Peer Inspector Memorandum of Understanding for local government education services

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Version Control

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1.1	Hannah Roderick	January 2019	Amendment to probation inspection grade, personal information and travel and subsistence.
1.2	Hannah Roderick	June 2019	Amendment to the use of information technology.
1.3	Claire Ait-Hammi	July 2019	Amendment to the use of information technology.
1.4	Jane McCarthy	March 2021	Update in line with inspection guidance from September 2021
1.5	Jane McCarthy	August 2021	Amendments to: • clarity around initial/update training and professional learning requirements and expectations • inspection mindset • tone of voice
1.6	Hannah Roderick	October 2026	Updated mileage allowance

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Introduction

Purpose of the memorandum of understanding (MOU)

1 This document outlines the roles, responsibilities and expectations of the three parties (peer inspector, employer and Estyn) in respect of the participation of peer inspectors in initial and update training as well as inspection activities.

2 Peer inspectors who successfully complete their training and initial assessment will be placed on a list that will contain information including email addresses, names, addresses, details of current employer and specialisms. It is important that peer inspectors inform Estyn of any changes in relation to their address or employment. They can do this through Estyn's online inspector profile system. If the peer inspector changes employment, they must update their profile with their new organisation and update their preclusions. The peer inspector must also complete a new Employer Endorsement form (EEF) and return this to Estyn.

3 Estyn will only use the information in the list to deploy peer inspectors and to share information with peer inspectors about inspection developments and opportunities for professional learning. Reporting inspectors can view email addresses, names, addresses, and specialisms for each peer inspector on their personal Inspector Profiles for inspection purposes only.

4 The parties acknowledge Estyn's duty to comply with the Freedom of Information Act 2000 (the Act) and understand that Estyn may be required to disclose certain information to third parties. The employer and the peer inspectors shall support Estyn in complying with the Act.

5 The parties acknowledge that peer inspectors shall remain an employee of the employer and shall not be deemed to be an employee of Estyn. Peer inspectors shall not present themselves as being an employee or agent of or spokesperson for Estyn.

To whom does this MOU apply?

Parties

6 This memorandum of understanding applies to the agreement between Estyn, the employer and the peer inspector.

7 In these terms and conditions 'peer inspector' means the individual who has applied for this specific role and 'employer' means the organisation which completed the supporting declaration / employment endorsement form to support the application.

8 The MOU shall become effective on the date of the letter confirming selection for training as a peer inspector and will continue unless cancelled by any one of the parties or if the peer inspector changes employer. In the case of changing employer, the peer inspector will need to apply to enter into a new agreement with Estyn and their new employer.

9 If a peer inspector is appointed as a Member of the Senedd or Member of Parliament, the peer inspector cannot continue to be deployed on an inspection.

10 This agreement may be terminated by any one of the parties by written notice to the other two parties of at least 30 days in advance of the effective date of termination.

11 Upon termination of this agreement, the peer inspector will be removed from Estyn's list of approved peer inspectors.

A Responsibilities of the employer

The employer agrees to the following:

Selection and recruitment

12 The local authority will submit its nomination to Estyn. The local authority will need to certify that its nominated peer inspectors are proven and effective officers and have the relevant experience as outlined in Annex A. In agreeing to the training and initial assessment and initial assessment and initial assessment of a member of staff as a peer inspector, the local authority will be making a commitment to release the individual for training, preparation and deployment as specified in this agreement.

13 It is a requirement that all peer inspectors participating in training and inspection activity will have received through their employer, the appropriate and recent (within three years) Basic Disclosure and Barring Service (DBS) clearance certificate. If the peer inspector is a member of the update service, then the peer inspector is required to give Estyn written permission to access their online DBS certificate on a three yearly basis. This means that to continue with their peer inspector status, each peer inspector is expected to renew their DBS every three years. Estyn reserves the right to check that this is in effect at any time. The local authority and issuing authority will advise Estyn if they are aware of anything related to the individual's record which might cast doubt on their suitability to participate in inspections. Peer inspectors should contact their employer if they are uncertain about the date or suitability of their last clearance.

Training

14 The local authority will release the prospective peer inspector to enable them to attend the assessed training programme, which will involve:

a) Pre-course activity meeting: this can be an on-line or face-to-face activity
b) Pre-course reading and tasks
c) Training modules and assessments (usually over 2 days); this can be an on-line or face-to-face activity
d) Probationary inspection(s)

15 The applicant must successfully complete all parts of the training to qualify as a peer inspector.

16 In supporting their member of staff's application for peer inspector training, the local authority must agree to release the member of staff for regular update training, as it is mandatory for the role. Non-participation at update training would mean the peer inspector will not be offered deployment opportunities until they have undertaken update training, unless there are exceptional circumstances, such as illness or maternity/paternity/parental leave.

Deployment

17 The local authority should work in partnership with Estyn to release staff to participate in update training and inspection activities. Only in exceptional circumstances, such as secondment to the regional consortium, will it decline to release staff or withdraw staff from inspection duties at short notice.

Evaluation

18 At the end of each inspection, the Reporting Inspector/HMI will complete an evaluation of the performance of all contracted members of the inspection team, including the peer inspector. The work of a peer inspector on inspection will be evaluated according to the quality assurance policy and associated guidance on the Estyn website.

19 If a peer inspector's work has significant shortcomings, they will be supported in the first instance by Estyn through additional professional learning opportunities. However, if the shortcomings persist or if peer inspectors are in breach of Estyn's code of conduct, they will not be deployed on further inspections.

Health and safety

20 The local authority will ensure that its nominated peer inspectors are of good character and have demonstrated their ability to work safely. The local authority retains its statutory duty as employer to reasonably care for the safety of peer inspectors, even when visiting other local authorities and participating in peer inspection training programmes.

Indemnity

21 The employer shall indemnify and keep Estyn, the Crown and/or its Ministers and their respective employees, officers, servants and agents (each an "Indemnified Person") in respect of:

(a) all liabilities, loss and damage (including without limitation economic loss and indirect and consequential loss), costs and expenses (including without limitation legal expenses) incurred by an Indemnified Person; and/or

(b) all claims, actions and proceedings brought against an Indemnified Person by a third party; and/or

(c) if and to the extent that any loss, damage, personal injury or death suffered by the peer inspector was caused by the negligence of that Indemnified Person) all claims, actions and proceedings brought against an Indemnified Person by or on behalf of the peer inspector; in each case arising directly or indirectly as a result of or in connection with the peer inspector's participation in the peer inspector programme.

B Responsibilities of Estyn

Estyn agrees to the following:

Selection and recruitment

22 Advertisements inviting applications to train as a peer inspector will be placed on Estyn's website. Estyn may also contact local authorities and invite applications for training from potential peer inspectors. Estyn will consider all applications and invite suitable applicants for training. They will be identified based on the criteria set out in **Annex A**.

Training

23 Estyn will provide a training and assesment programme for potential peer inspectors. Only those who meet Estyn's code of conduct and complete the programme successfully will become peer inspectors. Only those peer inspectors that have a valid DBS certificate (issued within 3 years of the event) will be invited to update training.

Deployment

24 Estyn will deploy peer inspectors for a maximum of five days on any one inspection and usually for a maximum of one inspection for each academic year. Peer inspectors will not usually be deployed on more than one inspection in an academic year.

25 Estyn will normally provide a term's notice to peer inspectors and their employer when inviting the peer inspector to participate in a core inspection, follow-up inspection visit or

thematic survey. Estyn reserves the right to withdraw the offer of deployment at short notice in exceptional circumstances.

26 Estyn will ensure that the Inspection Co-ordinator (IC) will act as a general point of reference before inspections and the Reporting Inspector will act as the point of contact for peer inspectors during and immediately after an inspection.

Evaluation

27 At the end of each inspection, the Reporting Inspector will complete an evaluation of the performance of all contracted members of the inspection team, including the peer inspector. The work of a peer inspector on inspection will be evaluated according to the Quality assurance policy and associated guidance on the Estyn website.

28 If a peer inspector's work has significant shortcomings, they will be supported in the first instance by Estyn through additional professional learning opportunities. However, if the shortcomings persist or if peer inspectors are in breach of Estyn's code of conduct, they will not be deployed on further inspections.

Health and safety

29 In compliance with health and safety legislation and guidance, Estyn expects that the local authority being inspected has carried out suitable health and safety risk assessments or can verify that health and safety risk assessments have been conducted prior to inspection.

30 Health and safety matters are incorporated into the training programme for potential peer inspectors.

Expenses

31 Estyn will reimburse peer inspectors for reasonable travel and subsistence expenses when they are deployed on inspections and are paid in accordance with the following rates:

Car Mileage	**45p per mile**
Lunch	**up to £9**
Combined Lunch and dinner	**Up to £36**
Evening meal excluding alcohol (if staying overnight more than 40 miles away from home)	**up to £27**

N.B. where public transport is used or car parking fees are paid, please attach receipts to the claim form for reimbursement.

32 Estyn will provide accommodation where the prospective peer inspector lives more than 40 miles away from the inspection. Travel costs incurred for initial training and assessment courses will be reimbursed to prospective peer inspectors.

33 Estyn will not reimburse peer inspectors for travel and subsistence costs for update training events.

Conflicts of Interest

34 Estyn will not deploy peer inspectors on inspections of local government education services where there is a conflict of interest. Peer inspectors should refer to the Conflicts of Interest policy on the Estyn website and update their Inspector profile with any perceived or actual conflicts.

C Responsibilities of peer inspectors

The peer inspector agrees to the following:

Training

35 Peer inspectors agree to participate in the training and assessment programme, which will involve:

- **Pre-course activity meeting**
  A pre-course activity meeting approximately one month before the face-to-face assessment days to introduce the inspection framework. This can be an on-line or face-to-face activity.

- **Pre-course reading and tasks**
  Prospective peer inspectors will familiarise themselves with Estyn's key documents such as 'How We Inspect?' and 'What we Inspect?'

- **Two days training**
  This can be an on-line or face-to-face activity.

- **Probationary inspection(s)**

  The prospective peer inspector must normally receive a C grade or above on the Inspector Evaluation Form (IEF) from the Reporting Inspector at the end of the inspection for Estyn to deploy them on further inspections.

36 For all face-to-face activities, Estyn will provide accommodation and reimburse prospective peer inspectors for travel for initial training courses.

37 Annual update training courses of a minimum of one day each year will be held for all peer inspectors throughout the LGES inspection cycle. These events can be on-line or

face-to-face activities. Participation at update training is mandatory for the role. Non-participation at update training would mean the peer inspector will not be offered deployment opportunities until they have undertaken update training, unless there are exceptional circumstances.

Deployment

38 Peer Inspectors will confirm that that they have been subject to a Basic Disclosure and Barring Service (DBS) clearance check and will advise Estyn of any relevant factors in relation to their DBS as a condition of deployment. The check will have been done within the last three years.

39 Prior to the inspection, peer inspectors will be required to become familiar with the briefing paper from the Reporting Inspector which sets out the basic information on the organisation of the inspection. Peer inspectors will need to examine key documents and information about the provider including the local inspection questions. This will require two days in the week preceding the inspection. The Reporting Inspector will make relevant information available in the Virtual Inspection Room (VIR).

Evaluation

40 At the end of each inspection, the Reporting Inspector will complete an evaluation of the performance of the peer inspector. The process will provide the opportunity for the peer inspector to complete a self-assessment. The Reporting Inspector will then complete an overall evaluation of performance. Further details regarding the system of evaluation will be made available at the initial training event and is available on Estyn's website.

41 If a peer inspector's work has significant shortcomings, they will be supported in the first instance by Estyn through additional professional learning opportunities. However, if the shortcomings persist or if peer inspectors are in breach of Estyn's code of conduct, they will not be deployed on further inspections.

Health and safety

42 The peer inspector will follow the health and safety guidance provided by the Reporting Inspector as part of the inspection briefing. The peer inspector will take reasonable care of their own health and safety and that of others affected by their acts or omissions during the inspection. Further details are included at **Annex C**.

43 The peer inspector will take responsibility for their own safety, be sensitive to others' safety and co-operate fully with the health and safety procedures that are in place. Further details are included at **Annex B**.

Role of peer inspectors

44 Peer inspectors will work alongside, and under the guidance of, the Reporting Inspector conducting the inspection.

45 Duties of the peer inspector are identified at **Annex B** in the Protocol and Guidance for Peer Inspectors.

46 Specific tasks for the peer inspector will be allocated by the Reporting Inspector at the start of the inspection. This may involve working on more than one site.

VIR software requirements

47 Peer inspectors will be required to provide a laptop computer for their own use during the inspection period that has:

- Microsoft Word 2010 (or later)
- access to the internet (your laptop must be Wi-Fi enabled, or you must arrange your own means of connecting to the internet)
- Windows operating system (XP or above)
- an internet web browser (Edge, Internet Explorer 10 or 11 or the latest version of Chrome/Firefox/Safari)

Note: to successfully use the VIR system of Judgement Form templates you need to have a full version of MS Word 2010 (or later)

48 The VIR system is a Microsoft based tool and therefore there are risks to successfully using Apple Macs when in 'PC emulation' feature. Tablets (including iPads) cannot be used at this time.

49 Peer inspectors will provide an electronic copy of the judgement form containing their inspection findings and supporting evidence. The completed judgement form must be provided in Microsoft Word 2010 (or later) and use the template provided through the Virtual Inspection Room at the start of the inspection. All information and evidence remain the property of Estyn.

50 The peer inspector must agree to adhere to Estyn's Information Assurance Policy, which is available on the website.

Safeguarding

51 Peer inspectors will familiarise themselves with, and abide by, Estyn's Safeguarding policy when on an inspection.

Code of conduct

52 Peer inspectors will adhere to the 'Code of conduct for inspectors' and will:

- carry out their work with integrity, courtesy, and due sensitivity
- evaluate the work of the provider objectively
- report honestly, fairly, and impartially
- communicate clearly and openly

- act in the best interests of learners
- respect the confidentiality of all information received during their work

53 Local authority information and documentation may not be copied or shared with any person unconnected with the inspection. The evidence base of the inspection as described in the guidance documents is the property of Estyn.

54 Subject to the need for confidentiality as set out in **Annex B**, the peer inspector may share with their local authority knowledge gained during the inspection about Estyn's processes and procedures. However, if they wish to share specific documentation or examples of practice observed during the inspection, then they must gain the permission of the local authority concerned.

55 Peer inspectors are encouraged to use the experience gained through training and deployment as a peer inspector in their own local authority, for example to help with developing and implementing self-evaluation and improvement procedures.

Conflicts of interest

56 Before participating in the training events, the peer inspector will declare any possible personal or professional conflicts of interest they might have in respect of other local authorities. Subsequently, the peer inspector must advise Estyn of any change to their status as soon as it occurs.

57 Peer inspectors will not be deployed to a local authority that they are precluded from within a three-year period. However, this could be extended by a further two years depending on circumstances. If a peer inspector has any doubt or identifies any perceived conflicts of interest, they must inform Estyn immediately.

Annex A: Eligibility for the role of peer inspector

Peer inspectors will be currently employed by local authorities in Wales and would need to demonstrate ALL the following:

- recent and relevant professional experience of managing, at a senior level, relevant local government education services for children and young people (Relevant local authority education services for children and young people include school improvement, support for children and young people with additional learning needs, youth support services, planning school places and school reorganisation and early years and play provision)
- have a good understanding of the range of education services for children and young people provided by local authorities in Wales
- good character and the ability to work safely
- be up to date with relevant Welsh Government regulations and requirements

The essential attributes of peer inspectors include:

- honesty, integrity and propriety
- experience of delivering and managing relevant education services for children and young people
- good oral communication
- well-developed writing skills
- good ICT skills
- the ability to gather thoughts logically
- the ability to weigh evidence carefully
- the ability to form sound judgements
- the ability to explain and to justify evaluations
- the ability to work as a member of a team
- willingness and capability to work flexibly
- the ability to adhere to the requirement for absolute confidentiality

Working through the Welsh language

All peer inspectors wishing to be deployed on the inspection of Welsh language and bilingual schools or PRUs must successfully pass all aspects of the Welsh language initial training course.

Peer inspectors who successfully pass all aspects of the Welsh language initial training course will be eligible to be deployed on inspections in either Welsh, bilingual or English language schools or PRUs.

Annex B: Protocol and guidance for peer inspectors

General principles

Peer inspectors will bring the perspective of a current practitioner at a management level to an inspection. The aim is for each inspection team to have two peer inspectors. Peer inspectors are full members of the team and will have the same range and type of responsibilities as other team members.

Peer inspectors will contribute to the team's evaluations and judgements on all aspects inspected. At the end of an inspection, peer inspectors are required to submit the required evidence and evaluations on the electronic judgement form provided in the VIR before leaving the inspection site.

Peer inspectors will be employed by local authorities or consortia in Wales. They will need to have experience and expertise of managing education services for children and young people and are likely to be senior officers in the education or other relevant departments or directorates. They will be up to date with relevant Welsh Government regulations and requirements.

The participation of peer inspectors in inspection:

- contributes to the expertise of inspection teams and enhances the ownership that the local government officers have for the inspection process
- promotes local government officers' understanding of inspection processes
- enables the sharing of good and excellent practice
- helps to develop the skills that local government officers need to carry out their own self-evaluation and improvement processes effectively
- enables individuals to gain a better insight into the inspection process as well as providing valuable opportunities for their own professional development

Role of peer inspectors

Peer inspectors will act as a full member of the inspection team, although they are not a direct employee of Estyn. On inspection, peer inspectors will be:

- examining documents
- interviewing key personnel
- meeting stakeholders
- contributing fully to discussions in team meetings
- writing sections of the report, which must be submitted at the end of the inspection using the electronic form provided by Estyn

Peer inspectors' responsibilities

Peer inspectors will:

- have a working knowledge of the sector guidance and attend update training as required
- act in accordance with the code of conduct for inspectors
- be familiar with this protocol and guidance on the role of the peer inspector
- understand local authority self-evaluation and improvement planning processes liaise with the Reporting Inspector about administrative aspects of the inspection such as examining documentation, meetings, interviews and visits
- lead on inspection areas, aspects and local inspection questions as directed by the Reporting Inspector
- complete inspection notes electronically as required, including evaluation forms
- contribute to meetings of the inspection team
- contribute to corporate evaluations
- write sections of the report as advised by the Reporting Inspector
- attend the oral feedback meeting held during the on-site inspection period
- respect the confidentiality of all information received during the inspection
- attend any meeting held during the inspection week at which feedback is given to the local authority on whole-local authority aspects

Peer inspectors will not be required to:

- attend any meetings relating to the inspection before the inspection period
- attend any meetings held after the on-site inspection period
- review any additional evidence received after the on-site inspection period

Reporting Inspectors' responsibilities

The Reporting Inspector will:

- establish contact with the peer inspectors
- outline the specific role of peer inspectors during the inspection
- check that the inspection co-ordinator has arranged for peer inspectors to access all relevant documentation through the VIR prior to the start of the inspection
- brief the local authority being inspected about the role of peer inspectors
- plan the work of peer inspectors during the on-site inspection period
- ensure that peer inspectors are deployed as a full member of the team
- ensure that peer inspectors are aware of the arrangements for team meetings and for other inspection activities
- assure the quality of the work of peer inspectors
- provide feedback on the performance of peer inspectors
- ensure that the peer inspectors are aware of and follows Estyn's core values and policies (for example, in respect of health and safety and bullying)

Activities in the inspection process

Before the inspection

The peer inspector	➢ becomes familiar with the sector guidance ➢ becomes familiar with this protocol and guidance on the role of the peer inspector ➢ receives instructions for accessing the VIR to gain access to all necessary documentation ➢ prepares for their areas of responsibility. This will include reading, identifying areas they will want to follow up during the inspection week and formulating questions for discussion with officers.
The Reporting Inspector	➢ receives name and background information on the peer inspector through the VIR and Inspector Profile system and allocates roles and responsibilities to the peer inspector ➢ checks with the peer inspector that the inspection coordinator has arranged for them to access the VIR Room prior to the start of inspection

During the inspection and before leaving the local authority

The peer inspector	➢ as instructed by the Reporting Inspector, undertakes the same tasks as other team members in the team meeting before the inspection starts ➢ works throughout the inspection under the direction of the Reporting Inspector ➢ participates in team meetings ➢ contributes to corporate evaluations ➢ interviews key personnel and meets stakeholders, where appropriate ➢ completes all documentation as appropriate ➢ contributes to the collation of findings, supporting evidence and the writing of the inspection report ➢ ensures that the Reporting Inspector receives all relevant written documentation in the prescribed format ➢ attends the oral feedback meetings held during the on-site inspection period
The Reporting Inspector	➢ monitors the work of the peer inspector and provides support as appropriate ➢ ensures that the peer inspector is fully involved in the inspection ➢ ensures that the peer inspector contributes to the corporate evaluations

After the inspection

The peer inspector	➢ completes the Inspection Evaluation Form (IEF) through the VIR
The Reporting Inspector	➢ provides feedback to the peer inspector about the quality of their work during the inspection and completes the inspector evaluation form (IEF) in the VIR.

The Reporting Inspector's feedback to peer inspectors should focus on how effectively they obtain evidence and make evaluations as well as their communication and conduct.

Deployment of peer inspectors

Peer inspectors:

- will be deployed in a local authority where there is no personal or professional conflict of interest
- will be deployed in local authorities where their expertise is most suited to the context and circumstances of the local authority being inspected
- may not be deployed where their skills and experiences do not match the particular requirements of an inspection

Training

The objectives of the peer inspector training course and annual update training are to enable peer inspectors to understand the process of inspection, the principles upon which the process is based and the criteria for making judgements.

Prospective peer inspectors will **not** be eligible to participate in the initial training course to qualify as a peer inspector if their employer has been inspected in the current cycle and is judged to be causing significant concern.

Evaluation

Estyn will monitor the work of peer inspectors. A copy of the completed inspector evaluation form (IEF) will be available to the peer inspector through their Inspector profile.

Annex C: Health and safety of the inspection team

All inspectors and peer inspectors have a responsibility to make sure that their working practices throughout the inspection are in accordance with health and safety regulations.

The Reporting Inspector will make sure that the provider informs the inspection team of the arrangements for managing health and safety in relation to the inspection. This will include notification of all emergency evacuation procedures as well as the precautions to be taken in areas of the provider's premises where there is a potentially high level of risk in relation to health and safety. No member of the inspection team will carry out any inspection activities before they have received an appropriate health and safety briefing.

Inspectors and peer inspectors are not responsible for inspecting providers' compliance with health and safety regulations, which are audited by other authorities. However, the Reporting Inspector and members of the inspection team will notify the provider immediately of any matters that seriously affect the health, safety and wellbeing of learners.

Where there are specific and urgent issues, the Reporting Inspector will prepare a note for the local authority health and safety manager, copied to senior colleagues at Estyn.

All inspectors should record an emergency contact on their individual Inspector profile, which will be available to the Reporting Inspector via the VIR in the event of an emergency.

Peer inspectors may be asked to drive to providers' different sites, or to on-the-job training or assessment locations. Peer inspectors should ensure that their car is roadworthy, insured and has access to assistance in case of breakdown. If the peer inspector does not drive or does not wish to drive while on inspection, they should inform the Reporting Inspector when they first make contact prior to the inspection.