.

Process

- Risk assessment will make the best use of information Ofsted has about a provider or service (both 'hard' data and 'softer' intelligence) to decide on the most appropriate inspection activity: that is, the activity that can have the most impact.
- Risk analysis will usually be a two-stage process involving:
 - an analytical stage, based on quantifiable and robust data and using a statistical model of risk
 - a second stage, where someone (normally an inspector) with expertise in the remit looks at the outcome of the first assessment and uses other appropriate evidence, which has not been included in the statistical model, to come to a final decision about the inspection activity required for a particular provider.
- The model will be continually improved and developed. More or different information may be used in the analytical stage as its validity is proved. Individuals carrying out the interpretative stage will feed back why they came to the decisions they did and what evidence these were based on; this could then be used to identify what other information should be investigated for inclusion in the analytical stage.



- Some types of provision will be judged to be inherently high risk. Inspection and regulation of this provision will have limited scope for proportionality. Examples may include children’s homes or pupil referral units. In these cases, it would be inappropriate to engage in costly and time-consuming risk assessment as all provision will need to be fully inspected.

Pre-inspection communication with providers

- Pre-inspection communication with providers is an opportunity for dialogue about the inspection. (In cases where no notice is given the lead inspector will communicate at the start of the inspection.)
- This concise communication, preferably in writing, will contain basic information about the inspection and a few key issues.
- It will be shared with the provider.

Operating principles

Good communications and effective working relationships are established by making sure that:

- clear arrangements for the inspection and regulation are agreed with the provider and the rest of the inspection team where appropriate
- demands on the provider are kept to a minimum
- when preparing the pre-inspection briefing and the focus of the inspection and regulation full account is taken of the provider’s own self-evaluation
- pre-inspection information has been thoroughly analysed
- the issues and focus for the inspection and regulation have been established and shared with the provider and the team, as appropriate.

Practice

- Pre-inspection communication is an opportunity for dialogue about the inspection; it focuses the inspection on key issues and establishes its context and tone.

- For inspection and regulation to be of most value to a provider and for inspectors to make the best use of their time on site, inspectors should be aware of the circumstances of the provider.
- Inspectors need to understand the issues for inspection or regulation and the challenges facing the provider before they begin their work on site.
- Contact details and times and forms of communication must be clear and agreed.
- The pre-inspection communication, preferably in writing, will contain basic information about the inspection and a few key issues for inspection.
- It will be produced and discussed with the provider or the most senior person on duty, at the start of the inspection.
- Inspectors ensure that they adhere to the code of conduct set out in section two of this framework.

Notice period for inspection

- The shortest appropriate notice period will be given to all remits.
- The minimum period will be no notice.
- The maximum notice period will not exceed 20 working days.

Definition

The notice period is the time between notification to the provider of an inspection and the time the inspector(s) begins collecting evidence on site.

Operating principles

- Minimum notice of inspection will be given for all remits commensurate with the efficient operation of the inspection.
- The maximum period of notification will not exceed 20 working days.

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How we inspect continued

- Inspection and regulation should create the least disruption for those using the provision.
- Inspection and regulation should cause the least disruption possible to providers and their day-to-day working.
- Where a provider normally receives notice of the inspection, Her Majesty's Chief Inspector has the powers to inspect with no notice. This will be dependent on the level of risk and operational needs.
- The rationale for the notice period is open and transparent to all.
- In order to see the provision as it really is, no notice should be the aim of all inspection and regulation although this may not always be practicable.

A period of notice should be considered when:

- users' lives will be disrupted if no notice is given
- factors outside the provider's or inspector's control necessitate notice being given; for example, where there are set court hearings or security clearance is needed
- the provider is large and complex and may involve contractors and/or multi-sites
- it is necessary for the provider to make arrangements for interviews of specific users or staff, or to collate and provide documentation.

Deferral of inspection

A deferral takes place when an inspection is postponed and will be rescheduled at a later date. The lead inspector will be responsible for notifying the scheduler of this. All deferrals are at the discretion of the delivery director. The criteria for deferral should be remit-specific. Deferral should only take place in exceptional circumstances.

Practice

- User focus, impact and improved outcomes will be the drivers in any decision regarding the length of notice.
- No notice may include a telephone call prior to the inspector travelling to the inspection if it is thought that there is a risk of no one being at the provision on arrival. This could include, for example, childminders or small residential homes for children. This is a pragmatic approach to using resources effectively. In some cases, this will enable the inspector to undertake another inspection or reschedule their workload if for some reason the telephone call indicates that the inspection cannot go ahead.
- The collection and analysis of pre-inspection information may be collected outside the inspection period.
- Notice periods for cross-inspectorate inspections will be negotiated with other inspectorates.

Her Majesty's Chief Inspector has the authority to cause any provider to be inspected without giving notice.

Self-evaluation by providers

- Self-evaluation is a critical improvement tool for providers.
- Ofsted expects that all providers should produce evidence for inspectors of their self-evaluation.
- Self-evaluation will form a key feature in the inspection and regulation of all providers.

Definition

The self-evaluation produced by the provider and used in inspection and regulation is the written outcome of the continuous review and improvement process carried out by that provider.

Operating principles

- Self-evaluation should be regarded as part of a continuous review and improvement process by the provider.
- Inspectors will take account of the written evidence resulting from the self-evaluation process. It is important that providers see this as useful and practical in supporting their own improvement arrangements.
- The self-evaluation should usually reflect the evaluation schedule used for inspection and regulation and should be customised to meet the specific context of the setting or provider.
- Providers will be encouraged to keep their self-evaluation up to date so they can demonstrate what progress they are making and to discuss this with inspectors.
- Where possible, providers should be encouraged to provide self-evaluation electronically to inspectors prior to the inspection. Exceptionally, some small-scale providers should have the option of submitting a hard copy as electronic arrangements may not be economical or appropriate.

Using self-evaluation to support inspection

- The provider's self-evaluation should be used as part of any pre-inspection analysis.
- The self-evaluation will help to identify the focus for inspection and regulation and to plan inspection activities, and may be used to plan other practicalities, such as the composition of the inspection team.
- Providers should be encouraged to indicate in the self-evaluation how they have reached conclusions about their own effectiveness and the improvements they have made since their last evaluation. The self-evaluation should include or guide the reader to clear evaluations and data to support these conclusions.
- Self-evaluations should include concise details of how the provider engages with users, and, importantly, the impact of this engagement and the actions taken as a result by the provider.
- Self-evaluation should not be used as an alternative to passing on information that is notifiable in other ways under regulations such as safeguarding issues.
- Inspectors will test the self-evaluation for its accuracy through inspection.



How we inspect *continued*

During inspection

Recording evidence

- All inspections will make clear and transparent judgements, based on clear and substantiated evidence.
- Evidence will ensure that judgements are secure and are able to withstand independent scrutiny or legal challenge.

Operating principles

- All evidence contributing to an evaluation or judgement should be recorded clearly and in a way that enables an independent reader to understand the nature of the evidence and its relation to the focus of the activity.
- Recorded evidence should be sufficiently detailed and clear to secure and justify judgements.
- Those in charge of all inspection and regulation remits should set out grade descriptors which define as precisely as possible the criteria against which inspection grades will be allocated.
- Recorded evidence may include a statement of the main focus of the evidence and how it relates to one or more of the issues emerging in the inspection.

- Recorded evidence should not include any comments of a personal nature or any remarks that could be taken to be demeaning or defamatory.
- Grades recorded should be substantiated by the evidence and should correspond to judgements made.
- Evidence forms or bases should be clearly dated and labelled, so that cross-references to other documents and references to evaluation requirements or inspection criteria or regulations and standards are readily identifiable. They should be marked 'protect-inspection' in accordance with the information assurance guidance.

Feedback during inspection

- Evidence and judgements will be discussed and feedback to the provider given during and at the end of the inspection.

Operating principles

Feedback will:

- support and promote improvement
- be clear, constructive and understandable



- give the opportunity for dialogue with providers
- engage and involve the individual or individuals inspected and be provided in a timely way, as near to the time of inspection or observation as possible
- be appropriate and proportionate to the situation and circumstances both for individuals, groups or the provider
- be credible, specific and based on sound evidence
- be provided without fear or favour
- be frank and not avoid delivering difficult messages
- ensure that, through appropriate feedback during the event, summative or final feedback holds no major surprises
- give providers and, where appropriate, service users the opportunity to feed back their thoughts and observations as judgements are made
- set out the next steps clearly
- be respectful and courteous.

Practice

- To help inspectors to manage effectively the expectations of providers, users and other inspectors, all inspectors will give regular, clear and informed feedback, based on sound evidence.
- Inspectors will use feedback as an integral opportunity for dialogue with the provider.
- Effective feedback contributes to successful inspection and regulation visits.
- Regular feedback and interim evaluations to the provider on progress throughout the inspection may take the form of a meeting or a short conversation; it may be used to check understanding or to request further evidence.
- Appropriate feedback should be offered to an individual whose practice has been observed by an inspector. If the observation is graded, then the grade must be shared with the person inspected.

- Inspectors will provide oral feedback at the end of every type of inspection and regulation and will clearly articulate the key strengths and weaknesses at the end of the inspection.

Equality and diversity

- In all remits there will be a single judgement on equality and diversity.
- Evidence contributing to the grade will be gathered when inspecting the five key outcomes – be healthy, stay safe, enjoy and achieve, make a positive contribution, achieve economic well-being.
- The equality and diversity grade will contribute to and may limit the grade for overall effectiveness.

Definition³

Equality and diversity include social and educational inclusion and take equality of opportunity further than equal access to participation. Equality and diversity as a concept and in practice means:

- actively promoting positive relationships and respect for human rights
- understanding and respecting differences
- taking positive actions to tackle unlawful and unfair discrimination, inequality and unfairness
- adopting practices that make best use of the differing skills and talents of individuals
- focusing on improving outcomes that raise standards and improve lives.

Equality and diversity promote inclusion, participation and satisfaction of all. A primary aim is to achieve equal life chances and outcomes for all.

³ When referring to equality and diversity this covers all the equality strands used by the Equality and Human Rights Commission (<http://www.equalityhumanrights.com>) and includes social aspects such as poverty and deprivation. The seven strands are: age, disability, gender, faith and religious belief, race, sexual orientation and transgender.

How we inspect continued

Operating principles

The principles for inspection and regulation activity relating to equality and diversity are:

- how effectively a provider is narrowing the achievement gap
- how effectively a provider actively promotes equality and diversity and tackles discrimination.

The remit-specific evaluation criteria do not test compliance against equality legislation but judge a provider's practice and outcomes. Inspectors must be explicit in reporting on the performance and experience of the different groups and the effectiveness of processes that lead to good outcomes, whether Ofsted is looking at an individual provider, institution or a partnership.⁴

Operating practice

Equality and diversity will be evaluated as appropriate to the setting. Guidance on the key evidence to be gathered will be available to inspectors and as a minimum will include:

- evidence of actions and impact relating to the two operating principles and giving due regard to all equality strands^{5,6,7}
- the provider's own assessment of impact and planning in relation to equality and diversity. This may be through the provider's self-evaluation which should show how they are meeting their duties
- the effectiveness of staff training (assessed through staff awareness, and evidence in work) in equality and diversity
- how the provider manages incidents and complaints relating specifically to disability, gender and race equality
- the progress, development and performance of the different groups of children and learners
- arrangements for consulting with users and stakeholders

- how outcomes of work – for example, achievement of equality targets or positive actions – on race, disability and gender equality are achieved and published.

Limiting judgement

The equality and diversity grade will contribute to and may limit the grade for overall effectiveness in the following ways:

- if a provider cannot demonstrate that it is working within the two operating principles this should prompt a judgement of inadequate for equality and diversity
- where a judgement of inadequate is awarded for equality and diversity it is most unlikely that the overall effectiveness of the provider will be better than satisfactory. It is likely that the overall judgement will be inadequate
- where a judgement of satisfactory is awarded for equality and diversity it is most unlikely that the overall effectiveness of the provider will be better than good.

Safeguarding

- Two judgements on safeguarding will be made; under the leadership and management section and in the staying safe outcome section of all reports.
- All remits will be judged on the effectiveness of providers and services in ensuring that children and learners are safe and feel safe.
- The safeguarding grades will contribute to and may limit the grade for overall effectiveness.

Definition

Ofsted adopts the definition of safeguarding used in the Children Act 2004⁸, and in the DfES guidance document *Working together to safeguard children* (2006)⁹, which focuses on safeguarding and promoting children's and learners' welfare. This can be summarised as:

- protecting children and learners from maltreatment (child protection/safety)

⁴ For example, minority ethnic learners, looked after children or learners with learning difficulties.

⁵ 'Disability' as defined in the Disability Discrimination Act is used because this is the definition providers have to work with: 'a person has a disability if he or she has a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.'

⁶ 'Gender equality' includes transgender and gender variance.

⁷ 'Race' is used as in the Race Relations Act, which defines a racial group as: '...a group of persons defined by reference to colour, race, nationality or ethnic or national origins.'

⁸ http://www.opsi.gov.uk/Acts/acts2004/ukpga_20040031_en_1

⁹ <http://www.everychildmatters.gov.uk/resources-and-practice/IG00060>

- preventing impairment of children’s and learners’ health or development
- ensuring that children and learners are growing up in circumstances consistent with the provision of safe and effective care
- undertaking that role so as to enable those children and learners to have optimum life chances and to enter adulthood successfully.

Key safeguarding outcomes and features

The following sets out the core safeguarding outcomes and features to be inspected across all Ofsted remits. Detailed guidance, relevant to the specific remit, will be available for inspectors.

The two key outcomes are:

- the effectiveness of settings and services in taking reasonable steps to ensure that children and learners are safe
- the effectiveness of settings and services in helping to ensure that children and learners feel safe.

Four features:

- children and learners are safeguarded and protected
- child and learner welfare concerns are identified and responded to appropriately
- safeguarding children and learners is prioritised
- agencies and professionals work together to safeguard children and learners.

Operating practice

- All safeguarding judgements are to be made under the appropriate headings in the agreed common evaluation schedule. Judgements will be made on safeguarding in section two for both leadership and management and for the outcome ‘staying safe’.

Providers will be expected to provide evidence for inspectors to show that the safeguarding outcomes and features are promoted in all aspects of their work. This will most commonly be demonstrated through their self-evaluation. As part of the inspection the self-evaluation will be tested against inspection evidence.

- It will be the responsibility of each remit to ensure that providers are offered detailed guidance to aid the self-evaluation of their safeguarding provision.
- As a minimum, the aspects of the features which focus on the child protection/safety dimension of safeguarding (core features set out in remit-specific guidance) are those which must be explored in depth during institutional inspections.
- The extent to which wider issues are explored in depth during an institutional inspection will depend on whether this aspect has been identified as a possible risk from pre-inspection information, or whether concerns are identified during the inspection.
- It is especially important to recognise that inspections of settings where children and young people are living away from home need to take account of their increased vulnerability and the additional risks to their safety and welfare.



Section 1

How we inspect *continued*

- Inspectors will always gather a sample of children's and learners' views on how safe they feel.

Limiting judgement

The safeguarding grades will contribute to and may limit the grade for overall effectiveness in the following ways:

- if a provider is not meeting their legal duties this should prompt a judgement of inadequate for safeguarding
- where a judgement of inadequate is awarded for either safeguarding judgement it is most unlikely that the overall effectiveness of the provider will be better than satisfactory. It is likely that the overall judgement will be inadequate
- where a judgement of satisfactory is awarded for safeguarding it is most unlikely that the overall effectiveness of the provider will be better than good.

Engaging with users to inform inspection and regulation

- In all remits there will be a reported judgement on the effectiveness of user engagement.
- Eight basic strategies will be employed in inspections.

Definition

Users are defined as children and young people, parents and carers, adult learners and employers.

Operating principles

Users must be provided with the opportunity to communicate directly or indirectly with Ofsted inspectors at some point during the inspection and regulation process. The following strategies will be used to engage with users:

Before inspections

- Inspectors will invite users to provide their views prior to or at the start of an inspection or regulation event.

- Inspectors will ask providers to supply evidence of their user views and the action they have taken on them, through the self-evaluation evidence.
- Appropriate information on complaints to Ofsted from users will be passed to the inspector at the beginning of an inspection and regulation event.

During inspections

- Users will be engaged in face-to-face discussions by inspectors during the inspection whenever possible.
- Those in charge of remits will explore methods of alerting users to the inspection and regulation process when the inspection begins.
- Inspectors will adopt appropriate strategies to engage with users with learning difficulties and/or disabilities, or who have additional support needs, to ensure appropriate representation of their views.
- Inspectors will actively seek access to additional information on user views, for example in provider publicity or other documentation.

After inspections

- Inspectors will include the views of users in reports.



Value for money

- In all remits there will be a single judgement on value for money.
- The judgement will be made at one of two levels depending on the complexity of the remit and the evidence available.

Definition

In the context of inspection and regulation, value for money is either the efficiency and effectiveness with which a provider uses the available resources to meet the needs of its users or, where more information is available regarding the amount and allocation of resources, the efficiency and effectiveness with which the provider uses and manages the available resources to meet the needs of its users and achieve high-quality outcomes.

Principles

- Judgements on value for money must help bring about improvement by identifying strengths and areas for improvement regarding the effective and efficient use of resources.
- Evaluation criteria for making the value for money judgement must be appropriate to the remit and context of the provider.
- The value for money judgement should contribute to the overall effectiveness judgement, but not be the dominant judgement.
- Views of users should be taken into account when evaluating value for money.
- The judgement on value for money must be clear, transparent and understandable to users and stakeholders.

Practice

There will be a value for money judgement at one of two levels in all remits.

Emphasis on inspection and regulation visits should not be



on the details of financial planning but more on the extent to which decisions on spending and allocation and use of resources bring about improvements and benefits for users.

Level one

This can be applied to any provider in any setting. The key question is:

- how efficiently and effectively does the provider use its available resources to meet the needs of its users?

Level two

This judgement includes all three aspects of the value for money definition: it assesses the interplay between efficiency (doing things in the right way; the outcomes); effectiveness (doing the right things); and economy (doing things at the right price). The key question is:

- how efficiently and effectively does the provider use and manage its available resources to meet the needs of its users and achieve high-quality outcomes?

Inspectors, in making a judgement on value for money, should take account of the following as appropriate to the



context and circumstances of the provider, the inspection and the level of judgement that can be made:

- the progress, standards or levels of development reached by the users, taking account of their starting points where this is possible
- the views of the users in relation to the suitability and availability of resources
- how effectively resources are managed and used for the different activities to achieve the desired outcomes
- the quality and availability of support for the users
- the number of users and how this affects outcomes
- the quality of the provider's environment, which may also include care for that environment
- how efficiently the provider uses its accommodation
- the provider's commitment to sustainability.

Additionally, in making a level two judgement of the provider's value for money, account may also be taken of:

- the provider's overall level of funding and its costs, where this information is available
- the average size of groups and how the organisation of these affects outcomes
- the attendance of users
- how efficiently the provider uses its staff
- financial planning, and controls and mechanisms to ensure accountability
- financial stability.

Quality assurance

- Quality assurance principles will underpin all processes.

Definition

All those planned or systematic actions necessary to provide confidence that an inspection is of the quality needed and expected by the provider/organisation and the user.

Operating principles

Quality assurance will:

- ensure that all inspectors take ownership of the quality of their work
- ensure that all lead inspectors take ownership of the quality of the inspection
- enable Ofsted to have a greater impact in terms of raising standards and improving the services we inspect
- include service user and key stakeholder feedback
- be open and transparent
- be fair and equitable across all remits
- facilitate professional development of all staff
- enable effective performance management
- demonstrate individual and organisational accountability
- be proportionate to risk, efficient, effective and economical.

Effective quality assurance will ensure that inspections are of consistently high quality and bring about clear improvements by:

- ensuring inspectors are well trained and appropriately matched to the inspection or regulation activity
- testing and evaluating the effectiveness of the processes at the different stages of inspection activity
- ensuring that good practice is shared
- learning from the feedback and experiences of those involved in the inspection and regulation activity.

After inspection

Reports and recommendations

- The principles of report writing will provide the foundation for individual remit guidance and will be common to all Ofsted remits.
- Recommendations/actions will promote improvement.

Operating principles

To ensure that reports are accessible, user-friendly and meaningful they will:

- be evaluative documents, written in clear, straightforward language and be unique to an individual provider, exemplifying its character
- be based on the common evaluation schedule
- be written with a clear view of the audience
- give a clear picture of the overall effectiveness of the provision, the quality of what is provided and the outcomes and well-being of the children, young people and adult learners in the provision
- give a clear picture of the progress made so far by the provider, the quality of the provider's self-evaluation and planning, and the systems and structures which are in place to lead to further improvement (capacity to improve)
- be consistent in using grading definitions and, where necessary, attach the numbers to these grades
- where possible and appropriate represent information in graphical format to illustrate or explain judgements and the text
- highlight any outstanding practice and state clearly the strengths of the provision, in addition to the areas for improvement
- be based on evidence and published criteria from the evaluation schedule and inspection and regulation guidance
- contain judgements which are specific and consistent with oral feedback

Section 1

How we inspect *continued*

- have a consistent format and follow a similar structure; they should follow the report template for the remit and Ofsted's house style. They should be of appropriate length for the remit and should state the name of the lead inspector
- include recommendations which are clear and precise and full enough to give the provider a good basis for subsequent action to lead to improvement
- be seen by the provider before publication and checked for accuracy and factual detail
- be published to the provider within a maximum timescale, from the end of inspection to publication, of 20 working days (irrespective of appeals or complaints).

Recommendations (actions for further improvement)

This section of the report must identify and specify the issues for the provider to tackle; they should be in order of priority and focus on the most important issues. They should be written clearly and concisely stating what needs to be done, but not how to do it – it is the responsibility of the provider to decide how to implement the recommendations. Setting out the outcomes that the recommendations are designed to achieve can be very helpful, for example, by indicating the characteristics of 'good' provision to a provider which is being judged as satisfactory.

Whether a provider is set required actions or recommendations is dependent on whether the inspection remit is registered with Ofsted, and therefore regulated, or not. However, the intended outcomes are the same in their aim to drive improvement.

Examples of required actions are:

- the fostering service provider will prepare and implement a written procedure to be followed if a child is absent from a foster parent's home without permission
- the registered person will ensure that all children are registered with a general practitioner



- the registered person will make sure a written record is kept of the administration of any medicine to any child.

Examples of recommendations are:

- improve attendance from satisfactory to good by ensuring that it rises to at least 93% over the next year. Partnerships with parents to improve attendance should be reinforced, and systematic analysis of data to identify patterns of absence by different groups should be undertaken
- the identified areas for improvement arising from classroom observations should be fed into the provider's staff development programme systematically to ensure improvement in practice is achieved
- make the college's work to promote equality and eliminate discrimination even more effective by developing ways in which it monitors the performance of different groups
- extend the resources and activities that raise children's awareness of diversity and the world in which they live.

Conducting inspection and regulation

The section includes a revised code of conduct for inspectors, the expectations we have for those we inspect, complaints procedures and how risk to inspectors should be managed on inspection.

Code of conduct for inspectors

Inspectors must uphold the highest professional standards in their work, and ensure that everyone they encounter during inspections is treated fairly and with respect.

The code of conduct requires inspectors to:

- evaluate objectively, be impartial and inspect without fear or favour
- evaluate provision in line with frameworks, national standards or requirements
- base all evaluations on clear and robust evidence
- have no connection with the provider which could undermine their objectivity
- report honestly and clearly, ensuring that judgements are fair and reliable
- carry out their work with integrity, treating all those they meet with courtesy, respect and sensitivity
- endeavour to minimise the stress on those involved in the inspection
- act in the best interests and well-being of service users
- maintain purposeful and productive dialogue with those being inspected, and communicate judgements clearly and frankly
- respect the confidentiality of information, particularly about individuals and their work
- respond appropriately to reasonable requests
- take prompt and appropriate action on any safeguarding or health and safety issues.

Expectations of providers

In order that inspection and regulation are productive and beneficial, it is important that inspectors and providers establish and maintain a professional working environment based on courtesy and professional behaviour. Inspectors are expected to uphold the code of conduct but Ofsted also expects providers to:

- be courteous and professional
- apply their own codes of conduct in their dealings with inspectors
- enable inspectors to conduct their visit in an open and honest way
- enable inspectors to evaluate the provision objectively against the standards/framework
- provide evidence that will enable the inspector to report honestly, fairly and reliably about their provision
- work with inspectors to minimise disruption, stress and bureaucracy
- ensure the health and safety of inspectors while on their premises
- maintain a purposeful dialogue with the inspector or the inspection team
- draw any concerns about the inspection to the attention of inspectors promptly and in a suitable manner
- respect that inspectors will need to observe practice and talk to staff and users without the presence of a manager or registered person.

Complaints or appeals about inspections and regulation visits

Ofsted has a complaints procedure that sets out how providers can complain about their inspection if they or interested parties are dissatisfied with some aspect of their inspection. The complaints procedure sets out how providers can complain about their inspection or visit and what will happen with their complaint.¹⁰

¹⁰ <http://www.ofsted.gov.uk/publications/070080>

Conducting inspection and regulation continued

Inspectors, inspection teams and communication with providers

Individual inspectors or teams of inspectors carry out inspection visits. These may be inspectors directly employed by Ofsted or additional inspectors recruited, trained and assessed by contractors to a standard set by Ofsted. These contractors work alongside Ofsted to undertake inspections to an agreed schedule.

All inspectors are required to have appropriate qualifications and experience. Ofsted ensures that all inspectors:

- are properly trained and assessed to specified standards
- engage in continuous professional development to improve their inspection skills
- have relevant and up-to-date knowledge about their areas of expertise
- have current and enhanced Criminal Records Bureau (CRB) checks and security checks as appropriate.

Ofsted or the responsible contractor will ensure that providers have relevant information about the inspection or regulation visit, the inspector or inspection team details, as appropriate. This will be provided before the inspection where notice of an inspection is given or at the time of the inspection or visit where there is no notice.

Ofsted's website provides more information about complaints, recruitment and selection procedures and the qualifications and skill base required for inspector roles.¹¹

Risk management on inspection and regulation activities

Ofsted, in fulfilling its duty of care, expects inspectors and staff who support inspections to adhere to the following guidance to ensure their health, safety and well-being.

Corporate responsibility

In order to properly fulfil its responsibilities, Ofsted will provide inspectors with the appropriate training, guidance and ongoing support to ensure that they have the skills and knowledge to manage effectively any risks or avoid hazards they may encounter on inspection. This includes the activities before and after inspection.

Senior managers, through regional health and safety officers and the line management reporting structure, will provide full support to minimise and safeguard against any reported risks or hazards that relate to inspection and regulation activity.

Responsibility of inspectors

Inspectors are provided with generic risk assessment advice in relation to inspection activities. This identifies all the regular and foreseeable hazards that may be encountered on an inspection. It should be used as an electronic aide-memoire to assist inspectors in considering types of hazards they may encounter and the appropriate control or avoidance measures.¹²

Inspectors should also consider any exceptional hazards before each inspection and regulation visit. These are hazards (temporary or permanent) that are specific to a particular site. For example, at the inspection planning stage and/or where there is a planning meeting with a provider, lead inspectors or sole inspectors should identify potential or actual hazards and plan appropriate measures to minimise or avoid these. Where such hazards are identified, this information should be shared with other team members using the inspection briefing letter and, where relevant, with a manager.

¹¹ <http://www.ofsted.gov.uk>

¹² Inspectors can obtain this advice from Ofsted's intranet.

Glossary and definitions



Achievement

The progress and success of a learner in their learning, training or development. This may refer to the acquisition of skills, knowledge, understanding or desired attributes.¹³

Attainment

The standard or level of work¹⁴ of learners shown by assessments, tests and examination results. This can relate to both interim and final assessment.

Capacity to improve

The capacity to make further improvement is a judgement about the ability of a provider to continue improving standards and progress based on what it has accomplished so far, or to maintain exceptionally high standards.

Common evaluation schedule

The common evaluation schedule is the basis for the inspection judgements of Ofsted. Ofsted sets out the framework by which it inspects and from this the key judgements are made.

Common inspection framework

This is the framework that is based on the common evaluation schedule specific to the remit.

Learner

Learner is used as a generic word to cover how remits specifically refer to groups of their users, for example: child, pupil, student, young person, client or trainee, and as shorthand for adult learner.

Provider

Anyone from an individual to a company or organisation offering and providing care for children or young people or learning, education or training. The Ofsted User and Stakeholder Strategy (May 2008)¹⁵ states as examples:

- schools, colleges and childcare providers
- children's homes, and fostering and adoption services
- adult, community, work-based and other learning providers – including learndirect and nextstep
- employers who provide training

¹³ Attributes may be the development of qualities or personal competencies which are important to the development of the learner; for example, personal, social, cultural, emotional, health.

¹⁴ Levels of work refers to training, personal or child development, academic and practical.

¹⁵ <http://www.ofsted.gov.uk/publications/20080015>

Glossary and definitions continued

- secure estate and judicial services
- local authorities.

Remit

A distinct type of provision defined by individual and distinct characteristics which is inspected within a specific framework using the common evaluation schedule.

Self-evaluation

Self-evaluation is the process by which providers evaluate the effectiveness of their own performance in improving outcomes for their users. A summary document is usually produced from the outcomes of this assessment. It is the self-assessment report as used in further education and skills sector and the self-evaluation form used in other remits.

Setting

Describes or refers to an area or aspect of inspection or regulatory work, usually place or location or type of provider within a specific remit.

Stakeholder

As defined in the Ofsted User and Stakeholder Strategy¹⁶, a user or stakeholder is any group or individual who could affect, or be affected by, our work. The strategy also refers to other stakeholders in paragraph 8.

User

As defined in the Ofsted User and Stakeholder Strategy¹⁷ and deriving from the Education and Inspections Act 2006, section 117 (4), those who benefit, either directly or indirectly, from the services that Ofsted inspects or regulates: children and young people, parents and carers, adult learners, and employers.

Vulnerable person

The section on safeguarding (see page 14) refers to users who are vulnerable. There are differences between adult and children's guidance and the legislation. Ofsted's strategic plan (2007–2010)¹⁸ refers to children in vulnerable circumstances as those who particularly need protection against harm and/or who need targeted interventions or special services. A number of situations may make children and young people particularly vulnerable, including:

- living away from home
- disabilities (physical or mental)
- abuse or bullying
- race and racism
- child abuse
- domestic violence
- drug-misusing parents/family members
- families living in temporary accommodation
- living as migrants; victims of trafficking; or unaccompanied asylum-seeking children or young people
- being young carers.

¹⁶ See footnote 15.

¹⁷ See footnote 15.

¹⁸ *Raising standards, improving lives: The Office for Standards in Education, Children's Services and Skills Strategic Plan 2007–2010*, <http://www.ofsted.gov.uk/publications/070179>



The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects registered childcare and children's social care, including adoption and fostering agencies, residential schools, family centres and homes for children. It also inspects all state maintained schools, non-association independent schools, pupil referral units, further education, initial teacher education, and publicly funded adult skills and employment-based training, the Children and Family Court Advisory Support Service (Cafcass), and the overall level of services for children in local authority areas.

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