

ESSEX PRIMARY HEADS' ASSOCIATION

WEBCAST – ANDREW HEMMINGS, SENIOR HMI
MONDAY 8 NOVEMBER 2021
3.30 – 4.35 pm

INTRODUCTION

Andrew was welcomed to the webcast and thanked for joining Essex primary headteachers. During his update, he covered a number of issues and answered questions from headteachers. Andrew noted that he has taken over from Michelle Winter as the Senior HMI, covering Essex, Thurrock and Southend.

COMMON INSPECTION FRAMEWORK → EDUCATION INSPECTION FRAMEWORK

Although the EIF has technically running for some time (since September 2019) the pandemic has interrupted its anticipated and smooth introduction. However, the EIF is now being used fully and properly in inspection. Andrew reminded heads of the “case for change”.

- **Accountability** is important, but the previous heavy focus on data diverted schools from the **real substance of education**.
- An industry arose around data. What young people learnt was too often coming second to delivering **performance table data**.
- This data focus also led to **unnecessary workload** for teachers, diverting them from the reason they chose to enter the profession.
- **Teaching to the test** and **narrowing** had the greatest negative effect on those we care about most; the most disadvantaged and the least able children.
- It was therefore time for Ofsted to stop making separate judgements about pupil outcomes. Any conversations about pupil **outcomes** will now be part of a larger conversation about the **quality of education** they receive.

The judgement areas for Overall Effectiveness changed to quality of education, behaviour and attitudes, personal development, and leadership and management.

In 2019 Amanda Spielman stressed the importance of acquiring knowledge:

*“Twelve years of education should give children a lot more than a disposition to learn and some ill-defined skills. Yet the evidence from the first stage of our research this year is that **the focus on substance, on the knowledge that we want young people to acquire, is often lost...***

... If their entire school experience has been designed to push them through mark-scheme hoops, rather than developing a deep body of knowledge, they will struggle in later study.”

The curriculum is at the heart of the EIF. Ofsted definition:

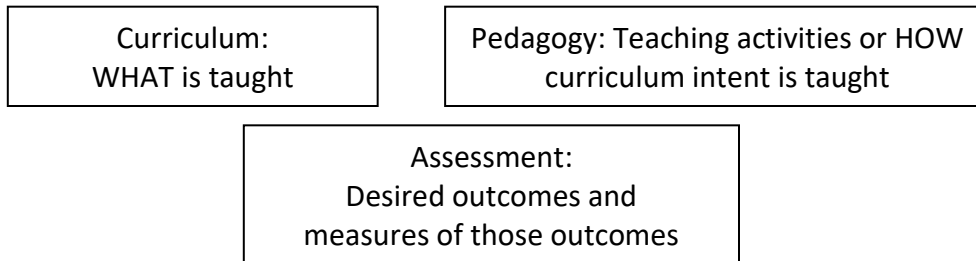
- The curriculum is a **framework** for setting out *the aims* of a programme of education, including the knowledge and understanding to be gained at each stage (**intent**),
- For translating that framework over time into a **structure and narrative**, within an institutional

context (**implementation**), and

- For **evaluating** what **knowledge and skills** pupils have gained against expectations (**impact/achievement**).

Andrew noted that **intent** is not a broad definition; specifically, what do you want pupils to know and understand by the time they leave education? Teaching approaches must ensure that what a school wants pupils to learn are taught systematically. He suggested that national tests and outcomes, and published data has relevance, but should be considered a starting point.

Distinguishing curriculum from teaching and assessment.



Andrew talked about storing the basics in memory...

- Composite
- Underpinned by components

Schools need to be confident that the curriculum as taught makes chronological sense. For example, if we want pupils to know X in Year 1, what must they have previously learnt in Reception to enable this to happen?

Ofsted definition of progress:

“progress is knowing more and remembering more of the curriculum.”

SO HOW DOES OFSTED USE DATA NOW?

Inspectors use the IDSR, which contains only **published national datasets**, as a starting point only. They will then need to **see first hand** the quality of education as experienced by pupils to make any judgements.

Inspectors will **not** look at non-statutory **internal progress and attainment** data on school inspections. That is not to say that they won't be interested in improvements and changes, but want to **hear the school tell their story** of change, perhaps supported by data, rather than to take the internal data alone as evidence.

Data after the pandemic

- Inspectors will consider **available external data** throughout the inspection.
- However, they will be **mindful of the age of this data**, especially around statutory assessment and qualifications, when making judgements.
- Inspectors will **still not expect or accept internal data** from schools either instead of, or in addition to, published data.
- Inspectors will continue to draw on **evidence from pupil work and pupil discussions** when considering the impact of the curriculum.

Specific issues – Key Stage 3

Andrew accepted that this was more relevant to secondary schools, but has an impact on what is

taught in primary schools that feed into a secondary school.

It is for schools to decide how and when the curriculum is delivered, no schools will be judged solely on whether it has a two or three-year KS3. But a shortened KS3 can mean that pupils – especially disadvantaged pupils – do not get access to the rich curriculum envisaged by the national curriculum.

Inspectors will look closely at the KS3 curriculum offered by schools with a shortended KS3 – and will expect schools to explain their thinking. The judgement will be based on whether schools offer pupils a broad and ambitious curriculum across their time in secondary education – not the length of any stage.

RHSE

- Relationships education is now compulsory for all primary school pupils and relationships and sex education is compulsory for all secondary school pupils.
- Health education is also compulsory for all state-funded schools.
- If a school is failing to meet its obligations, inspectors will consider them when reaching the personal development and leadership and management judgements.
- Inspectors will be sympathetic to schools that, as a result of the pandemic, have not been able to fully implement the new curriculum, provided that they have had regard to the statutory guidance, have a good rationale for prioritising what they have implemented and have effective plans to address gaps before the end of the academic year.

OFSTED REVIEW OF SEXUAL ABUSE IN SCHOOLS AND COLLEGES

Headlines

- Sexual harassment has become “normalised” for pupils
- Some teachers/leaders underestimate the scale
- In some RHSE did not give pupils relevant information and advice
- Many teachers said they do not feel prepared to teach RSHE
- Schools have a key role to play by maintaining the right culture and by providing relevant RSHE
- Leaders should act on the assumption that sexual harassment and online sexual abuse are affecting their pupils even when there are no specific reports

- As part of assessing safeguarding, inspectors will consider **how the school handles allegations and instances of sexual harassment, sexual assault and sexual violence.**
- Inspectors will also look at how schools work to prevent these, with a whole school approach that includes an effective behaviour policy, pastoral support and a carefully planned RSHE curriculum.
- Ofsted will expect schools to be **alert to factors that increase vulnerability.**

Andrew noted that the review of sexual abuse uncovered some worrying issues, and that Ofsted will need to be confident that pupils have an adult in school that they can talk to. He stressed that schools need to teach about boundaries and relationships from an early age, and that the school is promoting appropriate behaviour. In addition, there needs to be a clear and understood approach to the management of concerns and allegations.

OFF-ROLLING

Andrew noted that this tends to be more of a secondary-phase issue than primary, though it isn't confined to secondaries. Ofsted defines off-rolling as “the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child

from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil. Off-rolling in these circumstances is a form of “gaming”.”

Where a parent genuinely decides to home educate their child, where the pupil transfers to alternative provision in their best interest, of the school put in place a formal permanent exclusion, this is **not** off-rolling. Inspectors will be interested in high numbers of pupils moving off roll, but this may not in itself mean that off-rolling is taking place.

Ofsted will always report any off-rolling and the leadership and management are **likely to be judged inadequate**.

TIMETABLE OF INSPECTIONS

Andrew confirmed that the information about the timing of future inspections is set out in the handbook.

All outstanding schools are now once again subject to routine inspection. All formerly exempt schools must receive an initial inspection under section 5 or section 8 before August 2026. They will be inspected in two different tranches that will run simultaneously between now and August 2026:

- Schools that were last inspected under section 5 **before** September 2015 will receive a section 5 as their next inspection.
- Schools that were last inspected under section 5 **after** September 2015 will receive a section 8 as their next inspection.

Previously exempt outstanding schools last inspected before September 2015 will all receive a section 5 inspection broadly in the order they were last inspected.

Andrew confirmed that those schools that are due a section 5 inspection should expect one around 6 terms later than it would have been prior to the pandemic interruption. The guidance states *‘Inspection and the COVID-19 (coronavirus) pandemic
Routine inspections of schools were suspended during the COVID-19 pandemic.
Routine inspections have resumed from summer term 2021, with a full programme of graded inspections resuming from September 2021. Schools that were last inspected before the start of the pandemic, and new schools that have not yet been inspected, can expect their first routine inspection to be up to 6 terms later than they would have been inspected. This is due to the suspension of routine inspection activity as a result of COVID-19.’*

Once a school has been inspected, its next inspection will be according to normal timescales (for example, a good school will be inspected about four years later).

He agreed to check the timetable for monitoring inspections, and sent the following information following the meeting:

The [section 8 inspection handbook](#) explains that the timescales for re-inspection are being extended by up to 6 terms following the pandemic. The impact of this on monitoring visits is to extend the period in which they may take place by up to 6 terms. There is no fixed timing for when they might happen.

He was also asked about the inspection of academies that have converted since their last inspection, and sent the following information following the meeting:

'Academy converters

Regulations state that new academy converters whose predecessor schools were most recently judged good or outstanding are eligible to receive an inspection under section 8 of the Education Act 2005.

We refer to these inspections as 'section 8 inspections of good and outstanding schools'. As set out in The Education (School Inspection) (England) (Amendment) (No. 2) Regulations 2015, these schools remain subject to section 5 inspection if a section 8 inspection identifies that inspectors need to gather more evidence.

We will normally carry out these section 8 inspections of academy converters whose predecessor schools were judged good or outstanding approximately every 4 years. This is in line with other good and outstanding schools. However, in the case of the first section 8 inspection of a new academy with a good or outstanding predecessor school, we will consider the inspection history of the predecessor school to decide the timing of the inspection. For example, if the last inspection of the predecessor school took place some years before academy conversion, we may deem that the school would benefit from an earlier section 8 inspection. Further details on the policy for section 8 inspections are included in the school inspection handbook – section 8.

Academy converters where we recommended a section 5 inspection for the predecessor school
There are some new converter academies whose predecessor school was judged good with evidence that it may have improved to outstanding at its most recent section 8 inspection. We informed the predecessor school that its next inspection would be a section 5 inspection, but it did not receive the inspection before conversion. Therefore, the new converter academy will receive a section 5 inspection as its first inspection.

Similarly, some new converter academies have a predecessor school that received a section 8 inspection and the lead inspector was not satisfied that the school would receive at least its current grade if a section 5 inspection was carried out at that time. We informed the predecessor school that its next inspection would be a section 5 inspection, but it did not receive the inspection before conversion. The new converter academy will receive a section 5 inspection as its first inspection.

In both these circumstances, the section 5 inspection will normally take place:

- no later than the predecessor school would have received the section 5 inspection if it had not converted to an academy; but*
- no earlier than one year after the new academy opens'*

PANDEMIC AND RECOVERY

Ofsted has outlined how their approach to inspection will account for the impact of the pandemic on schools, in the section 5 handbook. The slides highlight some information, research and resources that may support schools in adapting the curriculum to address lost learning.

Curriculum and recovery

Inspectors recognise that most schools will have been unable to implement the curriculum in the usual way during the Covid-19 pandemic.

They recognise that schools were not required by the DfE to provide education to all pupils from March to July 2020, due to Covid-19 and may not have been doing so.

Through inspection, inspectors will seek to understand how the school adapted and prioritised the

curriculum from September 2020.

Ofsted's Curriculum Unit is releasing a series of research reviews across curriculum subjects that are aimed to support schools in understanding how to adapt the curriculum as a result of the pandemic.

The Northeast Yorkshire and Humber regions has released a webinar series on YouTube entitled "Introduction to Curriculum" which is freely available. (NB Search *NEYH region curriculum webinar series*)

In the coming months Ofsted will publish subject reports that will draw on the findings from EIF inspections across curriculum subjects.

Ensuring inspection safety

The lead inspector will discuss in their initial call:

The relevant Covid-19 restrictions

How inspectors can work effectively within the protective measures in place

The type of activities needed to gather evidence for the inspection

What impact the restrictions have had on the school and its improvement work.

Leaders may request a deferral as set out in the published guidance.

Andrew was asked if a school could defer inspection if the headteacher was unable to be in school as a result of having to isolate with Covid. He noted that this is not a reason for deferral, but might be considered if the school was very small and had a particularly small leadership team, heavily dependent on the headteacher.

ATTENDANCE

- Inspectors will seek to understand how the pandemic specifically affected the individual schools.
- They will want to understand how, in the circumstances, the school ensured the best possible attendance for those pupils eligible to attend in person.
- Attendance between March 2020 and March 2021 will not impact on Ofsted's judgement of the school. Inspectors will also consider the specific context and the steps school leaders have taken to ensure the best possible rates of attendance since the school opened in March 2021.

One headteacher noted that since September 2021 the rates of Covid infection have increased and have had a significant impact on staff and pupil absence. Andrew confirmed that inspectors understand that the rates of infection are fluctuating and may have an impact on attendance figures. He noted that the pre-inspection call is a good opportunity to discuss what is going on in the school.

SCHOOL STRATEGIC PRIORITIES

Every school has faced disruption as a result of the pandemic, so Ofsted inspectors recognise that the strategic priorities and plans within the school may have been paused, re-worked or still to be determined from September 2021.

Inspectors will not expect any specific strategic planning or evaluation documents to be shared with inspectors.

They will seek to understand the short, medium and long-term vision for the school and how these plans are developing to account for the pandemic.

SEND

Ofsted published a report in June 2021 - *SEND: Old issues, new issues, next steps* about the experiences of children and young people with SEND and their families during the pandemic, in the context of the SEND reforms over the last 10 years.

<https://www.gov.uk/government/publications/send-old-issues-new-issues-next-steps>

The last 10 years have been a period of reform to the way in which the needs of children and young people with SEND are identified, assessed and met.

The report reflects on these reforms and considers what has been working well in the SEND system over time and where the reforms have not had the desired impact.

It includes:

- SEND at the start of 2020, when the pandemic began
- Findings from Ofsted's visits to local areas
- Broader findings from other Covid-related work.

It ends by reflecting on what needs to change in the system in order for children and young people with SEND to get a better deal.

Headlines

- Children and young people with special educational needs and/or disabilities, their families and those who work with them, have faced significant challenges during the pandemic.
- The extent to which education, health and care provider in different local areas rose to these challenges to meet children and young people's needs led to hugely varied experiences.
- However, few of the negative experiences that many children and young people with SEND and their families had during this time are new.
- There are long-standing issues in the SEND system.
- The pandemic has highlighted and intensified these issues.
- It has also deepened the effects that they have on children and young people with SEND.
- It is evident that children and young people with SED are now even more vulnerable than they were before.

DEEP DIVES

A headteacher asked about the process for determining which subjects would be chosen for a deep dive during inspection. Andrew explained that this should be determined in the pre-inspection discussion between the lead inspector and headteacher, and they may want to include another member of the Senior Leadership Team in the discussion. Interrogation of the IDSR and the school website may also contribute to the decision. He noted that it is unusual to have a disagreement about the choice of deep dive, and the purpose of the approach is to understand the systemic approach to curriculum delivery and the underlying features that thread through all subjects.

Andrew confirmed that inspectors will meet teams, if they lead on a subject collectively, and ideally the inspector would want to inspect subject delivery alongside a subject leader.

He confirmed that early reading will always be chosen as a deep dive.

DOCUMENTATION

A headteacher asked for advice on what evaluation documents should be produced for Ofsted inspection. Andrew stressed that schools should not be producing a self-evaluation form especially for Ofsted, but should be discussing their ongoing process of evaluation of the strengths and weaknesses of the school.

SINGLE CENTRAL RECORD

One headteacher noted that there was some confusion about which staff should be required to have a prohibition from teaching check, which is then recorded on the single central record. He argued that the advice in Keeping Children Safe in Education and the Ofsted safeguarding guidance, annex 2, is contradictory. Andrew agreed to follow this up, and provided the following information following the session:

Keeping Children Safe in Education says:

'Secretary of State teacher prohibition, and interim prohibition orders

234. Teacher prohibition and interim prohibition orders prevent a person from carrying out teaching work as defined in the Teachers' Disciplinary (England) Regulations 2012 in schools, sixth form colleges, 16-19 academies, relevant youth accommodation and children's homes in England...

235. A person who is prohibited must not be appointed to a role that involves teaching work (as defined in the Teachers' Disciplinary (England) Regulations 2012.'

The Teachers' Disciplinary (England) Regulations 2012 define teaching work as follows:

'Teaching work

3.—(1) Subject to paragraph (3), each of the following activities is teaching work for the purposes of these Regulations—

(a) planning and preparing lessons and courses for pupils(1);

(b) delivering lessons to pupils;

(c) assessing the development, progress and attainment of pupils; and

(d) reporting on the development, progress and attainment of pupils.

(2) In paragraph (1)(b) "delivering" includes delivering lessons through distance learning or computer aided techniques.

(3) The activities specified in paragraph (1) are not teaching work for the purposes of these Regulations if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher(2) or other person nominated by the head teacher to provide such direction and supervision.'

This guidance set out in the August 2021 update to 'Inspecting safeguarding in early years, education and skills' clarifies that this might, but does not always, apply to teaching assistants:

'Secretary of State prohibition orders

Secretary of State prohibition orders prevent a person from carrying out teaching work in schools, sixth-form colleges, 16 to 19 academies, relevant youth accommodation and children's homes in England. A person who is prohibited from teaching must not be appointed to work as a teacher in such a setting. Prohibition checks are not normally required when appointing into teaching assistant (TA) positions. This would, however, be necessary if the TA had qualified teacher status and was being appointed to carry out teaching, or if their role changed so that they began teaching work.'

(NB We are following this up with HR and will get a definitive answer for heads)

CONCLUDING DISCUSSION

It was noted that that headteachers are still "fighting fires" every day, managing numerous Covid cases as well as trying to manage and develop their schools. For many, the threat of Ofsted feels like an unreasonable addition pressure at this point.

Andrew expressed some surprise, as he said he is receiving feedback that many schools are finding inspection a positive experience. He recognised that it is a nerve-wracking experience, but assured the headteachers that there is not a hidden agenda to try to “get” schools.

A headteacher explained that as well as the intensive experience of the inspection days themselves, the planning and preparation for Ofsted is time consuming and worrying for many heads, often for months or even years. Headteachers are exhausted and are faced with a daily struggle to simply remain operation.

It was agreed that EPHA will organise another webcast in the spring term to receive another update from Andrew Hemmings. He was thanked for attending this session and for sharing the current information about Ofsted inspections.