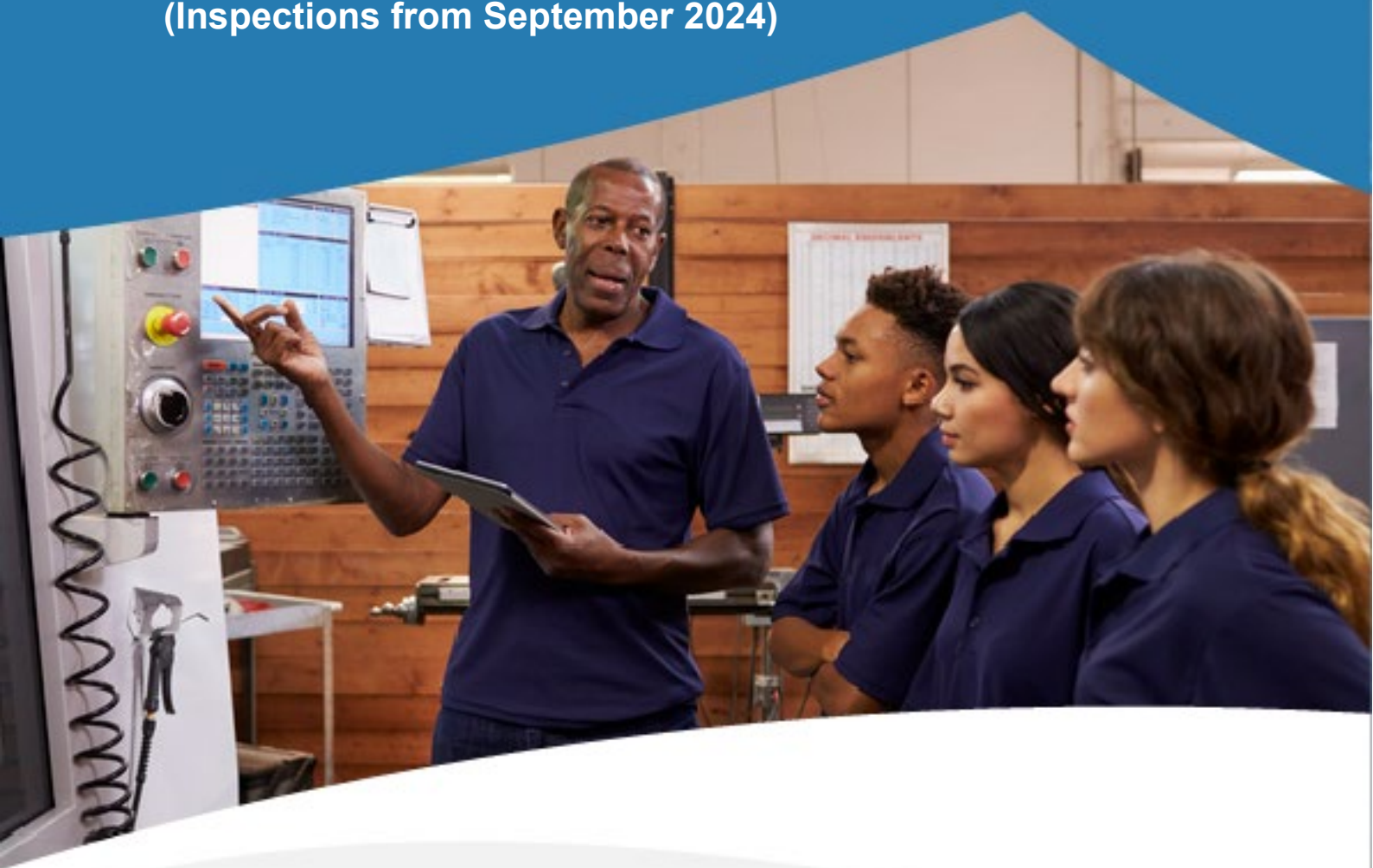




Guidance for Inspectors

How we inspect in apprenticeship programme providers

(Inspections from September 2024)



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 publication. 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 handbook 'How we inspect'

This handbook sets out our approach to inspecting apprenticeship programme providers from 2024 onwards. 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 guidance should be read alongside '[What we inspect](#)' guidance in work-based learning apprenticeship programme providers, which outlines the inspection framework. Providers can use this guidance to see how inspections work and to help them in strengthening their own self-assessment and improvement processes.

Where the inspection identifies practice worth sharing, inspectors will invite the provider to write a case study that we will publish on our website. Where the inspection identifies important concerns in relation to standards, quality of education and training or leadership and management, we will arrange follow-up activity to support improvement. Guidance on follow-up activity is presented at the end of this document.

There is further information about inspections on our website www.estyn.gov.wales

Legal basis for the inspection of apprenticeship programme providers

Once commenced¹, section 57 of the Tertiary Education and Research (Wales) Act (the Act) requires the Chief Inspector to report on:

- the quality of the education and training provided
- the standards achieved by those receiving education and training
- the quality of leadership and management, including whether the financial resources made available to those providing education and training are managed efficiently and used to provide value for money

The Act also outlines Estyn's right of entry and access to premises and information to enable it to carry out such functions. It also states that it is an offence intentionally to obstruct HMCI (and inspectors deployed by HMCI) in the exercise of functions in relation to inspection.

¹ 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

Policy background

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
<http://gov.wales/topics/people-and-communities/people/future-generations-act/?lang=en>
- the United Nations Convention on the Rights of the Child, adopted by the Welsh Government in 2004 as the basis for policy-making for children and young people <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>
- the Additional Learning Needs and Education Tribunal (Wales) Act 2018
<https://gov.wales/additional-learning-needs-and-education-tribunal-wales-act>
- Apprenticeship Commissioning programme Wales Framework
<https://gov.wales/apprenticeship-commissioning-programme-wales-framework-programme-specification-and-guidance>

Programme for Government priorities – including:

- Young Person's Guarantee : <https://gov.wales/welsh-governments-young-persons-guarantee-officially-launched>
- Race Equality Action Plan : <https://gov.wales/race-equality-action-plan-anti-racist-wales>
- LGBTQ+ Action Plan : <https://gov.wales/consultation-lgbtq-action-plan-html>
- Cymraeg 2050 Action Plan : <https://gov.wales/cymraeg-2050-our-plan-2021-2026-html>
- Coleg Cymraeg Cenedlaethol Further Education and Apprenticeship Welsh-medium Action Plan:
<https://www.colegcymraeg.ac.uk/cy/astudio/addysgbellachaphrentisiaethau/cymraeg2050/>
- Wales Innovates: Creating a stronger, fairer, greener Wales
<https://www.gov.wales/sites/default/files/publications/2023-02/wales-innovates-creating-a-stronger-fairer-greener-wales.pdf>

Arrangements for engagement with providers

Introduction

This section applies across the breadth of Estyn's engagement with providers. We expect all inspectors, including those contracted to Estyn and those working as peer inspectors, to adhere to these principles.

Context

This guidance relates to the core inspection of each apprenticeship provider that takes place during the inspection cycle². In addition, Estyn also regularly inspects aspects of post-16 education and training through annual link visits to providers as well as thematic reviews based on specific themes of national interest. Some of this wider inspection work results in published evaluations, while other activity does not.

Each core inspection incorporates the evidence gathered about the provider through annual link visits and thematic reviews, to inform the work of the inspection team and to add to the overall evidence base that is used as the foundation for the published inspection report for the provider.

Apprenticeship provider link visits. An annual link inspector visit to each provider helps us to gather evidence and evaluate aspects of the provider's work on an ongoing basis. One or two inspectors meet with senior leaders, in person or online, to discuss self-evaluation and improvement planning, priority issues related to education and training, as well as progress on specific aspects of the provider's work.

In addition to feeding into core inspection, the findings of link visits and thematic reviews are used to inform national level reports such as sector insights reports and thematic reports as well as the Chief Inspector's Annual Report.

Thematic reports. Each year, the Welsh Government³ asks Estyn to produce national reports on a range of themes. Estyn will typically visit a sample of providers or review all providers as part of this work. These visits may be in person or online, and take place across the year, depending on the scale and timing of the thematic review. The visits result in oral feedback and national reports that feature summaries of the effective practice of individual providers in the form of spotlights and case studies where relevant.

We may also conduct thematic inspection reviews of particular aspects of education and training, for example subject learning area reviews, where resources allow.

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

² From 2024 onwards, the inspection interval cycle will revert to six years; as outlined in the Inspection of education and training (Wales) regulations, once commenced.

³ And Medr from 2025 onwards

- 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
- 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

Our mind-set

Estyn's approach to inspection 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

In order that inspection and regulation are constructive and beneficial, it is important that inspectors and providers 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 of 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 their inspection.

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 carry out inspections in accordance with Estyn's guidance on inspecting safeguarding. If they observe anything that they think constitutes in their opinion, a real risk to the safety of staff, visitors or learners, inspectors should alert managers at the provider.

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.

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. The officer will also advise the RI whether or not to share the concern with the provider.

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. We will send a well-being letter to the provider asking them to outline how they will address the shortcoming and would inform Medr and the Welsh Government about this as well.

If an inspector identifies a site security concern, they should inform the RI. If the RI considers that the concern can be addressed quickly, they should inform the provider

who will be expected to provide evidence of the concern being resolved within a week.

If the concern/s is more serious and cannot be addressed quickly, the RI should inform the IC who will issue a health and safety letter to the provider. It will be their responsibility to ensure that the issue/s is addressed. Medr and the Welsh Government should also be informed of this. If a less significant issue is not addressed satisfactorily within a week, then this process will also apply.

Core inspection activity

Approach to inspection

The starting point for inspection is the provider's assessment 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 assessment of its work.

The progress learners make from their starting-points and the standards they achieve are the key measures of the quality of the education and training they have received and of the effectiveness of the leadership and management of the provider. Inspection will focus on the needs of learners, their attitudes to learning and the impact that the provision makes on supporting their progress and the standards they achieve. The inspection period for providers of apprenticeship programmes will be within the Welsh Government contract which started August 2021.

The Virtual Inspection Room

The inspectorate will use an electronic system, called the 'Virtual Inspection Room' (VIR), for managing many aspects of the inspection. It is a web-based system that allows providers to upload information before the inspection and to download guidance from the inspectorate about the inspection process. The VIR is also the place where providers can access the post-inspection questionnaires (PIQs)..

We ensure the security of information uploaded by subjecting the VIR to penetration testing. This testing evaluates system security. We identify and implement any actions to prevent unauthorised access. All users of Estyn's VIR 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

Inspection teams will be led by a reporting inspector (HMI), with other team members drawn from among HMI, peer inspectors (from apprenticeship providers) or additional inspectors (AIs). Additional inspectors may be on secondment or contracted to Estyn.

We may also invite, whenever possible, 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 highly effective practice and enable better networking of work-based learning providers in Wales with their international peers.

The reporting inspector manages the inspection team and is the first point of reference for everyone involved in the inspection.

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 to act as a link between the provider and the inspection team but need not be the leader of the provider. Providers can access the guidance for nominees on preparing for the inspection from links within the initial contact form (ICF), completed by the Inspection Co-ordinator (IC) and available via the VIR.

Contacting the provider before the inspection

The provider will receive 15 working days' notice of the inspection.

Following this, Estyn will contact the provider by email to arrange a Teams meeting to discuss the arrangements for the inspection. Inspection co-ordinators (IC) in Estyn will undertake the initial contact with providers. During this discussion, the inspection co-ordinator will:

- explain the purpose of the inspection
- Confirm the date and time for a meeting with the provider and RI. This will include CEO/principal, nominee and key leaders
- discuss the specific information required before the inspection, including the completion by the provider of a self-evaluation form on its provision for safeguarding, and make the arrangements for receiving it in electronic form through the Virtual Inspection Room
- ask if there are any issues or risks the team should be aware of and ask for a general health and safety briefing for the team at the start of the inspection
- confirm the name and agree the role of the nominee and explain the process for completing the nominee guidance
- confirm a meeting at the start of the inspection with the nominee to provide a health and safety briefing for the team
- confirm arrangements for a short presentation for the provider to set out its priorities for improvement and its current stage of development
- provide links and guidance for the completion of online pre-inspection questionnaires for learners, staff, employers and governors (where appropriate)
- ensure that there are agreed procedures for addressing any concerns or

complaints that might arise during the course of the inspection

- organise any domestic arrangements, such as a base for the inspectors, parking and internet access
- confirm the arrangements for feeding back the inspection findings
- agree the arrangements for completing the post-inspection questionnaire
- inform the provider through the initial contact form of the key inspection arrangements

The inspection co-ordinator will request the following information from the provider through the virtual inspection room as soon as possible after the formal notification of the inspection:

- completed subcontractor/partner information template
- completed provider and learner information template
- the provider's most recent quality development plan
- the provider's most recent self-assessment report
- suggest to the provider that the most effective way to enter documents into the VIR to set-up folders for each inspection area and place the documents most relevant for the inspection area into these folders and upload; generic documents can be uploaded individually

It is the role of the reporting inspector to share the timetable for inspection and to give an explanation and clarity around each activity and meeting.

The inspection co-ordinator will ask the provider to inform other consortium members, subcontractors, partners and stakeholders about the inspection.

When we notify providers of the inspection, they will receive information on how to access online questionnaires for learners, staff and employers.. The outcomes of the pre-inspection questionnaires will form part of the pre-inspection evidence and support inspectors to form their evaluations of the provider's work.

The team will also consider the most recent survey of learners' perceptions conducted by the provider.

During the inspection, inspectors may interview a sample of learners, teaching and training, assessment and learning support staff as part of their gathering of evidence.

Planning the inspection and preparing the team

Taking into account the provider's identified improvement priorities and self-assessment reports, and any information already held by Estyn, the reporting inspector will plan the inspection and allocate responsibilities to members of the inspection team.

The reporting inspector will arrange with the nominee for one or more planning meetings to take place between notification and the start of the inspection. These will usually be carried out online or by telephone. The purpose of the meetings is to confirm the arrangements of the inspection and to help the inspection itself run as smoothly as possible.

Inspections involve a wide range of activity, including observation and meeting with learners on and off-the-job. Inspectors will also observe teaching, training and assessment online as appropriate. In agreement with the reporting inspector, the provider will produce a schedule of visits for each member of the inspection team. The sample will reflect the range of the provider's work. It is important that the reporting inspector checks these schedules to make sure that they cover learning areas and levels appropriately. They also need to make sure they cover all subcontractors and do not involve excessive travelling between visits.

Inspection planning

This planning meeting with the provider will cover both the three-day and five-day activity and be undertaken remotely via a Teams meeting. It is anticipated the meeting will take between one and a half and two hours.

Initial three-day inspection activity

The provider will be notified of inspection 15 days before this activity. The provider will be asked to complete:

- Partner and learner numbers template

An inspection planning meeting (online, Teams meeting) will be scheduled approximately two or three days after notification. The provider will have received the partner and learner numbers template and uploaded the completed document into the provider area of the VIR prior to the meeting. The reporting inspector will review the information and decide what subcontractors to visit and complete the:

- Three-day activity timetable

The inspection planning meeting with the provider will give the opportunity to share the completed three-day activity timetable (on-screen). Following the meeting, the reporting inspector will place a copy of the timetable into the provider area of the VIR. The reporting inspector will confirm with the provider details of a meeting with the provider's CEO or managing director and staff responsible for the quality assurance of the apprenticeship contract during the three-day activity. The inspection planning meeting will also agree details of a meeting with a group of learners (between six to eight learners), either face-to-face or online during the three-day activity. These learners should represent a range of different vocational routes and levels. At the end of the three-day activity there will not be a formal feedback to the provider.

During the planning and preparation time before the three-day activity, the reporting inspector will also discuss with the provider the timetable for the five-day activity (which follows on from the three-day activity).

5 day activity

The reporting inspector will discuss with the provider about the following considerations for the five-day activity:

- Set-up folders for each inspection area
- Populate these folders with the documents that will show inspectors the

- provider's position in relation to the areas identified in the inspection framework
- Upload to the provider area in the VIR
- Arrange workplace visits for 10 inspectors on the days and times identified in the five-day activity timetable
- The visits need to cover all sub-contractors as far as possible
- They need to be proportionate to the size of contract
- The visits should cover as many vocational areas as possible
- The visits should cover all levels of apprenticeship programme
- Allow for reasonable travelling time between visits and team meetings
- Inspectors should see a range of activity, including assessments, and include a few learner progress reviews

The reporting inspector will agree a date for these schedules to be placed in the VIR.

During the inspection

Initial three-day inspection activity

During the initial three-day inspection activity a small team of inspectors (normally three inspectors) will visit subcontractors and partners to undertake a meeting with key managers and leaders and meetings with learners. The reporting inspector will use the completed partner and learner numbers contact details proforma to plan the visits for each team member.

Five-day activity

In the initial meeting of the inspection team, there should be a health and safety briefing from a member of the provider staff. The provider should provide a brief position statement on its strategic priorities and its current stage of development.. Arrangements should be confirmed for those inspectors who may need to access this presentation online as some inspectors will be starting their activities in different geographical regions. The presentation should be recorded to allow inspectors in a few cases to access it later that day if they are conducting visits. During the initial meeting the reporting inspector will share the main findings from the three-day activity and may also identify areas for the team to look into when undertaking their visits.

Inspectors will sample, test and validate the provider's own priorities and its evaluations of its strengths and areas for improvement and any other strengths and areas for improvement which the reporting inspector identifies. Inspection evidence will be secured from on and off-the job training and assessment observations, sampling learners' written work, and interviews with learners, staff, employers and other stakeholders.

Gathering and reviewing inspection evidence

The reporting inspector will plan the inspection so that they can cover the reporting requirements within the four inspection areas. The team will ensure that they have enough time to review the key evidence they need to make their evaluations. The main forms of evidence are:

- documentary evidence, including information on learners' performance and

progress

- observation of teaching, training, assessment and other activities
- samples of learners' work
- survey responses from learners, staff, employers and governors (where appropriate)
- discussions with learners, leaders and other key stakeholders

The team will use direct observation of learners' practical skills and written work wherever possible to gather evidence to support their judgements. Inspectors may select an additional sample of learners' work to meet the needs of a particular emerging question or to further their investigation of a specific aspect.

Inspectors will undertake a range of activities to gather evidence for their evaluation of learners' progress and the quality of the provider's provision. This may include session observations, including sampling online lessons, learning walks, where inspectors move relatively quickly through a number of teaching or training sessions looking at a specific aspect of the provision, conversations with selected learners about their work, and discussions with individual teachers, trainers and assessors about learners' progress in their training sessions and how they plan work to meet their needs.

The voice of learners is a key source of evidence for inspectors. Discussions with learners will provide an opportunity to explore learners' knowledge and understanding of their work and skills. It will also help inspectors to gauge how well they feel the provider supports learners and contributes to their well-being.

Providers should make information available to the inspection team about the standards achieved by learners, particularly the results of any initial and diagnostic assessments and other 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, trainers and assessors use the information.

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

Where the nominee is not the CEO/principal, it is important that the reporting inspector holds a brief daily meeting with the CEO/principal and nominee to clarify inspection issues and the broad, emerging findings of the inspection team.

Recording inspection evidence

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

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. The team meeting at the end of the day may be undertaken with inspectors joining remotely where appropriate. Meetings will provide opportunities for inspectors to:

- test the evaluations in the provider's quality development planning and self-

assessment processes

- 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.

The team will also identify any recommendations to help focus the provider's improvement, case studies of effective or interesting practice to be requested and if any formal Estyn follow-up is required.

Professional dialogue

At the end of an on or off-the-job observation, inspectors should have a brief professional dialogue with the member of staff involved in the activity. It may be necessary, in some cases, to conduct this discussion later during the inspection.

The main focus of the discussion should be on the learners, the progress they make during the session and the standards they achieve during the activity. The inspector should stress that these are emerging, interim findings on one aspect of the evidence base and that these may be amended, on reflection, after scrutiny of learners' work or talking to learners, or as the result of moderation within the team. Inspectors should focus on any strengths or areas for development in relation to the specific activity seen.

Due to the sharply focused nature and relatively short duration 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.

Observation of online learning

Observation of online learning will be proportionate to the level of online learning delivered by the provider. This is likely to mainly be in learner progress reviews. When undertaking observations of online learning the reporting inspector will need to confirm with the provider:

- the proportion and timetable for online teaching, learning or assessment activity
- protocols for activity

Causing concern

During all inspections, the inspection team will consider whether the provider is causing concern and requires follow-up activity. 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.’⁴

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

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 the provider is causing concern, inspectors must make that decision.

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

In judging the extent to which senior leaders have the capacity to bring about improvements, inspectors will need to consider how well these leaders know and understand the strengths and areas for improvement in their organisation. Inspectors should also establish if senior leaders show the ability to tackle the areas for improvement through the sense of purpose and direction they provide, and through decisions and actions taken to address concerns. Discussions with senior leaders should provide evidence of how they are tackling these issues and if they are giving attention to the right things. Where relevant, inspectors should also take account of how well-informed governors or board members are about areas for improvement and how well they use this information to take effective and appropriate decisions.

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 principal, CEO or senior leader, 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 that a provider is causing concern.

⁴ Section 52 (3) Tertiary Education and Research (Wales) Act 2022

If the provider is judged to be causing concern, the reporting inspector should take the following steps:

- inform the appropriate inspection co-ordinator
- inform the Assistant Director or Strategic Director of the judgement (who will in turn inform HMCI)

If the provider is judged as causing concern, the reporting inspector should tell the principal/CEO at the end of the inspection that the team has reached this conclusion and complete the relevant section on the reporting form.

After moderation and validation of the agreed inspection outcomes within Estyn, we will write a letter of confirmation to the provider explaining that inspectors will review the progress made by the provider. Estyn will monitor the provider's progress in addressing the recommendations highlighted in the report using the arrangements noted below in this guidance.

Formal feedback

At the end of the five-day on-site part of the inspection, the team will provide oral feedback to provider leaders. A representative from Medr and from the Welsh Government will be invited to this meeting. The feedback should focus on the main evaluations for each of the four inspection areas and the reasons for these.

The feedback meeting provides the opportunity for leaders 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 recommendations. 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 all core inspections, the inspection team will consider whether the provider needs any follow-up activity. The reporting inspector will inform the provider if any follow-up activity is required.

During the inspection, the team will also consider if there is any effective practice in the provider that is worthy of consideration and emulation by other providers. Where this is the case, the reporting inspector will ask the provider to prepare a case study (or studies) for dissemination on Estyn's website.

All the evaluations reported during an inspection are provisional and subject to moderation and validation by HMCI. They are confidential to the provider's staff. They should not be communicated beyond this group, including via social media, until we publish the report on our website.

Complaints about the inspection process

If there are any issues about the conduct of the inspection overall or the conduct of individual inspectors, then the provider, through the nominee, should raise these directly, and as soon as possible, with the reporting inspector. The provider 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 in the provider 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 follow-up decisions made after an Estyn inspection or review. This is because, before and during an inspection, the college 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 that is clear to a lay audience and helpful to the provider.

When writing reports, inspectors should take account of Estyn's writing guidance which is available on our website www.estyn.gov.wales.

We will publish 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 provider

Summary

Case studies

Recommendations

Main evaluations

Inspection area 1 Learning

Inspection area 2 Well-being, support and guidance

Inspection area 3 Teaching, training, assessment and learning experiences

Inspection area 4 Leadership and management

The evidence base of the inspection

We will produce the report within statutory or agreed sector timescales.

The factual accuracy check

Estyn will give the provider a late draft of the report to help check the factual accuracy of the content. The provider will normally have five working days in which to consider the draft report and to identify any factual errors.

The focus of the check is on resolving any factual inaccuracies in the inspection report. It does not focus on the findings. There is further guidance for providers on the nature and scope of the factual accuracy check on Estyn's website.

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 and CEO/principal 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

As part of our quality assurance procedures, we invite providers to complete a post-inspection questionnaire (PIQ). The questionnaire will be available to providers in the VIR. Providers should complete the first part of the PIQ immediately after the on-site inspection and submit it electronically to Estyn through the VIR system. Providers can complete the second part of the PIQ after the publication of the inspection report, again through the VIR system.

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 experienced HMI who has not been involved in the inspection thus far. 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 level of follow-up, and the recommendations emanating from the inspection. As part of the quality assurance process, recommendations may be amended, removed or added.

There is then a further moderation process. The evidence base and the report are scrutinised by the appropriate assistant directors. Whenever the outcome of an inspection is follow-up, in addition to an assistant director, the strategic director moderates the report alongside the evidence base, on behalf of HMCI. On a very few occasions, this moderation process may result in a change to the level of follow-up.

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.

Follow-up arrangements

There will be one category of follow-up for post-16 inspections: 'causing concern'. The guidance below sets out how we will work with a provider where an aspect or aspects of education and training are not adequate to meet the reasonable needs of those receiving the education.

Post-inspection action plan link visit

Around three months after the inspection, we will arrange for the post-16 link inspector to visit the provider, meeting with senior leaders and governors (where relevant) and any other key stakeholders where relevant, such as Medr. Where possible, we will also involve the reporting inspector from the inspection. The purpose of this would be to check that the provider has fully understood the reasons for the inspection recommendations, and to check that the provider is developing appropriate plans to address shortcomings. We will send a formal notification three weeks in advance of the visit but will aim to ensure that the date is suitable before we issue this notification.

Following the visit, Estyn will send a letter to the principal/chief executive officer of the provider. This letter will confirm the degree of assurance inspectors received during the visit that the provider understands the reasons why there is an aspect or aspects causing concern and that suitable plans are being developed to address shortcomings. The letter will also confirm how the provider is planning to address the concern.

Monitoring visits/activity

Following the post-inspection action plan link visit, we will develop a schedule of monitoring visits or activity with the provider. The views of the provider will be taken into account in developing the schedule.

These monitoring activities will be used to check how well the provider is progressing with its plans to address the recommendation(s) from the inspection, and what impact their actions are having. Monitoring activity will be bespoke to the provider and may include a desk-based activity, online meeting or visit to the provider.

We will carry out the first monitoring activity around nine months after the post-inspection action plan link visit. Further visits or activity, if required, will be scheduled six months after the previous visit/activity. We will formally notify the provider three weeks in advance of a monitoring visit but will aim to ensure that the date is suitable before we issue this notification.

We will usually involve the link inspector in every monitoring activity, and we will usually involve the reporting inspector from the inspection in at least the first monitoring visit/activity. The size of the team and design of the activity or visit will be tailored to the specific context of the provider and the nature of the recommendations. Monitoring visits will typically be spread over three days, starting and finishing at lunchtime on the first and last day, but ultimately, we will work with the provider to agree a suitable timetable of activities. Other monitoring activity, such

as online meetings or desk-based reviews will take place over a shorter period, typically two days.

A VIR will be set up for each monitoring activity, which will allow the provider to share a few key documents and supporting information that is relevant.

During the monitoring activity, inspectors will consider how well the provider has addressed each of the recommendations and how much progress has been made overall. If the provider is no longer causing concern, then inspectors will recommend that the provider be removed from follow-up.

Following each monitoring visit or activity, we will send the provider a short report within four weeks, copied to Medr Quality team. This report will confirm the degree of assurance inspectors received during the visit that the provider's actions since the inspection are having the desired impact on the areas for improvement. In the report, inspectors may include recommendations for the provider to support further improvement in its plans to address the concern. If the provider has made sufficient progress, they will be removed from follow-up.

If inspectors are not satisfied with progress, we will plan a time for a further monitoring visit or activity in six months' time. If there is not enough progress after two years in follow-up, we will send Medr a report explaining the reasons why the provider still has an aspect or aspects of education and training which are not adequate to meet the reasonable needs of those receiving the education.

Removing follow-up

After any monitoring visit, inspectors could recommend to HMCI that the provider is no longer causing concern and can be removed from follow-up. To be in this position, inspectors would need to be assured that enough progress has been made in addressing each recommendation from the inspection.

If HMCI agrees, then the report for the monitoring visit will include an evaluation of progress for each recommendation, and an overall judgement that sufficient progress has been made that follow-up can be removed as the provider is no longer causing concern.

A brief letter which explains that the provider is no longer causing concern will be published on our website.