

SEC response to Ofsted's Consultation: Improving the way Ofsted inspects education

Contents

SEC Position Paper	1
Part 1: Report Cards	5
Part 2: How we Inspect.....	8
A) Early years:	8
B) State-funded schools.....	10
C) Independent schools	19
D) Further Education and skills	19
E) Initial teacher education inspections	26
Part 3: Public Sector Equality Duty (Equality Act 2010)	27

SEC Position Paper

Overview

- The Special Educational Consortium represents 45 organisations in the field of SEN and Disability; our aim is to ensure all disabled children and young people and those with SEN have the same rights to an education as their peers.
- Two working groups, comprised of parent carer representations, education unions, professional associations and disability charities, met in March and April to discuss our positions on the new consultation launched by Ofsted proposing a new inspection framework. We are applying an SEN and Disability lens to the proposed framework.
- We have six overarching consensus positions, some questions for Ofsted and recommendations. More detailed, nuanced responses are given in response to the questions underneath.

1. The wider context and ecosystem surrounding schools and settings

Members expressed concern that the proposed inspection framework focuses heavily on schools and settings and does not consider the wider context around the school or setting in supporting children with SEN and Disability i.e. early intervention services, local authority and NHS provision. Members would like to see this built into the inspection framework more explicitly as it is effective multi-agency partnerships between the setting/school, health, social care and the local authority that will ensure better outcomes and quality education for disabled children and young people and those with SEN.

Questions:

- To what extent will Ofsted look at advisory services as part of the inspection?
- How will this inspection framework align with Area SEND inspections?

2. Lack of focus on those missing from education or have been excluded

Members were unanimous in agreeing that a key measure of inclusivity in a setting or school is considering those children who are missing from their education or have been permanently or temporarily excluded. Consideration of these groups is fundamentally important to the context of inclusion. Members urge Ofsted to make this integral to the 'inclusion' element of an inspection and to engage with children, young people and families who are affected by persistent absence and exclusion. It is also necessary for Ofsted to consider who is responsible for these children and young people missing school.

Questions:

- What conversations will Ofsted be having with school leadership about children and young people persistently absent or excluded from settings/schools?
- How are Ofsted engaging with children and young people who are persistently absent or have been excluded?

3. Meaningfully engaging with children, young people and families

SEC welcomes the recent focus, particularly in the updated Area SEND inspections, to ensure listening to children, young people and their families are a central part of the inspection. We feel that this is not explicit enough in the toolkits and this most recent consultation, as a whole. The toolkits have a strong focus on school leadership and do not give enough detail on how to ensure children and young people will be consulted to understand the quality of their education in a school or setting. It is also important to recognise that eliciting children and young people's and their families' voice will require creative methods, as some may not be able to articulate their points of view through traditional forms of communication. We encourage Ofsted to make it clear how they will cater to a range of accessibility needs and communication styles.

Questions:

- How will Ofsted ensure that the inspection meaningfully includes the voice of children, young people and their families?
- How will Ofsted ensure that the inspection is accessible to those who use different forms of communication and have different accessibility needs?

4. Meaningfully engaging with teachers and support staff

Linked to the previous point, the proposed toolkits are geared at school leadership and SEC would like to ensure that teachers and support staff are also an integral part of the inspection process. In many cases, it is the teaching assistants and support staff who are supporting disabled children and young people in settings and schools. The perspectives of teachers and support staff can often be quite different to how senior leadership perceives the quality of education in a school or setting. Understanding teachers' and support staff's perspectives will be vital to gaining a clear picture of what the strengths are and what needs to improve for this cohort of children and young people.

Question:

- What mechanisms will Ofsted put in place to effectively consult with teachers and support staff in the inspection?

5. Language in toolkits: ambiguous and concern over 'expectations'

SEC members unanimously agreed that the language in the toolkits is ambiguous and feels open to interpretation. We support Ofsted's move towards using 'achievement' rather than 'attainment' and their push for 'high quality inclusive practice', particularly in the early years. However, how this looks in practice is not clear, so we would urge for more concrete and detailed examples to be provided by Ofsted.

We are also concerned by the language used around 'expectations'. Although, not explicitly referenced, educators may be inclined to interpret this as 'age-related expectations'. Indeed, in page 10 of the toolkit on inclusion in schools, the line "Disadvantaged pupils achieve at least as well as their peers. Gaps between the achievement of disadvantaged pupils and that of non-disadvantaged pupils are narrowing quickly" drives a narrative that we should be 'closing a gap'. For many students, especially those with Profound and Multiple Learning Disabilities and Severe Learning Disabilities, this 'gap' will not close and is likely to widen throughout their educational journey. Most often disabled learners and those with SEN are making considerable progress with their learning and this should be recognised. We need an inspection framework that recognises those settings and schools that are measuring this progress effectively.

Questions:

- How will Ofsted ensure that the language in the toolkits is not misinterpreted by educators?
- What approach will Ofsted take in inspecting settings and schools supporting those learners who will never reach 'age-related expectations' to still progress in their learning?

6. Adequate training of inspectors in SEN and Disability

SEC members have raised concerns about the level of training and qualifications of Ofsted inspectors in SEN and Disability. For those who are Her Majesty Inspectors (HMI) level, the understanding and knowledge of SEN and Disability is more evident, but we are concerned that Ofsted Inspectors (OIs) do not have the relevant training and expertise to inspect schools and settings supporting children and young people with a range of needs. It is vital, for example, that inspectors are aware of how mental health provisions cater inclusively for children with speech and language challenges, as these pupils can be disproportionately affected and may require adapted support. With increasing numbers of children and young people with SEN being supported in mainstream schooling, we would like to be reassured that all inspectors will have a suitable knowledge and understanding of the wide spectrum of SEN and Disability.

Questions:

- What are the training processes and procedures for inspectors in relation to SEN and Disability?
- How will Ofsted ensure that inspectors are adequately trained and equipped to understand the differing needs of children and young people in schools and settings?

Recommendations

1. We would strongly recommend that the new approach is brought in at a more measured pace so that children, young people, families and teaching staff of all levels are involved in coproducing the framework. This would give Ofsted time to ensure a high-quality framework and high-quality inspection practice by well-trained inspectors.
2. We would urge Ofsted to review the toolkits to ensure they have integrated the legislation that underpins support for disabled learners and those with SEN i.e. The Equality Act 2010, Children and Families Act 2014, United Nations Convention on the Rights of the Child
3. We strongly urge Ofsted prioritises in inspections the viewpoints of those children and young people who are persistently absent, excluded from their setting/school, or are dissuaded from applying to a school or setting due to their SEN or Disability.
4. We recommend that all Ofsted inspectors are adequately trained in SEN and Disability, particularly relating to specific medical and neurodisability conditions.

Part 1: Report Cards

1. What do you think about the layout of our new report cards?

SEC has some concerns about the layout of the new report cards, mainly around the structure of the hard copy, how inclusion is present, and ensuring the report cards are accessible. The hard copy version of the new report cards looks complex and cramped. Considering further education and early years, with multiple provision types, each with separate grades for different evaluation areas, it would be easy for the report card to become very busy and confusing. Ofsted will need to consider carefully how to retain clarity in FES and early years report cards.

In the mock-up version of the report card, the amount of information provided beneath each evaluation area is not sufficient to give readers a clear picture of the quality of provision. Further information justifying the grade and illustrating the provider's practice should be included.

Teachers and leader members would want to see a focus on narrative judgements which explain the school's strengths and areas for improvement, and which provides a framework that teachers, leaders and employers, as well as others that might provide support to the school, can use to improve.

We would ask Ofsted to consider a 'third layer' which would be for the provider only. This would be an opportunity to share the feedback that inspectors currently give orally at the end of inspection. Member colleges report that this is the most impactful part of the current inspection process in terms of supporting quality improvement. However, it can be difficult for staff to capture and absorb all the information given, without being able to record the oral feedback or being provided with a written copy.

Inclusion is referenced under each of the areas of the report card. We welcome this. However, placing inclusion at the end of each area risks encouraging schools and settings to adopt a 'bolt on' approach to inclusion, e.g. setting policy and then thinking about the implications for inclusion, rather than considering inclusion at the very start of planning and decision making processes, something that is critical to ensuring that inclusion is embedded through policies and strategies as part of a culture of inclusion.

SEC also has concerns about the accessibility of the report cards. The assumption appears to be that users will use an electronic version. This would be problematic as it means that people who do not have access to technology or are not comfortable using technology will struggle to access the information. This is likely to impact disproportionately on people who experience disadvantage.

We are disappointed that the toolkit is not fully accessible for screen readers. This potentially excludes blind and partially sighted people from completing it and it does not comply with accessibility regulations - Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018. We also urge Ofsted to ensure that information provided about school inspections are accessible to a range of children, young people and adults who use different communication methods e.g. augmentative and alternative communication.

2. Which specific evaluation areas would you like to comment on? (please select as many as you wish)
 - a. EY evaluation areas
 - b. State-funded schools evaluation areas
 - c. Independent schools evaluation areas
 - d. FE and skills evaluation areas
 - e. ITE evaluation areas
 - f. General comments
3. What do you think of our proposed 5-point scale for reporting our inspection findings? (the scale ranges from 'causing concern' to 'exemplary')

SEC can understand why Ofsted has proposed this approach to provide a nuanced understanding of the provider or school. However, SEC has some worries about the proposed 5-point scale for reporting driving perverse incentives. This approach to reporting inspection findings risks increasing exclusionary practices such as encouraging the parents of prospective learners that are considered to be 'challenging' or 'expensive' to apply to the 'inclusive school down the road'.

Greater attention should be paid to how the inspection judgements will support schools and school improvement. One approach could be to have judgements that are narrative based. These might also be available to parents who want to understand the broader school improvement context.

SEC also recommends that the current timescale for implementing the reforms needs to be extended in order to allow for the work needed to address this issue. It will be important that this happens as part of work to address the tensions arising from the different purposes of inspection, and for the reforms to be co-created with the profession.

In relation to FE, SEC's preference is for the retention of a 4-point scale similar to the one currently in use. We have yet to see any evidence that a 4-point scale is not working well for FES providers. This would require the re-specification of the proposed grade descriptors. Grade 1 would need to reflect a higher standard than that currently described in 'Strong' (more akin to the current 'Outstanding') in order to recognise provision of the very highest quality. This would help differentiate between grades. In the current proposals, the difference between 'secure' and 'strong' is not always clearly specified.

4. What do you think about our approach to 'exemplary' practice?

SEC believes that dissemination of best practice, especially in relation to inclusion, is important to improve the overall quality of providers and schools. It is important that providers and schools that have been successful in establishing and sustaining effective practice share their experiences with others. We feel there are plenty of mechanisms that can be put in place to facilitate this best practice and knowledge sharing.

SEC is not convinced, however, that the 'exemplary' category is not a helpful conduit to quality improvement. The approach fails to recognise that all schools and providers need to improve and that improvement is a continuous process.

It is not obvious in the documentation what makes the particular aspect of provision go beyond 'strong' to make it 'Exemplary'. It is also unclear under what circumstances a whole judgement area – rather than an aspect of practice - could be graded 'Exemplary'.

We are concerned also that the communication around what 'Exemplary' means is at risk of being misinterpreted depending on the audience. For example, schools or providers receiving an 'Exemplary' scoring may not be in line with the experience of children and young people who attend and those families. This has happened in some cases, where schools are judged as 'Outstanding' and children and young people feel their negative experience is undermined because of the judgement. The risk is that if a school or provider is judged to be 'Exemplary' then children, young people and their families could be dissuaded from speaking out to voice their concerns because it rivals the inspection judgement.

5. What do you think about the other evaluation scales we have considered? (these are set out in the consultation document)

SEC is not responding to this question as no consensus found.

6. Do you have any other ideas we could consider?

Notably missing from the report cards and wider toolkits is the lack of focus on those children and young people who are persistently absent/excluded from school. Our members were unanimous in agreeing that a key measure of inclusivity in a setting or school is considering those children who are missing from their education or have been permanently or temporarily excluded. Consideration of these groups is fundamentally important to the context of inclusion. Members urge Ofsted to make this integral to the 'inclusion' element of an inspection and to engage with children, young people and families who are affected by persistent absence and exclusion. It is also essential for Ofsted to consider who is responsible for these children and young people missing school.

Further to this, it is necessary for Ofsted to address those schools and providers which deter disabled children and young people and those with SEN from attending. Some schools find subtle ways to discourage admissions from children they perceive will not contribute to the attainment aspirations of the school. These practices are unlikely to be recorded in a policy but will come out during open days when parents visit the school and speak to staff. We recognise that this means those children do not attend this school and are not part of the pupil population that the inspectors are evaluating. Ofsted should prioritise looking into those providers and schools who encourage families to 'look down the road' as soon as they are made aware of a child's disability or SEN.

7. What do you think about including data alongside report cards, for example information about how well children and learners achieve?

SEC is supportive of providing information to families about schools and providers that is needed in line with the Children and Families Act 2014. However, we remain cautious about the data types proposed in case they drive perverse incentives and increase competition between schools, rather than encouraging collaboration.

We support, for example, the monitoring of national and school-level restraint data as part of Ofsted's inspections. This will increase transparency and oversight, and give families more confidence in the legal and appropriate managing of their children and young people's behaviour.

Qualification attainment data, for example, would give a very partial picture in settings where some or all learners are working towards personalised learning goals rather than external accreditation. In the context of FE, it would be difficult to find suitable comparators for individual independent specialist colleges even within the specialist sector, given that learner cohorts vary considerably from college to college.

There is a risk that some data sets (e.g. in relation to attendance and attainment) will make more inclusive mainstream settings appear to be underperforming in comparison with their less inclusive counterparts. This is likely to disincentivise inclusion.

Ofsted should consider using demographic data as a means to identify whether the learner body in a mainstream setting is broadly reflective of the community it serves. This would be one indicator of inclusiveness.

Part 2: How we Inspect

A) Early years:

1. We would like to know what you think about the toolkit for early years. The toolkit contains the standards for all evaluation areas. Choose the evaluation area you want to comment on below. You will be able to tell us your views on the next page. Which evaluation area would you like to comment on? (select as many as you wish)
 - a. General comments

The strong emphasis placed on children's communication and language development within Ofsted's proposed Early Years inspection toolkit is welcome. The focus on acquiring a wide vocabulary, building language comprehension cumulatively, and engaging children in high-quality dialogue will help ensure most children have the necessary skills to learn and thrive. We are particularly encouraged by the toolkit's expectation that curriculum design should support the swift identification of children who may be falling behind, including those with potential speech, language and communication challenges, enabling immediate action. Furthermore, the recognition that the curriculum should bolster staff knowledge, confidence, and expertise is crucial.

To fully realise these positive intentions, we believe the framework could be strengthened by explicitly referencing the importance of workforce training specifically focused on identifying and supporting children with speech, language and communication challenges. Ensuring practitioners possess the specialist skills needed for early and accurate identification is paramount. We look forward to seeing how these principles are implemented to guarantee consistent, high-quality support for children's communication development across all early years settings, ensuring no child is left behind due to unidentified speech, language and communication challenges.

b. Curriculum

We welcome the stated sharp focus on communication, vocabulary, and language comprehension within the curriculum definition.

Inspectors should specifically assess how effectively the curriculum's design and sequencing *actively supports practitioners in identifying* the specific needs of children with, or at risk of, speech, language and communication challenges, beyond just general 'falling behind'.

Inspectors should ensure the curriculum promotes language-rich environments and interactions *for all children*, including targeted approaches for those requiring additional support.

Even though there is no mention of phonics in the toolkit, SEC would like to highlight our position on the use of phonics in the curriculum. The Phonics Screening Check (PSC), which is based on the use of Systemic Synthetic Phonics (SSP), in particular, is not proven to be an effective reading assessment tool. Indeed, neither national data from the PIRLS study, previous research using the National Pupil Database, nor a 2024 EPI report into the PSC, find a discernible positive impact of the PSC on the reading levels of primary aged children in England. It does not provide the right foundation for children with literacy difficulties or those with Speech and Language Difficulties such as dyslexia, who fail to learn to read and spell when phonics is used as the sole method.

c. Developing teaching

- We support the toolkit's expectation that leaders ensure practitioners are relentless in developing children's communication and that the curriculum builds staff knowledge and confidence.
- Inspectors should look for evidence of *specific, high-quality, ongoing professional development* focused on identification of speech, language and communication challenges, and evidence-based support strategies, rather than relying solely on curriculum structure to build expertise.
- Inspectors should evaluate how effectively teaching practices, such as high-quality dialogue and reading aloud, are adapted to meet the diverse communication needs within the setting.

d. Inclusion

We would endorse the principle that curriculum and practice should enable the rapid identification of children needing extra help, including disabled children and those with SEN.

Inspectors should rigorously examine *how* settings adapt their provision and utilise targeted interventions for children identified with speech, language and communication challenges, ensuring genuine inclusion and progress.

Regarding parental engagement, inspectors should explicitly assess how effectively settings *partner with parents and carers*. This includes understanding parents' insights into their child's development, involving them in planning support, and signposting them to specialist help where needed. We want to stress the importance of inspecting this collaborative aspect as fundamental to effective inclusion for children with speech, language and communication challenges.

2. In relation to early years, do you think the toolkit will be suitable for different types of providers?

SEC feels that the toolkit appears to be strongly school focused and to prioritise reception. It will be important to seek feedback from other types of early years provider and to test and pilot the toolkits in those settings e.g. childminders.

B) State-funded schools

3. Which evaluation area would you like to comment on? (select as many as you wish)
 - i. General comments

SEC raises some concerns about the proposed framework. The most significant is the lack of mention of responsibilities to disabled children and young people and those with SEN from a legal and rights perspective. Whilst reasonable adjustments are mentioned in relation to behaviour, there is no mention of the wider legislative responsibilities on staff regardless of seniority to support disabled children and young people and those with SEN. We would like to see mention of duties in relation to the Equality Act and the Children and Families Act referenced throughout the toolkit, including support for children with health conditions.

At a granular level, the toolkits fail to recognise the relationship between the different criteria being scored on, and how they can influence each other (or contradict each other). SEC also asks for further clarity on how the different criteria will be listed and reported upon. We also note that some of the evaluation areas do not have criteria across all the themes. For example, the leadership of teaching has criteria in the secure column but nothing in the 'attention needed' or 'strong' column. Clarity for why there is a lack of information on certain criteria for certain evaluation areas would be useful.

While the inspection proposals seek to place greater emphasis on inclusion, the toolkits are laid out in a way that encourages inclusion to be viewed as a 'bolt on'. Placing an inclusion section at the end of each evaluation area suggests that inclusion should be considered once consideration has been given to other factors. If inclusion is to be embedded through culture and practice then it should be considered at the very start of planning, decision-making and evaluation processes. It would be more appropriate to place it at the top of each evaluation area.

When considering the presence of speech, language and communication in the toolkit, a primary concern is that these concepts and terminology are not sufficiently prevalent or embedded throughout the toolkit. Effective communication underpins almost all aspects of school life and learning, yet this is not adequately reflected. It also needs to be much clearer

what evidence inspectors are looking for regarding speech, language and communication, *where* within the school's practice they expect to find it, and *when* or how frequently it should be demonstrated.

On the subject of pupil and family voice, while gathering parent and pupil views is mentioned, we are concerned about *how* this voice is captured, particularly for individuals who may have communication challenges themselves (pupils with speech, language and communication challenges, or parents with their own communication needs). Inspections should include accessible methods, such as questionnaires incorporating visual prompts, to ensure genuine engagement. The focus of these questionnaires should be on the *progress* pupils are making, not just satisfaction levels.

The process for evaluating how effectively schools engage with outside agencies (like Speech and Language Therapy services, Educational Psychologists, CAMHS) needs to be robust. This assessment should involve feedback directly from children and families who utilise these partnerships, through methods such as interviews with a random selection of parents whose children have Education, Health and Care plans.

ii. Leadership and governance

SEC would like to see strengthened language in the leadership and governance section on school leaders' responsibilities in line with the Equality Act and Children and Families Act. For example, although the responsible bodies theme in the leadership and governance area does have criteria on holding leaders to account, they do not use the evidence of Independent Review Panel to quash and direct reconsideration of a decision to not reinstate an excluded pupil. This is usually because the governor panel did not hold the leaders to account and they also did not take account of Children & Families Act 2014 or Equality Act 2010 when considering an excluded pupil with a disability or SEN.

iii. Achievement

SEC highlighted in our response to the curriculum and assessment review the danger of measuring children and young people according to age-related expectations (ARE). SEC members unanimously agreed that the language in the toolkits is ambiguous and feels open to interpretation. We support Ofsted's move towards using 'achievement' rather than 'attainment' and their push for 'high quality inclusive practice', particularly in the early years. However, how this looks in practice is not clear so we would urge for more concrete and detailed examples to be provided by Ofsted.

We are also concerned by the language used around 'expectations'. Although, not explicitly referenced, educators may be inclined to interpret this as 'age-related expectations'. Indeed, in page 10 of the toolkit on inclusion in schools, the line "Disadvantaged pupils achieve at least as well as their peers. Gaps between the achievement of disadvantaged pupils and that of non-disadvantaged pupils are narrowing quickly" drives a narrative that we should be 'closing a gap'. For many students, especially those with Profound and Multiple Learning Disabilities and Severe Learning Disabilities, this 'gap' will not close and is likely to widen throughout their educational journey. Most often disabled learners and those with SEN are making considerable progress with their learning and this should be recognised. We need an

inspection framework that recognises those settings and schools that are measuring this progress effectively.

We advocate strongly for a focus on 'value added' – measuring the progress individual children make and looking holistically at what they can do as a result of the school's provision, especially for pupils starting further behind. Students should be empowered to establish their goals and aspirations guided by their teachers, recognise their progress towards those goals, and be rewarded for their achievements.

SEC also notes that the evaluation area has a rider 'where applicable'. We are not clear on whether this whole section is disapplied for disabled pupils and those with SEN at each school being inspected, or whether it is disapplied for certain schools, for example, special schools who support students with Profound, Multiple, Learning Disabilities or Severe Learning Disabilities?

iv. Curriculum

SEC encourages Ofsted to read our curriculum and assessment call for evidence response from November 2024, where we set out our views on how to create a more inclusive learning environment for disabled children and young people and those with SEN. Our key message is that all children and young people deserve a curriculum that ignites their curiosity and engages their interests. This means ensuring accessible and adapted materials that cater to individual needs. The curriculum needs to be flexible framework that moves away from ARE and offers equal recognition and praise for learning progress made by all children and young people, regardless of need. See more here:

<https://councilfordisabledchildren.org.uk/sites/default/files/uploads/files/SEC%20response%20Curriculum%20and%20Assessment%20Call%20for%20Evidence%2021.11.24.pdf>

v. Developing teaching

SEC believes that the inspection should prioritise how teaching practices foster a communicatively accessible environment and how teachers adapt their own communication to meet diverse pupil needs.

vi. Behaviour, attitudes and establishing routines

SEC is concerned that the Behaviour evaluation area does not include any response to the 'Use of Reasonable Force and restrictive interventions guidance'. We would urge that Ofsted has due regard of the updated guidance and use this when inspecting behaviour.

vii. Inclusion

SEC welcomes a stronger focus on inclusion in the proposed changes to the education inspection framework, and the emphasis on inclusion threaded throughout the different toolkits for inspectors. However, we do have some significant reservations about the approach Ofsted has taken to the inclusion aspect of the schools toolkit.

[Engaging with pupils and parent/carers](#)

Working in partnership with parents and carers is mentioned a handful of times throughout the toolkit but is not made explicit in the 'inclusion' section. School engagement with the families of disabled pupils and those with SEN should be one of the key criteria for understanding how inclusive a school is. Further to this, there is no mention in the 'inclusion' section on working in partnership with the pupil to understand their needs and required adjustments from their perspective. This is at odds with the Children and Families Act 2014 which states that children and young people should be at the centre of planning for and making decisions about what they want to achieve and the support they need to get there.

Lack of mention of statutory duties

Linked to the point above, SEC is concerned to see that there is very little mention of the statutory duties required to support disabled children and young people in the inclusion section of the toolkit, nor elsewhere. There is one reference to the fact that 'leaders fail to meet the statutory expectations of the SEN code of practice'. Whilst SEC welcomes this reference, it does not go far enough to set out the key legislative duties in place to support disabled pupils and those with SEN.

Inclusive education for disabled children and young people and those with SEN should be rooted in disability legal duties incumbent upon schools and professionals. With evidenced unlawful practice happening nationally to the detriment of disabled pupils' education and their wellbeing, this is an important moment for Ofsted to demonstrate it is serious about the legal responsibilities on schools and will include this as a key criterion for inspection. SEC is clear that we would like to see explicit mention of the Equality Act, UN Convention of the Rights of the Child, and the Children and Families Act and associated duties in the toolkit.

Understanding what 'good' looks like

SEC believes that the 'inclusion' section of the toolkit, as it stands, does not provide enough detail and guidance on what good inclusive practice looks like. This may be elaborated upon in future documentation, but currently the toolkit is up to a great degree of interpretation and, therefore, measuring inclusion will be slippery.

SEC recognises that measuring inclusion is a challenge: the more inclusive a school is, the more seamless its approach is—and seamless approaches tend to be invisible unless it is specific in the guidance documents what inspectors are looking for. Paradoxically, that can mean that highly inclusive schools will not automatically generate much explicit inspection evidence that what they are doing is working. The risk here is that whether schools are being inclusive or not, they'll end up generating superficial examples of practice to 'game' the system.

We can see that Ofsted have tried to build in inclusion into the toolkit both as a standalone category and as part of some of the other sections. Despite this, we are concerned that the toolkit allows for inclusion to be seen as a 'bolt on' rather than embedded through the culture, planning, decision-making policies, and practices of the school. If inclusion is genuinely embedded then this should shape how decisions are made including the evidence that is used to inform planning and decision-making, and who is involved in planning and decision-making processes. If inclusion isn't central to the way teaching, learning, behaviour, and leadership are assessed, then schools might focus on 'looking inclusive' rather than actually being inclusive.

The school as part of the wider ecosystem

SEC is concerned that the proposed inspection framework focuses heavily on schools and settings and does not consider the wider context around the school or setting in supporting children with SEN and Disability i.e. early intervention services, local authority and NHS provision. The inclusion criteria rely heavily on the external provision being available, so other stakeholders will be influencing what is possible for schools to achieve. It is not made clear in the toolkit how Ofsted will manage inspecting a school whose pupils needs are supported by other professionals, agencies, and bodies. Members would like to see this built into the inspection framework more explicitly as it is effective multi-agency partnerships between the setting/school, health, social care and the local authority that will ensure better outcomes and quality education for disabled children and young people and those with SEN.

Ofsted inspectors' expertise and knowledge of SEN and Disability

SEC members have raised concerns about the level of training and qualifications of Ofsted inspectors in SEN and Disability. For those who are Her Majesty Inspectors (HMI) level, the understanding and knowledge of SEN and Disability is more evident, but we are concerned that Ofsted Inspectors (OIs) do not have the relevant training and expertise to inspect schools and settings supporting children and young people with a range of needs.

With increasing numbers of children and young people with SEN being supported in mainstream schooling, we would like to be reassured that all inspectors will have a suitable knowledge and understanding of the wide spectrum of SEN and Disability. It is vital, for example, that inspectors are aware of how mental health provisions cater inclusively for children with speech and language challenges, as these pupils can be disproportionately affected and may require adapted support. We would also like to see adequate training and understanding of condition specific learning challenges, such as those with a neurodisability/cerebral palsy. We also advocate for long term health conditions e.g. epilepsy to be considered in the context of inclusion and curriculum, as these pupils can often be overlooked.

Where a school or educational setting has a child or young person with vision impairment (VI), it is important their experience and support is assessed under the new inclusion criterion as well as SEND support being assessed as a whole. As Ofsted inspectors are unlikely to have specialist knowledge of vision impairment, we recommend the inclusion criterion looks at whether the recommendations of the Qualified Teacher for Vision Impairment (QTVI) are being implemented by the setting to help measure whether appropriate provision is in place to meet the needs of an individual. We also recommend that the criteria to evaluate outcomes and experiences for children and young people with VI are informed by the Curriculum Framework for Children and Young people with Vision Impairment (CFVI).

4. In relation to state-funded schools, what do you think about the research, statutory guidance and professional standards that we have considered? Are there any others we should consider?

SEC believes that more attention should be paid to independent research including research that addresses different approaches to inspection and school improvement but also to research that addresses other areas covered by inspection that are key components of

school improvement. This includes research that looks at teachers' Continuing Professional Development¹ and research that addresses inclusion. We believe that looking more broadly at such research raises important questions about what should be examined in inspection.

In addition, the Department for Education's statutory guidance on *Supporting pupils at school with medical conditions* is a significant omission and must also be considered. The aim of this guidance is to ensure that children with health conditions are 'properly supported so that they can have full access to education, including school trips and physical education'.

5. In relation to state-funded schools, what do you think about our working definition of inclusion, and how we will inspect inclusion?

SEC believes that Ofsted's working definition of 'inclusion' does not specify what inclusion is, but rather a set of general principles related to inclusive practice. There is no official guidance from the Department for Education on what inclusion is, so to pin this down in terms of inspection is challenging.

We recognise that the working definition of 'inclusion' needs to cover different settings and providers meaning that it needs to be generic. However, we believe that it will be necessary to provide greater clarity about what is meant by inclusion for different settings and contexts. This will be especially important if inspectors are to inspect inclusion consistently and coherently. It is also vital that providers understand what is meant by inclusion in their context.

We are also concerned that the working definition is too narrow by characterising inclusion as disabled pupils and those with SEN, or those who experience a disadvantage. Ofsted has provided a description of some inclusive practices in educational settings, particularly in relation to disadvantaged learners or disabled learners. 'Inclusion' is a much broader term which also covers ethnicity, gender, sexual orientation, faith etc. Ofsted should clearly state the parameters it is choosing to apply in considering 'inclusiveness' in educational settings. It should also consider how its inspection framework could be designed to report on inclusion in its broadest sense (i.e. in relation to the full range of protected characteristics). Under the current proposals, a provider could be graded highly for 'inclusion' even though students from a particular ethnic group are underperforming or students of a particular faith do not feel valued, for example. We would encourage Ofsted to consider wider points on equity and diversity, and intersectional approaches to discrimination.

The working definition of inclusion refers to all children and learners being taught by experts. In a mainstream secondary school this is likely to mean that the teacher is an expert in their subject, but in the context of inclusion, it should also mean that they are an expert in inclusive teaching. This raises important issues for school leadership in terms of professional development and support. It also raises important issues for teacher training providers in terms of training to prepare future teachers to teach inclusively. SEC questions what Ofsted means by 'experts' and suggest that this should be changed to 'qualified personnel'.

¹ e.g. the Chartered College of Teaching's 2019 report, Teacher CPD: International Trends, opportunities and challenges Available at: <https://chartered.college/wp-content/uploads/2025/01/International-teacher-cpd-report.pdf> (accessed 3 April 2025)

6. In relation to state-funded schools, how suitable is the toolkit for use in special schools and alternative providers?

SEC believes that the toolkits should be designed in a way that makes them accessible to special schools and alternative provision. However, the toolkits appear to have been designed for mainstream schools with special schools and alternative provision (AP) being considered as an afterthought. We would like to see the rider 'where applicable' explained in more detail.

For example, one of the areas for evaluation is framed as 'Achievement in national tests and examinations, where applicable'. This reads as an evaluation area for mainstream schools and is confirmed by criteria which focus on national tests and examinations. If the evaluation area was designed to evaluate special schools and specialist settings as well as mainstream schools, it would be framed differently, e.g. simply 'Achievement' or something like 'Achievement in assessments, including where appropriate, national tests and examinations'. The evaluation criteria would also be framed differently to reflect the diversity of contexts.

We also note the importance of recognising that some children in special schools and AP settings should be achieving in national tests and examinations and that this should be reflected in their achievements.

It is also important to raise that not all pupils in mainstream education will be undertaking GCSEs, in particular students who have learning disabilities (including Down's syndrome) who have been successfully included in the school but for whom there may be limited qualifications available due to what the setting has made available to them.

We strongly recommend that the toolkits are amended to ensure that they cover the range of options available to children and young people and are suitably flexible.

7. In relation to state-funded schools, do you think the toolkit will be suitable for different phases of education and other types of providers?

It is vital that the toolkits are piloted and tested across different phases of education and for different types of providers. The results of piloting and testing should lead to refinement and if needed wider reform of the toolkits.

Time is needed for such piloting, testing, refinement and potentially more substantial reform to take place.

8. In relation to state-funded schools, what do you think about our proposed changes to how we carry out an inspection?

Focusing on the proposed inspection methodology, we offer the following comments:

We note the intention for inspectors to focus on conversations with school leaders so that inspection is 'done with' rather than 'to' schools. This approach places greater focus on leaders but fails to take account of teachers and support staff within the school. Inspection will continue to feel 'done to' teachers and support staff. Teachers and support staff have critical contributions to make to inspection, including to identifying the strengths of a school or provider, the areas for improvement, and the barriers to improvement. They also have critical roles to play in school improvement.

The methodology doesn't recognise the contribution that teachers could make to the inspection process and the vital role that they play in school improvement. We think there is a need to look more closely at the role that class teachers and middle leaders play in supporting school improvement, including through collaboration within and beyond the school or setting.

We do not agree with the proposed approach of inspectors looking for evidence of 'secure' practice and then focusing on seeking evidence of 'strong' practice. We believe that this encourages a focus on inspection grades rather than on the factors that support and enable effective practice and school improvement. We believe that a more holistic approach would better support gathering evidence to support school improvement.

It is vital that inspections acknowledge that schools and other providers need the time and means to collaborate and that they highlight the barriers that the Government needs to address to enable schools and providers to achieve this expectation.

9. What do you think about our proposed changes to monitoring?

We are concerned that the overall approach to inspection is one of 'upping the stakes' of inspection and this is reflected through the proposed change that means that a single 'attention needed' in any area of evaluation will mean that the school or provider is subject to inspection monitoring.

We recognise the importance of school improvement and of schools prioritising areas that need attention. However, increased scrutiny undermines trust in the profession and operates against the intention that inspections are about 'working with' schools.

We also question prioritising monitoring inspections where only one or two evaluation areas have been identified as 'needing attention' on the grounds that it would be more appropriate for Ofsted to use its limited inspection resources to better resource full inspections.

Further to this, the proposals for monitoring indicate that 5 monitoring inspections in 18 months will overlap unhelpfully with the RISE teams deployment to these schools. This could be seen as evaluating their work/impact rather than embedded improved practice within the school. We would like to see clear protocols to avoid this perception, for example no RISE personnel should be on-site during the monitoring visit.

10. What do you think about how we propose to identify schools causing concern?

We agree that the proposal to amend the category 'serious weaknesses' to 'requires significant improvement' may help to address confusion between the categories of concern in that it uses the term referred to in law. However, there is a risk that using 'requires significant improvement' will create misunderstanding because of its similarity to the current category, 'requires improvement'. It is possible that some schools will interpret the amendment as meaning that schools currently judged as 'requires improvement' are deemed to be failing. This is likely to have significantly adverse consequences for the workload and wellbeing of staff in those schools.

11. What do you consider are the likely workload and well-being implications of these proposals for state-funded schools?

SEC is concerned that the proposals increase the pressures associated with inspection and this will impact adversely on the workload, health and wellbeing of teachers and leaders.

The school inspection toolkit places a lot of emphasis on leadership. While leadership across all of the areas of evaluation is extremely important, we are concerned that the points are framed in a way that is likely to drive top-down practices and extensive monitoring and assessment at school level. This likely to lead to practices that are workload intensive. The section on leadership and governance makes explicit reference to staff wellbeing and workload and this is welcome, particularly the recognition that staff workload that is unsustainable is likely to cause concern. However, the demands arising from other elements of the inspection framework (the other evaluation areas) are likely to place huge pressure on schools meaning that they are unlikely to be achieved without teachers, leaders and other staff devoting additional time. We are concerned that, in practice, inspectors and employers will pay less attention to staff workload and wellbeing.

Some generators of staff workload fall outside the direct control of the school and it is unclear how inspectors will respond to such situations when judging a school. This is particularly true in respect of SEN and Disability, where learners who have particular needs struggle to access assessments and specialist support. When such support is not available, schools are left trying to find solutions and provide support as best they can. We are aware of schools and Trusts seeking to provide their own solutions, for instance, by buying in specialist expertise. However, some schools and Trusts do not have the reserves to pay for such support and those schools and Trusts that have adopted such solutions may not be able to fund such provision in the long term.

12. What could we do to help reduce or manage any unintended consequences?

The proposed changes are likely to place greater pressure on schools, teachers and leaders. The proposals do not go far enough to embed inclusion across inspections and the proposals are likely to increase teachers' and leaders' workload. As a result, further examination and review of the inspection process is needed. The timeframe for implementing the inspection arrangements must be delayed to allow for more consideration of the changes that are needed along with testing and piloting of proposals.

C) Independent schools

13. What do you think about our proposed approach to align the inspection of non-association independent schools and state-funded schools as far as possible?

SEC believes that the accountability and inspection arrangements should apply to all schools, including independent schools. Therefore, in principle, we support the approach to align state funded and non-association independent school inspections. However, we believe that changes to the draft inspection arrangements are needed in order to make them fit for purpose.

D) Further Education and skills

14. General comments about the toolkit

The key concern of independent specialist colleges is the reduced emphasis on personal development, wellbeing, behaviours and attitudes. These are critical aspects of learning programmes for all young people, but especially for disabled students and those with SEN who may need explicit teaching and support in these areas. Reducing the focus on evaluation of these areas will disadvantage independent specialist colleges, where preparing young people for adulthood is their central purpose and the basis on which their provision (high needs) is commissioned and funded.

It is not appropriate that personal development, wellbeing, behaviours and attitudes are considered differently for 16-19 year olds depending on whether they are being educated in a school sixth form or an FE setting. Far more weight is given to these aspects of provision in schools, despite the fact that FE for young people is equally concerned with the development of the whole person or citizen of the future.

The same degree of focus on personal development may not be appropriate for adults. We therefore recommend that Ofsted takes a different approach for different provision types in FES inspections. It should use the evaluation areas, 'behaviour and attitudes', 'attendance' and 'personal development and well-being' when assessing the provision types 'Education programmes for young people' and 'Provision for learners with high needs', while applying the proposed FES evaluation areas to apprenticeships and adult learning programmes. It is not clear why the evaluation area for schools is 'leadership and governance' but for FES providers, it is only 'leadership'. Strong governance is equally critical in quality assuring FES provision, and we would therefore recommend that 'governance' is included in the heading for this evaluation area.

The toolkit is currently incomplete. Ofsted states that it has 'tried to bring the explanations currently in our inspection handbooks into the toolkits. This puts as much of our inspection-related information as possible into one place.' However, the toolkit currently only sets out the standards for each evaluation area. The information in Part 1 of the FES handbook on how providers will be inspected, including details on the processes before, during and after

inspection, is missing. It is difficult to comment fully when so much information is not provided.

A great deal depends on the quality of the promised operating guides and training for inspectors in terms of making the toolkit applicable for all provider types. Some of the grade descriptors as they stand will take a great deal of 'translating' to be meaningful for provision for learners with profound and multiple learning difficulties, for example. In the interests of transparency, all operating guides should be available to providers. Providers need to understand how inspectors will be 'translating' the generic statements for different provider/provision types.

We are concerned that there may not be sufficient time in an inspection to gather the amount of evidence needed to reach an accurate judgement in each of the multiple areas to be reported on.

Currently, 'communication' lacks sufficient prominence within the toolkit, despite being fundamental to learning, assessment, and workplace readiness. We recommend inspectors evaluate:

1. **Inclusive Culture:** The provider's whole-setting culture, staff attitudes, and specific strategies supporting learners with speech, language and communication challenges.
2. **Value-Added Progress:** Learner progress in functional communication and employability skills, not solely qualification achievement. Assessment methods must be accessible for those with SLCN.
3. **Learner Voice & Partnerships:** How effectively learner voice (using accessible methods like visual prompts) is captured, and the strength of communication with families, employers, and external support agencies.
4. **Specific Support:** The accessibility of provision, including mental health support, for learners with communication challenges.
5. **Clarity:** Clearer expectations for providers and inspectors on evidencing high-quality, inclusive support for speech, language and communication challenges.

Embedding a stronger focus on speech, language and communication within the Further Education and Skills (FES) framework is vital for ensuring learners develop essential skills for progression, employment, and independence.

15. Provider as a whole

a. Inclusion

While we support Ofsted's focus on increasing the inclusiveness of mainstream settings, some of the grade descriptors will be difficult to apply to settings, such as independent specialist colleges, where the entire provision is organised around a young person's needs. We are concerned that the descriptors for this evaluation area are written from a perspective of including disadvantaged learners and disabled learners and those with SEN in mainstream provision.

The standards and terminology used are applicable where disabled learners and those with SEN or who are disadvantaged are a sub-set of a much broader learner population, as evidenced by references to adjustments, adaptations, and inclusion being central to rather than separate from core priorities. Specialist settings should be judged on how well their provision is designed and delivered (rather than adapted or adjusted) to enable disabled learners and those with SEN to engage, progress from their starting points, and achieve to the highest standards possible. Ofsted should be considering the extent to which having access to specialist provision has enabled these learners to thrive.

All settings should be judged on how well they are preparing disadvantaged learners and disabled learners and those with SEN to take up their rightful place in the world (the workplace, their communities or society more generally) and go on to lead an 'included adult life'.

Currently missing from the grade descriptors are: creating a physical environment that supports inclusion; seeking, listening to and responding to learner voice; securing appropriate expertise, resources and facilities to meet needs; taking a 'personalised' or 'individualised' approach; and distributed responsibility for inclusion across all departments and staff.

The 'Attention needed' descriptor should include reference to a lack of 'timely' support. Reference should also be made to learners being well prepared for a future in which they are included in and contributing to their communities, the workplace and/or society more broadly.

b. Safeguarding

Some of our members have expressed concerns that a simple 'Met' or 'Unmet' grade for safeguarding will encourage a culture of 'basic compliance' and discourage providers from 'going the extra mile' or pursuing continuous improvements in relation to learner safety. If this binary grading is adopted, it will be important that written information on the quality of safeguarding practice is provided alongside the grade, and that exemplary safeguarding practice is also collated and shared. Independent specialist colleges often have a highly vulnerable learner cohort and need to employ extensive safeguarding measures to enable their learners to access education and lead their lives safely. We would not wish to see these efforts go unrecognised. Families of disabled learners and those with SEN may also find it helpful to have a more detailed explanation of how safeguarding requirements are being met.

The distinction between 'not met' and 'met', and 'fulfilled' and 'not fulfilled' is not always clearly specified which may lead to inconsistencies in inspection.

There should be some inter-relationship between the safeguarding outcome and the leadership grade for a provider. For example, it should not be possible for leadership to be judged 'strong' if learners are not safe.

We welcome the clarification that safeguarding for learners aged 18-25 will be considered in the same way as for 16- and 17-year-olds.

16. Provider as a whole, but only in colleges and specialist designated institutions
17. For each type of provision offered (education programmes for young people, provision for learners with high needs, apprenticeships and adult learning programmes)
 - a. Curriculum

‘Causing Concern’ should include curriculum content being inappropriate for the learners on course or out of date.

Where ‘securing knowledge and skills to access learning and for future learning’ is referenced, ‘behaviours and attitudes for learning’ should also be included.

The requirement for all learners to ‘excel at the specific programmes they are studying’ to be graded ‘Strong’ is not reasonable or equitable. Some learners will struggle; Ofsted should be assessing how well the provider supports them to continue to make progress and achieve, despite the challenges they face. If this is not the case, providers will be penalised for admitting learners who may find learning challenging or encouraged to be unambitious in terms of which courses, at which levels, they allow learners to pursue.

We welcome the emphasis on giving learners time to develop their learning and to practise and repeat skills.

b. Developing teaching and training

Lack of pedagogical skills in relation to responding to learner need and not just to curriculum should be covered in ‘Causing Concern’. E.g., ‘Leaders do not do enough to make sure that teachers develop the expertise to teach the curriculum or to teach all the learners in their classes’.

‘Attention needed’ for leadership of teaching and training should include leaders not monitoring sufficiently the impact of quality improvement actions.

‘Secure’ for professional development should include explicit reference to professional development in relation to pedagogical skills (not just subject-related skills).

In Causing Concern for high quality teaching, ‘weaknesses in pedagogical skills’ should be added to ‘weaknesses in teachers/trainers’ subject knowledge’.

In ‘Inclusive teaching culture and practices’, explicit reference should be made to effective use of support staff and of assistive technology, where appropriate. ‘Approaches adopted’ should be added to ‘Adaptations’ to reflect practice in specialist provision where a mainstream approach is not necessarily being adapted to accommodate disabled learners and those with SEN, but explicitly designed for that purpose.

c. Achievement

There is the potential for this evaluation area to be in conflict with the evaluation area ‘Inclusion’. There needs to be greater recognition that taking on disadvantaged learners may impact on attainment rates and that engagement, attendance, progress and achievement may take time and follow an erratic pattern. Providers need to be incentivised to and rewarded for working with these learners - not discouraged.

It is not clear how provision which does not lead to qualification achievement will be treated in relation to the theme 'Achievement in national tests and examinations'. The way in which the grade descriptors are written for this evaluation area would make it very difficult for an independent specialist college whose students would not benefit from external accreditation to be awarded a high grade, even if its learners are achieving ambitious outcomes.

Ofsted needs to reconsider the use of 'comparable national data' as a benchmark for assessing achievement for all settings and provision types as it will be difficult to establish meaningful data for some learner groups, particularly those with more complex SEND.

The 'Attitudes to learning and work theme' does not acknowledge that some learners with SEND and some disadvantaged learners present with challenging behaviours or negative attitudes, often as a result of prior negative experiences of education, which providers work hard to address. Ofsted should focus on the impact of that work and the progress learners are making, rather than set an expectation for consistently high standards for all. 'Where appropriate' should be added to the term 'professional behaviour,' as this will not be pertinent for all learners.

d. Participation and development

As stated above, there is a reduced emphasis on personal development, wellbeing, behaviours and attitudes in the proposed approach to inspection. These are critical aspects of learning programmes for all young people, but especially for those with SEN who may need explicit teaching and support in these areas. Reducing the focus on evaluation of these areas will disadvantage independent specialist colleges, where preparing young people for adulthood is their central purpose and the basis on which provision for their learners (all with high needs) is commissioned and funded.

It is not appropriate that personal development, wellbeing, behaviours and attitudes should be considered differently for 16-19 year olds depending on whether they are being educated in a school sixth form or in an FES setting. Far more weight is given to these aspects of provision in schools, despite the fact that FE for young people is equally concerned with the development of the whole person and the citizen of the future.

The current FE and Skills handbook (para 257) provides a useful series of prompts to ensure that a range of topics are covered in the personal development curriculum. This level of detail should be retained in the new framework. Otherwise, there is a risk that the curriculum will be unhelpfully narrowed for 16- 19/25 year olds in FES settings.

In 'causing concern', reference should be added to leaders creating a learning environment which is not safe or not positive for all learner groups and which may actively work against participation and/or attendance of some learner groups because of the prioritisation of other objectives over and above their inclusion.

'Staff and learners feel respected and safe within the provider setting' should sit under 'secure' rather than 'strong'.

To be graded 'secure' in relation to attendance and participation, providers should be 'working effectively to remove or reduce barriers to attendance'. It will not be in their gift to remove all barriers for all learners, especially disadvantaged learners and those with SEND. For some learners (e.g. with SEMH and/or with a long history of being NEET), slow and

steady improvements in attendance are laudable and hard-won by providers. For example, a learner with an anxiety disorder who has been entirely out of education for two years and supported to return to education through a phased re-integration will have made great strides if they have shifted from 0% attendance to 50% within a single term. Some independent specialist providers (e.g. SEMH specialists) would be disadvantaged by having to demonstrate 'rapid' improvements in order to be deemed 'strong'. Consideration should also be given to the arrangements that providers make for learners who are not able to attend for long periods, e.g. for health reasons, to enable them to continue to engage in their learning.

Within 'Causing Concern' in the theme of 'wider opportunities', reference should be made to opportunities to preparedness for work not being extended to all learner groups for whom that is relevant, and opportunities for additional learning or for participating in activities that broaden learners' experiences being more limited for some learner groups than others. Similarly, in 'Causing Concern' in 'preparedness for next steps', there should be reference to CEIAG that is uneven in its quality in terms of what is provided to different groups of learners; this would help identify where learners with SEND or disadvantaged learners are being poorly served.

The operating guide for high needs provision will need to clarify what constitutes 'secure' and 'strong' provision to prepare learners who are not headed for employment for their next steps. Reference will need to be made to the four preparing for adulthood outcomes.

18. In relation to further education and skills, do you think the toolkit will be suitable for different types of providers?

Provided the adjustments suggested above are made, the toolkit has the potential to be suitable for independent specialist colleges. However, much depends on the planned operating guide and the extent to which it allows inspectors to adapt the generic grade descriptors to reflect the realities of the independent specialist college context. It will be particularly important for Ofsted to consider: how it inspects inclusion in specialist settings; how it recognises achievements other than qualification attainment; the extent to which it uses qualitative and comparative data; and how it assesses behaviour, attitudes and attendance for certain groups of learners. Natspec would be happy to support Ofsted in developing the operating guide and training for inspectors for high needs provision. It is essential that all operating guides are available to providers, not just inspectors.

19. In relation to further education and skills, what do you think about our proposed changes to how we carry out an inspection?

There is a lack of detail on inspection methodology included in the consultation documentation, making it difficult to comment fully. For example, no information is provided on FES monitoring visits, including how new provider monitoring visits for independent specialist colleges will be carried out, nor on frequency or duration of inspections, inspector tariffs or notice periods.

We welcome the emphasis on professional dialogue and joint planning of the inspection between provider and inspectors; increasingly this is already the experience of many Natspec members. Principals of independent specialist colleges are particularly pleased that the time for the initial presentation by senior leaders to inspectors is to be extended; they think this will give them a better opportunity to explain complex provision and cohorts or approaches with which inspectors may be unfamiliar.

It is not entirely clear what the move away from 'deep dives' means for the inspection of independent specialist colleges. We would welcome an inspection approach that ensures all pathways are considered during an inspection. Some colleges have felt disadvantaged under the current system when inspectors have refused, for example, to look at their supported internship provision because it wasn't one of the selected 'deep dives'. However, we would like to see the practice of focusing on the journeys of a selection of learners continued, as it is a useful mechanism for gaining an understanding of the quality of independent specialist college provision. Inspectors will need to guard against presuming the experience of a 'case study learner' is typical, though, given the highly individualised nature of learning programmes for learners with more complex SEND. The experience of a handful of learners, even in a small college, cannot necessarily be generalised to the learner cohort as a whole, or even to all learners on the same pathway.

While we welcome the contextualising of inspection approaches to individual settings, it is not clear how Ofsted will balance this approach with maintaining consistency and fairness. We are particularly keen to see an even-handed approach to inspecting high needs provision across different provider types. Currently the intensity of scrutiny experienced by a small independent specialist college (e.g. with 20 learners) is considerably higher than for a large general FE college with hundreds of high needs learners. We would advise against an over-emphasis in inspection on areas previously identified as needing improvement. Quality in other areas may have changed in the time between inspections.

20. What do you consider are the likely workload and well-being implications of these proposals for further education and skills?

Given the incomplete nature of the information in the consultation documentation, it is difficult to predict whether the proposals will result in increased workload or affect wellbeing during the course of an inspection or on an ongoing basis.

However, the speed at which the new framework and methodology are being rushed in is worrying staff. Senior leaders are hugely concerned about the impact on staff wellbeing of facing inspection when they have not had time to provide their staff with the necessary information and training about changes to inspection. They report that staff anxiety levels are already high, particularly where they are due an inspection in autumn 2025.

In terms of workload, senior leaders are worried about the speed at which they will have to make changes to the way in which they self-assess, internally quality assure and prepare quality improvement plans. Knowing that they will have to make major changes but not being able to start on this work because the new approach is still at consultation stage, is heightening stress levels for senior leaders.

Principals also advise that there should not be any increased workload for providers associated with having their practice disseminated via the Ofsted Academy. Ofsted staff should take responsibility for producing case studies with support from college staff.

21. What could we do to help reduce or manage any unintended consequences?

To avoid disincentivising inclusion, Ofsted should expand its approach to inspecting inclusion to consider the extent to which the provider welcomes in learners with differing needs and circumstances and not just how well it includes the learners it has chosen to admit. It should also reframe some of its grade descriptors in relation to achievement, attendance and behaviours so that providers are not discouraged from admitting learners who may negatively impact their data.

To avoid a narrowing of the personal development curriculum for young people in FES provision, including those with high needs, Ofsted should inspect 'behaviour and attitudes', 'attendance' and 'personal development and well-being' as distinct evaluation areas for the FES provision types 'Education programmes for young people' and 'Provision for learners with high needs'. The topics cited in the current FE and Skills handbook (para 257) should be retained as useful prompts for ensuring a broad personal development curriculum.

22. Is there anything else about the changes to the inspection of further education and skills that you would like to tell us?

The planned implementation schedule is unrealistic and an in-year switch between inspection frameworks is unhelpful. The schedule does not give Ofsted time to fully reflect on consultation responses, learn lessons from inspection testing activity or pilots, adjust draft materials accordingly, fill the current gaps in the inspection handbooks in relation to inspection procedure, publish finalised materials and communicate changes to providers, train inspectors and allow providers to familiarise themselves with the new framework and inspection methodology. The schedule does not allow providers to feel that they are partners in the process and that Ofsted is listening to their views.

We would strongly recommend that the new approach is brought in at a more measured pace in time for full implementation in September 2026. This would give Ofsted time to ensure a high quality framework and high quality inspection practice by well-trained inspectors. It would also reassure providers that Ofsted is genuinely listening to them, and that the wellbeing of staff is as important to Ofsted.

E) Initial teacher education inspections

23. Is there anything else about the changes to the inspection of initial teacher education that you would like to tell us?

SEC has raised its concerns previously about the lack of SEN and Disability related training in Initial Teacher Training. See more in our consultation response:

[https://councilfordisabledchildren.org.uk/sites/default/files/uploads/files/ITT%20&%20ECF%20SEC%20Reponse%202023%20\[final\]%20.pdf](https://councilfordisabledchildren.org.uk/sites/default/files/uploads/files/ITT%20&%20ECF%20SEC%20Reponse%202023%20[final]%20.pdf)

SEC has also identified the lack of opportunities for newly qualified teachers to pursue post-graduate specialist routes to support learners with specific SEN and/or Disabilities. This has resulted in a lack of expertise and specialisation in the teaching workforce. We feel that Ofsted could flag this in their recommendations to government.

Part 3: Public Sector Equality Duty (Equality Act 2010)

24. Please tell us how you think our proposals may or may not impact equality. Please refer to the equality impact assessment text.

As a priority, Ofsted will need to address the perverse incentive to minimise the number of disadvantaged learners or disabled learners and those with SEN on roll in order to achieve its intention of leveraging better quality provision for these learners. SEC is adamant that Ofsted gives due consideration to those children and young people who are persistently absent, excluded from their setting/school, or are dissuaded from applying to a school or setting due to their SEN or Disability.

We are pleased that the inspection toolkits make greater reference to inclusion; that inclusion is a distinct evaluation area, and that inclusion also features within each of the evaluation areas. However, the focus appears to be on SEN and Disability and disadvantage. While these are critically important and help to highlight the importance of actions to address inequities, it means that insufficient attention is paid to responsibilities relating to equality, diversity and community cohesion and the actions, policies, practices and cultures that support equality, encourage diversity and promote community cohesion. There is also not enough attention given to intersecting inequalities that affect many children and young people, such as those who experience discrimination as a result of their disability and their race. These are vital components of inclusion that should not be ignored.

Our responses to earlier questions highlight our concerns about the limitations of the working definition of inclusion and the top-down approach threaded through the proposals. In order to address inclusion effectively, the toolkits need to recognise the importance of a two-way process of engagement and for the voices, views and contributions of needs of different groups of learners, teachers and other staff, parents and the wider community in creating the school's vision and in identifying how that vision should be implemented.

SEC would be willing to meet with the Ofsted consultation team to discuss our key points further.

Christina Welsh,
SEC,
April 2025