

SCHOOL INSPECTION SERVICE

*Independent professional inspection of schools affiliated to the Focus Learning Trust,
of schools accredited as members of the Steiner Waldorf Schools Fellowship,
and of those schools belonging to the Cognita Group which are not members of the
Independent Schools Council and its constituent associations*

HANDBOOK SECTION 3(b) [JCB2]
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THE FRAMEWORK FOR THE INSPECTION OF SCHOOLS AFFILIATED TO THE FOCUS LEARNING TRUST, OF SCHOOLS AS MEMBERS OF THE STEINER WALDORF SCHOOLS FELLOWSHIP, AND OF THOSE SCHOOLS BELONGING TO THE COGNITA GROUP WHICH ARE NOT MEMBERS OF THE INDEPENDENT SCHOOLS COUNCIL AND ITS CONSTITUENT ASSOCIATIONS

**A Framework agreed between the Department for Education
and**

**The Trustees of the Focus Learning Trust
for the inspection of its affiliate schools in England**

**The Trustees of the Steiner Waldorf Schools Fellowship
for the inspection of its associated schools in England**

**The Administration of the Cognita Group
for the inspection of those of its schools in England and Europe which are not
members of the ISC and its constituent associations**

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CONTENTS

	Page
INTRODUCTION	
Focus Learning Trust, Steiner Waldorf Schools Fellowship and Cognita Group	3
The implications of the Education Act 2002	3
Definition of terms	4
SECTION 1: THE BASIS FOR INSPECTIONS	
The legal requirements for registration of independent schools	6
The purpose of inspections	6
The principles governing inspections	6
Which schools are inspected?	7
How often will schools be inspected?	8
Who are the inspectors?	8
What happens to new schools?	9
SECTION 2: THE EVALUATION SCHEDULE	
The purpose and scope of the inspection	10
Compliance with the regulations for registration	10
The quality of organisation and management	11
The quality of EYFS	11
SECTION 3: THE CONDUCT OF INSPECTIONS	
What happens before an inspection?	12
What happens during an inspection?	12
What happens after an inspection?	13
Use of inspection data	14
Failure to meet the requirements of registration	14
The quality of inspection	15
Complaining about an inspection	15

INTRODUCTION

Focus Learning Trust and its affiliated schools, Steiner Waldorf Schools Fellowship and schools in association with it, and Cognita schools not in membership of ISC and its constituent associations.

The Focus Learning Trust (FLT) is the organisation established in the summer of 2003 in order to provide central support to schools established in Great Britain and Ireland by local educational trusts in various towns and cities. Individual schools are affiliated with the central body, which provides **advisory support, legal advice, policy guidance**, and, on occasion, limited **financial support**. Each school retains its independence, but, as a condition of affiliation, agrees to abide by central principles and policies.

In accordance with **Section 162 (A) (1)(b)** of the **Education Act 2002**, **Focus Learning** entered into an agreement with the **Department for Education** and has been registered as a body recognised for the purpose of the inspection of its affiliated schools in England. The provisions of this agreement do not apply to affiliated **Focus schools** in Scotland, Northern Ireland, or Wales.

The following **Framework** and the accompanying documentation are based on the **Framework for Inspecting Independent Schools in England under Section 163 (now Section 162 (A)) of the Education Act 2002**, which has been in use by the **Office for Standards in Education (Ofsted)** since September 2003, and subsequently revised.

The original **Framework** was agreed with the **DfE** in September 2006. During the course of the academic year 2006-7, the **DfE** requested the **SIS** to change its pattern of inspections so that they would come into line with the new pattern adopted by **Ofsted**. As a result from September 2007, SIS inspections have been carried out **every three years**, and the original period of notice to schools of six weeks was replaced by a period of notice of **four working days**. This revised **Framework** reflects these changes.

Subsequently, a further agreement has been entered into by SIS with DfE for the inspection of schools in association with the **Steiner Waldorf Schools Fellowship (SWSF)**, active from 2009. This has been followed by another agreement with the **Cognita Group**, active from September 2012, and a further agreement active from October 2013 to inspect EYRS belonging to Cognita and SWSF.

The agreement with DfE was revised in 2015, as has been the Memorandum of Understanding between DfE, Ofsted and SIS.

The implications of the Education Act 2002

The **Education Act 2002** (as subsequently revised in 2005) made substantial changes to the registration and inspection of independent schools:

- from September 2003 all new schools have to meet the standards set out in the regulations before they are allowed to open;

- all independent schools have to be inspected on a regular cycle and such inspections will lead to a published report;
- fees are now charged for the inspection of independent schools carried out by **Ofsted**. Details of inspection charges are to be found in **Statutory Instrument 2003 No. 1926 The Education (Independent School Inspection Fees and Publication) (England) Regulations 2003**.

Section 162 (A) (1)(b) allows for bodies other than **Ofsted** to become recognised bodies for the purposes of inspection of independent schools. This document sets out the way in which the **School Inspection Service** conducts the inspection of independent schools under **Section 162 (A) (2)(a)** of the Act:

- **Section 1** of this document sets out the basis for inspections;
- **Section 2** is the evaluation schedule, which specifies what inspectors must consider in order to judge how well the school is doing and to explain why;
- **Section 3** describes how inspections are conducted.

Definition of terms

Independent school: an independent school is defined as any school that provides full-time education for five or more pupils of compulsory school age, or one or more such pupils with a statement of special educational need, or who is in public care, and is not a school maintained by a local education authority or a non-maintained special school.

Appropriate authority: the proprietor, governing body or trustees.

Parents: the term 'parents' always includes carers who have parental responsibility.

Pupils: references to pupils apply also to children under compulsory school age and to students over 16.

HMCI: Her Majesty's Chief Inspector of Schools in England.

HMI: Her Majesty's Inspector(s) of Schools in England.

AI: Additional Inspectors appointed by HMCI.

School Inspection Service (SIS): The body of professional inspectors contracted by the School Inspection Service Board to carry out its Section 109 inspections. The School Inspection Service is chaired by an independent chairman, and the Inspectors are headed by the Chief Inspector.

Reporting Inspector (RI): The inspector designated to conduct a Section 109 inspection and to take the overall responsibility for the deployment of the inspection team and the final production of the inspection report.

Professional Supporting inspector(SI): A suitably qualified inspector, either a retired HMI or Additional Inspector, or an Inspector experienced in the work of independent inspectorates, appointed by SIS for the purpose of conducting inspections according to Section 109 of the Education and Skills Act 2008.

Lay Inspector(LI): An inspector appointed from within the Focus community, or drawn from SWSF or Cognita (if applicable), who, after appropriate training, participates in Section 109 inspections to look at the school's organisation, ethos and management, and at other areas as may be agreed with the Reporting Inspector.

DfE:the Department for Education.

SECTION 1: THE BASIS FOR INSPECTIONS

The legal requirements for registration

Section 157 of the Education Act 2002 specifies that regulations setting out the standards that independent schools must meet should be made on the following matters:

- the quality of education provided by the school;
- the spiritual, moral, social and cultural development of pupils;
- the welfare, health and safety of pupils;
- the suitability of proprietor and staff;
- the school's premises and accommodation;
- the provision of information;
- the procedures for handling complaints; and
- leadership and management.

Although it does not, at present, relate to **FLT** schools, all of which are for children between the ages of 7 and 18, the inspection of publicly funded nursery education in independent schools in Cognita and SWSF is now conducted by SIS. These inspections are conducted according to Section 122 of the School Standards and Framework Act 1998, and are therefore distinct from the inspection of the whole school which is made under Section 109 of the Education and Skills Act 2008. SIS will continue to report on the quality of provision for pupils aged 3 to 5 in non-registered settings and the extent to which they meet statutory requirements.

The purpose of inspections

The main purpose of an inspection under Section 109 of the Education and Skills Act 2008 is to advise the **DfE** whether independent schools meet the prescribed standards for registration. Under Section 2 (2) (b) of the School Inspections Act 1996 the Secretary of State may request **Ofsted** (or other **recognised inspection bodies**) to inspect and report on other matters in independent schools, as for example, a schools' compliance with Section 28D and E of the **Disability Discrimination Act 1995**, as inserted by the **Special Needs and Disability Act 2001**. Such additional matters will be incorporated into these inspections.

All inspections carried out under Section 109 of the Education and Skills Act 2008 result in a published report. This tells the school, parents and wider community whether the requirements for registration are met, and provides the school with an independent, external view of its strengths and weaknesses. Inspectors tell the school what it does well and what it must do in order to improve, making clear why they have come to their conclusions.

The principles governing inspections

Inspections carried out by the **School Inspection Service** are based on the following principles:

- inspection acts in the interests of children and young people and, where relevant their parents, to encourage high quality provision that meets diverse needs and promotes equality of opportunity;
- inspection is evaluative and diagnostic, assessing quality and compliance and providing a clear basis for improvement;
- the purpose of inspection and the procedures to be used are communicated clearly to those involved;
- inspection invites and takes account of any self-evaluation by those inspected;
- inspection informs those responsible for taking decisions about provision;
- inspection is carried out by those who have sufficient and relevant professional expertise and training;
- evidence is recorded and is of sufficient range and quality to secure and justify judgements;
- judgements are based on systematic evaluation requirements and criteria, are reached corporately where more than one inspector is involved, and reflect a common understanding in Ofsted about quality;
- effectiveness is central to judging the quality of provision and processes;
- inspection includes clear and helpful oral feedback and leads to written reporting that evaluates performance and quality and identifies strengths and areas for improvement;
- the work of all inspectors reflects the Inspectorate's stated values and Code of Conduct; and
- quality assurance is built into all inspection activities to ensure that these principles are met and inspection is improved.

In regard to carrying out its functions of inspection, the **FLT, SWSF** and **Cognita** have a general duty, under section 71 of the **Race Relations Act 1976**, to have due regard to the need to eliminate unlawful racial discrimination and to promote equality of opportunity and good relations between persons of different racial groups. This is now an integral part of the Equality Act (2010).

The inspection of **FLT, SWSF** and **Cognita** schools by the **School Inspection Service** takes into account the aims and the distinctive character of such schools, and reports on the extent to which each school achieves its aims, in the context of the requirements for registration. In inspecting religious education in the school, inspectors consider the contribution of such teaching to the pupils' overall development.

Which schools are inspected?

For the purposes of registration, independent schools are inspected under **section 109(1) and (2)** of the **Education and Skills Act 2008**.

Section 109 allows the **Secretary of State** to approve other organisations to carry out the inspections. **SIS** is recognised as being able to carry out the inspections of **FLT** and **SWSF** schools and those **Cognita** schools which are not members of the ISC and its constituent associations.

How often will schools be inspected?

The **Secretary of State for Education** has requested **Ofsted** (or the appropriate recognised body) to conduct an inspection of a school at least **once** in a **three-year or six-year period**. The selection of **FLT**, **SWSF** and **Cognita** schools for inspection each year will take into account the timing and outcome of its previous inspection and will be agreed with the **DfE**.

The **DfE** may ask **SIS** (or **Ofsted**) to undertake further inspections of a school (demand led) during the three year period in order to follow up a school's progress against an action plan, if the first inspection has shown that it has not met the requirements of the regulations. These will usually be no notice.

The **DfE** may also request **SIS** to undertake further inspections of a school where a **material change** is proposed. **Material changes** are:

- a change in proprietor;
- a change of school address;
- a change in the age range of pupils;
- a change in the maximum number of pupils;
- a change in the gender of pupils;
- a change to boarding;
- a change in the admission of pupils with special educational needs; or
- a change or major alteration to buildings and premises.

Who are the inspectors?

Inspections by **SIS** will normally be carried out by **professional inspectors**, who will be drawn from **SIS's** own **Core Inspection Team** (so long as these have not previously been employed by the school in an **advisory** capacity), and by other retired **HMI** and/or by **Ofsted**-trained **AIs**, or inspectors experienced in work with the Independent Schools' Inspectorate. In all cases, the inspectors' experience and expertise will be matched to the type of school being inspected. In most cases the inspection team will consist of **two or three professional inspectors** and a trained **Lay Inspector**. The **Lay Inspector** will assist the team by looking at agreed areas, and, in particular, at those areas that may not be covered by the regulations, but inspection of which is required by **Focus Learning Trust** or **SteinerWaldorf Schools Fellowship** or **Cognita** (e.g. **management**). As judged necessary by the Chief Inspector, other inspectors may augment the team in the case of larger schools, schools on split sites, or where the school has requested inspection of specific subjects or aspects.

What happens to new schools?

Trustees wishing to open a new school must apply to the **DfE** for registration. They will be asked to supply the information set out in **Statutory Instrument 2003 No.1934 The Education (Provision of Information by Independent Schools) (England) Regulations 2003**.

The **trustees** must also provide evidence of the school's ability to meet the standards required by **Statutory Instrument 2003 No.1910, the Education (Independent Schools Standards) (England) Regulations 2003**. This evidence is considered by the **DfE**, who asks **Ofsted** to arrange an initial visit before the school starts to operate, in order to advise the **Secretary of State** about the school's readiness for registration. Once the school has been registered, it will be inspected by **Ofsted** during its first year under the arrangements set out in this document. Subsequently, inspections will be conducted by **SIS**.

SECTION 2: THE EVALUATION SCHEDULE

All **Section 109** inspections of schools affiliated to **FLT**, **SWSF** and **Cognita** will be carried out according to the **Evaluation Schedule** described below, and this shall also provide the structure for the published report. The **Schedule** will contain the following **three sections** for all inspections:

- Section A: Introduction and summary;
- Section B: Compliance with the Regulations for Registration;
- Section C: Quality of Organisation and Management.
- Section D: EYFS

Note that **Section C** is a requirement of **FLT** and **SWSF**, and on occasions **Cognita**, and not of the current legislation. In the case of the schools associated with **SWSF** and **Cognita**, there will be a fourth section, Section D, for EYFS. Leadership and Management are now covered by Part 8 of Section B.

SECTION A: The purpose and scope of the inspection

Information about the school

The characteristics or philosophy of the school and its pupils - including history of school, location, note of its religious nature, history of previous inspections, age and ability range (including statements where applicable), and what the school aims to achieve.

Summary of main findings

Inspectors will state their judgements about:

- the school's overall effectiveness in meeting its declared aims;
- what the school does well;
- what the school must do in order to meet the requirements of the regulations; and
- what the school must do in order to comply with the **Equality Act 2010**;
- In the case of **SWSF** and **Cognita**, the extent to which the school complies with EYFS requirements.
- EYFS registered settings will be inspected under a separate framework.

Inspectors will analyse the factors that account for the school's strengths and weaknesses.

SECTION B: Compliance with the regulations for registration

Inspectors must judge whether the school meets the standards¹ for registration, as set out in the regulations, in relation to:

- 1) The quality of education provided by the school;

¹ The criteria for judgements in relation to the standards are set out in The Education (Independent School Standards) (England) Regulations 2003.

- 2) The spiritual, moral, social and cultural development of pupils;
- 3) The welfare, health and safety of the pupils;
- 4) The suitability of proprietor and staff;
- 5) The school's premises and accommodation;
- 6) The provision of information;
- 7) The procedures for handling complaints;
- 8) The Leadership and Management.

In each of these sub-sections inspectors make clear whether the school meets the standards required, and, where it does not, what action must be taken. In such cases the school is required to produce an action plan covering these points. Inspectors must explain how they have come to their conclusions.

Where the school's provision meets the standards, inspectors will say so clearly, but they may also make recommendations for the school's further development. Schools are not required to address these points in an action plan.

Note: Inspectors will make reference in appropriate sections of the report to:

- the findings of any self-evaluation undertaken by the school;
- evidence of the views of parents, students, pupils, placing authorities and other significant partners; and, where applicable,
- reports on compliance with environmental health and fire regulations, welfare, health and safety, and, if appropriate,
- those issues identified by **Every Child Matters (ECM)**.

SECTION C: The quality of organisation and management

Inspectors must describe and evaluate the quality and effectiveness of the school's organisation according to the following criteria:

- how is the school organised, and does this facilitate the quality of the teaching and learning?
- how are responsibilities delegated among the teaching staff of the school and are there clearly structured lines of responsibility?
- does the ethos of the school reflect the stated principles of the group of schools concerned?

SECTION D: The quality of EYFS

Inspectors must describe and evaluate the quality and effectiveness of the school's organisation according to the required criteria (see more detailed explanation in the ROIEJ and the guidance to inspectors). Inspectors must describe the quality of learning and teaching against these requirements. Inspectors must note any exemptions, and inspectors must note the extent to which the EYFS provision fulfils the prescribed requirements.

SECTION 3: THE CONDUCT OF INSPECTIONS

What happens before an inspection?

At the start of the academic year in which the inspection is to take place, the **School Inspection Service** will contact **FLT**, **SWSF** and **Cognita** schools to ask about the dates of holidays and any other times when an inspection would be impossible. An information form will also be sent to all schools requesting basic information about the school and its curriculum.

Three working days before the inspection, the **Chief Inspector** (or her delegated administrator) will contact the **Campus Administrator** of the school in the case of **FLT**, the **Administrator** in the case of **SWSF**, and the **Head** in respect of **Cognita**, giving formal notification of the date of the inspection and the names of the inspectors. The **Reporting Inspector** will discuss the practical arrangements for the inspection. He/she may wish to make arrangements for inspectors to talk to key members of staff, meet pupils and look at a sample of their work. The school should ensure that exercise books and other evidence of their work are available for scrutiny on the first day of the inspection. The school will be asked to make information available during the inspection. Inspectors will keep requests for advance information to a minimum, in order to reduce the demands on schools, but they will need some basic information about pupils' achievements and the curriculum, staffing, and organisation of the school so that the inspection can be conducted efficiently. They will also take account of any evaluation the school provides of its own performance.

At the same time questionnaires will be sent to the school for distribution to parents and pupils in order to seek their views.

What happens during an inspection?

Inspectors will arrive as early as they can on the first day of the inspection, which will either be a Monday or a Tuesday and occasionally Wednesday. This will provide an opportunity for the **trustees, senior teacher/ administrator** and **staff** to meet them. During the day they will read through the additional information provided by the school. This may include:

- details of policy documents and schemes of work, in whatever form the school holds the information, including a copy of the School Information and Self-Evaluation Form (SISEF);
- schools will not be expected to prepare extra documents for the inspection, nor to produce lesson plans to a particular format;
- inspectors will also look at a sample of pupils' work, and talk to the senior teacher/administrator and key members of staff about their responsibilities.

The members of the **Inspection team** will spend the next **two or three** days in the school, and during this time they will:

- inspect teaching and learning and evaluate pupils' achievements;
- observe and talk to the pupils;
- follow up inspection issues.

During these days the inspectors will look at a range of lessons. Because inspectors focus on the quality of teaching and its impact on pupils' learning, rather than on the performance of individual teachers, they may not see all staff teaching. The work of unqualified, as well as qualified teachers, and the work of teaching assistants, may be observed, as with the provision of virtual learning and teaching, e.g. video conferencing. Teachers whose lessons have been observed are offered brief feedback, immediately after the lesson or at a mutually convenient time. In addition to observing lessons, inspectors may wish to see evidence of lesson and curriculum planning, marking, assessments and records that are kept of pupils' progress.

The inspectors will make judgements about **pupils' progress** based on the evidence they gather during lessons and from talking to the pupils and looking at their work. They will take account of the school's results in any **public examinations** taken and any other relevant measures of its performance. They will also take account of any value-added data available. They will make judgements on pupils' skills in **speaking and listening, literacy and numeracy**, but will not necessarily cover standards in other areas of the curriculum unless they are of particular relevance to the nature of the school. There will be no feedback to individual subject departments, or separate subject reports, **unless this has been especially asked for in advance, either by the school itself, or by Focus Learning Trust, Steiner Waldorf Schools Fellowship or Cognita Management.**

During their time in the school inspectors will talk to the pupils and observe them at breaks and lunchtimes in social areas of the school. Where appropriate, they will attend assemblies, tutorial sessions and a range of other activities. Schools should make no special arrangements to put on extra activities.

On the final morning the inspectors will use the time to agree and record their findings, and in the afternoon will meet the **trustees** and **the senior teacher or administrator** to feed back the main inspection findings. In a three-day inspection, further coverage of lessons will occur on the **Thursday morning**, and feedback will occur later in the afternoon.

What happens after an inspection?

Around **two** working weeks after the inspection, the school will be sent a draft of the report and is then given **five** working days in which to comment on, and correct, any **factual** errors. The final report will be published about **four** working weeks after the end of the inspection. A copy will be sent to the **school**, to **FLT**, to **SWSF** or to **Cognita**, and to any **local authorities** which fund places for children who have **special educational needs** or are **in public care**. No summary report will be published and it will be the school's duty to send copies of the report to parents. By arrangement, notification of the publication will be given to the media, and interested parties may then obtain copies **by post** from **FLT, SWSF or Cognita**, or by accessing the website established to make reports of the **School Inspection Service** public (www.schoolinspectionsservice.co.uk). By the time of posting the report on the SIS website, the report will have been sent to **DfE**, with recommendations for action where appropriate. **DfE** will then contact the school. The school must be reminded to issue a copy of the full report to all parents, whether in hard copy or electronically.

Use of Inspection data

Focus Learning will keep the data from individual inspections for a **three-month** period. If requested by **Ofsted**, it may supply this data for analysis so that the information gained thereby can be used to contribute to **HMCI's Annual Report to Parliament** and to advise the **Secretary of State**.

Failure to meet the requirements of registration

If the inspection report notes that the school does not meet one or more of the standards required for registration, then the **DfE** will:

- identify the standard or standards in question, and
- require the **trustees or appropriate officer holders** to submit an action plan within a specified period of time. This plan must set out the steps that the school will take to meet the standard(s), and the date by which each step will be taken.

Following submission of the action plan, the **DfE** may:

- reject it, or
- approve it, with or without modifications.

Where an action plan is not submitted, or is submitted but rejected, the **DfE** may:

- determine that the school is to be removed from the register of independent schools, or
- make an order requiring the proprietor to cease using any specified part of the school premises, close any part of the school's operation, or cease to admit any new pupils as specified by the order.

Where an action plan has been approved but the steps identified have not been taken by the required date, the **DfE** may:

- substitute a later date
- make an order as above, or
- determine that the school is to be removed from the register of independent schools.

At the request of the **DfE**, the **School Inspection Service** will advise and/or visit schools to check the suitability of the **action plan** and follow up the progress that is being made in implementing it.

If the **DfE** considers that there is a risk of serious harm to the welfare of the pupils, it may remove the school from the register of independent schools.

Under the provisions of **Section 166 of the Education 2002 Act**, the proprietor of a school has a right of appeal to the Care Standards Tribunal against any Order made by the Secretary of State affecting the registration of the school following the inspection.

The quality of inspection

To satisfy the quality standards required by **FLT**, **SWSF** and **Cognita**, inspectors must ensure that:

- **judgements** about the school and what it needs to do to improve are fair and accurate;
- **communication** of inspection findings is clear and helpful to the school;
- **evidence** is secure and substantiates all inspection judgements; and
- the **conduct of the inspection** is to a high professional standard.

The **Code of Conduct** specifies that inspectors are expected to:

- evaluate objectively, be impartial and have no previous connection which could undermine their objectivity;
- report honestly and fairly, ensuring that judgements are accurate and reliable;
- carry out their work with integrity, treating all those they meet with courtesy and sensitivity;
- do all they can to minimise stress for those involved in the inspection, and act with their best interests and well-being as priorities;
- maintain purposeful and productive dialogue with those being inspected, and communicate judgements clearly and frankly; and
- respect the confidentiality of information, particularly about individuals and their work.

After each inspection a questionnaire will be sent to the school inviting comment on the conduct of the inspection. A further report will be sent to the oversight organisation, encapsulating key findings.

Complaining about an inspection

The vast majority of inspections are carried out successfully and without incident. Should any concerns arise during the inspection, the **trustees** or **senior teacher/administrator** should raise any concerns with the **Reporting Inspector** as soon as possible, preferably while the inspection is taking place. The **Reporting Inspector** will then try to resolve the problem.

Any further complaint should be made to **FLT**, to **SWSF** or to **Cognita** in accordance with its complaints procedure, and to **SIS**.