

Estyn inspection advice document: **GUIDANCE FOR NASUWT REPRESENTATIVES**

Available in the Welsh language

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Introduction

The revised inspection framework for inspecting schools in Wales came into force in September 2010. This booklet provides information and guidance to teachers on the inspection arrangements. It explains the main features of the process, highlights key issues and offers advice.

The main features of inspection – an overview

The main features of inspection of schools from September 2010 are set out below.

Frequency of inspection and follow-up activities

Estyn provides for inspection of all schools at least once every six years. However, during the core inspection, the inspection team will consider whether, in its view, the school needs any follow-up activity. These activities fall into five categories:

- If a school gains an excellent judgement for at least one or two of the overall judgements, then the inspection team will consider whether to invite the school to submit a 600-word case study describing the practice identified. The case study will then be disseminated by Estyn through publications and conferences. Schools cannot be compelled to participate in the provision of good practice case studies.
- In circumstances where a school is identified as a generally good school but has, in the opinion of the inspection team, a small number of specific areas for improvement, Estyn will expect the local authority to monitor progress in these areas and to keep the Estyn link inspector for the authority informed. If the link inspector judges that insufficient progress has been made, the school may be subject to an Estyn monitoring visit.
- Where a school has been identified as having some important areas for improvement that require monitoring, notwithstanding other good or adequate judgements it may have received in other aspects of its work, it may be subject to an Estyn monitoring visit to assess progress approximately one year after the date of the original inspection. Failure to demonstrate rates of progress that Estyn deems to be acceptable could result in the school being placed in a formal Estyn category and identified as a school in need of significant improvement.
- Schools are categorised as being in need of serious improvement in circumstances where the inspection team believes that while the school may be just about providing an acceptable standard of education, even when judgements in all of the key areas for inspection are judged adequate, it is assessed as 'performing significantly less well than it might in all circumstances be expected to perform'. Before a school can be placed in the significant improvement category, the judgement of the original inspection team must be verified by Her Majesty's Chief Inspector of Education and Training in Wales (HMCI). If the judgement is verified, the school will be expected to work closely with the local authority to address the issues identified by Estyn and will be subject to a second inspection approximately one year after the publication of the

original report. Following this second inspection, a school may be removed from the significant improvement category if Estyn's view is that sufficient progress has been made in the intervening period or it may, alternatively, be placed into special measures.

- Estyn inspection teams may only place a school into special measures when they are of the view that the school is not providing an acceptable standard of education. Estyn's guidance states that where inspectors believe they have found low standards and poor teaching and learning, risk to pupils or the likelihood of a breakdown of discipline, the school will normally require special measures. As with cases where schools have been identified as being in need of significant improvement, the judgement of the inspection team must be verified by HMCI, who may, as part of this process, order an additional inspection three weeks after the original inspection to confirm the validity of the initial inspection judgement. When schools are placed into special measures, schools will be required to work with the local authority to address areas of identified weakness and will be monitored by Estyn on a termly basis.

Length and notice of inspection

Schools will receive approximately four weeks' notice of inspection, although, in practice, because of the operation of the six-year cycle, schools will have a reasonable idea of the approximate time period within which they are due to be inspected. After this notification, Estyn will contact the school in order to:

- discuss an outline programme for the inspection;
- discuss the information required from the school by Estyn before the inspection;
- allow the school to inform Estyn whether the school wishes to have a nominee (see below) and, if it does, agree the role of the nominee;
- agree arrangements for listening to learners, including the school council, and for selecting these and other groups, including governors, to be interviewed;
- agree arrangements for completing learner and parent/carer questionnaires and for setting up a meeting with parents/carers;
- arrange the availability of supporting evidence, including a sample of learners' work; and
- ensure that there are agreed procedures for addressing any concerns or complaints that might arise during the course of the inspection.

A week before the inspection, school will be expected to submit the following information to Estyn:

- key background information on the school and on any significant changes since the last inspection;
- a copy of the school's most recent self-evaluation update report (see below) and improvement plan; and

- details of the school's timetables for the period of the inspection, including a list of members of staff and their main responsibilities.

This information will be used by Estyn to produce a pre-inspection commentary (PIC), to include 'hypotheses' based on the self-evaluation report and other information, such as performance data, that inspectors will use to direct their lines of enquiry during the inspection. The PIC is sent to the nominee before the on-site part of the inspection.

Expected preparation for inspection

Prior to the inspection, Estyn expects schools to:

- inform parents/carers about the inspection and to explain details of arrangements for their meeting with inspectors;
- send to parents/carers copies of the questionnaires in line with Estyn's instructions, the results of which will be collated and analysed by the inspectorate;
- organise an online survey of learners' views using Estyn's template questionnaire;
- arrange to provide samples of learners' work when inspectors are in the school that demonstrate pupils' communication, numeracy and information and communications technology (ICT) skills across the curriculum, including evidence of Welsh language development; and
- be ready for inspectors to request evidence that has been referred to in the school's self-evaluation report.

The inspection team

Inspection teams are led by a reporting inspector with other team members drawn from among Estyn's inspectors or additional inspectors who may be on secondment or contract to the inspectorate. Each team will also have a peer inspector, who will be a member of staff from another school, as well as a lay inspector.

The focus of inspection

Estyn's inspection framework is based around three 'Key Questions', the answers to which will form the basis of inspectors' overall judgements and their view of the school's likely prospects for improvement. These Key Questions are assessed against a range of more detailed quality indicators set out in the inspection framework.

Key Question 1: How good are outcomes?

Key Question 1 is focused on educational standards and pupil wellbeing. In relation to standards, inspectors are expected to examine results compared with national averages, similar schools and prior attainment. Inspectors will also consider trends in performance, standards attained by different groups of pupils, rates of progress and Welsh language development. The wellbeing strand of inspection includes an assessment of the extent to which pupils develop 'healthy and safe attitudes', attendance rates, behaviour, community development and the range of 'social skills' acquired by pupils.

Key Question 2: How good is provision?

This Key Question will prompt inspectors to consider the quality and scope of pupils' learning experiences, standards of teaching, the provision of care, support and guidance for pupils and the environment within which learning takes place. In this aspect of the inspection process, key issues such as safeguarding, equality and diversity, provision for pupils with additional educational needs (AEN) and staffing are examined.

Key Question 3: How good are leadership and management?

Key Question 3 involves the formation of judgements about the impact of leadership, including the ability of school leaders to meet national and local priorities and the quality of school governance. It also requires inspectors to assess the management of resources, arrangements for pupil participation in aspects of school life and the extent to which the school engages successfully with external stakeholders and 'partner organisations'.

Inspection judgements and grading

Estyn's inspection framework involves a four-point grading scale for overall judgements of school performance as well as for each individual element of inspection. The judgement grades are:

1. Excellent
2. Good
3. Adequate
4. Unsatisfactory

In terms of forming an overall judgement of the school's current performance, inspectors will base their assessment on the judgements made on the three Key Questions. The greatest weight in forming the overall judgement is given to the judgement on Key Question 1. In most circumstances, this overall judgement will be no higher than the lowest judgement awarded to any Key Question but inspectors may reach an overall judgement one level higher than the lowest level awarded to any Key Question as long as they explain clearly their reasons for doing so.

Inspectors are also required to form an overall judgement of the school's prospects for improvement. The judgement seeks to reflect the extent to which inspectors consider whether school leaders have the capacity and capability to make improvements and implement plans for improvement.

The judgement for Key Question 1 cannot normally be above adequate when attainment outcomes viewed over a three-year period are judged by inspectors to be at levels significantly lower than the averages for similar schools, taking account of the school's context, including deprivation factors. Estyn has also stated that in most circumstances, judgements for Key Questions 2 and 3 will not be at a level higher than the judgement for Key Question 1. Inspectors are required to explain any differences between the judgements for Key Questions 1, 2 and 3.

Gathering evidence

The main forms of evidence used to inform inspections are:

- briefings from local authorities;
- documentary evidence, including data on pupils' performance and progress;
- observation of teaching or training sessions and other activities;
- samples of pupils' work;
- the views of pupils and stakeholders; and
- discussion with staff, leaders, managers and governors.

Inspection teams are expected to spend between 30% and 50% of their time on the inspection in observing teaching. Inspectors will normally spend no less than 30 minutes observing a learning activity.

Estyn's guidance also places significant stress on learner voice as a key source of evidence of achievement, attitudes and wellbeing. Estyn advises its inspectors to request lists of pupils from the school then select those that they wish to interview. These lists may be based on various categories, for example, those with additional learning needs or from minority ethnic groups.

Liaising with staff

At the end of a lesson observation, inspectors should provide feedback to teachers. Estyn's guidance makes clear that feedback given in this context is provisional in nature and may be subject to subsequent modification in light of additional evidence. It is therefore likely that inspectors will not discuss any levels that may have been awarded as a result of the observation.

At the end of the on-site element of the inspection process, inspectors will provide oral feedback to leaders and managers. A representative from the local authority is expected to be invited to attend the meeting. The feedback should convey the main judgements and the reasons for them and provide an opportunity for those in attendance to assimilate and to reflect on the judgements. While Estyn states that there should be 'broad consistency' between the evaluations that are fed back and what appears in the written report, it is important to note that Estyn maintains that there may be circumstances where the oral feedback and written report differ in terms of overall judgements 'as a result of internal moderation within the inspectorate after the on-site part of the inspection.'

Inspection reports

Reports produced as a result of an inspection must be issued using the common format determined by Estyn. This must include a section setting out contextual and background information about the school, such as its size, budget, the socioeconomic circumstances of the pupil population and any significant changes since the last inspection. The content of this section should be agreed between the reporting inspector and the headteacher, although in the case of a disagreement, the reporting inspector has the ability to impose his or her own version.

The report must also contain a summary that sets out the two overall judgements on the school's current performance and prospects for improvement, accompanied by a brief explanation of the reasons for these judgements. The report will set out recommendations on inspectors' views of areas for improvement that the school will be expected to address in its action plan. The recommendations are given in order of priority and will refer to any significant matters noted by the inspectors where the school's practice does not comply with legal requirements.

The main body of the report sets out in detail the findings of inspectors in relation to each of the three Key Questions and their associated quality indicators.

Key issues for schools

Self-evaluation

Self-evaluation is a central element of the inspection process and is given a significant degree of weight by inspectors in the formation of judgements about performance.

NASUWT advice

It is important that any system of self-evaluation adopted by a school is not burdensome or bureaucratic. It should be developed in consultation with staff and trade unions. School self-evaluation practice should draw together school improvement planning and arrangements for the management of teacher and headteacher performance and should be supportive of effective teaching and learning. School self-evaluation should not be an additional process and it should not require the school to undertake additional monitoring or evaluation, including classroom observation.

In the context of self-evaluation, there is no justification for schools to establish systems of monitoring that, effectively, amount to continuous self-evaluation and, thereby, increase the workloads of teachers and other staff. It is important that this does not happen. Self-evaluation should not involve teachers undertaking additional responsibilities or require them to be subject to any additional processes or meetings.

The NASUWT maintains that lesson observations undertaken as part of the Performance Management process should provide sufficient evidence to support and inform the self-evaluation process.

Self-evaluation should be integral to the school's processes, not additional.

The self-evaluation report (SEF)

Estyn advises strongly that schools should record the result of their self-evaluation on the self-evaluation report available on the Estyn website (www.estyn.gov.uk). While use of the Estyn self-evaluation report is not compulsory, Estyn states that should schools elect not to use the template, their alternative system of recording self-evaluation should provide a report that 'focuses on standards, the quality of provision and the quality of leadership' and that reflects the basis upon which Estyn's template has been developed.

Although Estyn states that the process of self-evaluation is not simply restricted to purposes linked to inspection, the inspectorate is clear that the self-evaluation report is the starting point for inspection. As a result, Estyn's self-evaluation report template is based on the three Key Questions that underpin the inspection framework with their associated quality indicators. Estyn expects that self-evaluation reports will make clear judgements on each quality indicator in the Common Inspection Framework, include supporting evidence and statistical data about recent outcomes and identify areas for improvement as well as strengths.

Estyn recommends that the self-evaluation report should be no more than 20 to 40 pages long and should be developed in consultation with key stakeholders, including the school workforce.

Estyn's guidance on self-evaluation strongly recommends this approach and encourages yearly updating of the report.

NASUWT advice

Teachers' views may be sought when the self-evaluation report is reviewed and updated. However, the responsibility for writing the self-evaluation report should rest with the headteacher and school leadership team. It is not appropriate for individual teachers or groups of teachers to be asked to write particular sections of the report. Teachers should not be required to compile information specifically for the report. This is a routine administrative task that teachers and headteachers in Wales are no longer required to undertake. Administrative staff should update factual aspects of the report.

School leaders should balance the demands of completing the self-evaluation report against the school's other priorities and statutory requirements. It is crucial that the data included in the report can be obtained from a streamlined process and forms part of a single process of data collection, analysis and reporting. Schools should establish in their annual calendar a clear timetable for regular updating of the self-evaluation report, taking account of times when specific data is expected to become available and when other key developments or progress is expected, related to the school improvement plan.

The school's self-evaluation report should be produced in a concise form and length. Where evidence is used selectively and appropriately, identifying key evaluation evidence and outcomes and areas where improvements are planned, there should be no need for reports to be longer than 20 pages, as recommended by Estyn.

The school's self-evaluation report should aim not to include information about individual staff or information that allows individual staff to be identified, although, in some circumstances, this might be difficult to avoid, particularly in relation to small schools or schools where a department or faculty has only one member of teaching staff. Where members are concerned that information in the self-evaluation report allows negative conclusions to be drawn about their capability or performance, advice should be sought from the NASUWT as a matter of urgency.

Schools should not operate two self-evaluation systems concurrently. A school should either continue to use any existing system it has in place or stop using that system and use Estyn's self-evaluation report template. However, in schools where existing systems continue to be used, consideration should be given to the extent to which it is fully reflective of the current inspection framework.

The nominee

Estyn will invite schools to select a senior member of staff as a nominee to work with the inspection team. The inspectorate's guidance sets out an expectation that the nominee should have sufficient seniority to act as a link between the school and the inspection team but need not necessarily be the leader of the school.

Nominees are advised by Estyn to access 'Dyfal', an online training package provided by Estyn, before their inspection. This training aims to provide nominees with information about their role in pre-inspection work, during inspection as well as after the inspection. Dyfal can be accessed through Estyn's website, www.estyn.gov.uk.

NASUWT advice

Given the nature of the role, it is important that the nominee is able to provide an accurate and authoritative representation of the activities of the school to the inspection team and to relate the views of inspectors to appropriate members of staff in the school. For this reason, it is clear that in most circumstances this role should be undertaken by a member of the senior leadership team or by an individual member of staff with a range of responsibilities that ensures that they can engage in meaningful and informed discussions with inspectors about the full range of activities undertaken by the school. In light of the emphasis in the school inspection framework on issues related to teaching and learning, the nominee should be a member of staff with Qualified Teacher Status (QTS). NASUWT representatives, if they are appropriately placed to undertake the role, might be particularly suited to act as nominees, given the understanding they will have developed of whole-school issues through their work in representing the interests of members.

School inspection and compliance with statutory workforce provisions

Estyn has set out a clear expectation in its guidance on school inspection that schools should evaluate the extent to which statutory workforce provisions, particularly those introduced by the National Agreement: 'Raising Standards and Tackling Workload', are being met in practice. Schools are expected to indicate how well they meet these requirements in their self-evaluation report. Inspectors will use the self-evaluation report and other information to identify any issues in relation to how effectively a school meets its statutory requirements.

Inspectors will investigate these issues further during the inspection where they are likely to have a significant impact on standards and quality. Estyn cautions that failure to meet statutory requirements that affect quality and standards will be reported in the text and may result in a judgement no higher than adequate for the relevant quality indicator.

NASUWT advice

Statutory provisions in respect of the workforce are central to ensuring that schools are able to provide high quality learning experiences for pupils. It is clear, therefore, that noncompliance with these provisions impacts directly upon quality and standards and the extent of compliance should be reflected in the self-evaluation report. This is confirmed in Estyn's self-evaluation manuals for schools where explicit mention is made

of the need for schools to have implemented the statutory provisions arising from the National Agreement. These provisions are as follows:

- teachers cannot routinely be required to undertake administrative and clerical tasks;
- guaranteed provision of planning, preparation and assessment (PPA) time equivalent of at least 10% of a teacher's normal timetabled teaching time, to be timetabled time in blocks of no less than 30 minutes' duration, as part of the teacher's normal weekly or fortnightly timetable;
- teachers with leadership and management responsibilities are entitled, as far as is reasonably practicable, to a reasonable allocation of time within school sessions to support the discharge of their responsibilities. This is in addition to the contractual provisions on work/life balance and guaranteed PPA time;
- all teachers and headteachers to enjoy a reasonable work/life balance;
- teachers and headteachers should not be required to provide cover other than rarely and only in circumstances that are unforeseeable;
- teachers are not routinely required to invigilate external examinations, including mock examinations and end of Key Stage tests; and
- headteachers are entitled to a reasonable amount of time during school sessions, having regard to their teaching responsibilities, for the purpose of discharging their leadership and management responsibilities.

The self-evaluation manuals can be downloaded from the Estyn website (www.estyn.gov.uk).

It is vital that the statements on workforce provisions made in the school's self-evaluation report are accurate. Headteachers should consult workforce union representatives and seek their feedback on the points covered in the report. In order to conduct a meaningful discussion with the headteacher, NASUWT Representatives will need to undertake their own audit of compliance with statutory provisions. A copy of the summary checklist of statutory provisions that can be used for this purpose is available from the NASUWT website (www.nasuwt.org.uk). NASUWT Representatives are advised to organise a meeting with members prior to meeting the headteacher in order to consider the outcomes of the audit.

If your audit indicates that the school is not complying with all of its statutory responsibilities in respect of the workforce, it is critical that you highlight these concerns to your headteacher and provide the evidence you will have gathered from the audit to substantiate your view. You should aim to work with your headteacher to develop an action plan to address these issues as a matter of urgency.

If there is agreement with school workforce unions, including the NASUWT, that the school is fully compliant, then this should be recorded on the self-evaluation report. If agreement about the level of compliance is not reached, then further advice from the NASUWT should be sought.

If areas where further work is needed in order to achieve compliance are identified, an action plan to address these issues should be developed as a matter of urgency. Until any compliance issues are resolved, it is important that the self-evaluation report records that the school is not fully compliant. School workforce union representatives should be involved in this process and teachers should contact their representative if they want to feed in information or issues that relate to compliance.

Lesson observation

The Estyn inspection framework places a significant emphasis on observation of teaching, training and work with pupils. Inspection teams will spend between 30% and 50% of their time on the inspection in observing teaching. However, not all teachers may be observed during the course of an inspection. Inspectors will normally spend no less than 30 minutes observing a learning activity. Schools are expected to send their reporting inspector a full plan of all the intended activities during the inspection week. On the basis of the information received, inspectors will select a small sample of sessions to observe and evaluate. However, this may be subject to alteration as inspectors follow particular lines of enquiry that arise from information gathered during the course of the inspection.

The stated purpose of lesson observation is to provide evidence to inform inspectors' judgements on:

- standards and progress;
- pupil wellbeing;
- the quality of teaching and learning;
- the provision of care, support and guidance for pupils; and
- the quality of the learning environment.

It should also be noted that there is no provision in the Common Inspection Framework or the guidance to inspectors that lesson observations during the course of an inspection should be carried out by anyone other than a member of the inspection team. However, it is important to recognise that inspectors may feed back their general findings, including the information gathered from lesson observations, to members of the senior management team.

NASUWT advice

Teachers may well be observed in the course of the inspection and cannot refuse to be observed by a member of the inspection team.

Inspectors' judgements of teaching and its impact on learning relates only to what has been observed during the course of the lesson and to a judgement about the school's own judgement about the quality and effectiveness of teaching and learning in general. The assessment of the quality of an individual teacher's lesson must not be used to make judgements about that teacher's performance or capability. For

example, it would be inappropriate for a school to use Estyn inspection judgements about the quality of a teacher's teaching and its impact on learning to begin or to support capability proceedings.

Outside of inspection, lesson observation should be supportive and developmental and the data collected capable of being used to inform the self-evaluation report and school improvement planning.

The NASUWT is concerned that the significant degree of emphasis on self-evaluation in the new inspection framework may be used by some schools to justify increased use of lesson observation. There should be no increase in the number of lesson observations in schools in anticipation of inspection, and the NASUWT will oppose any attempt to increase the incidence of lesson observation on this basis.

Whilst schools need to respond to the recommendations arising from their Estyn report, this should not result in a school automatically initiating additional lesson observations as part of their post-inspection follow-up arrangements. Lesson observations that are not part of inspection should be recorded in a way that supports professional dialogue and exchange. It is not appropriate for lessons to be graded. Such an approach is simplistic and ignores the holistic approach to effective procedures in professional development and the management of performance. It should be noted that Estyn's guidance has made it clear that it does not place any requirement on schools to grade individual lessons using its inspection grading system.

Further, the NASUWT is clear that the only person who can enter a teacher's classroom without the prior consent and agreement of the teacher is the headteacher and even then there must be justification. School improvement officers, other staff members, governors and local authority officers are only able to observe a teacher's lesson if that teacher has invited them to do so.

Pupils' views

The Estyn inspection framework stresses the importance of giving consideration to the views of pupils both within the inspection process itself and in terms of the judgements it makes about schools' approaches to pupil participation.

The pupil survey undertaken as part of the inspection process covers a range of areas, including pupils' perceptions of their learning and progress, whether staff treat pupils with respect and how well pupils are helped to make progress and tackle problems. The survey is sent to at least 25% of pupils selected by random sampling. The survey invites pupils to record the extent to which they agree or disagree with statements set out on the survey questionnaire. The survey is undertaken prior to the inspection and forms part of the pre-inspection evidence considered by the inspection team. Inspectors will also carry out oral surveys during the course of the inspection and will look to arrange opportunities to meet with pupils, including with the school council. The findings of the survey and information gathered by inspectors about pupils' views will be summarised by inspectors and included as an annex to the final inspection report.

The Common Inspection Framework stresses the importance of pupil participation, and evaluation of this aspect of school activity is expected to feature significantly in schools' self-evaluation reports. In its self-evaluation manuals, Estyn maintains that student voice is a key source of evidence for schools of pupils' achievement, attitudes and wellbeing. Estyn further states that it is also likely to be useful in evaluating the quality of teaching and assessment. Estyn promotes seeking the views of pupils as a key element of schools' approaches to self-evaluation.

NASUWT advice

The NASUWT supports the principle that schools should consult pupils about issues that affect them and should look to find appropriate ways to involve learners in the wider life of their school communities. However, it would be wholly inappropriate and unacceptable to promote activities that place pupils in roles where they can challenge the judgements or authority of teachers. For example, the NASUWT would support members in opposing the use of pupils in the conduct of lesson observations, grading or rating of teacher performance or in decisions on teacher recruitment or promotion. NASUWT representatives should seek advice and support if they have evidence that inspectors are putting pressure on the school to adopt such practice. The NASUWT has produced detailed guidance on student voice, which is available from the NASUWT website (www.nasuwt.org.uk). NASUWT Representatives can use this guidance to support their discussions with school leaders on establishing effective approaches to student voice in their school.

Staff views

While Estyn's inspection framework makes no provision for the formal collection or surveying of staff views, the framework and accompanying guidance for inspectors and schools does lay stress on the importance of inspectors gaining the views of staff and states explicitly that schools should recognise that inspectors may wish to speak with members of staff without a headteacher or other senior manager being present.

Beyond feedback from lesson observations, engagement between staff and inspectors is likely to be focused on issues highlighted in the self-evaluation report or in the pre-inspection commentary. In respect of Key Question 3 on leadership, the guidance for inspectors states clearly that a judgement should be made about the extent to which school leaders model and promote behaviours and values that contribute positively to creating a school ethos where staff feel valued. Estyn's self-evaluation handbooks recommend that these considerations are reflected directly in the self-evaluation report. Issues in respect of staff access to professional development opportunities and the support that teachers need to undertake their responsibilities effectively are also referenced directly in the guidance for inspectors and the self-evaluation handbooks.

NASUWT advice

Staff have a significant and important contribution to make to the inspection process and inspectors should seek and take account of their views. The NASUWT encourages members to press for school representatives of recognised trade unions, including the

NASUWT, to be given the opportunity to meet with the inspection team. Effective engagement with recognised trade unions by school leaders represents the most appropriate and effective means by which schools can demonstrate their commitment to engaging with staff. A critical way by which schools can demonstrate their commitment to meaningful engagement and participation of staff is through ensuring that all workforce statutory provisions are in place.

Teachers should be aware that the NASUWT will expect discussion to take place with the representatives of the recognised trade unions as part of the discussions with staff. Estyn has indicated that where such requests are made by a trade union representative they would be accommodated.

Post-inspection activity

After the on-site phase of the inspection has been completed, the reporting inspector will give the school a late draft report to help check the factual accuracy of the content. The school has five working days within which to consider the draft report and identify any factual errors.

In all circumstances, schools will be required to ensure that their school improvement plan is amended to take account of the recommendations set out in the final version of the report. For those schools identified as requiring some form of formal follow-up activity on the basis described above, it will be expected that they will take steps beyond this to address specific points of concern highlighted in the inspection report. Progress towards resolving these issues will be subject to periodic scrutiny by Estyn and the relevant local authority.

NASUWT advice

Although little time is available for schools to consider the draft report, it is good practice for the headteacher to try to ensure that all members of staff are able to comment on it. This is particularly important if a member of staff might be identifiable in the report because, for example, they are the only teacher of a particular subject or year group.

Some staff are at particular risk if the school is deemed to require significant improvement or is placed in special measures; this includes headteachers and teachers who are the only member of staff teaching a particular year group or subject. However, all staff can find themselves under immense pressure and stress as a school seeks to respond to adverse inspection comments or judgements. Increased workload burdens in the form of additional meetings, increased lesson observation and monitoring, wholesale reviews of school policies and the introduction of bureaucratic procedures should be resisted. NASUWT Representatives are advised to contact the NASUWT immediately for advice and support if their school is deemed to be failing. They should also advise the headteacher to do the same if he or she is a member of the Union. It is important that NASUWT Representatives provide regular feedback to the NASUWT where schools have been placed in a formal Estyn category.

Even in circumstances where a school is not placed in a formal category but is, however, judged appropriate for schools to receive an Estyn monitoring visit, the NASUWT is concerned that this is likely to put additional stress on staff in those schools and increase the risk of the school coming under pressure to introduce burdensome systems for monitoring performance and progress. NASUWT Representatives should seek advice from the Union if bureaucratic or burdensome accountability systems are introduced as a response to the school being subject to monitoring visits.

The role of local authorities

Local authorities are required under the terms of the School Effectiveness Framework (SEF) to support and challenge maintained schools that are underperforming. This means that local authorities will target those schools. If evidence gathered by a local authority suggests that a school's performance is giving rise to concern, even if it was not judged as requiring follow-up action in its most recent Estyn inspection, the local authority would be expected to work with the school to improve its performance prior to its next inspection.

If a school refuses to co-operate, then local authorities in Wales have powers under the terms of the Apprenticeships, Children, Schools and Learning Act 2009 to issue warning notices. Warning notices can be issued if the standards of performance are unacceptably low and are likely to remain so unless the local authority exercises its statutory powers; if there is a serious breakdown in management or governance that is prejudicing or likely to prejudice standards of performance; or if the safety of pupils or staff is threatened.

NASUWT advice

Whilst the NASUWT supports the principle of local authorities providing support and challenge to schools, it has very serious concerns about what this can mean for practice in schools. In particular, the Union is concerned that some local authorities require schools to introduce extremely bureaucratic and burdensome systems for monitoring and assessing performance. This is particularly important given that the new framework gives local authorities a key pre-inspection role and that Estyn will be seeking local authorities' views on schools prior to inspection. Teachers should contact their NASUWT Representative if local authority-imposed systems are burdensome and bureaucratic or if they believe that local authority advisors or inspectors are providing inappropriate advice or are attempting to undertake lesson observations.

Confidentiality

Other than the headteacher, the inspection report should not identify individual members of staff in a school.

Estyn is clear that it will not release inspectors' notes or other inspection evidence to a third party and will use the exemptions that apply under the Freedom of Information Act (FOIA) for this purpose. It has also confirmed that it will pass any FOIA request for release of the self-evaluation report to the school. The NASUWT has also established that schools can use Sections 36 and 41 of the FOIA to refuse a request from a third party, such as a parent or a local newspaper, for a copy of the self-evaluation report.

NASUWT advice

Although individuals should not be identified in the inspection report, it is often possible to identify an individual, most notably the headteacher or teacher who has sole responsibility for a particular subject or area, because of the references to this role in the inspection report. If a teacher believes that the reference in a report is inappropriate, they should raise this with the headteacher and with the NASUWT.

NASUWT Representatives need to be alert to the possibility that issues may arise once a report has been published. For example, parents, the governing body, others within the school or the local media may use the information contained in the report against a particular member of staff. Teachers should seek to anticipate potential problems and raise any concerns with the NASUWT. However, some problems may not be anticipated early enough. It will be important to contact the NASUWT promptly if such an issue arises.

Schools are advised to refuse any request for a copy of the school's complete self-evaluation report from any external individual or organisation other than an appropriate officer of the relevant local authority or from Estyn. The NASUWT has established that schools can use Sections 36 and 41 of the FOIA to refuse such a request. NASUWT Representatives should press for non-disclosure if it is suspected that a school intends to release the self-evaluation report following a request and should seek support from the Union urgently if their advice on disclosure is ignored.

The governing body

When a school is notified of an inspection, the governing body has a number of key statutory responsibilities. These include:

- informing parents/carers about the inspection;
- informing the local authority (in a school with a delegated budget) that the school is to be inspected;
- informing the person or body responsible for appointing the foundation governors in voluntary schools, and for voluntary aided schools, the diocesan authority (if different);
- inviting views from the local community and partners, such as representatives of the local business community in secondary schools; and
- informing the relevant person within the local authority (LA), where there are children 'looked after' by that authority in attendance at the school.

Inspectors are required to make a judgement about how well the governing body fulfils its statutory obligations and takes full account of relevant legislation and guidance. This will include an evaluation by inspectors of the extent to which governors understand their role, how well informed they are about the performance of the school and the issues that affect it, the quality of their work in supporting the school as a critical friend, and whether they hold the school to account for the standards and quality of provision it achieves.

It is expected that at least one member of the governing body will attend the feedback meeting at the end of the inspection and once the school receives the final report, the governing body is responsible for ensuring that a copy of the report is sent to every parent.

NASUWT advice

Estyn's inspection framework sets out clear expectations that governors will both support and challenge the school and help to provide a sense of direction for the school. This does not mean that governors should be involved in the day-to-day running of the school or have involvement in observing lessons. This is inappropriate and is not required by Estyn. Staff governors are advised to challenge attempts to introduce such practices and contact the NASUWT if the governing body seeks to work in this way.

Complaints from parents

In relation to complaints about individual schools or teachers, Estyn is clear that it will only deal with such complaints if they are connected with the inspection of the organisation. Estyn points out that all parental complaints about a school should be dealt with through the complaints procedure that all schools are required to have in place. However, Estyn is legally obliged to act when it becomes aware of any allegation, suspicion or incident of abuse or neglect of a child. Estyn's child protection procedures state that, in these circumstances, Estyn will refer this information, through its designated child protection officer in cases where this evidence has come to light outside of the context of an on-site inspection, to the relevant local authority child protection agencies in accordance with the locally agreed Area Child Protection Committee procedures.

NASUWT advice

While the inspection framework involves seeking the views of parents about the quality of provision in the school, it is clear that Estyn's role is not to deal directly with specific complaints about members of staff. During the course of an inspection, notwithstanding issues in relation to child protection mentioned above, inspectors should refer any parent wishing to make a complaint about a school or staff members to the school's published complaints procedure and should not seek to intervene on behalf of the parent or family member concerned. Such action would be contrary to the provisions of the Code of Conduct for inspectors. In such circumstances, schools should follow Estyn's complaints procedure and advice should be sought from the NASUWT if advice and support in using the procedure is required.

Complaints about the inspection

Estyn makes clear that all inspectors must act in accordance with the standards of Estyn's code of conduct. This requires inspectors to:

- 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; and
- respect the confidentiality of all information received during the course of their work.

If the school has a complaint about an inspection, the complaint should be made to the reporting inspector during the course of the inspection.

If it is not possible to make a complaint to the reporting inspector or if the reporting inspector fails to resolve the matter, the school should lodge a complaint with Estyn's Feedback and Complaints Manager. This may either be done during the course of an inspection or following an inspection. Relevant contact details for the Feedback and Complaints Manager can be found on Estyn's website (www.estyn.gov.uk).

The Feedback and Complaints Manager will arrange for the complaint to be investigated, to which a response will be given within 25 working days. If this response is unsatisfactory, schools have a further 25 working days within which to submit a formal complaint. Once Estyn's internal complaints process is exhausted, complainants may take their case to the Public Services Ombudsman for Wales. Full details of the feedback and complaints procedure can also be found on the Estyn website.

NASUWT advice

If a member has a complaint about an inspection, including the way in which the inspection was carried out, then s/he should notify the NASUWT immediately outlining their concerns. These concerns should also be raised with the headteacher as soon as they arise. The NASUWT is able to provide advice and guidance to members on effective use of the Estyn complaints procedure.

Workload issues

Other than the specific tasks set out in respect of activities, schools are not expected by Estyn to prepare specifically for inspection. The purpose of inspection is to observe a school as it functions normally.

The school should not be required to collate additional information for the inspection team. Inspectors are likely to want to see examples of paperwork but this should not require the school to collect that information specially. The necessary information should be part of the school's routine procedures and should therefore be readily accessible. The school should not be asked to analyse data for the inspection team. However, inspectors may ask school leaders to talk about how the school has analysed specific data, with a view to finding out if and how data informs the school's self-evaluation.

NASUWT advice

Inspection has the potential to affect adversely the workload of teachers and school leaders both in preparation for the inspection and after it has taken place. The NASUWT is committed to taking action to protect members from any worsening of their working conditions as a result of school inspection and school self-evaluation. Teachers have a key

role to play in supporting workforce unions to identify concerns and challenge the problems caused by inspection.

As described above, the provisions in the School Teachers' Pay and Conditions Document (STPCD) relating to workload and wider workforce reforms are referenced in Estyn's self-evaluation handbooks and the guidance for inspectors and should be picked up within inspection as part of the judgement about key aspects of the school's performance, particularly in relation to the management of staff and resources in the context of Key Question 3. This should be a starting point for ensuring that the school complies with the provisions generally and in the way it responds to inspection, including anticipation of inspection. The school cannot use inspection to deny teachers their contractual entitlements.

Estyn have made clear the extent of preparation they expect for inspections. Mock inspections are unnecessary, add to workload burdens and place staff under considerable pressure. Schools or local authorities should not introduce mock inspections, nor should they introduce detailed planning processes such as providing detailed lesson plans for each lesson, or additional self-evaluation systems that operate at departmental level simply as a paper trail for inspections.

The notice period for inspections was reduced to four weeks in an attempt to reduce the pressure on schools, to minimise the time spent on preparing for inspections and to reduce the workload associated with inspections.

Teachers should guard against schools using the six-year inspection cycle to increase the preparation time for inspections by speculating on the likelihood of an inspection based solely on the passage of time. Teachers should contact the NASUWT if it is evident that a school is placing unreasonable demands on staff in anticipation of an inspection.

If any member of staff, including the headteacher, works part time and an inspection takes place on days when they are not in school, then they must not be expected, or asked, to come into school during the inspection. However, if teachers or headteachers who work part time agree to come into work, they should be paid additionally.

NASUWT advice, help and support

Contact details for NASUWT National Executive Members can be obtained from the NASUWT members' diary or the NASUWT website at www.nasuwt.org.uk.

Further information, advice and support is also available from the NASUWT website.

NASUWT Regional Centres

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