

## **Inspecting for the future (2024 – 2030)**

### **How we inspect (the inspection process): Maintained schools and pupil referral units**



**This document is also available in Welsh**

**This guidance for inspectors outlines Estyn’s approach to inspection activity with schools and Pupil Referral Units (PRUs)s. For core inspections, it should be read alongside ‘What we inspect’**

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## Introduction

### Purpose of the guidance handbook 'How we inspect'

This handbook sets out our approaches to inspecting maintained schools (primary, secondary, all-age and special schools), and pupil referral units. 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 providers to support their understanding of the inspection mind-set and methodologies.

The guidance should be read alongside '[What we inspect](#)', which outlines the inspection framework. Schools and PRUs can use this guidance to see how inspections work.

Where the inspection identifies practice worth sharing, inspectors will include a spotlight on this practice as part of the inspection 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 the different types of follow-up activity is available on p16 of this handbook.

There is further information about inspections on our website [www.estyn.gov.wales](http://www.estyn.gov.wales)

### Legal basis for the inspections of schools and pupil referral units

School and PRU inspections are governed by the Education Act 2005 and related regulations. Inspections must be conducted by teams of inspectors, led by an HMI, additional inspector or Registered Inspector, and must result in a published report. Section 28 of the Education Act 2005 says that inspectors must report on:

- the educational standards achieved
- the quality of education provided
- how far education meets the needs of the range of pupils
- the quality of leadership and management, including whether the financial resources are managed efficiently
- the spiritual, moral, social and cultural development of pupils
- whether the provision promotes healthy eating and drinking
- the contribution of the provision to the well-being of pupils

Some schools have a religious character and teach denominational religious education. In these schools, denominational religious education and the content of collective worship are inspected separately under Section 50 of the Education Act 2005 and are not included in Section 28 inspections.

The Education Act 2005 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 intentionally to obstruct HMCI (and inspectors deployed by HMCI) in the exercise of functions in relation to inspection.

## **Policy background**

This guidance handbook takes account of current Welsh Government policies.

More information on Welsh Government policies can be found at [Education and skills | Topic | GOV.WALES](#)

## **Inspecting the Curriculum for Wales in maintained schools and PRUs**

Inspectors will approach their evaluation of the school or PRUs curriculum taking account of the provider's vision, context and rationale for developing their curriculum in line with the requirements for Curriculum for Wales. They will take account of the statutory guidance in place. Inspectors will evaluate how effective the school's and PRUs curriculum is in providing a worthwhile range of learning experiences to improve the learning and progress of all pupils.

Inspectors should consider the positive or negative effects of curriculum arrangements on how groups of pupils access the full range of learning experiences overall. For example, we will consider whether all pupils of all ages access a broad and balanced curriculum.

We will review our reporting requirements in relation to the curriculum on a regular basis. These reviews will ensure that the inspection framework remains aligned with the programme for statutory implementation of the Curriculum for Wales.

## **Part 1: Arrangements for engagement with providers**

### **Introduction**

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

### **Principles of our work**

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

- take a pupil-centred approach to any activity or engagement
- always focus strongly on the quality and effectiveness of teaching and learning
- take into account the specific context of the provider and adapt their approaches accordingly
- 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 weaknesses.

In addition, our inspectors will:

- ensure that all activity and engagement is responsive to the needs of all pupils
- ensure that 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 pupils and other stakeholders
- apply the principle of equality for Welsh and English to all our activity

In core inspections in particular, our inspectors will:

- involve the provider fully in the inspection process, including the opportunity for the provider to select a nominee (who should normally be the headteacher)
- 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 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 provider's strengths and areas for improvement.
- **Supportive** – we work to guide providers to implement improvements that benefit pupils. Wherever appropriate, 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 providers 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 provider's unique situation. We plan our engagement and inspection activity and report on strengths and weaknesses in ways that reflect the particular circumstances of each individual provider. As a result, our actions promote trust and respect.

## Expectations of inspectors

Our expectations of inspectors make clear 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 behaviour and conduct.

When conducting engagement with a provider, inspectors will:

- be courteous and professional
- establish and maintain appropriate professional boundaries when talking to both pupils and adults
- carry out their work with integrity, respect and due sensitivity
- take all reasonable steps to prevent undue anxiety and to minimise stress during inspection activity
- evaluate the work of the provider 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 pupils
- 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 our evaluations is whether the methods and organisation are fit for the purpose in supporting all pupils to achieve high standards and strong levels of well-being.



Inspectors should inform Estyn of any perceived or actual conflicts of interest whenever they receive notification of engagement, for example that they are part of a provider's inspection team.

### **Expectations of providers**

In order that inspection and regulation are constructive and beneficial, it is important that inspectors and providers 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 providers, including members of the governing body and management committee members, to:

- be courteous and professional, treating inspectors and inspection support staff with respect
- act in the best interests of pupils
- provide evidence – or access to evidence - that enables inspectors to conduct the inspection in an open, honest and objective way
- recognise that inspectors need to observe practice and to talk to staff, pupils and other stakeholders without the presence of a manager or senior leader
- work with inspectors to take all reasonable steps to minimise disruption, stress and bureaucracy
- maintain a purposeful dialogue with the reporting inspector and other inspectors
- draw any concerns about the inspection to the attention of inspectors in a timely and suitable manner through the nominee
- give due regard to the health and safety, and well-being of inspectors while on the premises
- maintain the confidentiality of meetings and inspection findings until the final publication of the report
- ensure that inspection teams have access to a private area to discuss inspection evidence and hold confidential discussions
- refrain from taking photographs or videos during the inspection process, including of draft evaluations developed during the inspection

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

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

### **Expectations of local authority and regional officers**

Local authority and regional officers who attend feedback at providers are expected to comply with the same principles of the expectations of providers.

### **The Welsh language**

We will carry out any engagement, including inspections, in line with our [Welsh Language Policy](#), available from our website. Inspectors will also use our supplementary guidance on [literacy](#) and [Welsh](#) wherever appropriate.

## **Safeguarding, including health, safety and well-being issues**

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

If an inspector becomes aware of a safeguarding allegation/suspicion in respect of a child, 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 pupils' health, safety and wellbeing. The officer will also advise the RI whether or not to share the concern with the school or PRU.

Where these risks are a serious concern during core inspection activity, inspectors should include a short comment in the report's text and a recommendation in the report.

We will send a wellbeing letter to the provider and the local authority (and diocesan director, if appropriate) asking them to outline how they will address the shortcoming.

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 school or PRU who will be expected to provide evidence of the concern being resolved during the inspection.

If the concern/s is more serious and cannot be addressed quickly, the RI should inform the IC who will issue a site management letter to the local authority. It will be their responsibility to ensure that the issue/s is addressed. The school or PRU should also be informed of this. If a less significant issue is not addressed satisfactorily during the inspection, then this process will also apply.

## Part 2: Core (Section 28) inspection activity

### Approach to Section 28 inspections

The number of inspectors and the number of days they spend at the provider may vary according to the size and context of the provider.

### 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 providers to upload information before the inspection and to download guidance from us about the inspection process. The VIR is also the place where headteachers and nominees can access the post-inspection questionnaires (PIQs).

We ensure the security of information uploaded by subjecting the VIR to security testing. This testing evaluates systems 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.

### The Section 28 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	<p>The RI for an inspection will be one of the following:</p> <p>HMI (His Majesty’s Inspector of Education and Training in Wales) – HMIs are appointed by the crown. They are civil servants employed directly by Estyn.</p> <p>AI (Additional Inspector) – AIs normally join Estyn temporarily, for example on secondment from schools or PRUs.</p> <p>Rgl (Registered Inspectors) – Rgls are trained and qualified lead inspectors who are contracted to lead specific inspections. Often Rgls are current or recently retired headteachers who have significant experience working with Estyn, for example as a peer inspector.</p>	<p>The RI leads and manages the inspection team. They liaise with the school/PRU and the team ahead of the inspection, and quality assure the team’s work. The RI is the first point of reference for everyone during the on-site part of the inspection process.</p>

<p>Team inspectors (TI)</p>	<p>The number of team inspectors is determined by the size of the provider. Team inspectors may be HMI or contracted additional inspectors who have been trained by Estyn. All team inspectors are qualified teachers. Sometimes, a team inspector with a particular specialism also joins an inspection team for a day, for example if there is a specialist ALN facility such as classes for pupils with a hearing impairment.</p>	<p>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 their work.</p>
<p>Peer inspector (PI)</p>	<p>A peer inspector is a serving senior leader from another school or PRU who has completed Estyn’s PI training and assessment. All inspection teams have a peer inspector as a team member. In larger schools/PRUs, there may be more than one PI on the team. Sometimes challenge advisors join inspection teams.</p>	<p>PIs also take responsibility for gathering evidence to inform the team’s evaluations. They are an integral part of the inspection team. The RI directs and manages their work.</p>
<p>Lay inspector (LI) –</p>	<p>A lay inspector is not a qualified teacher and does not have a background working in schools or PRUs, although normally they have experience in community work of some form. They bring a different non-specialist dimension to the team’s work. All LIs are trained and assessed by Estyn, and contracted to work on specific inspections. Every maintained school and PRU inspection team includes an LI.</p>	<p>The lay inspector considers what it is like to be a pupil in the school or PRU, and they report back to the inspection team (including the nominee). Their views help to inform the team’s ongoing work. Normally the LI joins the team for one day of the inspection week</p>
<p>Nominee (from the provider being inspected)</p>	<p>We will invite the headteachers, or teacher in charge of Pupil Referral Units, to become the nominee, and work with the inspection team. The nominee acts as a link between the provider and the inspection team. In exceptional circumstances, if the headteacher or teacher in charge is unable to act as the nominee, the provider should select a senior member of staff with sufficient seniority to undertake this role.</p>	<p>Providers can access the guidance for nominees on preparing for the inspection from links within the initial contact form (ICF), completed by the Inspection Co-ordinator (IC) and available via the VIR.</p>

### **Contacting the provider and the local authority responsible for maintained schools and PRUs before a core (Section 28) inspection**

The provider will receive 10 working days' notice of a Section 28 inspection. We will send a letter to notify the local authority (and the diocese, where appropriate) of the inspection at the same time.

Following this, the inspection co-ordinator will contact the provider 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 provider's completion of a safeguarding self-evaluation form (either the Estyn proforma or the local authority's template, or the national self-evaluation template), and make the arrangements for receiving it in electronic form through the VIR
- ask if there are any issues or risks the team should be aware of, and request a general health and safety briefing for the team at the start of the inspection
- establish whether the provider wishes to have a nominee and, if it does, agree the role of the nominee and explain the process for completing the nominee guidance
- provide links and guidance for the completion of the suite of online pre-inspection questionnaires (e.g. pupil, parents, staff etc)
- agree arrangements for setting up a meeting with parents/carers
- ensure that there are agreed procedures for addressing any concerns or complaints that might arise during the inspection
- arrange for members of the governing body, management committee or the proprietor to meet inspectors during the inspection period
- 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 provider in writing, through the initial contact form, of the key inspection arrangements

The inspection co-ordinator will request the following information from the provider through the VIR as soon as possible after the formal notification of the inspection:

- key background information e.g. names of staff and information about their roles and responsibilities
- a copy of the most recent development or improvement plan
- details of the timetables for the period of the inspection

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

When we notify providers of the inspection, they will receive information on how to

access online questionnaires for pupils, parents/carers and staff. In maintained schools and PRUs, questionnaires are also available for members of the governing body or management committee. The outcomes of the pre-inspection questionnaires will form part of the pre-inspection evidence and support inspectors to form their evaluations of the school's or PRU's work.

We notify the local authority of the inspection when we notify the provider. When we contact the local authority, we request a report using a template provided that should provide brief details on the provider's main strengths and areas for development.

### **Planning the Section 28 inspection and preparing the team**

The reporting inspector will plan the inspection and allocate responsibilities to members of the inspection team, taking into account the provider's improvement priorities and any other information.

We require providers to place a full plan of all the activities during the inspection week in the VIR. The reporting inspector will plan the team's activities based on the information provided.

### **During the Section 28 inspection**

#### **Initial team meeting**

The initial inspection team meeting may include:

- a health and safety briefing from the provider
- a short briefing from the headteacher or teacher in charge about the context of the school/PRU
- a brief position statement from the headteacher or teacher in charge to set out the provider's strategic priorities and its current stage of development
- a discussion with the headteacher or teacher in charge (led by the RI) about the improvement priorities identified by the provider and the progress to date in its improvement work
- a discussion regarding how inspectors will be able to access important information

The RI will confirm these arrangements with the headteacher or teacher in charge during the pre-inspection phone call.

#### **Gathering and reviewing inspection evidence**

The team will plan the inspection so that they can cover the reporting requirements of the three inspection areas. The RI will plan the inspection activity flexibly, in response to the provider's, individual circumstances. This means that the activities planned in one provider 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:

- observation of teaching and other activities, including evidence gathered through learning walks
- samples of pupils' work
- discussions with pupils, staff, leaders, managers, governors or management committees, parents and others
- pre-inspection questionnaire responses
- documentary or electronic evidence, e.g. information on pupils' progress
- relevant information from the local authority/regional consortium

The team will use direct observation of pupils' work wherever possible to gather evidence to support their evaluations. Inspectors may select an additional sample of pupils' work, if required, to support their evaluations of a specific aspect.

Providers should make information available to the inspection team about the standards achieved by pupils, particularly the results of any initial screening tests and other relevant assessments. This will help inspectors to evaluate pupils' progress, to come to a view about the standards pupils achieve compared to their starting-points and the way teachers use the information from assessment to influence their planning and their lessons. We will not take account of the new secondary school performance measures for comparative purposes, until there is enough data to provide meaningful trends.

The team will consider stakeholders' views on the provider and test out the validity of those views during the inspection.

### **Recording inspection evidence**

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

### **Team meetings**

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

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

In the very few instances where the nominee is not the headteacher, where time allows, the reporting inspector may hold a brief daily meeting with the headteacher to clarify inspection issues and the broad, emerging findings of the inspection team. However, normally, the headteacher should be the nominee. This means that they will hear the emerging findings at each team meeting and be well placed to gather any further evidence for the team to consider.

## Professional dialogue

Throughout the inspection, inspectors will engage in professional dialogue with practitioners. This dialogue may include meeting with individual teachers, often in their classrooms to discuss their planning and assessment of pupils' work. Inspectors may want to meet with groups of support staff, for example to understand the school's or PRU's arrangements to support pupils with ALN. Inspectors may decide to meet with leaders, either individually or as a group, to understand the impact of the provider's leadership on bringing about improvements to pupils' 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 pupils' work or talking to pupils or as the result of moderation within the team.

Normally, following a lesson observation, inspectors will offer a brief professional dialogue with the member of staff on the learning seen. It may be necessary, in some cases, to conduct this discussion later during the inspection.

At all times, the main focus of the professional dialogue should be on the pupils, the progress they make during the lesson and the standards they achieve. Inspectors should focus on any strengths or areas for development in relation to the specific work seen.

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

## Formal feedback

At the end of the on-site part of the inspection, the team will provide verbal feedback to senior leaders. For this feedback meeting:

- Maintained schools and PRUs should invite a representative from the governing body or management committee.
- In secondary, PRUs and all-age schools, the school should invite a representative from both the local authority and the regional consortium to attend the meeting. In primary schools, in the interests of efficiency, normally only one representative from either the local authority or the regional consortia should attend. However, where a primary school requires statutory follow-up, an assistant director will inform the local authority in advance of the meeting (normally on the Wednesday evening or Thursday morning), as the LA and the region may each want to send a representative to the feedback meeting.
- In faith schools, the school may also invite a representative from the local diocesan authority.

The feedback meeting provides the opportunity for leaders and managers 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 provider 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 the inspection, the team will consider if there is any effective practice that is worth sharing with other providers. Where this is the case, the reporting inspector will include a spotlight on this practice as part of the inspection report.

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

All the evaluations and findings reported during an inspection, including the level of follow-up if appropriate, are provisional and subject to moderation and validation by HMCI. They are confidential to the provision's staff and governors or management committees. They should not be communicated beyond this group, including via social media, until we publish the report on our website.

### **Complaints about the inspection process**

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

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

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 school or PRU has the opportunity to provide all of the evidence needed for the inspection team to reach its judgements accurately and fairly.

## **After the Section 28 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 provider.

When writing reports, inspectors should take account of Estyn's writing guidance, which is available on our website [www.estyn.gov.wales](http://www.estyn.gov.wales).

We will publish reports bilingually, where schools or PRUs have made this request, in line with our Welsh Language Policy.

We base the structure of the inspection report on our inspection framework. We will produce the report within statutory timescales.

## **The factual accuracy check**

We will give the provider a draft of the Section 28 report prior to publication, to help check the factual accuracy of the content. The provider 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 providers on the nature and scope of this check on our website.

## **Assuring the quality of inspections**

We are committed to:

- effective selection, training, briefing, support and deployment of inspectors, including peer inspectors and lay inspectors
- effective training, briefing and support to allow the nominee to play an active role
- regular dialogue with the nominee during Section 28 inspections
- 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 providers to complete a post-inspection questionnaire (PIQ). The questionnaire will be available in the VIR. Providers should complete the first part of the PIQ as soon as possible after the on-site inspection and submit it electronically to Estyn through the VIR system. They 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 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 assuring the quality of inspections are available on our website [www.estyn.gov.wales](http://www.estyn.gov.wales).

## **Interim visits**

Within a six year period, schools and PRUs will have a core inspection and an interim visit.

Interim visits will last between a day or two days and will involve a between one and four inspectors visiting, depending on the size of the school or PRU. These visits will reflect on the recommendations made during the previous core inspection or current development plan.

Schools and PRUs do not need to prepare for an interim visit and will be given 5 days' notice ahead of time.

Information about interim visits is available on Estyn's website. We may request a small number of documents including a copy of the most recent development or improvement plan and information about leadership roles and responsibilities. The reporting inspector will contact the school or PRU ahead of the interim visit to agree its focus and what you can expect. There will also be an opportunity to ask any questions.

Following an interim visit, we will provide feedback to the headteacher and publish a short letter on our website.

### **Part 3: Follow-up guidance**

This guidance identifies the steps that inspection teams in maintained schools and PRUs should take to help them to identify the most appropriate level of statutory follow-up activity. It will be useful for schools and PRUs to understand these procedures and the factors that inspection teams will consider when deciding on the most appropriate level of follow-up.

This guidance is flexible as we need to be responsive to the wide variety of situations that occur in schools/PRUs as they improve after core inspections. We reserve the right to adapt the guidance to meet the needs of specific schools/PRUs.

#### **Guidance for inspectors on placing a maintained school or PRU into follow-up**

##### **Background**

During all core (Section 28) inspections, the inspection team will consider whether the school or PRU needs any follow-up activity.

There are two types of statutory follow-up activity:

- 1 Special measures**
- 2 Significant improvement**

Special measures and significant improvement are statutory categories that apply to schools and PRUs causing concern as defined by the Education Act 2005 and any associated circulars. Estyn has a duty inform the Minister for Education and Welsh Government officers when schools or PRUs are placed in these categories. We will keep them informed of subsequent progress following monitoring inspections, as required by the legislation.

The definition of a school or PRUs in need of special measures and the definition of a school or PRUs in need of significant improvement are in section 44 of the Education Act 2005.

Special measures and significant improvement require monitoring activity by Estyn inspectors, who will visit the school or PRU to evaluate the progress.

The same quality assurance processes apply to follow-up work as to core inspections. The only judgement reported during a monitoring visit is whether a school or PRU continues to require follow-up activity. This decision is provisional and subject to moderation by HMCI. It is confidential to the school or PRU until the report is published.

### **Guidance for inspectors about schools or PRUs causing concern that may require placing in a statutory category**

In accordance with relevant legislation, on **every** inspection, inspectors should decide if the school or PRU is in need of special measures by considering:

- if the school or PRU is failing to give its pupils an acceptable standard of education
- if the persons responsible for leading, managing or governing the school or PRU demonstrate the capacity to secure the necessary improvement

Inspectors must consider if the school or PRU has the capacity to improve before coming to a judgement about whether it requires special measures. If they conclude that the school or PRU does not require special measures, they should then consider whether the school or PRU is in need of significant improvement. Inspectors must consider if the school or PRU is performing significantly less well than it might in all circumstances reasonably be expected to perform. In practice, this is likely to mean that:

- the school or PRU has at least one important shortcoming that has a notable impact on pupil outcomes

The inspection team must report as they find and be able to substantiate their judgements on the basis of sound evidence. Coming to a judgement that a school or PRU needs special measures or significant improvement is not an easy task, but it must not be avoided. If the evidence points to the conclusion that the school or PRU requires special measures or is in need of significant improvement, inspectors must make that judgement.

## **1 Special measures**

Section 44 of the education act 2005 states, 'special measures are required to be taken in relation to a school or PRU if:

- (a) the school or PRU is failing to give its pupils an acceptable standard of education, and
- (b) the persons responsible for leading, managing or governing the school or PRU are not demonstrating the capacity to secure the necessary improvement

Schools and PRU identified as in need of **special measures** during a core inspection are likely to have many important shortcomings in their work. Some may have a few important areas for improvement to a very marked degree or many areas for improvement to a lesser degree. In most instances, it will be the cumulative weight and effect of a combination of these areas for improvement which, when taken together, will prompt the decision that a school or PRU is not providing an

acceptable standard of education. While one feature alone is unlikely to result in a decision that a school or PRU requires special measures, where inspectors find low standards and poor teaching and learning, significant risks to pupils or the likelihood of a breakdown of discipline, the school or PRU will normally require special measures.

Inspectors must also consider carefully whether the persons responsible for leading, managing or governing the school or PRU are demonstrating the capacity to secure the necessary improvement in the school or PRU. In judging whether senior managers have the capacity to bring about improvements, inspectors will need to give attention to how well these persons know and understand the strengths and weaknesses of the school or PRU. Inspectors should also establish if senior managers show the ability to tackle the weaknesses through the sense of purpose and direction they provide. Discussions with senior managers should provide evidence of how they are tackling these issues and if they are giving attention to the right things. Senior managers should be able to demonstrate that they know what quality of work they expect of pupils and those they manage and be able to communicate these expectations to colleagues.

Inspectors should also take account of how well governors or management committees understand the issues that affect the performance of the school or PRU. They should evaluate how well they use the information provided by leaders to take effective and appropriate decisions. Inspectors should consider whether governors or management committees meet the duties imposed on them by educational and other legislation.

**Inspectors must give particular consideration to identifying the school or PRU as needing special measures when there are important shortcomings in inspection area 3, leading and improving.**

At all times, inspectors should remember that the main emphasis in school and PRU inspections is on the progress that pupils make from their starting points, the standards that they achieve and their levels of well-being. These aspects should be discussed as a matter of importance in team meetings. Inspectors' discussions should take account of any mitigating factors to ensure the validity and reliability of judgements before coming to a decision that a school or PRU does or does not require special measures.

Inspectors may also find it helpful to use the questions below to help them to judge whether a school or PRU requires special measures. It would not be necessary for each question to be answered as 'yes' to result in a school or PRU requiring special measures.

### **General**

- Is the school or PRU failing to give its pupils an acceptable standard of education?
- Do the leaders and managers demonstrate insufficient capacity to secure the necessary improvement?

### **IA1 Teaching and learning**

- Is the achievement of pupils not as good as would normally be expected?
- Are pupils making insufficient progress in their acquisition of knowledge, understanding and skills?
- Is there a high proportion of ineffective teaching?
- Are the teachers' expectations of pupils' achievement too low?
- Do pupils lack motivation and display negative attitudes to learning?
- Do substantial proportions of pupils or a particular group of pupils attend poorly?
- Does the curriculum fail to provide learning experiences that engage pupils?

### **IA2 Well-being, care, support and guidance**

- Are there serious shortcomings in the school's or PRU's provision to safeguard pupils, for example in addressing any perceived bullying or poor behaviour?
- Do weaknesses in the school's or PRU's provision mean that pupils are at physical or emotional risk from other pupils or adults in the school or PRU?
- Are relationships between staff and pupils and between pupils themselves poor?
- Do substantial proportions of pupils or a particular group of pupils attend poorly?
- Does the school or PRU fail to promote the well-being of its pupils?
- Does the school or PRU fail to prepare pupils for adult life, including the world of work, where appropriate?

### **IA3 Leading and improving**

- Have leaders had a limited impact on achieving clear and sustained progress?
- Do the governors or management committees hold the school or PRU to account with insufficient robustness?
- Do self-evaluation processes lack accuracy and rigour, giving the school or PRU an overgenerous view of pupils' progress and the quality of teaching?
- Do improvement planning processes lack clarity and precision and are ineffective in securing improvement?
- Do leaders have a limited impact in tackling important weaknesses in performance?
- Is poor management of resources and accommodation seriously impeding educational progress?

The inspection team must be clear about why they judge that a particular school or PRU is in need of special measures.

### **Procedures to be followed if the school or PRU is judged to require special measures**

Inspectors should report their decision using the prescribed wording and must follow the specific procedures set out below.

If the school or PRU is judged to require special measures, the RI should take the following steps:

- telephone and inform the appropriate inspection co-ordinator at Estyn (tel. 02920 446446) before the school or PRU is told of the judgement and no later than the end of the inspection:
  - 1) inform the headteacher or teacher in charge verbally that, in the opinion of the inspection team, there are serious deficiencies in the school's or PRU's performance and capacity, and list those deficiencies
  - 2) explain that it is likely that the school or PRU will be judged to require special measures and that the team now needs to review the evidence
  - 3) remind the senior managers of the need to ensure confidentiality about the team's possible findings
- at the verbal report to senior management, state that the team has judged that the school or PRU does not give an acceptable standard of education, and explain carefully the reasons for this judgement. The following form of words could be used:

'I am of the opinion that special measures are required in relation to this school or PRU because it is failing to give its pupils an acceptable standard of education and senior leaders lack the capacity to secure the necessary improvements. In accordance with the Education Act 2005 I shall send a draft report to HMCI and will await his judgement whether he agrees or not that this school or PRU requires special measures.'

The RI should be prepared to justify the judgement, and to take note of any factual matters which the senior management wishes to put forward. The RI should make clear to senior management and any governor and LA officer present that:

- this judgement is their judgement and is shared by team
- in accordance with the Education Act 2005, the RI will inform HMCI
- HMCI must state whether or not they agree with the judgement
- if HMCI agrees with the judgement the school or PRU will be subject to special measures
- the issue of the report may be delayed because of the circumstances, but the maximum delay is three months from the time when it was due

### **Reports and summaries for schools or PRUs requiring special measures**

The RI must make clear in the Report Input Form (RIF) that, in their view, the school or PRU is not providing an acceptable standard of education and senior leaders lack the capacity to secure the necessary improvement (that is, it requires special measures). They must also make clear the shortcomings which led to that judgement. The evidence base for the inspection should fully substantiate the judgement.

HMCI, or HMI acting on behalf of HMCI, will scrutinise the inspection evidence (in the RIF) to check the judgement. HMCI has the power to call for any further information required.

Estyn may visit the school or PRU within three weeks to corroborate the judgement that the school or PRU is in need of special measures, but this will not normally be necessary. The purpose of this visit will be to:

- inspect those aspects of the school or PRU where inspectors have found deficiencies
- determine the validity of their evaluations
- check that they conducted the inspection properly

If, following quality assurance procedures, HMCI **agrees** with the judgement that the school or PRU is failing to give an acceptable standard of education to its pupils and senior leaders lack the capacity to make the necessary improvements, the report will state:

'In accordance with the Education Act 2005, HMCI is of the opinion that special measures are required in relation to this school or PRU'.

If HMCI **does not agree** with the RI's judgement, the report will state:

'In accordance with the Education Act 2005, I am of the opinion, but HMCI disagrees, that special measures are required in relation to this school.'

Before publication of the report, we will write a letter of confirmation to the school, copied to the local authority, explaining that:

- the school or PRU is placed on a list of schools and PRUs requiring special measures
- the school or PRU works with the local authority to address the weaknesses
- Estyn will monitor the progress of the school or PRU regularly, normally every four to six months

HMCI has a duty to notify the Cabinet Secretary for Education and the local authority that the school or PRU requires special measures.

### **Monitoring visits to schools in special measures**

We ask the school or PRU and the LA to work together to create a unified post-inspection action plan (PIAP). This should be sent to Estyn within 20 working days of the publication of the report. In practice, normally we will be in touch before this time to offer our support to the school or PRU.

The PIAP visit will usually be for one day. The visit will support our formal evaluation of the unified PIAP (formerly the school's or PRU's plan and the local authority's statement of action). We will discuss the plans with leaders, governors or management committees and local authority representatives. Together, we will ensure that the plan is robust enough to address the recommendations highlighted in the report as a matter of urgency. When we judge that the plan meets requirements, the school or PRU and local authority should ensure that they send a copy of the document to the Welsh Government.

Subsequent visits will usually be for two days. They will take place at least every six months, and may be termly. We will undertake a range of inspection activity, which may include visiting classes, talking to staff and pupils or taking account of the outcomes of questionnaires, interviewing governors or management committees and senior leaders, considering pupils' work and other documentation.



Normally, each visit will focus on the progress the school or PRU has made towards addressing a sample of recommendations. Over a 12 month period, we will normally evaluate progress against all of the recommendations. Recommendations may be evaluated more than once before the school or PRU is ready to be removed from special measures.

At the end of each visit, we will judge whether the school or PRU continues to require special measures or not. If progress is insufficient, the school or PRU will still require special measures. We will continue to carry out monitoring visits until HMCI decides that the school or PRU has improved enough to remove it from special measures.

If we become concerned that progress towards removing a school or PRU from special measures is too slow, we may arrange an additional visit. We may meet with leaders and representatives from the local authority and regional consortium to reconsider whether the actions that the school or PRU has planned and the support that the school or PRU is receiving are fit for purpose. We will inform Welsh Government whenever we have concerns about the rate of progress.

While a school or PRU is in special measures, governors and the local authority may not appoint any newly-qualified teachers (NQTs or GTPs) to the staff, without seeking our approval.

When the team judges that the school or PRU has made sufficient progress, we will recommend to HMCI that it be removed from the list of schools or PRUs requiring special measures. We will publish a brief report on our website explaining our decision.

### **Improvement conferences for schools or PRUs in special measures**

Where we identify that a school's or PRU's progress in addressing the recommendations from its core inspection is too slow, we may decide to hold an improvement conference. This involves a one-day 'all round the table' discussion between inspectors, senior leaders, governors and representatives from the local authority and regional consortium.

The conference will focus on:

- The progress the school or PRU has made since the core inspection
- Barriers to further progress
- Reviewing the PIAP and local authority statement of action and identifying where they require strengthening and/or updating

We may also contribute to multi-agency meetings, co-ordinated by the local authority.

## **2 Significant improvement**

If inspectors have seriously considered, but rejected, the judgement that the school or PRU is in need of special measures, it is highly likely that it will come into the category of schools or PRUs requiring **significant improvement**.

While a school or PRU in this category may be just about providing an acceptable standard of education, it will have **at least one important shortcoming that has a notable impact on pupil outcomes**.

Examples of an important shortcoming include:

- A substantial proportion of ineffective teaching
- Significant inconsistencies in how well leaders evaluate their provision
- Insufficient focus on national priorities, such as improving attendance, the development of Curriculum for Wales, reducing the effect of poverty on attainment or the development of Welsh language skills

In all circumstances, it is vital that inspectors judge the work of the school or PRU in the context in which it is currently operating. Inspectors **should not** be unduly influenced by:

- recently prepared plans for improvement that have yet to be implemented
- the recent appointment of staff, such as a new headteacher

This is because, in both cases above, the effect or impact of improvements will not have taken place. Inspectors must judge the school's or PRU's current performance and outcomes, rather than good intentions and an aspirational outlook. The guiding principle must be whether the school or PRU is performing significantly less well than it might in all circumstances be expected to perform.

### **Procedures to be followed if the school or PRU is in need of significant improvement**

If the school or PRU is judged to be in need of significant improvement, the RI should:

- telephone and inform the appropriate inspection co-ordinator at Estyn (tel. 02920 446446) before the school/PRU is told of the judgement, no later than the end of the inspection
- tell the headteacher or teacher in charge and any governor and LA representative present at the end of the inspection that the team has reached the judgement that the school or PRU is in need of significant improvement

HMCI, or HMI acting on behalf of HMCI, will scrutinise the inspection evidence (in the VIR) to quality assure the team's evaluations. HMCI has the power to call for any further information required.

### **Reports and summaries for a school or PRU in need of significant improvement**

If, following quality assurance procedures, HMCI **agrees** with the RI's judgement, the report will state: 'In accordance with the Education Act 2005 HMCI is of the opinion that this school/PRU is in need of significant improvement'.

If HMCI **does not agree** with the RI's opinion, the report will state: 'In accordance with the Education Act 2005, I am of the opinion, but HMCI disagrees, that this

school/PRU is in need of significant improvement’.

Before publication of the report, we will write a letter of confirmation to the school or PRU, copied to the local authority, explaining that:

- the school or PRU is placed on a list of schools and PRUs in need of significant improvement
- the school or PRU should work with the local authority to address the weaknesses
- inspectors will visit the school or PRU, normally in the term after publication of the report, to evaluate whether the school or PRU’s post-inspection action plan (PIAP) and the local authority’s statement of action are suitably robust to bring about the required improvements
- about 12-18 months after the publication of the report, Estyn will undertake a monitoring visit to the school or PRU and make one of the following decisions:
  - 1) if enough progress has been made, the school or PRU can be removed from the list of schools in need of significant improvement
  - 2) in exceptional circumstances, one further visit to the school or PRU may be necessary
  - 3) if the school or PRU has not made enough progress and does not give sufficient indication that it has the capacity to do so, then consideration will be given to placing the school or PRU in special measures

HMCI has a duty to notify the Cabinet Secretary for Education and the local authority that the school or PRU is in need of significant improvement.

### **Monitoring visits to schools in significant improvement**

If a school or PRU is identified as requiring significant improvement, we will inform the Welsh Government that the provider has been placed in a statutory category.

We ask the school or PRU and the local authority to work together to create a unified post-inspection action plan (PIAP). This should be sent to Estyn within 20 working days of the publication of the report. In practice, normally we will be in touch before this time to offer our support to the school or PRU.

The PIAP visit will usually be for one day. The visit will support our formal evaluation of the unified PIAP (formerly the school’s or PRU’s plan and the local authority’s statement of action). We will discuss the plans with leaders, governors or management committees and local authority representatives. Together, we will ensure that the plan is robust enough to address the recommendations highlighted in the report as a matter of urgency. When we judge that the plan meets requirements, the school or PRU and local authority should ensure that they send a copy of the documents to the Welsh government.

Subsequently, we will send a small team of Estyn inspectors to visit the school or PRU about 12-18 months after the publication of the inspection report. The visit will usually be for two and a half days, and the number of inspectors will be proportionate to the size and nature of the school or PRU. Inspectors will focus on the progress the school or PRU has made towards addressing the recommendations highlighted in

the report, taking account of the milestones identified in the action plan. They will undertake a range of inspection activity, for example visiting classes, talking to staff and pupils and scrutinising pupils' work.

If the team judges that the school or PRU has made enough progress in relation to the recommendations, the team will recommend to HMCI that the school or PRU be removed from the list of schools and PRUs requiring significant improvement. We will publish a brief report on its website explaining our decision.

If progress is insufficient, the team will normally identify the school or PRU as requiring special measures. In exceptional cases, the team may judge the school or PRU as still requiring significant improvement.. There will then usually be one further monitoring visit in around six months. The six-month period should ensure that the school or PRU is ready to be removed from the list. If it is not, then the provider will be placed in special measures.