

Subsidiary guidance

Supporting the inspection of maintained schools and academies from September 2012

Inspectors should use this guidance during section 5 inspections in conjunction with the *School inspection handbook*¹ and *The framework for school inspection*². It is designed to provide guidance on new aspects of the section 5 inspections.

Age group: All

Published: September 2012

Reference no: 110166

¹ *School inspection handbook* (120101), Ofsted, 2012; www.ofsted/resources/120101

² *The framework for school inspection* (120100), Ofsted, 2012; www.ofsted/resources/120100



The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. It regulates and inspects childcare and children's social care, and inspects the Children and Family Court Advisory Support Service (Cafcass), schools, colleges, initial teacher training, work-based learning and skills training, adult and community learning, and education and training in prisons and other secure establishments. It assesses council children's services, and inspects services for looked after children, safeguarding and child protection.

If you would like a copy of this document in a different format, such as large print or Braille, please telephone 0300 123 1231, or email enquiries@ofsted.gov.uk.

You may reuse this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/, write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

This publication is available at www.ofsted.gov.uk/resources/110166.

Interested in our work? You can subscribe to our website for news, information and updates at www.ofsted.gov.uk/user.

Piccadilly Gate
Store St
Manchester
M1 2WD

T: 0300 123 1231
Textphone: 0161 618 8524
E: enquiries@ofsted.gov.uk
W: www.ofsted.gov.uk

No. 110166

© Crown copyright 2012



Contents

Introduction	5
Part 1: General guidance applicable to all schools	5
Achievement of pupils at the school	5
The use of prior performance data	5
The Early Years Foundation Stage: nursery and reception	5
Attainment on entry to nursery at age three	6
Attainment on entry to reception at age four	6
Attainment at the end of the Early Years Foundation Stage/entry to Year 1	7
Judging progress in the Early Years Foundation Stage	7
The impact on pupils' progress of early entry to GCSE	7
Judging achievement in the sixth form	8
The achievement of disabled pupils and those who have special educational needs	12
Behaviour and safety of pupils at the school	14
Judging behaviour over time	15
Bullying	15
The behaviour of disabled pupils and those who have special educational needs	16
Evaluating attendance	17
Links between behaviour and safety and other aspects of the school's work	18
The quality of leadership and management of the school	18
Governance	18
Performance management	20
Evaluating the curriculum	20
Partnerships and the curriculum	21
The curriculum and pupils' spiritual, moral, social and cultural development	22
Evaluating the school's use of the pupil premium	22
Ensuring pupils are safe	23
Serious incidents that should be referred to in a published inspection report	23
Legal basis	24
Qualifying concerns/incidents and the sentence to include in the report	24
Evaluating pupils' spiritual, moral, social and cultural (SMSC) development	25
Defining spiritual, moral, social and cultural development	25
Evaluating local authority or other responsible office support	26
Part 2: Further guidance about specific settings	28
Alternative/off-site provision	28
Academy Converters	28
Pupil referral units	29
Dual placements and outreach	30
Evaluating attendance in pupil referral units	31
Pupils with medical needs	31

The quality of leadership in, and management of, the pupil referral unit	32
Partnerships	32
Safeguarding	32
Making judgements	33
Reporting on pupil referral units	33
Special schools	33
Reporting on special schools	35
Mainstream schools with specially resourced provision for disabled pupils and those who have special educational needs	35
Reporting on specially resourced provision for disabled pupils and those with special educational needs in mainstream schools	36
Reporting on boarding/residential provision managed by the governing body	37
Reporting on evidence or allegations of child abuse	38

Introduction

1. This document provides subsidiary guidance for inspectors who carry out section 5 inspections from September 2012. It should be read in conjunction with the *School inspection handbook* and *The framework for school inspection*.
2. Part 1 is applicable to all school settings, including special schools and pupil referral units. Part 2 sets out specific guidance that is relevant to special schools, pupil referral units and resource base provision in mainstream schools.

Part 1: General guidance applicable to all schools

Achievement of pupils at the school

The use of prior performance data

3. When considering performance data, inspectors should take account of 'sizeable' groups of pupils. A 'sizeable' group is likely to be around 20% or more of a cohort but inspectors must use their professional judgement, particularly where the size of a group fluctuates, or a cohort is very large or very small. Consideration should be given to the attainment and progress of sizeable groups even if there is no information about the significance of particular results. This will often be the case in primary schools and it is important to establish whether there is a trend of progress and/or attainment that is above or below average. Inspectors will discuss such issues with the school and exercise professional judgement about the importance of the findings.
4. In small schools, performance measures may have been consistently above (or below) average but not registered on significance tests. This is also relevant for small groups of pupils in bigger schools. Inspectors should use their professional judgement taking into account all available evidence, including any comparisons or evaluations provided by the school.
5. In the tables in RAISEonline, a 'dash' (-) shows that there were insufficient data for a significance test to be carried out, whereas a blank means that a test was carried out and the result was not statistically significant.

The Early Years Foundation Stage: nursery and reception

6. A new Statutory Framework for the Early Years Foundation Stage will commence in September 2012 and the current six areas of learning become seven. Children will be assessed in relation to the revised early learning goals against three levels. These are: 'meeting expected levels of development', 'exceeding expected levels' or 'not yet reaching expected levels ('emerging')'. The Early Years Foundation Stage Profile will not reflect the new seven areas for learning, or the three levels, until July 2013. Children in the reception year in 2012-13 should be working across the seven areas of learning from September 2012, though guidance for assessing these areas will not be

available to schools until towards the middle of the autumn term. Inspectors should take this into account when evaluating children's achievement.

7. Inspectors should familiarise themselves with the new 'Development matters'³ and the Statutory Framework for the Early Years Foundation Stage⁴.
8. There are no national data for attainment on entry. Inspectors should make a professional judgement about children's attainment on entry by taking account of the proportions of children meeting expectations in the age-related bands of 'Development Matters' in the Early Years Foundation Stage. Remember to avoid using the term 'average' and 'standards' as there is no 'national average' for three- and four-year-olds on entry to nursery and reception.
9. If a substantial number of new children enter the school in reception or leave after nursery (age 4), establish attainment on entry to reception as well as to the nursery. Also take into account children who enter reception part-way through the year. If many children enter reception without pre-school experience, this might mean that attainment on entry at this point is lower than, or similar to, the expected attainment on entry to nursery (at age three). Check arrangements for 'staggered entry' and part- and full-time attendance, as the amount of time spent in school may affect both attainment and progress.

Attainment on entry to nursery at age three

10. Most⁵ children are likely to be working within the 'Development Matters' band for 30–50 months, having shown competence in the preceding band for 22–36 months. This may be referred to as the age-related expectation at the beginning of nursery. Attainment on entry is likely to be below age-related expectations where a substantial proportion⁶ of children in a school do not demonstrate all of the elements in the 22–36 month band.

Attainment on entry to reception at age four

11. Most children are likely to demonstrate some of the elements of skill, knowledge and understanding within the development matters band for 40–60+ months, in addition to all of the elements in the preceding band for 30–50 months. This may be referred to as the age-related expectation at the beginning of reception. Attainment on entry is likely to be below age-related expectations where a substantial proportion of children in a school do not demonstrate all of the elements in the 30–50 month band. The statutory early learning goals establish national expectations for most children to reach by the

³ Development Matters, Department for Education (DfE), 2012

<http://media.education.gov.uk/assets/files/pdf/d/development%20matters%20in%20the%20eyfs.pdf>

⁴ Statutory Framework for the Early Years Foundation Stage, DfE, 2012

<http://media.education.gov.uk/assets/files/pdf/e/eyfs%20statutory%20framework%20march%202012.pdf>

⁵ 'Most' means the majority of or nearly all children. Ofsted's definition of 'most' is 80–96%.

⁶ 'Substantial proportion' means more than the 20% that might be outside the definition of 'most'.

end of Reception Year. These are the statements in bold in the 40–60+ month band.

Attainment at the end of the Early Years Foundation Stage/entry to Year 1

12. For children in the Early Years Foundation Stage assessed on the Early Years Profile prior to September 2012:
 - compare school data with national results, rather than local, to evaluate attainment. Take into account all six areas of learning
 - check how many children score six in all of the personal, social and emotional development and communication, language and literacy scales. This indicates children working at a good level of development
 - check the data against the proportion of children scoring six or more in each of the assessment scales. Results very close to the national figures are likely to be described as broadly average. If results in any area fall below, but not close to, national figures, it is unlikely that attainment would be judged to be above average.
13. In small schools, the attainment of different cohorts may vary greatly. Take this into account in evaluating current standards attained, clarifying differences in the report. If accuracy of judgement or the quality of records are inspection issues, it may be helpful to check work or observe and talk to children jointly with a member of staff to inform the achievement judgement.

Judging progress in the Early Years Foundation Stage

14. Where children make progress from age-related expectations at the beginning of nursery, to age-related expectations at the beginning of reception and the end of reception (where they can be compared with Early Years Foundation Stage Profile national figures) this is likely to represent expected progress during the Early Years Foundation Stage.

The impact on pupils' progress of early entry to GCSE

15. Inspectors should investigate whether a policy of early entry to GCSE for pupils is preventing them from making as much progress as they should, for example because:
 - the extensive and inappropriate use of early GCSE entry, particularly in mathematics, puts too much emphasis on attaining a grade C at the expense of developing the understanding necessary to succeed at A' level and beyond
 - the policy is having a detrimental impact on the uptake of advanced level courses

- the widespread use of early GCSE entry and repeated sitting of units has encouraged short-term gains in learning but has led to underachievement at GCSE, particularly for able pupils
 - the policy has resulted in a lack of attention to the attainment of the least able
 - opportunities are missed to meet the needs of high-attaining pupils' through depth of GCSE study and additional qualifications.
16. In evaluating any early entry policy inspectors should consider the impact not only on the judgement on pupils achievement but also on leadership and management in terms of whether the school is providing a curriculum that meets the pupils' needs.

Judging achievement in the sixth form

17. The principles set out in the *School inspection handbook* on judging achievement apply to the sixth form. However, there are a number of important considerations which are specific to the sixth form and which are different from pre-16 arrangements. Most importantly, there are no national comparators for attainment post-16 as students do not all sit the same examinations in the same way as almost all Year 11 pupils sit GCSE examinations. The sixth form PANDA, inclusive of average points scores, percentages of entries graded A* to E and A* to B, and in particular the level 3 value added progress measure, remains a key source of evidence for evaluating sixth form performance. When coming to a judgement, all elements that contribute to students' achievement, particularly the learning and progress of current students, must be taken into consideration.

Progress measures

18. The Learner Achievement Tracker (LAT) has been used by Ofsted since September 2009 as the main value-added and progress measure for advanced-level learners aged 16-18 in schools and colleges. For GCE examinations in 2012, Ofsted will use the level 3 value added table (L3VA), produced by the DfE and using the same methodology, a correlation between GCSE grades achieved on entry and expected advanced-level achievement for qualifications in which grades are awarded. For the first time, fails will be included in the data so that they more closely match value-added measures produced by the commercial systems commonly used in schools. The L3VA table will provide a measure of actual progress as well as the expected progress based on learners' prior attainment.

Attainment measures

19. In addition to well-established attainment measures including pass rates (such as the proportion of entries graded A* to E), average points scores and the proportion of entries attaining high grades (such as grades A* to B at A level), the DfE have started measuring outcomes in terms of the qualifications that 16

to 19 year old learners follow in a way that takes into account the number of students registered on each course in November rather than only those who are entered for the examinations. This is called the 'success rate'. Publishing success rate data for schools has a number of purposes including creating a fairer comparison with colleges, which use this measure. It moves the whole 16-19 sector closer to establishing a 'level playing field'. The Qualification Success Rate (QSR) takes into account drop out from courses. It helps a school or academy to assess the quality of the courses it provides and the information, advice, guidance and support it gives to learners.

20. From January 2013, inspectors will be able to access the sixth form Qualification Success Rate (QSR) report which is intended to support the inspection of school sixth forms and is to be used in conjunction with the school sixth form Performance and Assessment (PANDA) report. The QSR report will provide information on the main aspects of QSRs in comparison with national figures so that inspectors can compare the performance of the sixth form with all other post-16 providers.
21. Until QSR data are fully available in all schools, inspectors should exercise caution in using such data as part of the evidence base. Nevertheless, some schools may present elements of QSR data to inspectors and this guidance is provided to cover such eventualities.
22. Qualification Success Rates include three main elements: the success rate, the retention rate and the achievement rate.

The success rate

23. A school's success rate is calculated by taking the number of learning aims⁷ successfully achieved by learners in a particular academic year and expressing it as a percentage of the total number of aims expected to be completed by learners in that year known as the 'learning aims in scope', sometimes referred to as 'starts'.
24. The success rate is calculated as follows:

$$100 \times \frac{\text{Learning Aims Achieved}}{\text{Learning Aims in Scope}}$$

The retention rate

25. A school's retention rate is calculated by taking the number of learning aims in scope actually completed by learners in a particular year and expressing it as a

⁷ A learning aim is equivalent to a particular course; for example a sixth form student following four AS levels in Year 12 would have four learning aims in scope counted in that year and the same student following three A levels in Year 13 would have three learning aims in scope counted in that year. If this student passed three of the Year 12 courses, but did not complete the other one, or failed it, s/he would achieve only three learning aims in that year.

percentage of the total number of aims expected to be completed by learners in that year.

26. The retention rate is calculated as follows:

$$100 \times \frac{\text{Learning Aims Completed}}{\text{Learning Aims in Scope}}$$

The achievement rate

27. A school's achievement rate is calculated by taking the number of learning aims in scope achieved by learners in a particular year and expressing it as a percentage of the total number of aims actually completed by learners in that year.

28. The achievement rate is calculated as follows:

$$100 \times \frac{\text{Learning Aims Achieved}}{\text{Learning Aims Completed}}$$

29. The Education Funding Agency produces detailed guidelines for calculating success rates. The data used in calculating success and other rates includes the valid learning aims for learners in National Curriculum Years 12, 13, and 14 and above and for learners of 16 years of age or over who have left the school in the course of the year. Learning aims that are excluded are those:

- that lead to Key Skills and Functional Skills
- that do not generate a funding allocation for the school
- undertaken by learners whose main enrolment is at another school
- that are not planned to be completed in that particular academic year
- that are re-sits or are transfers into the school
- achievements in the awarding body data that do not have a matching aim recorded in the school's census data.

Interpreting success rates

30. As an indicator of performance, the following table shows published data for sixth form college (SFC) success rates for 2010/11. Sixth form colleges offer mostly level 3 courses for 16-18 year olds, similar to most school sixth forms. The data is for all qualifications. QSRs for individual subjects may vary.

Sixth Form Colleges	Quartiles	25th	50th	75th	NA
	Success %	80.6	83.4	86.5	84.1
	Retention %	89.8	92.0	93.8	
	Achievement %	89.0	91.0	93.4	

31. Inspectors should note that, where indicators of learning and progress provide evidence that achievement in the sixth form may be good, the success rates of the large majority of groups of learners are likely to be in line with - or above - similar groups of learners nationally, with the majority above. Where attainment on entry is not as high or success rates of any group are below those of all learners nationally, the gap is closing. Where indicators of learning and progress provide evidence that achievement is outstanding, success rates are likely to be well above the norm or if success rates of any group of learners are below those of all learners nationally, the gap is closing rapidly.
32. When judging progress, inspectors will need to consider both learners' prior attainment and the entry requirements for A-level courses in the sixth form. For example, for a programme of full-time GCE AS- or A-level study, there is often a minimum entry requirement of five GCSE passes A* to C and this varies between institutions. In some cases the entry level is higher, for example a minimum of seven GCSE A* to C grades and a minimum of grade B in a specific subject to qualify for study on an AS level course. High prior attainment should result in high retention and high overall pass rates with a large proportion of passes at high grades (A or B for AS levels and A*, A and B for the full A levels). Inspectors should consider this attainment alongside evidence of progress, including value added.

Interpreting retention rates

33. Subject retention should compare the number of students starting a subject (normally measured at 1 November in a given year) and the number completing a subject (normally measured at the end of May in a given year). Although subject retention should be considered separately for each of the AS and A2 components of the A-level programme, it is useful to look at two-year retention across key subjects where there was clear intent of a two-year course of study.
34. Student retention for the sixth form as a whole compares the number of students starting in the sixth form with the number present at the end of the academic year. For two-year programmes, the number completing in year 2 might be compared with the number starting in year 1. If pass rates are high at the expense of some poor retention, then success rates (as a percentage of those passing compared with starters) may be low.

English and mathematics

35. A key element of judging achievement in the sixth form is the emphasis placed on improving learners' English and mathematics, in particular through attaining grade C or above in GCSE English and mathematics.

The achievement of disabled pupils and those who have special educational needs

36. Inspectors should note that:

- pupils identified with special educational needs may or may not have a disability, and disabled pupils may or may not be identified as having special educational needs (inspectors must not assume that levels of attainment in all special schools will be below those expected of pupils of a similar age nationally)
- it is not appropriate to evaluate achievement according to a pupil's type of disability or special educational need, or their stage on the Code of Practice
- a category of 'need' such as autistic spectrum disorder, does not by itself indicate expected levels that pupils would usually be at given their starting points (i.e. one pupil may be working towards 12 A* GCSE grades whereas another pupil of the same age may be working towards Level P6)
- levels of identification and definitions of need vary considerably within an area or from one area of the country to another.

37. Inspectors need to take into account the proportion of pupils who have attainments below those expected for their age and where these are related to cognitive difficulties. The judgement on these pupils' achievement should be based on an evaluation of the their learning and progress relative to their starting points at particular ages, and any assessment measures held by the school. This consideration is likely to be required in special schools for pupils who have moderate, severe or profound and multiple learning difficulties. It may also be appropriate in mainstream schools where there is a specially resourced provision for pupils who have these learning difficulties. When making their evaluation in these schools inspectors should consider the impact of these pupils on the school's overall attainments.

38. Available national data on progress made by pupils attaining below level 1 of the National Curriculum at the end of Key Stage 1 or 2 should contribute to the evaluation of achievement, alongside any additional analyses of progress undertaken by the school. National data are available within the *Transition Matrices* as part of RAISEonline and in the *Progression Materials 2010–11*. These analyses should be considered alongside the broader range of evidence of learning and progress obtained during the inspection

39. The starting point for evaluation is that expected progress is the median level for pupils' age and starting point. As with all progress information, inspectors must be cautious when considering data relating to small groups of pupils. For example, it is important to distinguish between health related issues and educational provision.

40. Inspectors should also look at the way the school identifies pupils who have special educational needs. They should find out whether pupils have been

identified as having special educational needs, when in fact their progress has been hampered by weak teaching.

41. Inspectors should:
 - note if pupils who receive additional intervention are demonstrating accelerated or sustained progress. This would indicate whether the intervention is effective
 - evaluate the school's arrangements for ensuring the accuracy of its pupil performance data, as there is no statutory moderation of P scales.
42. It is expected that there should be rigorous moderation arrangements within school and across a group of schools or a local authority to assure the accuracy of the progress data being used by the school.
43. While inspectors should not base an evaluation of progress on a pupil's category of special educational need or disability, they should look at the school's analysis of outcomes for different groups to see if pupils with a particular need or disability are performing differently from others in the school. While these groups may be small, it is still meaningful to look at patterns over time bearing in mind any statistical significance. The special educational needs of pupils may vary considerably from year to year; for example, there may be an increase in the number of pupils with more complex needs. In addition, a single year's data may represent a small cohort. It is often valuable to collate three years' data as differences and similarities may be more readily noticed.
44. In addition to the full national dataset within the *Transition Matrices*, as part of RAISEonline, inspectors should continue to use data sets 2–3^{8,9} of the *Progression materials 2010–11* from the National Strategies' archive site as a guide when judging pupils' progress in schools. These materials offer near-national analyses of pupil progress data. They should help inspectors to form hypotheses about the level of expectation and ambition of schools' targets for the progress made by individuals and groups. Inspectors should also expect school leaders to be using them as a first level of analysis of progress within their school.
45. For pupils working within P levels, RAISEonline provides teacher assessment data on the levels attained at the end of Key Stages 1 and 2. RAISEonline also includes teacher assessment data for Key Stage 2 pupils working below the level of the test and uses them for calculating value added. The *Transition Matrices* within RAISEonline provide a national dataset of the progress made by pupils attaining below level 1 of the National Curriculum at the end of Key Stage 2 although currently this only includes information about reading and writing.

⁸ Data set 2: the national p scales data collection for 2009, national archives:

<http://webarchive.nationalarchives.gov.uk/20110809101133/nsonline.org.uk/node/439233>.

⁹ Data set 3: progression p scales data collection for 2009 – ks1 to ks2, national archives:

<http://webarchive.nationalarchives.gov.uk/20110809101133/nsonline.org.uk/node/439229>.

46. In RAISEonline, value-added measures, including scatter plots, and charts that show expected progress in English and mathematics use Key Stage 2 teacher assessment where there is no test level data available for a pupil. Inspectors need to take this into account when comparing with previous years, in which the score equivalent to Level 2 was substituted for pupils working below the level of the test or not awarded a test level.
47. Unless individual education plan (IEP) targets are effectively linked to expectations outlined in the *Progression materials 2010–11* and RAISEonline, including the *Transition Matrices*, it is difficult to evaluate the degree of challenge they provide. These IEP targets are, therefore, unlikely to contribute strongly towards the judgement on pupils' achievement unless there is secure external moderation. Inspectors should be aware that while schools are required to review and report progress against the objectives within a statement of special educational needs, there is no statutory requirement for pupils to have IEPs.
48. An increase in the number and range of qualifications achieved by pupils may be a reflection of curriculum changes rather than improvements in achievement. The completion of a nationally recognised award or qualification may not in itself be sufficient achievement for a particular pupil. Inspectors should consider carefully the extent to which success in qualifications and awards demonstrates that pupils have made progress in their skills, knowledge or understanding, and whether the award or qualification meets their individual needs.

Behaviour and safety of pupils at the school

49. During the initial contact with the school, the lead inspector must ensure that the headteacher understands that the inspection evaluates what behaviour is **typically** like, not just the behaviour of pupils during the inspection.
50. During the analysis of pre-inspection evidence, the lead inspector should compare the school's statistics on attendance and exclusions as shown in RAISEonline against the national picture for all pupils. The inspector should look at whether any groups of pupils, for example those who have special educational needs, are being excluded disproportionately and how any inequalities in academic outcomes might be linked to behaviour.
51. During the inspection, inspectors should request the day's absence list alongside the reasons for absence and cross reference this with data on past exclusions and sanctions as a way of evaluating the behaviour of pupils who are not in school.
52. Inspectors should also take account of disruptive behaviour of any kind. This may be overt, for example, persistent 'shouting out', or pupils 'talking over the teacher', or whether there is persistent low level disruption through continuous chatter. It may also be more covert, taking the form, for example, of quiet

refusal from a number of pupils to participate in group work or to cooperate with each other.

53. In order to evaluate pupils' behaviour with, and attitudes towards, staff and each other in different contexts the lead inspector should ensure that:
 - a range of groups and settings are included in observations, taught by a range of staff including non-teaching staff, new and inexperienced staff and supply teachers
 - small group teaching, for example intervention groups, is observed to see how pupils behave away from the class or subject teacher
 - any variation in behaviour between settings, times of day, different subjects, different groupings, and different staff is considered in relation to: how far it influences learning; whether the school is aware of this; whether any action has been taken; and how effective this has been.
54. Where behaviour in a lesson is judged to be inadequate, this should be discussed with the teacher, as appropriate, during the feedback in order to explore whether this is typical and, if so, what support has been provided. Inspectors should not overemphasise the behaviour of one individual with an identified behavioural difficulty (that may be a special educational need) or who is experiencing difficult personal circumstances.

Judging behaviour over time

55. Inspectors should evaluate the school's own understanding of any patterns over time in the use of rewards and sanctions, detentions, use of 'on call' systems, remove rooms and internal exclusions and the action it has taken as a result inspectors should investigate further any patterns that show disproportionality.
56. High exclusion figures, and particularly the repeated exclusion of the same pupils, are not consistent with good behaviour overall. Inspectors should consider whether there is disproportionate exclusion of any particular group of pupils. High numbers of exclusions, either overall or of a particular group of pupils, are likely to indicate ineffective systems and structures to support pupils, including basic behaviour management to prevent low-level disruption.
57. Where a pupil is sent home for disciplinary reasons for part of a school day, this is the only legal method of removal. **Informal or unofficial exclusions are illegal** regardless of whether they are carried out with the agreement of parents or carers.

Bullying

58. Consider how well schools analyse their information about bullying and use this analysis to plan future actions. Note that a record that shows a large number of bullying incidents may reflect careful record keeping rather than a high level of bullying. Take account of whether pupils respond to the action taken or

whether incidents of bullying are repeated. Repeated incidents indicate more deep-seated behavioural issues. Consider whether there are any links between bullying and pupils' absence from school.

59. In order to evaluate pupils' attitudes to homophobia and other forms of prejudice, inspectors should specifically ask pupils about the type of language they hear around the school. This should be compared to responses from staff in order to test the school's attitudes to such issues.
60. Inspectors should explore with a range of staff, including teaching assistants, the training they have had about different aspects of bullying, including prejudice-based bullying; how confident they feel as result; how well supported they are by senior staff when they encounter bullying and how they promote an understanding of individual differences through the curriculum. In particular, inspectors should consider how pupils are taught about diversity in subjects such as personal, social and health education (PSHE) and citizenship. Where bullying is an issue and staff training and/or the curriculum is weak this should be reflected in the judgement on leadership and management.
61. In addition to the approaches set out above, inspectors may wish to use or adapt the following evidence gathering strategies when investigating bullying.
 - Tour the school site with a group of pupils to identify areas where they do not feel safe. Talk about behaviour, bullying, and staff expectations.
 - Revisit, during break and lunchtime, any areas of the school mentioned by pupils as being unsafe, such as the playground or toilets.
 - Meet a group of pupils who joined the school at times other than the start of the academic year.
 - Meet with other groups and give pupils time to talk before responding to questions about behaviour and bullying.

The behaviour of disabled pupils and those who have special educational needs

62. Inspectors should consider:
 - how well the school supports its most behaviourally challenging pupils, even where there is only a small number because many pupils with special educational needs require clear expectations, structures and systems, additional support to manage their behaviour, and robust arrangements to support their personal and social development
 - whether 'reasonable adjustments' are made for pupils with behavioural, social or emotional difficulties, or identified disabilities such as autistic spectrum disorders (ASD), to help them to be included in school (a requirement of the Equality Act 2010), or whether exclusion or other sanctions are the only or main response to their behaviour

63. Inspectors should be familiar with the most recent DfE guidance on the use of force and restraint.¹⁰ They must seek advice from Ofsted's Compliance, Investigation and Enforcement helpline where they have concerns about their use
64. There should be systematic recording of every significant incident where restraint or physical intervention has been used in accordance with the school's policy and procedures on the use of force and its child protection requirements. Care should be taken to check there is not excessive use of restraint or physical intervention (also sometimes referred to as 'positive handling'). The number and range of recorded incidents is also an important indicator of how successfully a school is managing very challenging behaviour
65. Inspectors must take into account the specific communication needs of disabled pupils and those who have special educational needs. It is preferable for pupils to have a peer advocate than to involve staff, though it may occasionally be necessary for inspectors to request the assistance of staff that know and understand a pupil's preferred means of communication.

Evaluating attendance

66. Learners' attendance is evaluated in comparison to national figures for mainstream schools (not free school meal bands) as part of the judgement on behaviour and safety. This also applies to special schools and pupil referral units. Inspectors must use the data in RAISEonline and the figures below, combined with the school's own analysis and documentary evidence, to evaluate attendance. When deciding whether attendance is consistently low, inspectors should consider how it compares with the attendance figures for the lowest 10% of schools in 2010/11: in primary schools this was 93.27% and 91.67% in secondary schools.
67. It is important to note that published data are often dated so current attendance must be taken into account. To evaluate whether attendance has changed since the last published figures, it is useful to compare attendance for the same time period, such as from September until the inspection date, in the current and previous school years.
68. The effectiveness of the school's strategies to promote good attendance should be taken into account. RAISEonline presents the school's attendance and persistent absence figures against free school meals data. However, while there is a clear statistical link between levels of social deprivation and attendance, this should not be taken as an excuse for poor attendance and high absence rates. It is not acceptable to judge poor attendance as 'average' on the basis that the school is working hard to improve it unless there is clear evidence of sustained impact and rapid improvement.

¹⁰ *Use of reasonable force*, DfE, 2011; <http://www.education.gov.uk/aboutdfe/advice/f0077153/use-of-reasonable-force-advice-for-school-leaders-staff-and-governing-bodies>.

69. Inspectors should take into account any differences between the attendance of different groups of learners, such as those of different genders or ethnicities, when evaluating attendance. Inspectors should evaluate how much the school knows about the attendance patterns of groups of learners and the effectiveness of systems to alert them to changes in pupils' attendance. A sudden or a gradual alteration can indicate a safeguarding issue.
70. Inspectors should also take account of whether the percentage of pupils present in each lesson observed is broadly consistent with the school's attendance and absence figures. Investigate the school's procedures for registering pupils and recording absence where discrepancies arise. Truancy from lessons may be occurring after pupils have initially registered.
71. In addition, inspectors should evaluate the support given to any pupils absent for long-term medical reasons, such as any in hospital, and arrangements made to keep pupils in touch with school work and how well these are maintained during extended spells in hospital or at home. Investigate the liaison arrangements in place with other supporting professionals, for example at the hospital school or home tuition.

Links between behaviour and safety and other aspects of the school's work

72. Where there are concerns about behaviour and safety, inspectors should investigate the quality and implementation of a clear and concise behaviour policy, linked to learning. In schools where behaviour policies are not planned, managed or organised well, their impact is minimal. Successful behaviour management involves senior leaders seeing this as part of school improvement and closely linked to the quality of teaching.
73. Inspectors should consider the reasons for poor behaviour as this may indicate unmet learning needs through weak teaching, a lack of guidance and/or support, a poor ethos, low expectations or bullying. Poor behaviour may also indicate learning difficulties or underachievement (including literacy difficulties) that the school has not identified.

The quality of leadership and management of the school

Governance

74. Inspectors will increasingly encounter different models of governance, such as those associated with federated arrangements, free schools and academy chains.
75. Whatever the mode of governance, inspectors must evaluate the extent to which governors both challenge and support the school and hold senior staff, including the headteacher, to account for the achievement of the pupils. Governors are not expected to be routinely involved in the day-to-day activity of the school or, for example, to undertake lesson observations. However, they

hold important strategic responsibilities for the development and improvement of the school.

76. Inspectors should consider whether governors:
 - carry out their statutory duties
 - understand the strengths and weaknesses of the school, including the quality of teaching
 - ensure clarity of vision, ethos and strategic direction
 - understand and take sufficient account of pupil data, or whether they are misled by 'headlines'
 - are aware of the impact of teaching on learning and progress in different subjects and year groups
 - are challenging and supporting leadership in equal measure
 - are providing support for an effective headteacher, or whether they are hindering school improvement by not successfully tackling key concerns
 - understand how the school makes decisions about teachers' salary progression
 - performance manage the headteacher rigorously
 - are failing to perform well and contributing to weaknesses in leadership and management.
77. Inspectors should also satisfy themselves that the governing body is ensuring that the school's finances are properly managed, and investigate governors' role in deciding how the school is using the Pupil Premium.
78. If inspection evidence reveals particular weaknesses, these should be followed up assiduously. For example, if safeguarding arrangements do not meet required standards, inspectors must take this into account when evaluating governance and judging leadership and management. Similarly, if pupils' performance is in decline and the governing body has not pursued this issue effectively with the headteacher, this should be reflected in inspectors' evaluation of the effectiveness of the governing body and may have an impact on the leadership and management judgement.
79. During autumn term 2012, for HMI-led inspections only, where governance is ineffective in a school judged to 'require improvement' and is graded three for leadership and management, inspectors should include governance in their recommendations for improvement. The form of words to be used in the report under *What the school should do to improve further* is "An external review of governance should be undertaken in order to assess how this aspect of leadership and governance may be improved".
80. During autumn 2012, Ofsted and the National College are piloting external reviews of governance in 'requires improvement' schools where governance is

judged to be ineffective. The pilot extends only to HMI-led inspections. The pilot work will involve a National Leader of Governance or a National Leader of Education designated by the National College conducting a short review of the quality of governance at the school, and discussing with the school options for improving governance. After the inspection report has been published on Ofsted's website, the school should contact the National College on Chair.ofgovernors@nationalcollege.gsi.gov.uk to request a review of governance.

81. Where leadership and management is found to be inadequate and governance is weak or failing, Ofsted will write to the responsible authority (for example, the local authority, an academy organisation, the Department for Education, or a diocese) to draw the issue to their attention and to make recommendations for action (for example, constituting an Interim Executive Board, or appointing additional governors). In such cases, inspectors must include a statement that Ofsted will make recommendations on governance to the authority responsible for the school, under *What the school should do to improve further*.

Performance management

82. Inspectors should:

- ask the headteacher about the proportion of teaching staff that has passed through to the upper pay spine
- compare this with the overall quality of teaching
- find out whether there is a correlation between the two, and if there is none, find out why, taking into account the length of time the headteacher has been in post.

Evaluating the curriculum

83. When considering whether the curriculum has sufficient breadth and balance and the extent to which it meets the needs, aptitudes and interests of pupils, inspectors should note the following.
 - A curriculum with breadth and balance in maintained schools is likely to consist of the National Curriculum subjects, religious education (RE) and a variety of other courses and programmes, including extra-curricular and enhancement activities put on by the school and its partners. Where a school does not provide the National Curriculum and RE, inspectors will need to fully explore the school's reasons. For academies, inspectors should check the curriculum requirements set out in the academy's funding agreement. Inspectors are not expected to seek details about individual subject programmes of study.
 - Many secondary schools will be providing courses, or planning to provide courses, so that pupils can gain the English Baccalaureate (EBacc). Inspectors should note that provision of the EBacc is not compulsory.

- Initial evidence will be found in school prospectuses, curriculum plans and, where relevant, in options booklets. Inspectors will want to discuss the breadth, balance and where relevant, choice and personalisation, of the curriculum with pupils and staff.
- Inspectors will want to discuss with pupils their knowledge of courses and qualifications and the various progression routes available to them in order to understand the quality of advice provide by the school.
- The increasing diversity and autonomy of schools and the decisions they make about the curriculum may present some contradictions. Inspectors will need to make a professional judgement about the appropriateness of the curriculum with respect to the specific circumstances of the school¹¹.

Partnerships and the curriculum

84. Where there are collaborative arrangements for extending the curriculum such as in collaborative sixth forms, college work and other off-site learning, inspectors should investigate how well these work 'on the ground'. Discussion with pupils and teaching staff should help inspectors to establish whether:
- timetables between institutions are effectively matched so opportunities for collaboration are provided and pupils do not miss lessons or other activities as a result of collaborative arrangements
 - transport and travel arrangements between collaborating institutions are reliable and enable students to be punctual
 - there is time for teachers and subject leaders in collaborating organisations to plan together
 - there are systems to coordinate and report on attendance and punctuality information.
85. Inspectors should identify what the school itself intends to provide and what it offers in collaboration with other schools or colleges. The options for pupils made available either by the school or through collaboration should be assessed for all pupils progressing from Year 11.
86. Inspectors should evaluate not just whether vocational courses have increased choice but also whether they properly reflect the needs and interests of pupils. The range of vocational courses offered should be based on the school's analysis of students' needs and the requirements of the local labour market. It should not depend solely on the availability of staff or facilities.
87. When considering the school's self-evaluation of the sixth form provision, inspectors may investigate how well subject departments monitor their effectiveness and how the outcomes of these monitoring activities are included in the overall evaluation of the sixth form.

¹¹ Studio schools and UTCs, for example, are established with a particular curriculum, based on a different rationale and approach to teaching.

The curriculum and pupils' spiritual, moral, social and cultural development

88. Inspectors should investigate the impact of the curriculum on the pupils' spiritual, moral, social and cultural (SMSC) development.
89. This may be seen through:
 - lesson observations of different subjects like RE, art and music. Discussion with pupils and staff will provide an important insight into how well SMSC is planned as part of the curriculum in other subjects
 - observation of other activities. Inspectors should investigate whether there is a coherent approach to the promotion of SMSC through activities such as tutorials, citizenship programmes and discussions with pupils about their work
 - the range of opportunities created by the school for pupils to take part in a range of artistic, cultural, sporting, dramatic, musical, mathematical, scientific, technological and, where appropriate, international events and activities that promote aspects of pupils' SMSC development.

Evaluating the school's use of the pupil premium¹²

90. It is for schools to decide how the pupil premium is spent. However, they are accountable for their use of this funding. From September 2012, schools are required to publish online information about how they have used the pupil premium. This is intended to ensure that parents and others are made fully aware of the attainment of pupils covered by the pupil premium.
91. Local authorities decide how to allocate the pupil premium for pupils from low-income families in non-mainstream settings. The local authority must consult non-mainstream settings about how the premium for these pupils should be used.
92. When evaluating the effectiveness of leaders, managers and governors, inspectors should gather evidence about the use of the pupil premium in relation to the following key issues:
 - the level of pupil premium funding received by the school in the current academic year and levels of funding received in previous academic years
 - how the school has spent the pupil premium and why it has decided to spend it in the way it has

¹²The pupil premium is specific, additional funding provided to support the education of pupils known to be eligible for free school meals, children in public care (looked after children) and children whose parents are currently serving in the armed forces. See DfE web site www.education.gov.uk for further information.

- any differences made to the learning and progress of pupils eligible for the pupil premium as shown by performance data and inspection evidence.

Ensuring pupils are safe

93. Safeguarding remains a priority. Safeguarding practice and guidance is underpinned by a duty for schools to cooperate with relevant agencies to safeguard and promote the welfare of children.
94. Inspectors should check the single central record to ensure that adults working with pupils are appropriately recruited and vetted. Other evidence will come from discussions with the headteacher, governors' representatives and other staff which explore management responsibilities for child protection and the training and support for safeguarding.
95. There is no need to spend excessive amounts of time checking policies and detailed procedures and protocols unless a significant concern is identified.
96. Inspectors should observe pupils around the school and discuss with them whether the school helps pupils to keep safe, encourages them to adopt safe and responsible practices, and to deal sensibly with risk. Inspectors should include e-safety in their discussions with pupils (covering topics such as safe use of the internet and social networking sites, cyber bullying including by text message etc), and the measures the school takes to promote safe use and combat unsafe use.

Serious incidents that should be referred to in a published inspection report

97. There have been a small number of instances in recent years when Ofsted has become aware of an investigation by another agency¹³ into a serious incident or serious allegations involving a setting or provider that we are inspecting. It has been agreed that in future, where relevant, inspection reports should make a brief reference to such a situation, without going into such detail that it would risk prejudicing the outcome of the investigation or identifying individuals who may be wholly innocent of the alleged wrongdoing. Any references will be confined to the most serious incidents, such as the death of a child or a serious safeguarding failure, or allegations of serious fraud. Information about investigations may be held in a number of possible locations within Ofsted, but anything we know should be available to Ofsted inspectors through searching PIP or to additional inspectors via the relevant Inspection Service Providers' own portals. Inspectors should avoid making any reference to a serious incident if there is any possibility that doing so would prejudice such an investigation or prejudice the outcomes, breach confidentiality or where the reference could risk identifying individuals subject to or related to the investigation.

¹³ such as the local authority, local safeguarding children board, the audit commission or the police

98. Inspectors should note that the restrictions in this guidance apply to what may be reported in the published inspection report about active, external investigations, not to what may be included as lines of enquiry in the inspection. Inspectors are required and remain free to comment upon any matter they think is relevant to the quality of the care provided as long as it is based on the inspection evidence.

Legal basis

99. The legal powers under which Ofsted inspects and reports provide the basis for such references to be included in an inspection report. For example, Section 5 inspection reports must cover the quality of leadership in and management of the school and the safety of pupils (section 5(5A) of Education Act 2005); EY Childcare inspection reports must cover the quality of leadership and management at the provision and the contribution made to the well-being of children (section 50 of the Childcare Act 2006) and; Social care inspection reports of children's homes focus on compliance with the Children's Homes Regulations 2001 and NMS, in particular the fitness of the provider, manager and workers, the promotion of children's welfare and appropriate behaviour management and restraint.
100. In cases in which the serious incident does not fall within Ofsted's express inspection and regulatory powers, Ofsted may rely upon its ancillary power to do whatever is necessary or expedient for the purposes of its functions in referring to these incidents (paragraph 13 of Schedule 11 and paragraph 6 of Schedule 12 to Education and Inspections Act 2006). It is to be noted that Ofsted has an overarching obligation to have regard to the need to safeguard and promote the rights and welfare of children in performing its functions (sections 117 and 119 of Education and Inspections Act 2006).

Qualifying concerns/incidents and the sentence to include in the report

101. The following sentences should be inserted in the 'Information about this school' section of the report template.

A Serious Case Review that involves the setting

'Inspectors were aware during this inspection that a serious incident which occurred at the setting since the previous inspection is under investigation by the appropriate authorities. While Ofsted does not have the power to investigate incidents of this kind, actions taken by the setting in response to the incident(s) were considered (where appropriate) alongside the other evidence available at the time of the inspection to inform inspectors' judgements.'

An investigation into the death or serious injury of a child at the setting or elsewhere while in the care of staff employed by the setting, for example during an educational visit.

'Inspectors were aware during this inspection that a serious incident which occurred at the setting since the previous inspection is under investigation by the appropriate authorities. While Ofsted does not have the power to investigate incidents of this kind, actions taken by the setting in response to the incident(s) were considered (where appropriate) alongside the other evidence available at the time of the inspection to inform inspectors' judgements.'

An investigation into alleged child protection failings

'Inspectors were aware during this inspection that serious allegations of a child protection nature were being investigated by the appropriate authorities. While Ofsted does not have the power to investigate incidents of this kind, actions taken by the setting in response to the incident(s) were considered (where appropriate) alongside the other evidence available at the time of the inspection to inform inspectors' judgements.'

An police investigation into the use of restraint/restriction of liberty at the setting

'Inspectors were aware during this inspection of a police investigation into serious allegations about restriction of liberty at the setting. While Ofsted does not have the power to investigate incidents of this kind, actions taken by the setting in response to the incident(s) were considered (where appropriate) alongside the other evidence available at the time of the inspection to inform inspectors' judgements.'

An investigation into allegations of other serious offences such as fraud, involving the head, principal or registered manager of the setting

'Inspectors were aware during this inspection of an investigation by the appropriate authorities into allegations of wrong-doing that did not concern child protection or safeguarding arrangements'. While Ofsted does not have the power to investigate incidents of this kind, actions taken by the setting in response to the incident(s) were considered (where appropriate) alongside the other evidence available at the time of the inspection to inform inspectors' judgements.'

Evaluating pupils' spiritual, moral, social and cultural (SMSC) development

102. When considering how well the school promotes pupils' SMSC, inspectors should take into account the impact of the range of opportunities provided for them to develop their self-esteem and confidence.

Defining spiritual, moral, social and cultural development

103. Pupils' spiritual development is shown by their:

- beliefs, religious or otherwise, which inform their perspective on life and their interest in and respect for different people's feelings and values

- sense of enjoyment and fascination in learning about themselves, others and the world around them, including the intangible
- use of imagination and creativity in their learning
- willingness to reflect on their experiences.

104. Pupils' moral development is shown by their:

- ability to recognise the difference between right and wrong and their readiness to apply this understanding in their own lives
- understanding of the consequences of their actions
- interest in investigating, and offering reasoned views about, moral and ethical issues.

105. Pupils' social development is shown by their:

- use of a range of social skills in different contexts, including working and socialising with pupils from different religious, ethnic and socio-economic backgrounds
- willingness to participate in a variety of social settings, cooperating well with others and being able to resolve conflicts effectively
- interest in, and understanding of, the way communities and societies function at a variety of levels.

106. Pupils' cultural development is shown by their:

- understanding and appreciation of the wide range of cultural influences that have shaped their own heritage
- willingness to participate in, and respond to, for example, artistic, musical, sporting, mathematical, technological, scientific and cultural opportunities
- interest in exploring, understanding of, and respect for cultural diversity and the extent to which they understand, accept, respect and celebrate diversity, as shown by their attitudes towards different religious, ethnic and socio-economic groups in the local, national and global communities.

Evaluating local authority or other responsible office support

107. When notifying a headteacher that their school is to be inspected, lead inspectors must ask for a meeting to be set up with a representative from the local authority or academy chain. This will apply to all maintained local authority schools and any academies or free schools that are part of a chain or formal partnership. This does not apply to converter academies that are not part of chain¹⁴. This conversation may be a face-to-face meeting or take place

¹⁴ Currently around a quarter of schools that have converted to academy status are part of a chain, as defined by the DfE.

by telephone. Lead inspectors will also request that, where possible, a representative from the local authority or academy chain is present at the inspection feedback. Directors of Children's Services have been made aware of this change.

108. The purpose of the meeting with the representative of the local authority or academy chain is to consider the impact of their support. Inspectors must include a brief comment in the inspection report on the level and impact of this support under the section on leadership and management. For example:

'The local authority provides light touch support for this good/outstanding school'

'The local authority provides effective support for the teaching of mathematics/English which has improved the quality of teaching in this/these subjects'

'The local authority has not provided support or challenged this school despite its rapidly declining national test results in recent years. Consequently...'

'The academy chain has ensured that governors are well equipped to hold school leaders to account for the school's performance. As a result...'

Part 2: Further guidance about specific settings

Alternative/off-site provision

109. It is becoming increasingly common for secondary schools and pupil referral units to use alternative provision in order to meet pupils' particular curriculum needs including college placements, vocational and work placements.
110. Schools are responsible for the outcomes and provision of all their pupils on roll, including those who attend alternative provision.
111. Inspectors must evaluate the robustness and effectiveness with which the school monitors the learning, progress, attendance and behaviour of pupils that receive alternative provision.
112. Inspectors must evaluate:
 - how well the school identifies provision that matches pupils' needs and interests and enables them to gain appropriate knowledge and skills
 - how well the school assesses the quality and safety of the provision
 - the quality of information that the school gives to the alternative provider, for example about the pupil's special educational needs, behaviour and/or literacy levels
 - how well the school monitors and evaluates pupils' progress, attendance and behaviour and intervenes to support pupils where needed
 - the progress that pupils make while attending alternative provision
 - whether any qualifications being taken are at the appropriate level
 - the quality of support that pupils receive while alternative provision.

Academy Converters¹⁵

113. When a school converts to become an academy, an Academy Order is made by the Secretary of State. The predecessor school is closed and a new school, the academy, is established. Although the new academy is likely to be composed of the same pupils, teachers and buildings it is legally a new school. The new academy is issued with a new unique reference number (URN), but retains its local authority (LA) establishment number. Academy schools are independent of local authority control but are state-funded schools. Statutory regulations

¹⁵ Sponsor-led academies are also independent, state-funded schools. They come in a number of types including academy schools, free schools, studio schools and university technical colleges (UTCs). These schools do not retain their LA establishment number and regulations permitting the provision of RAISEonline data from a predecessor school to an academy school do not apply, meaning there is no link to a predecessor school. However, the principles underpinning this guidance also apply to sponsor-led academies.

permit Ofsted to provide RAISEonline data from a predecessor school to an academy school.

114. Many academy converter schools regard themselves as essentially unchanged. However, when inspecting and reporting on an academy converter school inspectors must have regard for its new legal status. Consequently when making judgements, inspectors must take care not to include undue consideration of the progress and attainment of the predecessor school nor take account of the progress made by a new academy against the areas for improvement identified in the most recent inspection report of its predecessor school.
115. Although inspectors may take account of information relating to a predecessor school, either from a predecessor school inspection report or from another source, such as RAISEonline, such information may only be used to inform the inspection of an academy converter school during the period from the date on which the academy converter was established.
116. However, information or data relating to a predecessor school may be used to inform the evidence base that is gathered during the inspection of the academy in order to enhance inspectors' understanding about the performance of an academy converter school. For example whether the academy, since its establishment:
 - has improved, consolidated or is responsible for a decline in, the performance of pupils using the predecessor school performance as baseline
 - has tackled any areas of weakness, or built on areas of strength
117. In addition inspectors should pay particular attention to the quality of education at the academy for the period since its establishment. It is essential that inspection judgements, as in any school, are not based entirely on the use of RAISEonline data which refers to the predecessor school but are attributable to the current performance of the school. Inspectors should make clear to schools this guidance on the use of performance data which pertains to predecessor schools.

Pupil referral units

118. To ensure the appropriate expertise and tariff for the inspection, the inspection service provider and lead inspector should, as far as possible, establish:
 - the number and age range of pupils
 - the number of sites and their approximate geographical proximity – these may have changed significantly since the last inspection and this may affect the deployment (and possibly the size) of the team
 - the nature of the pupils' needs – in some instances this may require inspectors with particular specialisms being included within or leading the

team (for example, a pupil referral unit for young mothers with an on-site nursery requiring a childcare inspector).

119. It is essential that **all** of the pupil referral unit's sites are visited during an inspection, to ensure that safeguarding and the quality of education are inspected rigorously.
120. It may not be possible for inspectors to visit all of the alternative provision that a pupil referral unit may be using, such as work providers or colleges. However, inspectors should select a sample to visit, concentrating on those providers that are not otherwise regulated. It is also essential that inspectors find out how the pupil referral unit monitors the quality of this provision, pupils' attendance and safety, and other outcomes.
121. When evaluating past attainment and progress, inspectors will need to take account of the pupil referral unit's own assessment data. Due to the changing nature of the cohorts attending, year on year comparisons of attainment are not reliable, but for progress they will provide a useful indicator.
122. The destinations of the pupils when they leave the pupil referral unit will help to provide a complete picture of pupils' progress. Equally, the stability of any subsequent placements will also be helpful information for inspectors. A pupil referral unit whose self-evaluation is effective will have evaluated the success of pupils in their placements after they leave the pupil referral unit.
123. Inspectors should take account of the core objectives of the pupil referral unit's work. For instance, in a pupil referral unit providing short-term placements for excluded pupils or those at risk of exclusion, the core work may emphasise specific improvements in the pupils' attitudes, behaviour and/or attendance alongside their academic achievement.

Dual placements and outreach

124. If pupils are registered at the pupil referral unit and a local school, inspectors must consider outcomes for these pupils from the perspective of shared responsibility for provision. The pupil referral unit should be adding value to what the mainstream school can offer and vice versa. The effectiveness of partnership work will be an important aspect of the inspection.
125. If the pupil referral unit provides outreach work, it is important to establish what basis this is provided on. If the pupils involved are not on the pupil referral unit's roll, their outcomes will not be part of the unit's inspection.
126. If any pupils are not receiving full-time education, the reasons need to be ascertained.
127. Some pupils may refuse to attend school. Inspectors need to satisfy themselves that the pupil referral unit is doing all it can to ensure full-time provision for these pupils, including where relevant increasing their time attending at the

unit. This can be demonstrated through documentation such as review meeting minutes, records of multi-agency involvement, and targets for increasing attendance. Little or no action on the part of the pupil referral unit to increase the pupils' time in provision (either through home tuition or the centre) should be raised as a concern with the relevant leaders and managers.

128. If the pupil referral unit includes pupils who have had little or no formal education over a significant period of time, the pupil referral unit may decide to introduce these pupils gradually through a part-time timetable. In this situation, inspectors need to evaluate the suitability of these arrangements – are they rigorous, well monitored and aspirational, aiming to get the pupil into the unit full time quickly? Is this successful?
129. The same may apply to pupils with extreme behaviours. A pupil referral unit may decide to introduce the pupil to the centre over a short period of time (two or three weeks) to assess the support they may need, which groups they may be placed in and to avoid disrupting the dynamics of the centre. Done well, this can help the pupil to succeed. As above, inspectors should assess the suitability of these arrangements, which should not be open-ended and should result in swift full-time education for the pupil.

Evaluating attendance in pupil referral units

130. If pupils have poor attendance they are unlikely to be achieving their potential and will continue to be disadvantaged. It is important to give accurate messages about outcomes for these pupils, however hard staff may be working to engage with them.
131. Attendance for all single-roll pupils and for those who are attending a full-time dual roll placement **must** be evaluated as a percentage of a full-time timetable, even where the pupil referral unit has put temporary part-time arrangements in place. For example, a permanently excluded Year 11 pupil who the pupil referral unit has been put onto a timetable of 10 hours out of the 25 on offer at the unit, and who has attended five of those hours in a week has an attendance of 20% (five out of 25), **not** 50% (five out of 10).

Pupils with medical needs

132. Pupils who are absent from school for medical reasons are entitled to full-time education unless their medical condition means that this would not be in their best interests. For any pupil with a reduced timetable or access to education, inspectors should evaluate how the pupil referral unit decided to implement a reduced timetable in conjunction with health professionals. Inspectors will need to find evidence about the availability of full-time provision for these pupils and ensure that it is medical needs, rather than a lack of provision, that determines how much education being offered.
133. When evaluating pupils' achievement when evaluating pupils' achievement inspectors should consider carefully and take into account the reasons why

pupils are attending this type of provision. They must also look closely at the effectiveness of liaison with other schools to ensure there are appropriately high expectations, and as far as reasonably possible, continuity in pupils' educational programmes.

134. The pupil referral unit may be supporting pupils who are on the roll of a mainstream school because they have an illness/diagnosis that leads to prolonged or recurring periods of absence. These pupils, whether at home or in hospital, should have access to education, as far as possible from day one. Arrangements should be in place to ensure that such pupils have work packs prepared in advance that they can bring into hospital. Pupils should receive an education of similar quality to that available in school, including a broad and balanced curriculum. Inspectors should look carefully at partnership arrangements between the pupil referral unit and the school.

The quality of leadership in, and management of, the pupil referral unit

135. Inspectors must be clear about the relative roles and responsibilities of the pupil referral unit's leader (teacher in charge or headteacher), the local authority, and the management committee.
136. Inspectors must evaluate the extent to which all leaders and managers enable pupils to overcome specific barriers to learning and promote improvements for all pupils and groups of pupils in the context of the individual pupil referral unit. In making this judgement, inspectors should consider:
 - the leadership and management by the unit manager and other senior staff
 - the management committee's direct responsibilities; although individual members of the management committee may be officers of the local authority, care should be taken in drawing a distinction between the duties of the committee and the responsibilities of the local authority
 - the local authority as the responsible body for the pupil referral unit.

Partnerships

137. Inspectors should consider how the pupil referral unit works with key partners, such as parents, child and adolescent mental health services (CAMHS) and any providers of careers advice.

Safeguarding

138. When evaluating safeguarding in a pupil referral unit, inspectors should bear in mind that exclusion, part-time timetables and poor attendance that is not followed up effectively can place pupils in a vulnerable situation. Inspectors should also take into account the procedures to safeguard pupils at off-site alternative provision.

Making judgements

139. Consideration must be given to the quality and impact of all the different parts of the provision and any additional services. When considering overall effectiveness, care must be taken to weigh the judgements fairly. For example, judgements about overall effectiveness must **not** be dictated solely by the outcomes of the education provided for a few of the unit's pupils located on one site. The following points should be kept in mind.

- The inspection must take account of the core objectives of the unit's work. These may include, for example, specific improvements in the pupils' attitudes, behaviour, attendance or confidence.
- When the pupil referral unit has responsibility for the home tuition service, the inspection must be planned so that evidence is gathered about the effectiveness of home tuition. This may include scrutiny of assessment records and pupils' work, discussion with key staff and discussions with pupils.
- If a hospital class is included as part of a pupil referral unit, this must be included in the inspection and must contribute to the judgements made.
- Where the outcomes and the effectiveness of the provision across several sites vary, this must be explained clearly in the text of the report.

Reporting on pupil referral units

140. Where the outcomes and the effectiveness of the provision across several sites vary, this must be explained clearly in the text of the report.

Special schools

141. In planning the inspection, lead inspectors will need to take account of:

- the range of special educational needs catered for by the school (if the school is for deaf pupils then a signing interpreter might be required)
- the number of key stages at the school and the number of sites used including those that are co-located with mainstream schools
- any outreach services particularly for dual registered pupils.

142. The lead inspector must check that the team has appropriate expertise for the range of pupils' needs. Where there are significant differences between the information used to plan the inspection and the school's current details, then the lead inspector should discuss these with the inspection service provider.

143. Inspectors should consider whether the physical environment enables all pupils to learn effectively, taking account of the needs of pupils who are deaf or have autistic spectrum disorders. They should also consider whether full use is made of specialist approaches, advice or equipment.

144. As far as possible, when meeting pupils, inspectors should use the forms of communication used by the pupils at the school. For some, the inspectors may need to request the assistance of staff that know and understand these pupils' preferred means of communication.
145. Inspectors may need to use an interpreter to interview deaf pupils. In most instances, inspectors should make use of the school's facilities for interpreting, taking due care to ensure pupils are able to give their views freely and without influence. If the school is a specialist school for deaf children and uses British sign language as its primary communication, then an interpreter should be provided by the inspection service provider.
146. When evaluating leadership and management, inspectors should evaluate:
 - the need for any specialist advice or training for staff, and whether specialist equipment and environments are being used effectively
 - the effectiveness of joint working with other professionals, for example, specialist therapists, on improving the outcomes for pupils
 - how well pupils are prepared and supported in making decisions as well as being involved in meetings where decisions about their future are made.
147. Regarding the curriculum, inspectors should:
 - recognise that children aged between two and five years should be following the Early Years Foundation Stage curriculum
 - consider how well the curriculum helps to:
 - raise aspirations and provide realistic progression opportunities
 - enable progression at all the necessary levels and ensure that learning activities and resources are age-appropriate and are different from those used in earlier years, even when pupils' attainment remains at low levels; this is a particularly important consideration in all-age special schools.
148. Regarding safeguarding, inspectors should:
 - ask whether the school has considered the specific risks that disabled pupils and those who have special educational needs may experience or present, including those with behavioural, emotional and social difficulties
 - ask about staff training concerning the awareness of specific safeguarding issues related to disabled pupils and those who have special educational needs, particularly from the designated teacher for child protection. Research indicates that disabled children are at increased risk of abuse and

the presence of multiple disabilities appears to increase the risk of both abuse and neglect.¹⁶

Reporting on special schools

149. Inspectors should ensure that:

- there is specific reference to literacy/communication and numeracy or early cognitive skill development, and other key aspects appropriate to the pupils' needs
- the report does not make reference to any commercial schemes, for example, inspectors should refer to a 'symbolic communication system' rather than the particular scheme that is used in the school; similarly, specific commercial pupil performance analysis tools should not be named.

150. In the case of complex pupil referral units, it is important that the inspection report includes a specific evaluation of the relative strengths or weaknesses of provision on different sites or for separate groups of pupils.

Mainstream schools with specially resourced provision for disabled pupils and those who have special educational needs

151. The following additional requirements apply to schools with a specially resourced provision for disabled pupils and those who have special educational needs. Resource base provision is the generic term and includes provision entitled 'unit' or 'specialist facility' or 'designated special provision'.

152. The resource base must be inspected and inspectors must consider evidence about the resourced provision when making judgements about the school overall where the provision is delegated to the school or, where the local authority maintains direct responsibility, for the period of time when the pupils in the provision are within mainstream classes at the school being inspected.

153. Specially resourced provision that is not delegated to the school or where pupils do **not** spend some of their time in the school's mainstream classes remain within the inspection remit of the pupils' 'home schools' (the schools where they are on the roll).

154. The lead inspector should obtain specific information about the resource base during the initial contact with the school, including:

- the number of pupils and the range of the needs catered for by the specially resourced provision, together with pupils' timetables, including when they are taught within mainstream classes (with and without support) and when they receive specialist support in separate resourced provision

¹⁶ *Working together to safeguard children* (paragraph 6.45), DCSF (now DfE), 2010; <https://www.education.gov.uk/publications/standard/publicationdetail/page1/DCSF-00305-2010>.

- the type/s of language/communication systems used; if the specialist provision is for deaf pupils, it is important to establish whether a British sign language interpreter is required when meeting with the pupils (the lead inspector should contact the inspection service provider as soon as possible if this support is needed)
 - staffing arrangements and details of any outreach services provided by the resourced provision.
155. Inspectors must observe classes involving pupils from the resource base/unit. It is not expected that all of these observations will be carried out by the specialist inspector. Inspectors should note how well teachers:
- plan thoroughly for the deployment of specialist support staff and brief them on what pupils are expected to learn and about their role/activity
 - make full use of agreed specialist approaches, advice or equipment.
156. Inspectors must undertake an analysis of the achievements of resource base pupils, which is distinct from other pupils identified with special educational needs in the mainstream school. Inspectors should explore and identify the reasons for any difference between the achievements of pupils in resource-based provision and other pupils in the school, including those who are disabled or have special educational needs. When analysing achievement, inspectors should carefully consider the impact that a large provision might have on the overall attainment and progress data of the whole school.
157. Discussions should be held with the person in charge of the resourced provision and with pupils in the resourced provision.
158. Inspectors should be familiar with the most recent guidance on the use of force and restraint. They must seek advice from Ofsted where they have concerns about their use.
159. There should be systematic recording of every significant incident where restraint or physical intervention has been used in accordance with the school's policy and procedures on the use of force and its child protection requirements. Care should be taken to check there is not excessive use of restraint or physical intervention (also sometimes referred to as 'positive handling'). The number and range of recorded incidents is also an important indicator of how successfully a school is managing very challenging behaviour.

Reporting on specially resourced provision for disabled pupils and those with special educational needs in mainstream schools

160. The effectiveness of provision for children/young people in the resourced provision should be captured in the main findings and included in the overarching judgements for the school. The report must:

- include a description of the resourced provision, which should include the nature of the designated special educational need, the number of pupils involved and the age range if it differs from the main school (in the first instance, use the term 'specially resourced provision for pupils with special educational needs', then subsequently use the term used by the school)
- include sufficient detail in the report to show how well the pupils attending the resourced provision are achieving, as well as the quality of provision and leadership and management that contribute to their outcomes. This should be in addition to the achievement and provision for disabled pupils and those with special educational needs in the rest of the school
- explain and clarify any differences in outcomes and levels of provision between those with special educational needs in the main school and those attending the resource-based provision.

Reporting on boarding/residential provision managed by the governing body

161. Inspectors should use the terms 'boarding provision' and 'boarders'. In the case of residential special schools, use the terms 'residential provision' and 'residential pupils'.
162. The inspection findings in the main body of the report should be tailored to the school. Social care inspectors will ask at the outset of the inspection which terminology the school prefers, and will use this in their contribution to the integrated inspection report. The following are examples, but not an exhaustive list: 'boarders/residential pupils/students/care staff/residential staff'.
163. If any national minimum standards have not been met by the provision, the following standard phrase must appear as one of the recommendations under What does the school need to do to improve further?: 'The school must ensure that it meets the national minimum standards for boarding schools which have not been met.' or 'The school must ensure that it meets the national minimum standards for residential special schools which have not been met.' The national minimum standards not met should be listed towards the end of the report, as set out below.
164. Any major issues arising from the boarding or residential inspection should be reported in the section 'What does the school need to do to improve further?'
165. Inspectors must consider the impact of the grades for boarding/residential provision on the grades for the whole school, for which they will need to take account of the proportion of boarders/residential pupils in the school.
166. The inspection findings for the overall effectiveness and leadership and management of boarding, and boarders'/residential pupils' safety should be woven into key findings and the corresponding sections of the main report.

167. The social care inspector's findings relating to outcomes for boarders/residential pupils and the quality of the boarding/residential provision should be reported in the section of the report entitled 'Boarding' (which should be used in the case of boarding schools) or 'Residential provision' (for use in residential special school reports). This section should contain about 400 words in total.
168. The section 5 and boarding grades for leadership and management and behaviour and safety should either match or be within one grade of each other and the reasons for this should be clearly stated in the main body of the report.
169. Any national minimum standards that are not met must be listed under National minimum standards followed by their reference number in brackets, for example '(NMS 5.1)'. This list must be introduced with the sentence 'The school must meet the following national minimum standards for boarding schools.' or 'The school must meet the following national minimum standards for residential special schools.' (Used as appropriate.)
170. If all of the national minimum standards have been met, insert the sentence 'The school meets the national minimum standards for boarding schools.' Or 'The school meets the national minimum standards for residential special schools.' (Used as appropriate.) In these cases, there is no need to use bullet points.
171. A grade must be given for all five judgements on the boarding/residential provision. Two options are given for each judgement; the first is for boarding schools and uses the terms boarding provision/boarders. The second is for residential special schools and uses the terms residential provision/residential pupils. Please delete as appropriate.
172. Please refer to *Conducting inspections of boarding and residential provision in schools*¹⁷ for further guidance on writing integrated inspection reports.

Reporting on evidence or allegations of child abuse

173. On a very small number of occasions, inspectors may come across evidence or allegations of child abuse within a school. When such allegations have been made, the lead inspector should report the concerns using the following wording:

'Concerns raised by some pupils/a pupil/some parents/one parent during the inspection are being examined by the appropriate bodies.'

¹⁷ *Conducting inspections of boarding and residential provision in schools* (100180), Ofsted, 2012; www.ofsted.gov.uk/resources/100180.