



# Guidance for Inspectors Inspecting for the future (2024 – 2030)

How we inspect (the inspection process): education,  
skills and work provision for men in prison

This guidance is also available in Welsh.

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

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## Introduction

### Estyn's vision

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

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

This section sets out our approach to inspecting education, skills and work provision in men's prisons from 2025. It explains **how** we inspect. The guidance is essential reading for reporting inspectors and all other members of the inspection team. It may also be useful for providers to support their understanding of the inspection mind-set and methodologies. The term 'provider' is used throughout this document to refer to the prison's education, skills and work activities.

The guidance should be read alongside 'What we inspect' guidance for education, skills and work provision in men's prisons, which outlines the inspection framework. Providers and partners can use this guidance to see how inspections work and to help them in strengthening their own self-evaluation and improvement processes.

Where the inspection identifies practice worth sharing, inspectors will include a spotlight on this practice as part of the inspection report. Where the inspection identifies important concerns in relation to standards, quality of education and training or leadership and management, HMIP will arrange follow-up activity to support improvement through its process for independent reviews of progress (IRPs). [Guidance on IRPs](#) can be found on HMI Prisons website.

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

### Policy background

Inspections of establishments within His Majesty's Prison (HMP) estate are governed by sections 5A and 43 and Schedule A1 of the Prison Act 1952 (as amended) These provisions set out HM Chief Inspector of Prisons' responsibilities to inspect

- prisons, young offender institutions (YOIs), and secure training centres (STCs) in England and Wales;
- court custody facilities in England and Wales and escorts to and from these facilities; and
- immigration removal centres (IRCs), short-term holding facilities, pre-departure accommodation and escort arrangements throughout the UK.

Schedule 1A of the Prison Act 1952 sets out the Chief Inspector of Prisons' further powers and duties to cooperate and consult with other criminal justice inspectorates and other bodies to delegate any of its functions and ensure inspections by other specified bodies do not place an unreasonable burden on organisations within his remit.

When commenced<sup>1</sup>, Section 57 of the Tertiary Education and Research (Wales) Act 2022 confers responsibility for inspecting further education and training funded or secured by the Welsh Ministers to the Chief Inspector for Education and Training in Wales. Section (3) requires that The Chief Inspector must publish a report of each inspection carried out under this section including views on—

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

To give effect to these provisions, an Estyn team will be invited by His Majesty's Chief Inspector of Prisons to participate in an exercise, which HMIP may or may not announce to the prison or the public domain. Some inspections are called at very short notice if HMIP data identifies risks that they wish to explore.

HMIP have overall responsibility for the management of the inspection. During these inspections, Estyn works to and within a framework of expectations for prisons and produces written judgements to HMIP's specification. However, the reporting inspector (RI) is responsible for the conduct and management of Estyn's involvement in the inspection, and for producing an inspection report on education, skills and work provision at the establishment being inspected for inclusion in HMIP's overall report of the inspection.

Inspectors should be familiar with the [HMIP inspection framework and](#) guidance as well as the '[Expectations](#)' for different types of detention that HMIP use to guide them on inspection.

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

- the Well-being of Future Generations (Wales) Act 2015 <https://www.gov.wales/well-being-of-future-generations-wales>
- the Additional Learning Needs and Education Tribunal (Wales) Act 2018

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

<https://gov.wales/additional-learning-needs-and-education-tribunal-wales-act>

- Better Learning, Better Chances: prison learning and skills provision

<https://www.gov.wales/better-learning-better-chances-prison-learning-and-skills-provision-html>

## **Principles of our work**

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

- take a learner-centred approach to any activity and engagement
- always focus strongly on the quality and effectiveness of teaching and learning
- focus each activity on the specific provider and adapt our approaches accordingly
- use a range of tailored methodologies and approaches to evaluate the breadth of the provider's work robustly and fairly
- adopt a constructive approach that makes the interaction with the provider a professional learning experience for their staff

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

In addition, our inspectors will:

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

In core inspections particularly, our inspectors will:

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

## **Our mind-set**

Estyn's approach to inspection and engagement activity is:

**Fair and impartial** – this means that we work to be independent, objective and balanced.

We are robust and consistent in our work. We weigh the evidence and its significance to provide an honest, credible and accurate view of the provider's strengths and areas for improvement.

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

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

**Transparent** – we are well informed and communicate clearly, directly and succinctly. We use efficient and effective inspection methodologies to respond to the provider's unique situation. We plan inspection activity and report on strengths and areas for improvement in ways that reflect the particular circumstances of each individual provider. As a result, our actions promote trust and respect.

### **Expectations of inspectors**

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

When conducting the inspection, inspectors will:

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

It is important that we evaluate the effectiveness of provision and leadership on their impact and not on the basis of any preferences for particular methods. The key to the evaluations is whether the methods and organisation are fit for the purpose in supporting

all learners to achieve high standards and strong levels of well-being.

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

### **Expectations of providers and their delivery partners**

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

- be courteous and professional
- provide evidence that enables enable inspectors to conduct the inspection in an open, honest and objective way
- use Estyn's electronic systems for managing inspections as required
- provide evidence that will enable inspectors to report honestly, fairly and reliably about the provider
- maintain a purposeful dialogue with the reporting inspector and other inspectors
- recognise that inspectors need to observe practice and talk to staff, learners and other stakeholders without the presence of a manager or senior leader
- draw any concerns about the inspection to the attention of the reporting inspector in a timely and suitable manner through the nominee or senior manager
- work with inspectors to minimise disruption and stress throughout the inspection
- ensure the health and safety of inspectors while on their premises
- maintain the confidentiality and meetings and inspection findings until the final publication of the report
- refrain from taking recordings, photographs or videos during the inspection process, including of draft evaluations developed during the inspection; any CCTV or recording equipment should be brought to the attention of the team during the initial team meeting.

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

### **The Welsh language**

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



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

Inspectors will evaluate safeguarding arrangements in adult prisons in accordance with Estyn's [supplementary guidance on inspecting safeguarding in post 16 providers](#). Estyn inspectors may encounter evidence that contributes to Estyn's and/or HMIP's inspection evidence of the setting's safeguarding arrangements. This supplementary guidance sets out how HMIP and Estyn consider safeguarding arrangements within the respective frameworks and is essential reading for all team members.

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

If they observe anything that they think constitutes in their opinion, a real risk to the safety of staff, visitors or prisoners, inspectors should record basic information of the concern as outlined in our guidance above and alert Estyn's reporting inspector. The reporting inspector must inform

- the Governor or Manager of the provider and HMIP's lead inspector and ask them immediately to follow their own safeguarding protocol.
- Estyn's safeguarding team using our referral form.

Estyn does not investigate individual safeguarding cases or referrals. This responsibility lies with HMI Prisons and Probation Service, the Local Authority and the Police. However, inspectors must follow this protocol to ensure that all allegations or suspicions of abuse or neglect are investigated by the appropriate authorities

In all cases, inspectors should record details of the concern. They should inform the Reporting Inspector (RI) who should then contact one of Estyn's safeguarding lead officers. The lead officer will advise the RI of the next steps to take including what to record in the evidence base for the appropriate inspection area. This includes any risks relating to learners' health, safety and well-being.

Where these risks are a serious concern during core inspection activity or visits, inspectors should include a short comment in the report's text and a recommendation in the report where the concern relates to education, skills and work activities.

## Core inspection activity

### Approach to inspection

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

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

### The Virtual Workspace

We will use an electronic system, called the 'Virtual Workspace (VWS)', for managing many aspects of the inspection. It is a web-based system that allows providers and HMI Prisons to upload information before and during the inspection and to download guidance from us about the inspection process.

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

### The inspection team

There are different roles within the inspection team.

Team member	Explanation	Role
Reporting inspector (RI), may also be referred to as the Estyn lead inspector	The RI for an inspection will be one of the following: HMI (His Majesty's Inspector of Education and Training in Wales) – HMI are appointed by the crown. They are civil servants employed directly by Estyn.	The RI leads and manages the inspection team. They liaise with the prison management and the team ahead of the inspection, and quality assure their team's work. The RI is the first point

	AI (Additional Inspector) – AIs normally join Estyn temporarily, for example on secondment from providers.	of reference for everyone during the on-site part of the inspection process. The RI attends joint team meetings chaired by HMI Prisons.
Deputy Reporting Inspector	The DRI for an inspection will be HMI or an AI.	The DRI will support the RI to secure the smooth running of the inspection. They will take responsibility for the writing of a reporting section. They may accompany or deputise for the RI during HMI Prison's team meetings.
Team inspectors (TI – T3)	The number of team inspectors is determined by the size of the prison as well as other logistical factors such as the number and geographical distribution of sites. Team inspectors may be HMI or contracted additional inspectors who have been trained by Estyn.	Team inspectors may take responsibility for reporting on and gathering evidence to inform the team's evaluation of different aspects of the inspection. The RI directs and manages the team inspectors' work.
Peer inspector (PI)	A peer inspector is a serving leader or manager or where appropriate, experienced practitioner from another education provider who has completed Estyn's PI training and assessment. Not all prison inspection teams have peer inspectors as team members. Peer inspectors with specialist vocational and technical expertise may be deployed mainly to gather evidence on teaching and learning.	The PIs also take responsibility for gathering evidence to inform the team's evaluations. They are an integral part of the inspection team. The RI directs and manages the PI's work, supported by the DRI
Nominee (from the provider being inspected)	We will invite providers to select a senior member of staff, called the nominee, to work with the inspection team. In practice, nearly all providers accept the invitation, but it is not a requirement. The nominee should have sufficient seniority and operational knowledge to act as a link between the provider and the inspection team but need not be the prison governor. It	Providers can access the guidance for nominees on preparing for the inspection from links within the initial contact form (ICF), completed by the Inspection Coordinator (IC) and available via the VWS.

	is customary on prison inspections for this role to be fulfilled by the Head of Education, Skills and Work or the Head of Learning and Skills.	
Inspection co-ordinator (IC)	The inspection coordinator is a member of Estyn's Central Services staff who co-ordinates the administrative elements of the inspection, including setting up the VWS and making the initial contact with the provider to notify them of the inspection and first call with the RI.	The IC is an important 'behind the scenes' role, coordinating the administrative and logistical elements of the inspection. They do not attend the on-site inspection itself and do not contribute directly to the evaluation of a provider.

With HMIP's permission, we may also invite an international peer inspector/reviewer from one of the education and training inspectorates in the UK, Eire or Europe. They will be able to bring an international benchmarking perspective to the inspection, facilitate the sharing of effective practice and enable better networking of education and training providers in Wales with their international peers. All observers are required to adhere by Estyn's code of conduct and guidance for observers on inspection.

### Contacting the provider before a core inspection

The Justice Sector lead officer and Assistant Director (AD) will be informed by HMIP of an upcoming inspection, and whether the inspection is announced (HMIP will notify the prison) or unannounced. HMIP will not notify the prison until a week before, when a small team of researchers will visit the prison to undertake surveys of prisoners' views and establish a rudimentary timetable. If the inspection is an unannounced one, the entry in Estyn's work programme should anonymise which prison is to be inspected.

If it is an **announced** inspection, the RI can contact the Head of Education, Skills and Work (HoESW) or the Head of Learning (HoL) in the prison after the announcement date.

If it is an **unannounced** inspection, the RI must agree with HMIP when Estyn may contact the prison's HoESW/HoL. We must not make contact before that date.

In all cases, the inspection co-ordinator will contact the nominee after the RI has made initial contact with the HoESW/HoL to set out arrangements for the inspection including providing access to the Virtual Workspace for uploading documents required by the reporting inspector.

When HMIP permits contact with the prison, the RI will contact the HoESW/HoL to:

- explain the purpose of the inspection
- share details of the team of inspectors
- ask whether there are any issues or risks the team should be aware of for the onsite activity part of the inspection
- establish whether the provider wishes to have a nominee and, if it does, agree the role of the nominee and explain the process for completing the nominee guidance
- discuss domestic arrangements for the team, such as the availability of a base room, separate from the HMIP base room, and request the availability of refreshment facilities – often just a kettle and cups and discuss parking arrangements, if any
- clarify that inspectors will be issued with their own sets of keys and confirm arrangements for accessing them
- arrangements for the team's arrival at the prison, including any key training, the issue of belts and pouches and tour of facilities where required, and directions to the base rooms
- confirm that inspectors have security clearance for laptops in prison as agreed with HMIP
- discuss the specific information required before the inspection
- make the arrangements for receiving pre-inspection information in electronic form through the Virtual Workspace in conjunction with Estyn's inspection coordinator (IC)
- agree arrangements for setting up a provisional programme for the inspection, including any team meetings and meetings with staff and prisoners
- clarify whether it will be possible to contact prisoners and employers engaging in employment offsite (ROTL) and how that might be achieved
- arrange a meeting at the start of the inspection with the nominee to provide a briefing for the team inform them of any issues that might affect the smooth running of the inspection during the onsite activity phase of the inspection.
- arrange a meeting at the start of the inspection for the provider to set out its priorities for improvement and its current stage of development
- arrange the availability of supporting evidence, including samples of learners' work for the onsite activity
- confirm that the team may request additional meetings or supplementary evidence as the week progresses
- ensure that there are agreed procedures for addressing any concerns or complaints that might arise during the course of the inspection
- set up arrangements for feeding back the inspection findings

The RI will discuss with and request that the nominee upload the following information to the VWS normally by the end of the first day following the initial telephone call:

- An outline of the prison's regime
- Timetable(s) of education, skills and work activities planned for the period of inspection, identifying precise locations and staff involved
- Information on prisoner numbers, activity spaces, allocations, range of provision and accredited courses, current attendance - a proforma will be provided if not already shared by HMIP on notification.
- Information on progress, achievement and attainment of learners broken down by groups of learners
- Up to date KPI data on the prison's performance against contract targets for the last 12-18 months
- Proportion/numbers securing employment or education and training on release
- The prison's self-assessment report to include the SAR for Purposeful Activity/ Education, Skills and Work
- The current action or quality development plan
- Information on literacy/numeracy of prison population from initial assessment and any subsequent reassessment of progress
- A staff list outlining any teaching specialisms and qualifications, and any positions of responsibility held
- An outline of the senior management team structure and responsibilities
- An overview of the courses offered by the provider
- The prison's reading strategy
- Any other information that will support the RI to prepare for onsite activity

During the initial contact, the RI will also discuss:

- the role of the nominee during the inspection week,
- that they should be relieved of any teaching commitments during the inspection week to enable them to carry out their role fully during the inspection week
- remind them of the need to bring a copy of this guidance handbook and the HMIP inspection criteria to each team meeting
- answer any questions they may have

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

The RI should clarify the date when HMIP will require Estyn's written contributions to the report. This is sometimes included in the announcement email from HMIP. It is often very soon after the inspection ends.

HMIP will share with Estyn any emerging findings that their advance team of researchers have identified in the week prior to inspection. This will include the findings from pre-

inspection questionnaires of staff and prisoners. Taking this into account and the provider's identified improvement priorities and self-evaluation reports, any information already held by Estyn such as the findings from link visits and thematic reviews, the reporting inspector will plan the inspection and allocate responsibilities to members of the inspection team.

The 'Provider Area' of the VWS should be labelled with the name of the provider being inspected and contain:

- Evidence uploaded by the prison, including the self-assessment report and quality development plan
- Timetable of organised activities for prisoners
- KPI and other data requested

The 'Restricted documents' area of the VWS should contain a folder with the name of the provider being inspected:

- Evidence forms
- Previous inspection report
- Copy of this guidance
- HMIP advance findings
- RI's briefing note including and pre-inspection commentary

RI should prepare a briefing note for the team that contains an outline plan for the days of the inspection week. Once completed (this may not be possible until the Friday before inspection, the RI should place the briefing note into the restricted area of the VWS. The RI will send an e-mail to the team and the IC that the briefing note is available in the VWS during the Friday before the inspection week. Inspectors should note that it may be useful to have paper copies of the data summary, PIC, questionnaire outcomes as access to the internet may be limited onsite.

### **During the inspection**

On arrival, the RI should inform HMIP that the team is present and where the base room will be.

The RI and the DRI will join HMIP for their initial team meeting with the prison's management team. The remaining team members will settle into the base room and use the time to read the briefing note and familiarise themselves with any documents provided by the RI or the prison.

## **Initial team meeting**

During the initial team meeting of the inspection team, the nominee should inform the team of any issues that might affect the smooth running of the inspection during the onsite activity phase of the inspection.

After this the nominee should provide a brief position statement on its strategic priorities and its current stage of development. The team will discuss these improvement priorities with the nominee and the progress the prison is making in its improvement work.

During the remainder of the team meeting, the RI will

- share initial findings shared by HMIP from their activities in the previous week,
- share and discuss the provisional timetable with the team, including arrangements for meetings and evidence
- discuss arrangements for requesting any additional evidence or meetings with the team and the nominee
- arrangements for recording evidence and feeding back findings

The nominee will depart at the close of the team meeting.

## **Gathering and reviewing inspection evidence**

After the team meeting, team members will plan their inspection activities so that they can cover the reporting requirements within the three inspection areas. Their main activities will include:

- direct observations of teaching and learning, including evidence gathered through learning walks. This may include visits to wings. These arrangements are confidential to the team and not to be shared with other prison staff
- a visit to the prison library
- reviews of documentary or electronic evidence including information on learners' performance and progress
- scrutiny of samples of learners' work, including learners' work gathered during lesson observations and learning walks
- review of survey responses from staff and prisoners carried out by HMIP during the pre-inspection phase
- discussions with prisoners, leaders, managers, governors and other key stakeholders

The team will use direct observation, wherever possible, of learners' standards, skills, practical and written work to gather evidence to support their evaluations of teaching and learning. This evidence will be gathered through session observations, and learning walks, where inspectors move relatively quickly through a number of teaching or training sessions. For example, on learning walks inspectors may look at a specific aspect of the



provision, have conversations with selected learners about their work, or have discussions with individual teachers about learners' progress in their training sessions and how they plan work to meet their needs.

The voice of the learner is a key source of evidence for inspectors. Inspectors will speak with learners in learning sessions, in focus groups or informal settings where appropriate. The RI will also arrange with the nominee for a member of the team to meet with a group of prisoners to discuss their experiences. They will always follow security protocols.

Conversations with learners will provide an opportunity to explore learners' knowledge and understanding of their work and skills, as well as their perceptions of their progress and their learning experiences. It will also help inspectors to gauge how well they feel the prison supports prisoners and contributes to their well-being, including how it supports their participation in education, skills and work.

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

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

### **Recording inspection evidence**

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

### **Professional dialogue**

Throughout the inspection, inspectors will engage in professional dialogue with practitioners. This dialogue may include meeting with individual teacher, often in their classrooms to discuss their planning and assessment of learners' work. Inspectors may want to meet with groups of support staff, for example to understand the prison's arrangements for allocating prisoners to activities, or to support learners with ALN. Inspectors may decide to meet with leaders, either individually or as a group, to understand the impact of the provider's leadership on bringing about improvements to learners' outcomes.

Professional dialogue enables inspectors to gain first-hand evidence from practitioners that can be triangulated with other sources of evidence. The dialogue will provide emerging, interim findings on aspects of the evidence base. These findings may be

amended, on reflection, for example after scrutiny of learners' work or talking to prisoners or as the result of moderation within the team.

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

At all times, the main focus of the discussion should be on the learners, the progress they make during the session and the standards they achieve. Inspectors should try to focus on any strengths or areas for development in relation to the specific activity seen.

Due to the nature of learning walks, and the spread of the activity across a number of activities within a relatively short period of time, inspectors will not be in a position to offer professional dialogue to individual teachers, trainers or assessors after learning walk activity. Wherever possible, inspectors should introduce themselves briefly to the member of staff and explain they are conducting a learning walk activity rather than a full observation and that this will mean that they will not be in a position to offer professional dialogue on this occasion.

### **Team meetings**

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

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

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

### **Daily feedback and keeping in touch meetings**

The nominee will join Estyn team meetings throughout the week. Their attendance at these meetings ensures that they are kept informed of the emerging evidence gathered by the team as the inspection progresses, and help identify whether any additional

information, evidence or meetings are required. These meetings will be the main source of interim feedback.

The RI and/or the DRI will share a summary of the team's emerging findings verbally with HMIP during their daily team meetings with the wider inspection teams. The RI will submit a written summary of the key points and evaluations of inspection areas to HMIP's lead inspector on the final day of the inspection at a time to be agreed between them for HMIP's moderation meeting. This written summary will form the basis of discussion around Estyn's findings for Education, Skills and Work activities as part of the moderation process for Purposeful Activity.

The RI and DRI will hold a brief keeping in touch session with the nominee at the end of each day before leaving the prison site.

The team will also identify any areas of concern to help focus the provider's improvement, and spotlights of effective or interesting practice to be highlighted in the report.

### **Identifying concerns**

During all inspections, the inspection team will consider whether the provider is causing concern. This may be related to an aspect or aspects of education and training which is inadequate to meet learners' needs. The Tertiary Education and Research Act (Wales) 2022 states that 'the quality of tertiary education, or of a course of tertiary education, is inadequate if it is not adequate to meet the reasonable needs of those receiving the education or undertaking the course.'<sup>2</sup>

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

- a high proportion of learners underachieving over time or a considerable decline in achievement over time
- if the provider is failing to give its learners an acceptable standard of education and training
- if the provider is performing significantly less well than it might in all circumstances reasonably be expected to perform
- if the persons responsible for leading, managing or governing the provider are not demonstrating the capacity to secure the necessary improvement
- serious safeguarding concerns
- failure to address shortcomings identified during previous inspections or through other internal or external activity
- any other concern that presents a significant risk to the well-being or achievement of learners

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<sup>2</sup> Section 52 (3) Tertiary Education and Research (Wales) Act 2022

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

The inspection team must report as they find and be able to substantiate their judgements on the basis of sound evidence. If the evidence points to the conclusion that there are areas of concern, these should be set out in order of priority as Priority Concerns and Concerns.

**Priority concerns** are the areas of concern that require immediate attention by leaders and managers. They are designed to help leaders prioritise areas of weakness and should be addressed first in order to improve outcomes for prisoners.

**Areas of concern** identify the areas where there are significant weaknesses in the treatment of and conditions for prisoners. To be addressed they will require change in practice and/or new or redirected resources.

Priority concerns, along with selected areas of concern, will be reviewed at an independent review of progress or inspection, the focus should be on whether the concern has been resolved and outcomes have improved.

### **Overarching judgement**

The inspection team will propose an overarching judgement taking into account the balance of the strengths, areas for development and concerns identified during the inspection, using HMIP's four-point scale below:

#### **Outcomes for prisoners are good.**

There is no evidence that outcomes for prisoners are being adversely affected in any significant areas.

#### **Outcomes for prisoners are reasonably good.**

There is evidence of adverse outcomes for prisoners in only a small number of areas. For the majority, there are no significant concerns. Procedures to safeguard outcomes are in place.

#### **Outcomes for prisoners are not sufficiently good.**

There is evidence that outcomes for prisoners are being adversely affected in many areas or particularly in those areas of greatest importance to the well-being of prisoners. Problems/concerns, if left unattended, are likely to become areas of serious concern.

### **Outcomes for prisoners are poor.**

There is evidence that the outcomes for prisoners are seriously affected by current practice. There is a failure to ensure even adequate treatment of and/or conditions for prisoners. Immediate remedial action is required.

The overarching judgement proposed by Estyn's team will inform HMIP's overall judgement for Purposeful Activity and be published in the inspection report.

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

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

Where serious concerns are identified during an inspection, the Chief Inspector of HMIP may decide to issue an urgent notification outlining his concerns and the reasons for them and/or conduct an independent review of progress to assess how far the prison has addressed the concerns raised. For more information on urgent notification and independent reviews of progress see: <https://hmiprisons.justiceinspectorates.gov.uk/uns-and-irps/>

### **Formal feedback**

At the end of the on-site part of the inspection, the team will provide oral feedback to Head of Education, Skills and Work, the Head of Learning and Skills and the prison governor/director or a senior leader with oversight of education, skills and work provision. The feedback will focus on the main evaluations of each of the three inspection areas and the reasons for these.

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

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

All the evaluations reported during an inspection by the Estyn inspection team are provisional and subject to moderation and validation by HMCI of Education and Training in Wales and of HMIP. They are confidential to the prison staff and senior leaders. They should not be communicated beyond this group, including via social media, until HMIP publish the report on their website.

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

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

There is guidance for providers on our [complaints handling procedures](#) on our website.

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

### **After the inspection**

#### **The inspection report**

The reporting inspector is responsible for producing a final inspection report in the form of a letter that is clear to a lay audience and helpful to the provider. The letter will be shared with the prison's governor or director, HMPPS, and Welsh Government. We will produce the letter within agreed sector timescales.

The report will be subject to Estyn's and HMIP's internal quality assurance processes and form Estyn's contribution to the inspection report published on HMIP's website. We will publish our contribution to HMIP's inspection report on our website concurrently with HMIP's publication of the full inspection report.

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

We will share reports bilingually, where providers have made this request, in line with

Estyn's Welsh Language Policy.

We base the structure of the inspection report on our inspection framework and the report will take the following form:

**About the inspection**

**Estyn's judgement descriptors and terms to describe proportions**

**Main evaluations**

Inspection Area 1 - Teaching and learning

Inspection Area 2 - Well-being, care, support and guidance

Inspection Area 3 - Leading and improving

**What needs to improve, in order of priority**

The main evaluations will include narrative text of the strengths and areas for improvement, and spotlights on interesting or effective practice.

**Assuring the quality of inspections**

We are committed to:

- effective selection, training, briefing, support and deployment of inspectors, including peer inspectors and additional inspectors
- effective training, briefing and support to allow the nominee to play an active role
- regular dialogue with the nominee during inspection
- criteria and recording systems that comply with inspection guidance
- careful review and analysis of evidence
- providing clear verbal feedback of the team's main findings and the detail for each inspection area
- producing accurate and well-presented reports

We apply a robust quality assurance process to all of our inspections. The reporting inspector will quality assure the team's work in the first instance. After the end of on-site activity, the report and evidence base are quality assured by an assistant director. The full evidence base is scrutinised and matched to the report text, to ensure that the two align. In addition, the quality assurance process considers the appropriateness of the concerns and priority concerns. As part of the quality assurance process, concerns may be amended, removed or added.

Whenever the outcome of an inspection is that outcomes are not reasonably good or are poor, in addition to an assistant director, the strategic director moderates the report

alongside the evidence base, on behalf of HMCI.

In addition, we quality assure a sample of inspections through on-site visits. We will assure the quality of all written inspection reports before they are published on our website. Our full arrangements for assuring the quality of inspections are available on our website [www.estyn.gov.wales](http://www.estyn.gov.wales).