

Proposals

Framework proposals

These proposals represent an important evolution of current inspection arrangements. The new framework aims to focus inspection judgements and the criteria that underpin them on the quality of education that providers offer. The sections that follow illustrate how we propose to do this.

Proposal 1

We propose the introduction of a new 'quality of education' judgement built around our working definition of the curriculum. It will focus on a provider's educational intent, implementation and impact. Inspectors look at teaching, assessment, attainment and progress under the current inspection framework, and they will continue to do so, but these considerations will contribute, viewed in the context of the provider's curriculum, to a single quality of education judgement. In short, we propose to take a holistic approach to considering the quality of education rather than artificially separating the leadership of the curriculum from teaching, and separating teaching and the use of assessment from the impact this has on the outcomes that learners achieve. This will de-intensify the inspection focus on performance data and place more emphasis on the substance of education and what matters most to learners and practitioners.

To what extent do you agree or disagree with the proposal to introduce a 'quality of education' judgement?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

An emphasis on the quality of education rather than on outcomes is very welcome. There is however concern about the approach to early years and Key Stage 1. The focus on maths and a limited approach to literacy, emphasised in the YouTube video material, exerts powerful downward pressures on YR and nursery classes. This is not compatible with Ofsted's statement on teaching in the early years, which is strongly supported through both research and empirical evidence.

The divergence between the draft of the early years inspection handbook and the early years section of the schools inspection handbook is worrying, as children should have comparable experiences regardless of where they are placed for their entitlement to the EYFS. Judgements on curriculum and pedagogy, particularly in relation to early literacy and maths, go well beyond the statutory requirements of

the EYFS. They also ignore vital aspects of early language and phonological development, and make no acknowledgement of the value of access to books that extend children's experience of language and ideas. There is no mention of the importance of following children's interests and tuning in to their intentions, in line with the requirement that learning and development opportunities should be planned around the needs and interests of each individual child.

Although Ofsted's reference to research is a constructive innovation, the range of studies relating to the early years is disappointingly limited. In particular, issues around physical development, learning through play and other aspects of well-established effective early years pedagogy which support the requirements of the EYFS, do not feature. The very restricted references to early literacy and maths is of particular concern. They ignore well-grounded and reputable research. Ofsted's presentations about the proposed new framework coupled with the relevant YouTube videos indicate a worrying lack of awareness of the complexity of emergent literacy and numeracy. This is likely to result in a narrowing of the curriculum in the early years as well as in Key Stage 1, in contradiction to the stated aim of the proposals. The review of the early learning goals and proposals for baseline assessment are likely to exacerbate this trend.

It is essential that Ofsted inspects consistently against the statutory requirements of the EYFS: the linear view of education that permeates the proposals is not compatible with Ofsted's helpful definition of teaching in the early years and reveals a worrying lack of understanding of how young children learn, as explained in the Characteristics of Effective Learning.

TACTYC is including an enhanced list of research with our submission, giving suggestions of further relevant studies which underline the need to have clear acknowledgement of the vital importance of a responsive approach in the early years and Key Stage 1.

Proposal 2

We propose to judge 'personal development' separately from 'behaviour and attitudes' to enhance the inspection focus on each and enable clearer reporting on both. This approach recognises the very different elements in focus. We believe that the behaviour and the attitudes learners of all ages bring to learning is best evaluated and judged separately from the provision made to promote learners' wider personal development, character and resilience.

To what extent do you agree or disagree with the proposed separation of inspection judgements about learners' personal development and learners' behaviour and attitudes?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

This a helpful distinction. It should enable the inspection process to do greater justice to the personal, social and emotional development aspects of education, in line with one of the prime areas of learning.

However, the guidance should make specific reference to the Characteristics of Early Learning and self-regulation as well as PSED, and acknowledge the central role of play in learning in the early years.

Early years (registered provision)

We know that, to make a real difference to a child's life, high-quality education and care between birth and the age of five are crucial. These early years should provide the foundation of a happy, successful future. The 'Statutory framework for the early years foundation stage' (EYFS) sets out the education and care standards that all early years providers must meet to ensure that children, from birth to five, learn and develop well and are kept healthy and safe. Once a provider is registered on the Early Years Register, Ofsted carries out regular inspections to evaluate the overall quality and standards of the early years provision in line with the principles and requirements of the EYFS. This will not change, but we propose to put a greater emphasis on the curriculum. It should be noted that early years in schools and maintained nursery schools are inspected under the schools handbook.

The quality of education (educational programmes)

1. The educational programmes (EYFS) provide the curriculum framework that leaders build on to decide what they **intend** children to learn and develop.
2. Leaders and practitioners decide how to **implement** the curriculum so children make progress in the seven areas of learning.
3. Leaders and practitioners evaluate the **impact** of the curriculum by checking what children know and can do.

We have seen an industry develop around assessment and tracking of young children. What children learn is too often coming second to the delivery of assessment information. The education inspection framework will put more emphasis on the quality of education and care. It will ensure that we consider children's experiences and how they are being developed, alongside assessments.

We want to make sure that the curriculum for children with particular needs, such as those with high levels of special educational needs and/or disabilities (SEND), is ambitious and meets their needs from birth to the age of five. We want to find out how leaders make sure that these children have full access to their entitlement for early education.

Proposal 3

We want to ensure that the education inspection framework 2019 judgements (see section above and para 131 in the EY handbook]) are appropriate for the range of early years settings.

To what extent do you agree or disagree that the judgements will work well for:

	Strongly agree	Agree	Neither agree or disagree	Disagree	Strongly disagree	Don't know
Childminders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> X	<input type="checkbox"/>	<input type="checkbox"/> *
Childcare on non-domestic premises	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> X	<input type="checkbox"/>	<input type="checkbox"/> *
Childcare on domestic premises	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> X	<input type="checkbox"/>	<input type="checkbox"/> *
Childcare settings that offer care exclusively before and after school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> X	<input type="checkbox"/>	<input type="checkbox"/> *

Comments:

The proposals in the Early Years Inspection Handbook will help all providers and practitioners to focus primarily on the provision they make for children, and use assessment formatively to decide on the next appropriate steps rather than provide evidence for inspection. The explicit mention of children with SEND is welcome, as it is often at this stage that special needs are first identified.

However, a judgment of Good for quality of education apparently depends on a sequenced, taught curriculum, with children expected to learn and remember specific knowledge. It is not responsive to children's exploration, meaning making or growth as learners. An 'ambitious and coherently planned and sequenced curriculum' will be understood as directive teaching by most practitioners.

There is also serious concern about the heavy emphasis and prescriptive statements on literacy and maths in the Early Years section of the Schools Inspection Handbook, in comparison with the Early Years Inspection Handbook where it applies to children of the same age. Proposed changes to the Early Learning Goals, and for baseline assessment at the start of YR, compound the concern about a premature emphasis on formal reading, writing and maths which comes at the expense of the vital prime areas of learning and the other strands mandated within the statutory framework for the EYFS.

Please use this box to record any additional comments in relation to the detail set out in the early years draft inspection handbook.

The list of observations of interactions between staff and children (p16, para.64) should be extended so that it can do justice to the breadth of children's learning in the early years. Staff should be supporting children's imagination, and their curiosity about the world around: extending children's own ideas and building on what they already know and want to find out, results in richer language and deepens conceptual development.

In particular, we would suggest dividing the points

- encourage children to speculate and test ideas through trial and error
- enable children to explore and solve problems.

The conjunctions here suggest that exploration and speculation should always be accompanied by trial and error and problem solving; in literature, in art and many other areas of learning we might often explore and speculate without resolving these flights of imagination. Questions about 'what if' often accompany story telling without the need to solve any particular problems.

The effectiveness of work with children who are in the early stages of learning English and those with SEND, and also the nature of links with parents, are important indicators of the quality of provision.

Maintained schools and academies

Proposal 4

Since their introduction in 2015, section 8 inspections of good and non-exempt outstanding schools have been valued by the sector. The changes made to the operation of these inspections from January 2018 have been welcomed by most schools inspected since then. The purpose of a section 8 inspection of a good school is to confirm that a school remains good. This will not change. However, as we have stated previously, the new education inspection framework represents an evolution in what it means to be a 'good' school.

We have set out within the schools handbook (paragraphs 270-282) the fact that a section 8 inspection of a good school will focus on particular aspects of the school's provision, as a subset of the full education inspection framework criteria. These are drawn principally from the quality of education judgement, but also include specific elements of pupils' behaviour, personal development and safeguarding.

Currently, section 8 inspections of good schools (or 'short inspections') last for one day. We want to ensure that there is opportunity to gather sufficient evidence while on inspection to confirm that a school remains good under the new criteria. Therefore, we are proposing to increase the time for which the lead inspector is on site to two days.

To what extent do you agree or disagree with the proposed focus of section 8 inspections of good schools and non-exempt outstanding schools and the proposal to increase the length of these inspections from the current one day to two days?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Focusing on the quality of education is more complex than relying on the collection of data, so the increase in time is welcome. Observing how well staff interpret interactions between children and other observations of child-initiated activity, and noting what staff plan for the following day in the light of what has occurred on the first day of the inspection, provide informative insights into the quality of educational provision. These are invaluable in helping to establish accurate judgements, particularly in the early years. There is however concern as to how a single inspector can be expected to have the wide range of expertise required, and enough time to cover a credible number of observations to enable them to make a secure judgement of the quality of education across the curriculum in a large primary school. This, and the lack of moderating judgements, is open to question.

The insistence that inspectors should consider how well staff teach children to read systematically by using synthetic phonics and books that match the children's phonic knowledge goes beyond the requirements of the EYFS, and, as our attached list of research shows, is counter to expert advice on effective approaches to early reading, and indeed empirical knowledge of the varied ways in which children learn to enjoy books and to read.

Proposal 5

In addition to the wider education inspection framework proposals we are introducing, we also propose a new approach to how our inspectors prepare for and begin inspections. This is in response to feedback that initial contact can be data-driven and not allow schools to communicate fully with inspectors.

We propose the introduction of on-site inspector preparation for all inspections carried out under section 5 and section 8 of the Education Act 2005. Currently, inspectors carry out pre-inspection preparation remotely on the day prior to on-site inspection. We propose that, from September 2019, this preparation takes place at the school on the afternoon before the inspection, enabling inspectors and leaders to carry out preparation collaboratively wherever possible.

On-site preparation will allow for better communication between the lead inspector and the school, allowing the school a clear role in preparation work. It will help to reduce the burden on schools of making logistical arrangements on the morning of the inspection and providing documentation. It will provide more time to establish good, professional relationships between school leaders and the lead inspector.

We propose that Ofsted will provide formal notification of the inspection no later than 10am on the day before the inspection. We then propose that the lead inspector will arrive on site no earlier than 12.30pm on that day. The lead inspector will use this time to talk with senior leaders in order to gain an overview of the school's recent performance and any changes since the last inspection.

Conversations will focus particularly on how the school has built on its strengths, what weaknesses leaders have identified and what action they have planned or have in train to address those weaknesses. It will also be an opportunity to make practical arrangements, including about the documentation or other evidence that inspectors will need to see in the course of the inspection. Inspectors will complete their on-site inspection preparation and leave the school premises by **no later than 5pm** on the day before the inspection starts. Paragraphs 51 - 56 of the school inspection handbook set out in more detail what we expect on-site preparation to cover.

To what extent do you agree or disagree with the proposed introduction of on-site preparation for all section 5 inspections, and for section 8 inspections of good schools, on the afternoon prior to the inspection?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Any improvement in the quality of communication between the senior leadership team and the inspectorate is welcome, but this proposal does not take into account the wide-ranging commitments of headteachers and senior staff, which may change unexpectedly and unpredictably. It would be difficult to guarantee uninterrupted time for this significant interview at such short notice, especially in small schools; given the lack of time to make other arrangements, it could disrupt planned teaching time as well as outings or other events.

Information about the documentation required and the practical arrangements could be requested in writing in advance rather than in person on the day of the inspection.

Proposal 6

The recent Teacher Workload Advisory Group report¹ noted that ‘time associated with data collection and analysis... is most frequently cited as the most wasteful due to a lack of clarity amongst teachers as to its purpose’.

Ofsted is committed to ensuring that our inspection work does not create unnecessary work for teachers, and as such we propose that inspectors will not use schools’ internal performance data for current pupils as evidence during an inspection. This is because:

internal data for current pupils has its limitations, and inspectors will not be able to assess whether the data is an accurate and valid representation of pupils’ learning of the curriculum

inspectors will gather direct evidence of the quality of education in schools

inspectors will have meaningful discussions with leaders about how they know that the curriculum is having an impact.

Inspectors will, however, ask schools to explain why they have decided to collect whatever assessment information they collect, what they are drawing from this information and how that informs their curriculum and teaching. We believe that this

¹ ‘Making data work: report of the Teacher Workload Advisory Group’, Teacher Workload Advisory Group, 2018; www.gov.uk/government/publications/teacher-workload-advisory-group-report-and-government-response.

will help to reduce unnecessary workload for teachers; we do not believe that it will have a negative effect on our ability to judge effectively the quality of education in a school.

To what extent do you agree or disagree with our proposal not to look at non-statutory internal progress and attainment data and our reasons why?

Strongly agree <input type="checkbox"/>	Agree <input type="checkbox"/>	Neither agree nor disagree <input checked="" type="checkbox"/>	Disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
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Ofsted's concern for teacher workload is welcome but, given the importance of schools' own methods for tracking pupil progress, the proposal to ignore schools' internal assessment procedures as part of the evidence base raises problems. This section should be worded carefully to make it very clear that although inspectors will be focusing on the quality of curriculum, they will still ask about data collection processes and purposes.

The approach schools take to assessment provides significant evidence of their monitoring across the curriculum, which is particularly salient for the identification of children needing additional support, including an assessment of the effective use of the pupil premium. If such crucial evidence is not taken into account, inspectors would lose a vital source of information, including an insight into the effectiveness of the school's approach to inclusion as well as pupil progress.

Please use this box to record any additional comments in relation to the detail set out in the draft school inspection handbook

The Early Years Framework and Grade Descriptors for the quality of education should contain wider reference to learning beyond language and mathematics. Communication underpins language and literacy, and the other prime areas of physical and personal, social and emotional development are crucial in the early years. Scientific, technological, aesthetic, and moral and spiritual awareness are all significant elements of the early years curriculum, which contribute to meaningful communication.

The draft framework makes the case for not reinforcing a narrow curriculum through the proposed methodology, but the model of the KS1 curriculum communicated through the document is very limited:

Para.161: It is appropriate that, in key stage 1, teachers focus on ensuring that pupils are able to read, write and use mathematical knowledge, ideas and operations. From key stage 2 onwards, and in secondary education, however, inspectors will expect to see a broad, rich curriculum.

Further, there is a notable difference between expectations in the curriculum for 3 and 4 year olds in early years settings and for those in school, which focus explicitly and exclusively on literacy and numeracy.

It is of concern that the emphasis on breadth in the curriculum in the EIF consultation does not appear to apply to Key Stage 1; this undermines the Chief Inspector's assertion that there is no Ofsted curriculum. We contest the exclusive focus on traditional subjects, which ignores the potential of linking areas of study and experience, that is relevant and motivating for all pupils, and particularly valuable for children in the early years. It contributes to the holistic development of understanding which is mentioned in para 169.

Core skills in mathematics and literacy are fostered most effectively in a meaningful context. Ofsted inspection reports have noted that they are facilitated when they are integrated within a balanced curriculum rather than being treated as a set of isolated skills, divorced from the exploration of the world around. Rich experiences contribute to purposeful reading, writing and maths and the motivation to persevere. Children in the early years are entitled to a broad curriculum, and rather than being restricted due to downward pressures from inappropriate expectations in Year 1, this should continue into Key Stage 1.

The concerns expressed about teacher and pupil wellbeing are welcome, but have little credibility in relation to YR at a time when the government is insisting on baseline testing shortly after children arrive in school, and the completion of the Early Years Foundation Stage Profile at the end of the same year.

There is a continuing question about the way that academies are exempt from the national curriculum, and, given the restrictions noted for Key Stage 1, how inspectors will evaluate the breadth and ambition on offer, in line with Para 164: *Inspectors will explore whether leaders are following the national curriculum and basic curriculum or, in academies, a curriculum of similar breadth and ambition.* The proposed narrowing of the curriculum in Key Stage 1 raises further questions about the adequacy of the four grading judgements (*excellent, good, requires improvement* and *inadequate*) in relation to this Key Stage.