



Arolygiaeth Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru
Her Majesty's Inspectorate for Education and Training in Wales

Follow-up

Guidance for schools and inspectors

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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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Follow-up guidance for schools and inspectors

This document provides guidance on follow-up for all core inspections which take place from September 2019.

The guidance identifies the steps that inspection teams will take to help them to identify the most appropriate level of follow-up activity. It will be useful for schools to understand these procedures and the factors that inspection teams will consider when deciding on the most appropriate level of follow-up.

However, this guidance is flexible as it needs to be responsive to the wide variety of situations that occur in schools as they improve after core inspections. Estyn reserves the right to adapt the guidance to meet the needs of specific schools.

Guidance for inspectors on placing a school into follow-up

Background

During all core inspections, the inspection team will consider whether the school needs any follow-up activity.

There are three types of follow-up activity:

- 1 Estyn review (formerly Estyn monitoring)**
- 2 Significant improvement**
- 3 Special measures**

All follow-up work involves activity by Estyn inspectors. The activity involves increasing levels of intervention in proportion to need.

Significant improvement and special measures are statutory categories that apply to schools causing concern as defined by the Education Act 2005 and any associated circulars. Estyn will inform the Cabinet Secretary for Education and Assembly officers when schools are placed in these categories. We will keep them informed of subsequent progress following monitoring inspections, as required by the legislation.

The definition of a school in need of special measures and the definition of a school in need of significant improvement are in section 44 of the Education Act 2005.

The same quality assurance processes apply to follow-up work as to core inspections. The only judgement reported during any monitoring visit is whether a school continues to need follow-up activity. This judgement will be reported to the school during monitoring visits. It is provisional and subject to moderation by HMCI. It is confidential to the school until the report is published.

Self-evaluation reports

From September 2019, Estyn no longer requires schools to submit a self-evaluation report prior to a core inspection. This was already the case regarding monitoring

visits to schools in follow up and will continue to be so. However, Estyn will continue to ask schools and local authorities for a brief written report on progress against core inspection recommendations:

- prior to a desk-based review of a school in Estyn Review
- prior to a follow up monitoring visit

1 Estyn review

Normally, schools will require this level of activity when the judgement for inspection area 5, leadership and management, is adequate and needs improvement. It would be possible that a few inspection areas have been judged as good. However, the school would have some important areas for improvement that require monitoring. For example, it may be that the school has a limited track record of planning and implementing improvements in a timely enough manner. However, the school is not causing concern to the extent of requiring placement in the legally defined categories of requiring significant improvement or special measures.

If the school is judged to require Estyn review, the reporting inspector should tell the headteacher at the end of the inspection that the team has reached this judgement and complete the relevant section on the reporting JF.

After moderation and validation of the agreed inspection outcomes within Estyn, we will write a letter of confirmation to the school, copied to the local authority, explaining that inspectors will review the progress made by the school. Estyn will monitor the school's progress in addressing the recommendations highlighted in the report about 12-18 months after the report's publication.

In the first instance, the monitoring activity will take account of the school's evaluation of improvements made since the core inspection and the most recent challenge advisor's report. If there is clear evidence of progress and its impact on improving pupil outcomes, Estyn will remove the school from the list of schools requiring Estyn review and no further follow-up activity will take place. If clear progress is not evident at this stage, then, normally, inspectors will visit the school.

If a monitoring visit takes place, this will be brief (one-and-a-half days in a primary school and two days in a secondary or all-age school). If the evidence provided by the school during the visit shows that clear progress has been made in addressing the recommendations from the core inspection, including early impact of improvements on pupil outcomes, normally inspectors will remove the school from the list of schools requiring Estyn review. However, if inspectors judge during the visit that insufficient progress has been made, then the school will require further monitoring. As a result, the school may be judged to require significant improvement or special measures and be placed in one of these statutory categories.

Once a school is removed from Estyn review, the inspectorate will publish a brief letter on its website explaining its decision. If inspectors have visited the school, Estyn will send a copy of the monitoring report to the school and the local authority. If, following a visit, a school requires a more intense level of follow-up activity, Estyn will publish the report of the visit, to inform stakeholders of the visit's outcome.

Guidance for inspectors about schools causing concern that may require placing in a statutory category

On every inspection, inspectors should consider if the school is in need of special measures by considering:

- if the school is failing to give its pupils an acceptable standard of education
- if the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement in the school

Inspectors must consider if the school has the capacity to improve before coming to a judgement about whether it requires special measures.

If they conclude that the school does not require special measures, they should then consider whether the school is in need of significant improvement. Inspectors must consider:

- if the school is performing significantly less well than it might in all circumstances reasonably be expected to perform

The inspection team must report as they find, and be able to substantiate their judgements on the basis of sound evidence. Coming to a judgement that a school is in need of special measures or needs significant improvement is not an easy task, but it must **not** be avoided. If the evidence points to the conclusion that the school requires special measures or is in need of significant improvement, inspectors must make that judgement.

2 Significant improvement

Schools in need of **significant improvement** are likely to have fewer important areas for improvement than schools in need of special measures. If inspectors have seriously considered, but rejected, the judgement that the school is in need of special measures, it is highly likely that it will come into the category of schools requiring significant improvement.

When considering whether a school needs significant improvement, inspectors may find it helpful to consider the **judgement profile** for the school, i.e. all of the judgements awarded by the inspection team for each inspection area.

While the school in this category may be just about providing an acceptable standard of education, it is important that the inspection team consider if there is room for **significant improvement**. The guiding principle must be whether the school is performing significantly less well than it might in all circumstances be expected to perform.

Inspectors must give particular consideration to identifying the school as needing significant improvement if many of the inspection areas are judged 'adequate and needs improvement', and one or more inspection area is judged 'unsatisfactory and needs urgent improvement'.

Inspectors should be aware that some schools in this category may have ‘adequate and needs improvement’ as the judgement for most inspection areas, yet still be in need of significant improvement.

At all times, inspectors should remember that the main emphasis in school inspections is on the progress that pupils make from their starting points, the standards that they achieve and the quality of their wellbeing. The issues identified above should be discussed as a matter of importance in team meetings. These circumstances signal important areas for improvement in the standards that pupils achieve, the quality of education provided by the school and/or leadership and efficiency. Inspectors’ discussions should take account of any mitigating factors to ensure the validity, accuracy and reliability of judgements before coming to a decision that a school is in need of significant improvement.

In all circumstances, it is vital that inspectors judge the work of the school in the context in which it is currently operating. Inspectors **should not** be unduly influenced by:

- recently prepared plans for improvement that have yet to be implemented
- the recent appointment of staff, such as a new headteacher

This is because, in both cases above, the effect or impact of improvements will not have taken place. Inspectors must judge the school’s current performance and outcomes, rather than good intentions and an aspirational outlook.

Procedures to be followed if the school is in need of significant improvement

If the school is judged to be in need of significant improvement, the reporting inspector (RI) should:

- telephone and inform the appropriate inspection co-ordinator at Estyn (tel. 02920 446446) before the school is told of the judgement, no later than the end of the inspection in the school
- tell the headteacher and any governor and LA representative present at the end of the inspection that the team has reached the judgement that the school is in need of significant improvement

HMCI, or HMI acting on behalf of HMCI, will scrutinise the inspection evidence (in the Reporting JF in the VIR) to check the judgement. HMCI has the power to call for any further information required.

Reports and summaries for a school in need of significant improvement

If, following quality assurance procedures, HMCI **agrees** with the RI’s judgement, the report will state: ‘In accordance with the Education Act 2005 HMCI is of the opinion that this school is in need of significant improvement’.

If HMCI **does not agree** with the RI’s opinion, the report will state: ‘In accordance with the Education Act 2005, I am of the opinion, but HMCI disagrees, that this school is in need of significant improvement’.

Before publication of the report, the inspectorate will write a letter of confirmation to the school, copied to the local authority, explaining that:

- the school is placed on a list of schools in need of significant improvement
- the school works with the local authority to address the weaknesses
- inspectors will visit the school, normally in the term after publication of the report, to evaluate whether the school's post-inspection action plan (PIAP) and the local authority's statement of action are suitably robust to bring about the required improvements
- about 12-18 months after the publication of the report, Estyn will undertake a monitoring visit to the school and make one of the following decisions:
 - 1) if enough progress has been made, the school can be removed from the list of schools in need of significant improvement
 - 2) one further visit may be necessary if the school is making adequate progress (in exceptional circumstances only)
 - 3) if the school has not made enough progress and does not give sufficient indication that it has the capacity to do so, then consideration will be given to placing the school in special measures

HMCI has a duty to notify the Cabinet Secretary for Education and the local authority that the school is in need of significant improvement.

Monitoring visits to schools in significant improvement

If a school or PRU is identified as requiring significant improvement, Estyn will inform the Welsh Government that the school has been placed in a statutory category.

The school's governing body will send their draft action plan to Estyn within 20 working days of the publication of the report. The local authority draft statement should be sent to Estyn within five working days of the school's action plan. The PIAP visit will usually be for one day. The visit will support Estyn's formal evaluation of the PIAP and the local authority's statement of action. Inspectors will discuss the plans with school leaders, governors and local authority representatives. They will ensure that they are robust enough to address the recommendations highlighted in the report as a matter of urgency. When inspectors judge that the plans meet requirements, the school (or PRU) and local authority should ensure that they send copies of the documents to the Welsh government.

Subsequently, a small team of Estyn inspectors will visit the school about 12-18 months after the publication of the inspection report. The visit will usually be for two and a half days, and the number of inspectors will be proportionate to the size and nature of the school. Inspectors will focus on the progress the school has made towards addressing the recommendations highlighted in the report, taking account of the milestones identified in the action plan. They will undertake a range of inspection activity, for example visiting classes, talking to staff and pupils and considering documentation.

If the team judges that the school has made enough progress in relation to the recommendations, the team will recommend to HMCI that the school be removed

from the list of schools requiring significant improvement. Estyn will publish a brief report on its website explaining its decision.

If progress is insufficient, the team will normally identify the school as requiring special measures. In exceptional cases, where the school has made appropriate progress and is nearly, but not quite, at a point where it can be removed from the list, the team may judge the school as still requiring significant improvement. There will then usually be one further monitoring visit in around six months. The six-month period should ensure that the school is ready to be removed from the list. If it is not, then the school will be placed in special measures. Normally, this exception does not apply to schools that have been identified as requiring significant improvement following a period in Estyn monitoring.

3 Special measures

Schools identified as in need of **special measures** during a core inspection are likely to have many important areas for improvement in their work. Some schools may have a few important areas for improvement to a very marked degree or many areas for improvement to a lesser degree. In most instances, it will be the cumulative weight and effect of a combination of these areas for improvement which, when taken together, will prompt the judgement that a school is not providing an acceptable standard of education. While one feature alone is unlikely to result in a judgement that a school requires special measures, where inspectors find low standards and poor teaching and learning, significant risks to pupils or the likelihood of a breakdown of discipline, the school will normally require special measures.

Inspectors must also consider carefully whether the persons responsible for leading, managing or governing the school are demonstrating the capacity to secure the necessary improvement in the school. In judging whether senior managers have the capacity to bring about improvements, inspectors will need to give attention to how well these persons know and understand the strengths and weaknesses of the school. Inspectors should also establish if senior managers show the ability to tackle the weaknesses through the sense of purpose and direction they provide. Discussions with senior managers should provide evidence of how they are tackling these issues and if they are giving attention to the right things. Senior managers should be able to demonstrate that they know what quality of work they expect of learners and those they manage, and be able to communicate these expectations to colleagues.

Inspectors should also take account of how well informed governors are about issues that affect the performance of the school. They should evaluate how well they use this information to take effective and appropriate decisions. Inspectors should consider whether governors meet the duties imposed on them by educational and other legislation.

In coming to a judgement on whether the school requires special measures, inspectors may find it helpful to consider the judgement **profile** of the school, i.e. all the judgements awarded by the inspection team across the five inspection areas.

Inspectors must give particular consideration to identifying the school as needing special measures when the judgement for inspection area 5, leadership and management, is ‘unsatisfactory and needs urgent improvement’.

At all times, inspectors should remember that the main emphasis in school inspections is on whether all pupils make the progress that they should from their starting points, and the standards that pupils achieve. The issues identified above should be discussed as a matter of importance in team meetings. These circumstances signal important areas for improvement in the standards pupils achieve, the quality of education provided by the school and/or leadership and efficiency. Inspectors’ discussions should take account of any mitigating factors to ensure the validity and reliability of judgements before coming to a decision that a school does or does not require special measures.

Inspectors may also find it helpful to use the questions below to help them to judge whether a school requires special measures. It would not be necessary for each question to be answered as ‘yes’ to result in a school requiring special measures.

Questions to ask

General

- Is the school failing to give its pupils an acceptable standard of education?
- Do the leaders and managers demonstrate the capacity to secure the necessary improvement?

Outcomes (IA 1 and 2)

- Is the achievement of pupils not as good as pupils in other similar schools?
- Do any particular groups of pupils underachieve external examinations?
- Are pupils making insufficient progress in their acquisition of knowledge, understanding and skills?
- Do pupils underachieve in literacy, numeracy and information and communications technology?
- Are pupils regularly disruptive?
- Do substantial proportions of pupils or a particular group of pupils attend poorly?
- Is the level of exclusions high?
- Do pupils lack motivation and display negative attitudes to their work?

Provision (IA 3 and 4)

- Is there a high proportion of teaching with weaknesses?
- Are the teachers’ expectations of pupils’ achievement too low?
- Does the curriculum fail to engage groups of pupils?
- Are relationships between staff and pupils and between pupils themselves poor?
- Are any pupils at physical or emotional risk from other pupils or adults in the school?
- Is there evidence of significant levels of racial tension or harassment?
- Does the school fail to prepare pupils for adult life, including the world of work, where appropriate?
- Does the school fail to promote the wellbeing of its pupils?

Leadership (IA 5)

- Are the headteacher and/or senior leadership team having an impact on achieving clear and sustained progress?
- Do the governors hold the school to account?
- Is there effective and accurate self-evaluation, including rigorous analysis of performance data and robust evaluation of teaching and learning?
- Is planning for improvement effective, including setting clear priorities and identifying practical strategies?
- Have important weaknesses in performance been tackled?
- Is poor management of resources and accommodation seriously impeding educational progress?

The inspection team must be clear about why they judge that a particular school is in need of special measures. The team should be able to justify their judgements when the deficiencies are considered in aggregate.

Procedures to be followed if the school is judged to require special measures

Inspectors should report their judgements using the prescribed wording and must follow the specific procedures set out below.

If the school is judged to require special measures, the RI should take the following steps:

- telephone and inform the appropriate inspection co-ordinator at Estyn (tel. 02920 446446) before the school is told of the judgement and no later than the end of
 - 1) inform the headteacher orally that in the opinion of the inspection team there are serious deficiencies in the school's performance and capacity, and list those deficiencies
 - 2) explain that it is likely that the school will be judged to require special measures and that the team now needs to review the evidence
 - 3) remind the senior managers of the need to ensure confidentiality about the team's possible findings
- at the oral report to senior management, state that the team has judged that the school does not give an acceptable standard of education, and explain carefully the reasons for this judgement; then the following form of words could be used:

'I am of the opinion that special measures are required in relation to this school because it is failing to give its pupils an acceptable standard of education and senior leaders lack the capacity to secure the necessary improvements. In accordance with the Education Act 2005 I shall send a draft report to HMCI and will await his judgement whether he agrees or not that this school requires special measures.'

The RI should be prepared to justify the judgement, and to take note of any factual matters which the senior management wishes to put forward. The RI should make clear to senior management and any governor and LA officer present that:

- this judgement is their judgement and is shared by team
- in accordance with the Education Act 2005, the RI will inform HMCI

- HMCI must state whether or not they agree with the judgement
- if HMCI agrees with the judgement the school will be subject to special measures
- the issue of the report may be delayed because of the circumstances, but the maximum delay is three months from the time when it was due

Reports and summaries for schools requiring special measures

The RI must make clear in the Reporting JF that, in their view, the school is not providing an acceptable standard of education and senior leaders lack the capacity to secure the necessary improvement (that is, it requires special measures). They must also make clear the deficiencies which led to that judgement. The evidence base for the inspection should fully substantiate the judgement.

HMCI, or HMI acting on behalf of HMCI, will scrutinise the inspection evidence (in the Reporting JF) to check the judgement. HMCI has the power to call for any further information required.

Estyn may visit the school within three weeks to corroborate the judgement that the school is in need of special measures, but this will not normally be necessary. The purpose of this visit will be to:

- inspect those aspects of the school where inspectors have found deficiencies
- determine the validity of their judgements
- check that they conducted the inspection properly

If, following quality assurance procedures, HMCI **agrees** with the judgement that the school is failing to give an acceptable standard of education to its pupils and senior leaders lack the capacity to make the necessary improvements, the report will state:

‘In accordance with the Education Act 2005, HMCI is of the opinion that special measures are required in relation to this school’.

If HMCI **does not agree** with the RI’s judgement, the report will state:

‘In accordance with the Education Act 2005, I am of the opinion, but HMCI disagrees, that special measures are required in relation to this school.’

Before publication of the report, the inspectorate will write a letter of confirmation to the school, copied to the local authority, explaining that:

- the school is placed on a list of schools requiring special measures
- the school works with the local authority to address the weaknesses
- Estyn will monitor the progress of the school regularly, normally every four to six months

HMCI has a duty to notify the Cabinet Secretary for Education and the local authority that the school or PRU requires special measures.

Monitoring visits to schools in special measures

The school's governing body will send their draft action plan to Estyn within 20 working days of the publication of the report. The local authority statement should be sent to Estyn within five working days of the school's action plan. The PIAP visit will usually be for one day. The visit will support Estyn's formal evaluation of the PIAP and the local authority's statement of action. Inspectors will discuss the plans with school leaders, governors and local authority representatives. They will ensure that they are robust enough to address the recommendations highlighted in the report as a matter of urgency. When inspectors judge that the plans meet requirements, the school (or PRU) and local authority should ensure that they send copies of the documents to the Welsh government.

Subsequent visits will usually be for two days. They will take place at least every six months, and may be termly. Inspectors will undertake a range of inspection activity, which may include visiting classes, talking to staff and pupils or taking account of the outcomes of questionnaires, interviewing governors and senior leaders, considering pupils' work and other documentation.

Normally, each visit will focus on the progress the school has made towards addressing a sample of recommendations. Over a 12 month period, inspectors will normally evaluate progress against all of the recommendations. It is likely that key recommendations will be evaluated more than once before the school is ready to be removed from special measures.

At the end of each visit, inspectors will judge whether the school continues to require special measures or not. If progress is insufficient, the school will still require special measures. Estyn will continue to carry out monitoring visits until HMCI decides that the school has improved enough to remove it from special measures.

If Estyn becomes concerned that progress towards removing a school from special measures is too slow, they may arrange an additional visit. Inspectors may meet with the school's leaders and representatives from the local authority and regional consortium to reconsider whether the actions that the school has planned and the support that the school is receiving are fit for purpose. Estyn will inform Welsh Government whenever it has concerns about the school's rate of progress.

While a school is in special measures, governors and the local authority may not appoint any newly-qualified teachers (NQTs or GTPs) to the staff, without seeking Estyn's approval.

When the team judges that the school has made sufficient progress, Estyn will recommend to HMCI that it be removed from the list of schools requiring special measures. Estyn will publish a brief report on its website explaining its decision.

Improvement conferences for schools in special measures

Where Estyn identifies that a school's progress in addressing the recommendations from its core inspection is too slow, it may decide to hold an improvement conference. This involves a one-day 'all round the table' discussion between inspectors, senior leaders, governors and representatives from the local authority and regional consortium.

The conference will focus on:

- The progress the school has made since the core inspection
- Barriers to further progress
- Reviewing the PIAP and local authority statement of action and identifying where they require strengthening and/or updating