



Welsh Government Consultation Document

Changing the current Estyn inspection regime

Date of issue: 1 March 2017

Action required: Responses by 12 April 2017

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Changing the current Estyn inspection regime

Overview	This consultation document seeks your views on: proposed changes to inspection regulations and the revision of the Welsh Government's <i>Schools causing concern</i> statutory guidance document 202/2016 (2016).
How to respond	Responses to this consultation should be e-mailed/posted to the address below to arrive by 12 April 2017 at the latest.
Further information and related documents	Large print, Braille and alternative language versions of this document are available on request.
	The consultation documents can be accessed from the Welsh Government's website at www.gov.wales/consultations
Contact details	For further information: Schools Performance Branch The Education Directorate Welsh Government Cathays Park Cardiff CF10 3NQ e-mail: SMED1@wales.gsi.gov.uk

Data protection**How the views and information you give us will be used**

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Contents

Foreword	2
Introduction	3
Background	4

Foreword

The Welsh Government is undertaking a public consultation on proposed changes to regulations: amending the timing of schools' pre-inspection meetings with parents and reducing the timescale for production of the Local Authority post inspection written statement of the action. It is also seeking views on the revision and a general refresh of the Welsh Government *Schools Causing Concern* statutory guidance document 202/2016.

The matters regarding Estyn's inspection arrangements are governed by legislation and changing them would require amendments to regulations.

In this consultation document, we set out the issues surrounding the proposed changes to Estyn's inspection arrangements and the changes to the Welsh Government *Schools Causing Concern* statutory guidance document 202/2016. We also set out a series of questions that ask for your opinion on the benefits or otherwise of these changes.

If there is positive support for changes to Estyn's inspection arrangements, this will lead to amendments being made to legislation. Any changes governing new inspection arrangements will come into force by 1 September 2017.

Introduction

The consultation document seeks your views on:

- amending regulations to change the timing of schools' pre-inspection meetings with parents to take place within 2 days of the start of an inspection.
- amending regulations to reduce the timescale for production of the Local Authority post inspection written statement of action to 5 working days of receipt of a schools post inspection action plan.
- the revision and refresh of the Welsh Government *Schools Causing Concern* statutory guidance.

The sectors to which this consultation relates are:

- maintained nursery schools, settings providing nursery education and settings that are maintained by, or receive funding from, local authorities ("relevant nursery education");
- community schools;
- voluntary schools;
- foundation schools;
- community special schools;
- foundation special schools;
- pupil referral units;

Background

Estyn has consulted on proposed changes to the way it inspects education and training from 2017. As part of the review of inspection arrangements, areas have been identified where some minor changes to regulation and statutory guidance would be supportive and better drive improvement through inspection work. These areas are set out below.

Amending the timing of schools' pre-inspection meetings with parents

The pre-inspection meetings with parents are considered a valuable part of the inspection process. Currently regulations require that these meetings are held prior to an inspection taking place. Generally, parents' meetings are currently held at the end of the first day of the inspection week, before substantive inspection activity takes place. As the parents' meeting is currently seen as the starting point for inspection, key inspection activity is unable to commence until the meeting has taken place.

This consultation seeks greater flexibility regarding the timing of the parent's meeting. Although the meeting would still need to be held early within the inspection procedure, it is proposed that the meeting takes place within 2 days of the start of the inspection. This would allow the feedback from the meeting with parents to continue to inform inspection activity.

The anticipated outcome from a more flexible approach to the pre-inspection meetings with parents is that the central aspects of inspection can commence earlier if the inspection team wished to do so. For example, inspectors may visit classrooms during the afternoon prior to meeting with parents. This flexibility would enable the inspection team to tailor the inspection process to meet the needs of individual schools and maximize the efficient use of the inspection team's time at the school.

Reducing the timescale of when a local authority is required to prepare a written statement of the action it proposes to take when a school is judged in a statutory category

Currently, regulations require that the statement must be prepared within 10 working days of receipt of the school's post inspection action plan (PIAP) or 12 working days from the date by which the appropriate authority is required to have distributed the school's PIAP.

This consultation proposes that regulations are amended to require that the local authority written statement is produced within 5 working days of receipt of the school's PIAP.

The anticipated outcome is that this reduction in timescale would better enable all parties to collaborate and to work with pace to plan and support improvement.

Revising and refreshing the Welsh Government Schools Causing Concern statutory guidance

Welsh Government's *Schools Causing Concern* statutory guidance provides information on the legislative requirements for intervening in schools causing concern. The latest version of the guidance was published in March 2016, document 202/2016. A copy of the guidance is available on the Welsh Government website:

<http://gov.wales/topics/educationandskills/publications/circulars/schools-causing-concern/?lang=en>

It sets out the circumstances and grounds where a school is eligible for intervention and the powers and types of interventions that can be used by local authorities and Welsh Ministers. The guidance also sets out the procedures and timescales associated with schools found to require significant improvement and special measures following an inspection.

Estyn proposes to introduce greater flexibility into the process for monitoring schools causing concern to ensure that they make the most effective use of inspection resource to help support improvement in those schools.

As a consequence, the wording in paragraphs 7.23 and 7.26 of the schools causing concern guidance will need to be revised to reflect that change.

The following form of words is proposed:

For schools requiring special measures, Estyn will establish an appropriate programme of monitoring following the agreement of the schools' Action Plan and the local authority's written statement. Usually, these visits will take place every 4-6 months. Estyn will assess the progress made by the school and the local authority in implementing the action plan and the written statement to address the issues identified in the school inspection report. Estyn will write to the Chair of the governing body, the local authority and the Welsh Ministers following each monitoring visit to report the progress made by the school since the initial inspection.

For schools requiring significant improvement, in most instances, Estyn will monitor the school's progress approximately twelve to eighteen months after the agreement of the school's Action Plan and the local authority's written statement.

Due to the forthcoming changes to inspection arrangements and the education landscape as a whole, the Welsh Government considers that it is timely to seek views on a general refresh of the guidance at this time.