

GUIDANCE FOR INSPECTORS



HOW WE INSPECT IN ADULT LEARNING IN THE COMMUNITY

FOR PILOT INSPECTIONS IN 2024

This document is also
available in Welsh

Every possible care has been taken to ensure that the information in this document is accurate at the time of going to press. Any enquiries or comments regarding this document/publication should be addressed to:

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Introduction

Estyn's vision

Estyn's vision is to improve the quality of education and training and outcomes for all learners in Wales. Our mission is to support education and training providers to develop a self-improving and learning culture through our advice, inspection and capacity building.

Purpose of the guidance handbook 'How we inspect'

This handbook sets out our approach to inspecting adult learning in the community partnerships from 2024. It explains **how** we inspect. The guidance is essential reading for reporting inspectors and all other members of the inspection team. It may also be useful for partnerships to support their understanding of the inspection mind-set and methodologies.

The guidance should be read alongside '[What we inspect](#)' guidance for adult learning in the community partnerships, which outlines the inspection framework. Partnerships can use this guidance to see how inspections work and to help them in strengthening their own self-evaluation and improvement processes.

Where the inspection identifies practice worth sharing, inspectors will share this practice through cameos within the provider's report. Where the inspection identifies important concerns in relation to standards, quality of education and training or leadership and management, we will arrange follow-up activity to support improvement. Guidance on follow-up activity is presented at the end of this document.

There is further information about inspections on our website www.estyn.gov.wales

Legal basis for the inspection of adult learning in the community partnerships

Once commenced¹, section 57 of the Tertiary Education and Research (Wales) Act ² (the Act) requires the Chief Inspector to report on:

- the quality of the education or training inspected,
- the standards achieved by those receiving that education or training, and
- whether the financial resources made available to the provider of the education or training are managed efficiently and used in a way which provides value for money

The Act also outlines Estyn's right of entry and access to premises and information to enable it to carry out such functions. It also states that it is an offence

¹ Until commencement of the quality provisions in this Act, the legal basis for inspection will be section 77 of the Learning and Skills Act 2000

intentionally to obstruct HMCI (and inspectors deployed by HMCI) in the exercise of functions in relation to inspection.

Policy background

While not governed directly by the following policies and conventions, the guidance handbook takes account of the following:

- The Well-being of Future Generations (Wales) Act 2015
<https://www.gov.wales/well-being-of-future-generations-wales>
- The United Nations Convention on the Rights of the Child, adopted by the Welsh Government in 2004 as the basis for policy-making for children and young people <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>
- The Additional Learning Needs and Education Tribunal (Wales) Act 2018
<https://gov.wales/additional-learning-needs-and-education-tribunal-wales-act>

The aspirations outlined by the Minister for Education and Welsh Language in October 2022 for ‘Wales as nation of second chances - where it’s never too late to learn’: <https://www.gov.wales/second-chance-nation-where-its-never-too-late-learn> Programme for Government priorities – including:

- Our national mission: high standards and aspirations for all :
<https://www.gov.wales/our-national-mission-high-standards-and-aspirations-all-html>
- Wales innovates: creating a stronger, fairer, greener Wales:
<https://www.gov.wales/sites/default/files/publications/2023-02/wales-innovates-creating-a-stronger-fairer-greener-wales.pdf>
- Young Person’s Guarantee: <https://www.gov.wales/young-persons-guarantee-html>
- Race Equality Action Plan: <https://www.gov.wales/anti-racist-wales-action-plan>
- LGBTQ+ Action Plan: <https://www.gov.wales/lgbtq-action-plan-wales>
- Cymraeg 2050 Action Plan: <https://gov.wales/cymraeg-2C050-our-plan-2021-2026-html>

Arrangements for engagement with providers

Introduction

This section applies across the breadth of Estyn's engagement with providers. We expect all inspectors, including those contracted to Estyn and those working as peer inspectors, to adhere to these principles.

Context

This guidance relates to the core inspection of each adult learning in the community partnership that takes place during the inspection cycle³. In addition, Estyn regularly inspects aspects of post-16 education and training through annual visits to providers as well as thematic reviews based on specific themes of national interest.

Each core inspection incorporates the evidence gathered about the partnership through annual link visits and thematic reviews, to inform the work of the inspection team and to add to the overall evidence base that is used as the foundation for the published inspection report for the partnership.

Adult learning in the community link visits. An annual link visit or engagement with each partnership is used to gather evidence and evaluate aspects of the partnership's work on an ongoing basis. One or two inspectors meet with leaders, in person or online, to discuss priority issues related to education and training, as well as progress on specific aspects of the partnership's work. Each annual link visit result in oral feedback and a concise written letter outlining the strengths and areas for development as established during the visit.

In addition to feeding into core inspection, the findings of link visits and thematic reviews are used to inform national level reports such as sector insights reports and thematic reports as well as the Chief Inspector's Annual Report.

Thematic reports. Each year, the Welsh Government asks Estyn to produce national reports on a range of themes. Estyn will typically visit a sample of partnerships or survey all partnerships as part of this work. The visits result in oral feedback to the provider and national reports that feature summaries of the effective practice of individual partnerships, in the form of cameos and case studies where relevant.

Principles of our work

We expect our inspectors to work according to a number of key principles. They:

- take a learner-centred approach to any activity and engagement
- focus on the quality and effectiveness of teaching and learning
- focus each activity on the specific provider and adapt our approaches accordingly

³ From 2024 onwards, the inspection interval cycle will revert to six years; as outlined in the Inspection of education and training (Wales) regulations, once commenced.

- use a range of tailored methodologies and approaches to evaluate the breadth of the provider's work robustly and fairly
- adopt a constructive approach that makes the interaction with the provider a professional learning experience for their staff

During core inspections, we expect inspectors to consider everything in the 'what' and 'how' we inspect guidance documents, but only report on the key strengths and areas for improvement.

In addition, our inspectors will:

- ensure that our activity and engagement is responsive to the needs of all learners
- ensure that our evaluations are secure, reliable, valid and based on first-hand evidence
- keep to a minimum any requirements for documentation and preparation by the provider
- gain the perspective of learners and other stakeholders
- apply the principle of equality for Welsh and English to all our activity

In core inspections particularly, our inspectors will:

- involve the provider fully in the inspection process, including the opportunity for the provider to select a nominee
- take suitable account of the provider's chosen improvement priorities, in addition to other key areas identified by the inspection team
- include peer inspectors in the inspection process

Our mind-set

Estyn's approach to inspection and engagement activity is:

Fair and impartial – this means that we work to be independent, objective and balanced. We are robust and consistent in our work. We weigh the evidence and its significance to provide an honest, credible and accurate view of the partnership's strengths and areas for improvement.

Supportive – we work to guide partnerships to implement improvements that benefit learners. We encourage innovation and recognise good intentions. We are friendly but always professional in our approach. We support educational reform. We work hard to develop meaningful relationships with partnerships and local and regional organisations.

Reflective – we are open-minded. We listen to a wide range of stakeholders and reflect on their responses. We are thoughtful, measured and careful. We plan opportunities to think carefully about the inspection findings and to discuss them with others in the team.

Transparent – we are well informed and communicate clearly, directly and succinctly. We use efficient and effective inspection methodologies to respond to the partnership's unique situation. We plan inspection activity and report on strengths

and areas for improvement in ways that reflect the particular circumstances of each individual partnership. As a result, our actions promote trust and respect.

Expectations of inspectors

Our expectations and code of conduct for inspectors explain how we embody our mind-set through our actions. Inspectors should uphold the highest possible standards in their work. All inspectors have to meet the expected standards of Estyn's behaviour and conduct.

When conducting the inspection, inspectors will:

- be courteous and professional
- establish and maintain appropriate professional boundaries when talking to young people and adults
- carry out their work with integrity and due sensitivity
- take all reasonable steps to prevent undue anxiety and to minimise stress during inspection activity
- evaluate the work of the partnership objectively using clear and robust evidence report honestly, fairly and impartially without fear or favour
- communicate clearly and openly
- act in the best interests of learners
- respect the confidentiality of all information received during the course of their work
- respond appropriately to reasonable requests

It is important that we evaluate the effectiveness of provision and leadership on their impact and not on the basis of any preferences for particular methods. The key to the evaluations is whether the methods and organisation are fit for the purpose in supporting all learners to achieve high standards and strong levels of well-being.

Inspectors should inform Estyn of any perceived or actual conflicts of interest as soon as they receive notification that they are part of the partnership's inspection team.

Expectations of partnerships

In order that inspection and regulation are constructive and beneficial, it is important that inspectors and partnerships establish and maintain a professional working environment based on mutual courtesy, respect and professional behaviour. We expect inspectors to uphold Estyn's code of conduct but we also expect partnerships to:

- be courteous and professional
- provide evidence that enables inspectors to conduct the inspection in an open, honest and objective way
- use Estyn's electronic systems for managing inspections as required
- provide evidence that will enable inspectors to report honestly, fairly and reliably about the partnership
- maintain a purposeful dialogue with the reporting inspector and other inspectors
- recognise that inspectors need to observe practice and talk to staff, learners and

other stakeholders without the presence of a manager or senior leader

- draw any concerns about the inspection to the attention of the reporting inspector in a timely and suitable manner through the nominee or senior manager
- work with inspectors to minimise disruption and stress throughout the inspection
- ensure the health and safety of inspectors while on their premises
- maintain the confidentiality of meetings and inspection findings until the final publication of the report

Any CCTV or recording equipment should be brought to the attention of the team during the initial team meeting.

At the point of the inspection notification, partnerships should review the composition of the inspection team. It is the responsibility of the partnership to highlight any perceived or actual conflicts of interest prior to the start of any engagement, for example prior to their on-site inspection or visit.

The Welsh language

We will carry out any engagement, including inspections, in line with our [Welsh Language Policy](#), available from our website.

Safeguarding, including health, safety and well-being issues

Inspectors will carry out inspections in accordance with the Estyn's guidance on inspecting safeguarding. If they observe anything that they think constitutes in their opinion, a real risk to the safety of staff, visitors or learners, inspectors should alert managers at the partnership.

If an inspector becomes aware of a safeguarding allegation/suspicion in respect of a young person or vulnerable adult, they should follow the procedures set out in the current version of '[Estyn's policy and procedures for safeguarding](#)', which is available on our website.

In all cases, inspectors should record details of the concern. They should inform the Reporting Inspector (RI) who should then contact one of Estyn's safeguarding lead officers. The lead officer will advise the RI of the next steps to take including what to record in the evidence base for the appropriate inspection area. This includes any risks relating to learners' health, safety and well-being. The officer will also advise the RI whether or not to share the concern with the partnership.

Where these risks are a serious concern during core inspection activity or visits, inspectors should include a short comment in the report's text and a recommendation in the report. We will send a well-being letter to the partnership asking them to outline how they will address the shortcoming and would inform the Welsh Government⁴ about this as well.

If an inspector identifies a site security concern, they should inform the RI. If the RI considers that the concern can be addressed quickly, they should inform the

⁴ and the Commission for Tertiary Education and Research from 1 August 2024

partnership who will be expected to provide evidence of the concern being resolved within a week.

If the concern is more serious and cannot be addressed quickly, the RI should inform the IC who will issue a health and safety letter to the partnership. It will be their responsibility to ensure that the issue/s is addressed. Welsh Government⁵ should also be informed of this. If a less significant issue is not addressed satisfactorily within a week, then this process will also apply.

Approach to inspection

The starting point for inspection is the partnership's evaluation of its own performance and priorities, supported by relevant evidence. Inspectors will not inspect all aspects of work in depth during a core inspection. They will sample evidence to test the partnership's own assessment of its work.

The progress learners make from their starting-points and the standards they achieve are the key measures of the quality of the education and training they have received and of the effectiveness of the leadership and management of the partnerships. Inspection will focus on the needs of learners, their attitudes to learning and the impact that the provision makes on supporting their progress and the standards they achieve.

The Virtual Inspection Room

We will use an electronic system, called the 'Virtual Inspection Room' (VIR), for managing many aspects of the inspection. It is a web-based system that allows partnerships to upload information before the inspection and to download guidance from us about the inspection process. The VIR is also the place where partnerships can access the post-inspection questionnaires (PIQs).

We ensure the security of information uploaded by subjecting the VIR to penetration testing. This testing evaluates system security. We identify and implement any actions to prevent unauthorised access. All users of Estyn's VIR system have a username and password, which are recorded and maintained securely within an active directory. The system also has features to ensure password protection including threat detection and conditional access.

⁵ and the Commission for Tertiary Education and Research from 1 August 2024

The inspection team

There are different roles within the inspection team.

Team member	Explanation	Role
Reporting inspector (RI), may also be referred to as the lead inspector	The RI for an inspection will be one of the following: HMI (His Majesty's Inspector of Education and Training in Wales) – HMI are appointed by the crown. They are civil servants employed directly by Estyn. AI (Additional Inspector) – Ais normally join Estyn temporarily, for example on secondment from providers.	The RI leads and manages the inspection team. They liaise with the partnership and the team ahead of the inspection, and quality assure their team's work. The RI is the first point of reference for everyone during the on-site part of the inspection process.
Team inspectors (TI)	The number of team inspectors is determined by the size of the partnership as well as other logistical factors such as the geographical distribution of its learning settings. Team inspectors may be HMI or contracted additional inspectors who have been trained by Estyn.	Team inspectors may take responsibility for gathering evidence to inform the team's evaluation of different aspects of the inspection. The RI directs and manages the team inspectors' work.
Peer inspector (PI)	A peer inspector is a serving leader, manager or experienced practitioner from another partnership, who has completed Estyn's PI training and assessment. All inspection teams have a peer inspector as a team member. In larger partnerships, there will be more than one PI on the team.	Peer inspectors participate in all aspects of the on-site inspection activity and contribute to the team's evaluations. They are an integral part of the inspection team. The RI directs and manages the PIs' work.
Inspection coordinator (IC)	The inspection coordinator is a member of Estyn's Central Services staff who coordinates the administrative elements of the inspection, including setting up the VIR and making the initial contact with the provider to notify them of the inspection.	The IC is an important 'behind the scenes' role, coordinating the administrative and logistical elements of the inspection. They do not attend the on-site inspection itself and do not contribute directly to the evaluation of a provider.
Nominee (from the partnership being inspected)	We invite partnerships to select a senior member of staff, called the nominee, to work with the inspection team. In practice, nearly all partnerships accept the invitation, but it is not a requirement. The nominee should have sufficient seniority to act as a link between the	Partnerships can access the guidance for nominees on preparing for the inspection from links within the initial contact form (ICF), completed by the Inspection Coordinator (IC) and available via the VIR.

	partnerships and the inspection team but need not be the leader of the partnership.	
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We may also invite an international peer inspector/reviewer from one of the education and training inspectorates in the UK, Eire or Europe. They will be able to bring an international benchmarking perspective to the inspection, facilitate the sharing of effective practice and enable better networking of adult learning in the community partnerships in Wales with their international peers.

Contacting the partnership before a core inspection

The partnership will receive 15 working days' notice of the inspection.

Following this, the inspection co-ordinators will contact the partnership by telephone to set up the arrangements for the inspection. During this discussion, the inspection co-ordinator will:

- explain the purpose of the inspection and discuss an outline programme for the inspection
- discuss the specific information required before the inspection, including the completion by the partnership of a safeguarding self-evaluation form, and make the arrangements for receiving it in electronic form through the Virtual Inspection Room
- ask if there are any issues or risks the team should be aware of and ask for a general health and safety briefing for the team at the start of the inspection
- establish whether the partnership wishes to have a nominee and, if it does, agree the role of the nominee and explain the process for completing the nominee guidance
- arrange a meeting at the start of the inspection with the nominee to provide a health and safety briefing for the team
- arrange a meeting at the start of the inspection for the partnership to set out its priorities for improvement and its current stage of development
- provide links and guidance for the completion of online pre-inspection questionnaires for learners and staff
- agree arrangements for setting up a meeting with partnership organisations
- arrange the availability of supporting evidence, including samples of learners' work
- ensure that there are agreed procedures for addressing any concerns or complaints that might arise during the course of the inspection
- organise any domestic arrangements, such as a base for the inspectors, parking and internet access
- set up the arrangements for feeding back the inspection findings
- agree the arrangements for completing the post-inspection questionnaire (PIQ)
- inform the partnership through the initial contact form of the key inspection arrangements

The inspection co-ordinator will request the following information from the partnership through the Virtual Inspection Room as soon as possible after the formal notification of the inspection:

- key background information on the partnership
- the partnership's most recent quality development plans and self-evaluation reports
- the number of learners including those with partners, their mode of study and their location
- details of the partnership's timetables for the period of the inspection
- arrange a date (as agreed with the RI) for an initial planning meeting

If the inspection is to take place early in the academic year, partnerships may wish to share samples of learners' work from the previous year with inspectors, if available. If partnerships are unable to share learners' previous work, inspectors will take this information into account when discussing work and progress with staff and learners.

When we notify partnerships of the inspection, they will receive information on how to conduct a confidential online survey of learners. Estyn will also provide a pre-inspection online questionnaire for teaching, assessment and support staff directly employed by the partnership. The outcomes of the surveys will form part of the pre-inspection evidence and support inspectors to form their evaluations of the provider's work.

The team will also consider the most recent survey of learners' perceptions conducted by the partnership.

During the inspection, inspectors may interview a sample of learners, and teaching, assessment and learning support staff as part of their gathering of evidence.

Planning the inspection and preparing the team

Taking into account the partnership's identified improvement priorities and self-assessment reports, and any information already held by Estyn, such as the findings of annual link visits or thematic reviews, the reporting inspector will plan the inspection and allocate responsibilities to members of the inspection team.

The reporting inspector will arrange with the nominee for one or more planning meetings to take place between notification and the start of the inspection. These will usually be carried out online or by telephone. The purpose of the meetings is to confirm the arrangements of the inspection and to help the inspection itself run as smoothly as possible.

ALC partnerships vary considerably in their structure and organisation. Typically, they include at least one local authority and at least one further education college. Most partnerships also include provision provided by Adult Learning Wales. Frequently, provision is also offered by third party providers, community organisations, voluntary or charity organisations.

In the planning meetings, the reporting inspector will clarify the scope of the partnership's provision, including all WG-funded provision, provision offered with further education college or third sector partners, English for Speakers of Other Languages (ESOL) offered by any of the partners, leisure, well-being, cost-recovery provision and any other provision that may be relevant to the inspection. Inspections will focus on provision which is funded by the Welsh Government. They may also consider aspects of the partnership's provision which is funded or partially funded by learners themselves.

Inspection arrangements for Adult Learning Wales

In many ALC partnerships across Wales, Adult Learning Wales is a delivery or strategic partner. Because of their contribution and delivery in partnerships across Wales, it is possible that Adult Learning Wales teaching staff and managers will be involved in many ALC inspections. This presents a challenge: how to ensure that each partnership's full provision (including that provided by Adult Learning Wales) is properly inspected without placing a disproportionate inspection burden on this one provider.

Across the inspection cycle, Estyn will carry out one core inspection of Adult Learning Wales as an ALC provider its own right, under the full ALC inspection framework, resulting in a full inspection report. This core inspection will sample teaching and learning activities, taking into account the pan-Wales range of Adult Learning Wales's provision.

In core inspections of individual ALC partnerships where Adult Learning Wales is a delivery partner, reporting inspectors will ensure that inspection activity in relation to Adult Learning Wales is proportionate to that partnership. For example, in planning teaching and learning observations, reporting inspectors will ensure that the number of Adult Learning Wales sessions that are observed is proportionate to the contribution from Adult Learning Wales to the partnership's overall provision during the inspection period.

Over a sequence of inspections of different partnerships, Estyn will take care to ensure that individual tutors working for Adult Learning Wales are not repeatedly sampled in session observations.

Estyn will maintain an open dialogue with Adult Learning Wales to monitor the impact of inspection activity and ensure that overall inspection activity involving Adult Learning Wales is proportionate.

Inspection arrangements for English for speakers of other languages (ESOL)

Provision for English for speakers of other languages (ESOL) is typically part of an ALC partnership's provision. Between partnerships, there is considerable variation in the patterns of delivery, although typically, some element of the ESOL provision is offered by the local authority partner and some by the further education college. In some partnerships Adult Learning Wales delivers ESOL provision. In this inspection framework, Welsh Government- or CTER-funded ESOL provision will be inspected as part of ALC inspections, independent of whether it is delivered through local authority-run courses, the further education college in the partnership, Adult Learning Wales, or another provider.

The intention of inspecting ESOL provision under one framework is to allow us to answer the question, 'Within any ALC partnership area, how effective is the total package of ESOL provision?' It will allow us to evaluate provision across the spectrum of ESOL delivery, from non-formal engagement-type activity, part-time community-based learning (accredited or non-accredited) to part-time or full-time accredited learning, whether at college, local authority or third sector provider.

In their planning meetings, the reporting inspector in discussion with the nominee, will identify the range of ESOL provision offered by the partnership and in the partnership's area. The reporting inspector will plan for a range of inspection activities that incorporate ESOL independent of the provider that is delivering it. In particular, we are interested how, in a local area, providers within the partnership plan jointly to ensure there is a range of suitable provision at all levels, and that progression routes for learners, whatever their starting point, are clear.

By inspecting the whole ESOL provision, including sampling any funded full-time FE college provision, the ALC inspection report will be able to highlight through cameos any notable strengths across the ESOL provision. If there are aspects of ESOL provision that need improvement, these will be mentioned in the report and recommendations for improvement will be directed to the leadership of that provision.

During the inspection

Initial team meeting

The team will normally arrive at the base room at around midday on the first day of the inspection. An initial team meeting, including the partnership's nominee, will usually take place at around 1.00pm at which the reporting inspector will confirm with the team arrangements for meetings and session observations.

The partnership should also provide a health and safety briefing to inform the team of any relevant issues (e.g. location of fire exits, planned fire drills, local road or transport issues etc) The partnership will also be invited to provide a brief position statement on its strategic priorities and its current stage of development.

After that, the team should discuss with senior leaders the improvement priorities identified by the partnership and the progress that it is making in its improvement work. The reporting inspector will confirm these arrangements with the partnership during the pre-inspection planning meetings.

Gathering and reviewing inspection evidence

The team will plan the inspection so that they can cover the reporting requirements within the three inspection areas. The reporting inspector will plan the inspection activity flexibly, in response to the partnership's bespoke, individual circumstances. This means that the activities planned in one partnership may not mirror those planned in another. In addition, inspectors report 'by exception'. This means that the team will always consider everything within the inspection areas, but the final report may not include every aspect of the framework. The main forms of evidence are:

- documentary or electronic evidence, including information on learners' performance and progress
- observation of learning and teaching, including evidence gathered through learning walks
- samples of learners' work
- survey responses from learners and staff
- discussions with learners, leaders, managers, representatives from partners, elected members or local authority officials and other key stakeholders

The team will use direct observation, wherever possible, of learners' standards, skills,

practical and written work, to gather evidence to support their evaluations. Inspectors may select an additional sample of learners' work if required, to support their evaluations of a specific aspect.

Inspectors will undertake a range of activities to gather evidence for their evaluation of learners' progress and the quality of the partnership's provision. This may include session observations, including sampling online lessons, learning walks, where inspectors move relatively quickly through a number of teaching sessions looking at a specific aspect of the provision.

The voice of learners is a key source of evidence for inspectors. Inspectors will speak with learners in learning sessions, in focus groups or informal settings. Conversations with learners will provide an opportunity to explore learners' perceptions of their progress and their learning experiences. It will also help inspectors to gauge how well they feel the partnership supports learners and contributes to their well-being.

Partnerships should make information available to the inspection team about the standards and progress achieved by learners, including the results of any initial and diagnostic assessments of literacy, numeracy or digital skills, or assessments of additional learning needs (ALN). This will help inspectors to judge learners' progress, to come to a view about the standards learners achieve compared to their starting-points and the way tutors use the information.

The team will need to consider stakeholders' views about the partnership and test out the validity of those views during the inspection.

Recording inspection evidence

Inspectors will complete their forms electronically as part of Estyn's digital system for collecting, collating and recording inspection findings.

Professional dialogue

Throughout the inspection, inspectors will engage in professional dialogue with practitioners. This dialogue may include meeting with individual tutors, often in their classrooms to discuss their planning and assessment of learners' work. Inspectors may decide to meet with leaders, either individually or as a group, to understand the impact of the partnership's leadership on bringing about improvements to learners' outcomes.

Professional dialogue enables inspectors to gain first-hand evidence from practitioners that can be triangulated with other sources of evidence. The dialogue will provide emerging, interim findings on aspects of the evidence base. These findings may be amended, on reflection, for example after scrutiny of learners' work or talking to learners or as the result of moderation within the team.

Normally, following a session observation, inspectors will offer to have a brief professional dialogue with the member of staff involved in the activity. It may be necessary, in some cases, to conduct this discussion later during the inspection.

At all times, the main focus of the discussion should be on the learners, the progress they make during the session and the standards they achieve. Inspectors should try

to focus on any strengths or areas for development in relation to the specific activity seen.

Due to the nature of learning walks, and the spread of the activity across a number of activities within a relatively short period of time, inspectors will not be in a position to offer professional dialogue to individual tutors after learning walk activity.

Team meetings

The main purpose of team meetings is to arrive at an accurate, reliable, valid and corporate view of standards and the quality of provision and leadership. Meetings will provide opportunities for inspectors to:

- test the validity of the partnership's self-evaluation processes and priorities for improvement
- discuss emerging issues
- review visits to learners
- identify any gaps in the evidence base
- consider main inspection findings and any recommendations

Towards the end of the inspection, the team will hold a meeting to review the draft evaluations. The purpose of this meeting is to moderate findings and come to a collective view of the strengths and areas for improvement for each inspection area for the partnership. The nominee will have a full opportunity to participate in this meeting.

The team will also identify any recommendations to help focus the partnership's improvement, cameos of effective or interesting practice to be highlighted in the report and if any formal Estyn follow-up is required.

Causing concern

During all inspections, the inspection team will consider whether the provider is causing concern and requires follow-up activity. This may be related to an aspect or aspects of education and training which is inadequate to meet learners' needs. The Tertiary Education and Research Act (Wales) 2022 states that 'the quality of tertiary education, or of a course of tertiary education, is inadequate if it is not adequate to meet the reasonable needs of those receiving the education or undertaking the course.'⁶

The potential reasons for identifying that a provider is causing concern are:

- a high proportion of learners underachieving over time or a considerable decline in achievement over time
- if the provider is failing to give its learners an acceptable standard of education and training
- if the provider is performing significantly less well than it might in all circumstances reasonably be expected to perform
- if the persons responsible for leading, managing or governing the provider are not demonstrating the capacity to secure the necessary improvement
- serious safeguarding concerns

⁶ Section 52 (3) Tertiary Education and Research (Wales) Act 2022

- failure to address shortcomings identified during previous inspections or through other internal or external activity
- any other concern that presents a significant risk to the well-being or achievement of learners

The inspection team must report as they find and be able to substantiate their judgements on the basis of sound evidence. If the evidence points to the conclusion that the provider is causing concern, inspectors must make that decision.

At all times, our inspectors should remember that the main emphasis in post-16 inspections is on the outcomes for learners.

In judging the extent to which senior leaders have the capacity to bring about improvements, inspectors will need to consider how well these leaders know and understand the strengths and areas for improvement in their organisation. Inspectors should also establish if senior leaders show the ability to tackle the areas for improvement through the sense of purpose and direction they provide, and through decisions and actions taken to address concerns. Discussions with senior leaders should provide evidence of how they are tackling these issues and if they are giving attention to the right things. Where relevant, inspectors should also take account of how well-informed governors or board members are about areas for improvement and how well they use this information to take effective and appropriate decisions.

In all circumstances, it is vital that inspectors evaluate the work of the provider in the context in which it is currently operating. They should not be unduly influenced by recently prepared plans for improvement that have yet to be implemented or the recent appointment of staff, such as a new principal, CEO or senior leader, or the provider stating that they can address areas of concern quickly. This is because, in these cases, the effect or impact of improvements will not have taken place. Inspectors must judge the provider's current performance and outcomes rather than speculative or good intentions, plans and an aspirational outlook.

Team discussions should take account of any mitigating factors to ensure the validity and reliability of evaluations before coming to a decision that a provider is causing concern.

If the provider is judged to be causing concern, the reporting inspector should take the following steps:

- inform the appropriate inspection co-ordinator
- inform the Assistant Director or Strategic Director of the judgement (who will in turn inform HMCI)

If the provider is judged as causing concern, the reporting inspector should tell the principal/CEO at the end of the inspection that the team has reached this conclusion and complete the relevant section on the reporting form.

After moderation and validation of the agreed inspection outcomes within Estyn, we will write a letter of confirmation to the provider explaining that inspectors will review the progress made by the provider. Estyn will monitor the provider's progress in addressing the recommendations highlighted in the report using the arrangements noted below in this guidance.

Formal feedback

At the end of the on-site part of the inspection, the team will provide oral feedback to the partnership's leaders. The partnership should invite a representative from Welsh Government⁷ to this meeting. Partnership representatives may be invited to attend the meeting where appropriate. The feedback will focus on the main evaluations for each of the three inspection areas and the reasons for these.

The feedback meeting provides the opportunity for leaders to hear and to reflect on the team's findings. The feedback should focus on the strengths and areas for improvement and the factors that contribute to them, including the recommendations. The reporting inspector should explain to the partnership that issues may be clarified and factual matters may be corrected. However, the purpose of the meeting is for the provider to understand rather than negotiate the inspection team's findings.

During all core inspections, the inspection team will consider whether the partnership needs any follow-up activity. The reporting inspector will inform the partnership if any follow-up activity is required.

During the inspection, the team will also consider if there is any effective practice in the partnership that is worthy of sharing with other partnerships. Where this is the case, the reporting inspector will include a cameo of this practice as part of the inspection report.

All the evaluations reported during an inspection are provisional and subject to moderation and validation by HMCI. They are confidential to the partnership's staff. They should not be communicated beyond this group, including via social media, until we publish the report on our website.

Complaints about the conduct of the inspection

If there are any issues about the conduct of the inspection overall or the conduct of individual inspectors, then the partnership, through the nominee, should raise these directly, and as soon as possible, with the reporting inspector. The partnership should not wait until after the inspection but should raise any issues during the on-site inspection. Issues often arise due to misunderstandings, and these can usually be resolved quickly and satisfactorily in the partnership close to the time when they occurred.

There is guidance on our complaints handling procedures on our website.

However, there are some things that we do not address through our complaints-handling procedure, for example complaints, or challenges, about evaluations or follow-up decisions made after an Estyn inspection or review. This is because, before and during an inspection, the partnership has the opportunity to provide all of the evidence needed for the inspection team to reach its evaluations accurately and fairly.

⁷ And the Commission for Tertiary Education and Research from 1 August 2024

After the inspection

The inspection report

The reporting inspector is responsible for producing a final inspection report that is clear to a lay audience and helpful to the partnership.

When writing reports, inspectors should take account of Estyn's writing guidance which is available on our website www.estyn.gov.wales.

We will publish reports bilingually, where partnerships have made this request, in line with Estyn's Welsh Language Policy.

We base the structure of the inspection report on a Common Inspection Framework and the report will take the following form:

About the partnership

Summary

Recommendations

What happens next

Main evaluations

IA1: Teaching and Learning

IA2: Well-being, care, support and guidance

IA3: Leading and Improving

The evidence base of the inspection

We will produce the report within statutory or agreed sector timescales.

The factual accuracy check

The inspectorate will give the partnership a draft of the report prior to publication, to help check the factual accuracy of the content. The partnership will normally have five working days in which to consider the draft report and to identify any errors.

The focus of the check is on resolving any factual inaccuracies in the inspection report. It does not focus on the findings. There is further guidance for partnerships on the nature and scope of this check on Estyn's website.

Assuring the quality of inspections

We are committed to:

- effective selection, training, briefing, support and deployment of inspectors, including peer inspectors and additional inspectors
- effective training, briefing and support to allow the nominee to play an active role
- regular dialogue with the nominee and chair of the partnership during inspection
- criteria and recording systems that comply with inspection guidance

- careful review and analysis of evidence
- providing clear verbal feedback of the team's main findings and the detail for each inspection area
- producing accurate and well-presented reports

As part of our quality assurance procedures, we invite partnerships to complete a post-inspection questionnaire (PIQ). The questionnaire will be available to partnerships in the VIR. Partnerships should complete the first part of the PIQ immediately after the on-site inspection and submit it electronically to Estyn through the VIR system. Partnerships can complete the second part of the PIQ after the publication of the inspection report, again through the VIR system.

The reporting inspector will quality assure the inspection team's work in the first instance. We will quality assure a sample of inspections through on-site visits. We assure the quality of all written inspection reports before they are published on our website. Our arrangements for ensuring the quality of inspections are available on our website www.estyn.gov.wales.

Follow-up arrangements

There will be one category of follow-up for post-16 inspections: 'causing concern'. The guidance below sets out how we will work with a provider where an aspect or aspects of education and training are not adequate to meet the reasonable needs of those receiving the education.

Post-inspection action plan link visit

Around three months after the inspection, we will arrange for the post-16 link inspector to visit the provider, meeting with senior leaders and governors (where relevant) and any other key stakeholders where relevant, such as Welsh Government⁸. Where possible, we will also involve the reporting inspector from the inspection. The purpose of this would be to check that the provider has fully understood the reasons for the inspection recommendations, and to check that the provider is developing appropriate plans to address shortcomings. We will send a formal notification three weeks in advance of the visit but will aim to ensure that the date is suitable before we issue this notification.

Following the visit, Estyn will send a letter to the principal/chief executive officer of the provider. This letter will confirm the degree of assurance inspectors received during the visit that the provider understands the reasons why there is an aspect or aspects causing concern and that suitable plans are being developed to address shortcomings. The letter will also confirm how the provider is planning to address the concern.

⁸ and the Commission for Tertiary Education and Research, from 1 August 2024

Monitoring visits/activity

Following the post-inspection action plan link visit, we will develop a schedule of monitoring visits or activity with the provider. The views of the provider will be taken into account in developing the schedule.

These monitoring activities will be used to check how well the provider is progressing with its plans to address the recommendation(s) from the inspection, and what impact their actions are having. Monitoring activity will be bespoke to the provider and may include a desk-based activity, online meeting or visit to the provider.

We will carry out the first monitoring activity around nine months after the post-inspection action plan link visit. Further visits or activity, if required, will be scheduled six months after the previous visit/activity. We will formally notify the provider three weeks in advance of a monitoring visit but will aim to ensure that the date is suitable before we issue this notification.

We will usually involve the link inspector in every monitoring activity, and we will usually involve the reporting inspector from the inspection in at least the first monitoring visit/activity. The size of the team and design of the activity or visit will be tailored to the specific context of the provider and the nature of the recommendations. Monitoring visits will typically be spread over three days, starting and finishing at lunchtime on the first and last day, but ultimately, we will work with the provider to agree a suitable timetable of activities. Other monitoring activity, such as online meetings or desk-based reviews will take place over a shorter period, typically two days.

A VIR will be set up for each monitoring activity which will allow the provider to share a few key documents and supporting information that is relevant.

During the monitoring activity, inspectors will consider how well the provider has addressed each of the recommendations and how much progress has been made overall. If the provider is no longer causing concern, then inspectors will recommend that the provider be removed from follow-up.

Following each monitoring visit or activity, we will send the provider a short report within four weeks, copied to Welsh Government Post-16 Quality team⁹. This report will confirm the degree of assurance inspectors received during the visit that the provider's actions since the inspection are having the desired impact on the areas for improvement. In the report, inspectors may include recommendations for the provider to support further improvement in its plans to address the concern. If the provider has made sufficient progress, they will be removed from follow-up.

If inspectors are not satisfied with progress, we will plan a time for a further monitoring visit or activity in six months' time. If there is not enough progress after two years in follow-up, we will send Welsh Government¹⁰ a report explaining the reasons why the provider still has an aspect or aspects of education and training which are not adequate to meet the reasonable needs of those receiving the education.

⁹ And the Commission for Tertiary Education and Research from 1 August 2024

Removing follow-up

After any monitoring visit, inspectors could recommend to HMCI that the provider is no longer causing concern and can be removed from follow-up. To be in this position, inspectors would need to be assured that enough progress has been made in addressing each recommendation from the inspection.

If HMCI agrees, then the report for the monitoring visit will include an evaluation of progress for each recommendation, and an overall judgement that sufficient progress has been made that follow-up can be removed as the provider is no longer causing concern.

A brief letter which explains that the provider is no longer causing concern will be published on our website.

Draft – for pilot use only

Appendix: Guidance and protocols for inspecting remotely: observations of teaching and learning, online and hybrid meetings and scrutiny of learners' work

Principles

1. The proportion of online observations of teaching and learning will broadly reflect the proportion of online delivery. If 20% of teaching and learning is online learning, then around 20% of sessions observed over the course of the inspection will be of online teaching and learning.
2. Inspectors will consider the effectiveness of online pedagogies based on their impact on learners' progress and standards.
3. In the pre-inspection period (after notification of inspection), the reporting inspector will arrange a meeting with the provider to establish access to the provider's online platform/s.
4. The provider will set up accounts for the inspection team members to have access to the provider's online platform and to be included in online sessions for the duration of the inspection.
5. The reporting inspector will agree arrangements with the provider about how inspectors may plan their observations without identifying these to staff in advance. This is to help ensure the integrity of the inspection and to minimise unnecessary pressure on the provider's staff.
6. Following an observation of online teaching and learning, the inspector will contact the member of staff to arrange a convenient time to have brief professional dialogue.
7. Inspectors may view recorded synchronous or asynchronous lessons that take place during the inspection period but will not view previously recorded sessions to evaluate the quality of teaching.
8. Observations should continue for no less than 30 minutes.
9. Inspectors will liaise with the provider as to how best to engage with the learning session. In many cases, it may be wise for inspectors to make learners and teachers / tutors aware of their presence in the learning space by introducing themselves, but from thereon, to turn off their cameras and microphones, so as not to interrupt the learning. In other situations, it may be appropriate to interact with learners, for example, when they are working in break out rooms.
10. There will be groups of learners, and programmes or aspects of programmes where online learning may not be an appropriate delivery model, such as learners with high levels of additional needs, including those on independent living skills programmes, or those with practical elements which cannot be

delivered online. Inspectors will consider the rationale for choice of online delivery for groups of learners.

Guidance for online meetings on inspection

1. Normally, Estyn will arrange online meetings using Microsoft Teams. In some instances, it may be best to use the video conferencing platform of the provider, for example when meeting learners or staff online.
2. Estyn will normally set up invites to the meeting and ask the provider to forward the invitation, but only to those who have been agreed between the reporting inspector and the nominee. As a result, the inspectors will know exactly who will be attending once participants have accepted an invitation.
3. Inspectors should, where possible, use Estyn's official online backdrop during calls.
4. Inspectors will chair each meeting.
5. Inspectors should introduce themselves and allow participants to do so. Inspectors should set out the purpose, the intended time frame and the ground rules of the meeting. Estyn will reserve the right to control access to the meeting. All participants must be respectful of the right of others to speak freely and be treated fairly.
6. Inspectors should emphasise that no meeting or any part of it is allowed to be audio or video recorded by either party.
7. Participants should mute their microphones when not speaking to reduce background noise.
8. Participants should have their camera switched on throughout the meeting if they are comfortable to do so - protocols and circumstances may be different in individual providers and for individual participants. These interviews need to be inclusive, therefore inspectors should take into account the online meeting protocols of the individual provider.
9. Participants are asked to use the 'raise hand function and go through the chair of the meeting during meetings and respect the right of other participants to speak without harassment. If anyone displays inappropriate behaviour, inspectors may need to mute the person and politely ask them to leave the meeting. Inspectors may remove the person from the meeting if necessary.
10. Participants are asked to be aware of the appropriate use of the comments or chat function. No comments or opinions should be written there – it should only be used to note relevant website links etc - with the consent of the chair of the meeting.

Arrangements for online meetings with leaders and staff

1. The provider will share email addresses for all staff so that inspectors may invite individuals to meetings, or to have professional dialogue following observations.
2. There will be at least a 15-minute break between each online inspection activity, and meetings or observations should normally not run for longer than 45 minutes.
3. Interviews and meetings must not be audio or video-recorded. Participants are asked to be aware of the appropriate use of the comments or chat function. No comments or opinions should be written there – it should only be used to note relevant website links etc - with the consent of the chair of the meeting.
4. There will normally be two inspectors in online interviews – one inspector will take the lead to ask questions and chair the meeting, while the other will record notes of the meeting.
5. Normally, online meetings should be limited to no more than six to eight participants (preferably fewer) to ensure that all participants have an opportunity to contribute. It is helpful to be able to see all participants on screen at once (and to ask them to keep their cameras on, if possible) to support a purposeful discussion.

Arrangements for hybrid learners' meetings (where some learners and/or inspectors attend a physical meeting and some attend by video conference)

1. There may be occasions when hybrid meetings will need to take place. These could be, for example, a 'listening to learners' session where groups of learners at different campuses attend by video conference and inspectors attend online. In this scenario, it is anticipated that each campus group would have just one video link. Additionally, learners may attend individually, online. In effect, inspectors would therefore be managing several physical meetings – and potentially additional online participants - while themselves attending online. These kinds of meetings will need careful management by inspectors to ensure that all learners/participants have the opportunity to contribute if they wish, that confidentiality of learners/participants is maintained and that the welfare of learners/participants (especially if sensitive topics are being discussed) is safeguarded.
2. Normally, member/s of the provider's staff would not be present in the same room, or online, during these meetings. This is to help ensure that learners/participants can speak freely.
3. Before the meeting, the inspector should ensure that they have a contact number for a designated member of staff, possibly the nominee, should they need to contact them during the meeting.

4. The inspector should arrange with the nominee beforehand that there is an appropriate member of staff nearby and that learners know where to go should they need to leave the meeting for any reason.
5. At the start of the meeting, the inspector should remind learners that they should not make any audio or video recordings of the session and that neither will Estyn.
6. The inspector should introduce themselves, explain the purpose of the meeting, explain the need for participants to maintain the confidentiality of what is said in the meeting, explain protocols for indicating that a participant wishes to speak (physically raising hand for those present in a physical meeting or virtually for those attending online) and assure participants that everyone will have an opportunity to contribute if they wish.
7. If a learner becomes distressed and wishes to leave the meeting, ask them to go straight to the member of staff who is available in such circumstances. If a learner attending online wishes to leave the meeting, please re-assure them and ask them if they would like to turn off their camera and mic for a while and re-join if they wish to do so. The inspector should inform the nominee immediately if a learner leaves the meeting.
8. If learners behave inappropriately, please respond as would be the case during a face-to-face meeting, by reminding them of the ground rules which have already been shared with everyone. Ensure the inspector informs the nominee immediately if a learner leaves the meeting.

Guidance for participants joining an online meeting from their homes

This is guidance to be shared with participants at larger meetings. It is intended for users who may be unfamiliar with video conferencing or attending large online meetings.

Thank you for agreeing to meet with our inspectors. You should have received information about this meeting from the provider which would have included the name of the inspector conducting the meeting, the date and time of the meeting and the link to attend the meeting. If you have not received this information, please contact the provider as soon as you can.

Before the meeting

- Try to ensure you are sitting comfortably in a well-lit room with no noises to distract you.
- If possible, sit somewhere with a plain background, or use the blurred background feature. This helps avoiding distracting others in the meeting and keeps your home environment private.

When you join the meeting

- You will usually go through automatically into the ‘lobby’. Inspectors will let people into the meeting before it starts, so please don’t worry if you’re not let in straight away.

During the meeting

- **Do not** make an audio or video recording of the meeting. All information is discussed in confidence and should not be shared outside of the meeting. Please respect the confidentiality of everyone involved in the meeting.
- An inspector will chair the meeting. They will introduce themselves and explain the format of the meeting.
- Please mute your microphone unless you are speaking. This helps reduce background noise for everyone in the meeting.
- Please use the ‘raise hand’ function to ask questions or to make an observation. Alternatively, you can use the chat function to ask a question. The inspector chairing the meeting will keep an eye on the chat and will invite you to speak at the appropriate time. Please do not use the chat function for making comments or opinions.
- Please be respectful of the right of others to speak freely and be treated fairly.
- Inspectors reserve the right to mute participants who do not follow these ground rules, or to eject them from the meeting.

Arrangements for scrutiny of learners’ work

1. The reporting inspector will agree arrangements for viewing learners’ online work with the provider.
2. Where possible, inspectors will speak with learners directly about their work and ask them to show their work, for example, viewing work on learners’ devices or on computers in the classroom, library or learning resource area.
3. Inspectors may ask staff and leaders to show examples of learners’ work and discuss the rationale and approach for online, blended or hybrid teaching, learning and assessment practices.

Glossary

Providers across the post-16 sector attribute words and phrases associated with online learning with different meanings in different contexts. For the sake of clarity, the words and phrases listed in this glossary refer to the definition of the words and phrases Estyn has used in the context of this document.

Asynchronous – learning that does not occur at the same time for a whole cohort. Learners can access resources and communicate at any time and are not restricted to accessing this learning at any specific time

Blended learning – teaching and learning that takes place using a blend of remote and onsite face-to-face teaching and learning at different times

Face-to-face – teaching and learning that takes place at a provider’s venue

Hybrid delivery – that takes place using a blend of remote and onsite face-to-face delivery simultaneously

Online – all teaching and learning activity delivered and undertaken using information and communication technology

Onsite – teaching and learning that takes place at a provider’s venue and learners attend in person

Remote delivery – teaching and learning that takes place wholly at distance using information and communication technology

Synchronous – where the teacher and learners are all engaging with material in real time, at the same time, although not necessarily in the same place (for example, some learners may participate onsite while others may participate remotely, both at the same time)

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