



EDUCATION FOR LIFE SCRUTINY COMMITTEE – 9TH JANUARY 2018

**SUBJECT: REVISED GUIDANCE FOR THE INSPECTION OF LOCAL
GOVERNMENT EDUCATION SERVICES**

REPORT BY: CHIEF EDUCATION OFFICER

1. PURPOSE OF REPORT

- 1.1 To inform Members of the changes to the inspection of local government services from September 2017.

2. SUMMARY

- 2.1 This information identifies how the inspectorate will conduct pilot inspections of Local Government Education Services (LGES) from September 2017. The information will be reviewed by Welsh Government following the pilot inspections and will be used from September 2018. The draft document *Guidance for the inspection of local government education from September 2017* (Estyn, 2017) is used as the basis for this report.
- 2.2 This information sets out the inspection arrangements for local government education services and offers guidance to inspectors on making inspection judgements. This document also identifies how Estyn will follow up with local authorities causing significant concern.

3. LINKS TO STRATEGY

- 3.1 The content of this report contributes to the Wellbeing of Future Generations Act (Wales) 2015, specifically to maximise the contribution of Education towards national goals.
- *A prosperous Wales* – Developing a skilled and well educated workforce.
 - *A healthier Wales* – An education system that promotes health and wellbeing as central to its core purpose.
 - *A more equal Wales* – An education system that meets the needs of all learners including those from disadvantaged or vulnerable groups.
 - *A Wales of cohesive communities* – An education system that builds on strengthening communities at a local and national level with significant focus on enrichment experiences based on the heritage and language of Wales.
 - *A globally responsible Wales* – An education system that builds on strengthening global communities.

4. THE REPORT

4.1 Legal Basis And Policy

Inspections of LGES are carried out under Section 38 of the Education Act 1997 which states that Her Majesty's Chief Inspector of Education and Training in Wales (HMCI) 'may, and, if requested to do so by the Secretary of State, shall, arrange for any local authority to be inspected'. Such an inspection 'shall consist of a review of the way in which the authority are performing any function which relates to the provision of education for (a) persons of compulsory school age (whether at school or otherwise) or (b) for persons of any age above or below that age who are registered as pupils at schools maintained by the authority'.

Other aspects of local authority provision are subject to inspection under a range of legislation, including the functions conferred to them under sections 25 and 26 of the Learning and Skills Act 2000 relating to education, training or youth support services (within the meaning of section 123 of the Learning and Skills Act 2000).

The Children's Act 2004 introduces a duty on local authorities and their partners to co-operate to improve the wellbeing of children. As far as local authorities are concerned, the inspectorate is given the powers to review a local authority's functions relating to Section 51 of the Act, namely in co-operating to improve wellbeing and producing children and young people's plans where these functions relate to education, training or youth support services.

4.2 Principles of Inspection

Inspectors will:

- Ensure that inspection is of high quality and responsive to the needs of all learners;
- Ensure that judgements are secure, reliable, valid and based on first-hand evidence;
- Involve the local authority fully in the inspection process, including the use of nominees;
- Use the local authority's self-evaluation report as the starting point for the inspection and to form emerging questions to explore in order to make judgements on the validity of its findings;
- Include peer inspectors in the inspection process;
- Keep to a minimum any requirements for documentation and preparation by the local authority;
- Evaluate evidence about the perspective of children and young people and that of other stakeholders;
- Apply the principle of equality for Welsh and English to all inspection work, providing bilingual services whenever they are appropriate;
- Be constructive in identifying and supporting local authorities with important areas for improvement;
- Contribute to joint assessments and reports with other inspection, audit and regulatory bodies as required by Welsh Government legislation.

4.3 The Inspection Team

Inspection teams will be led by a reporting inspector. The reporting inspector will always be HMI, with other team members drawn from among HMI and additional inspectors. Additional inspectors may be on secondment or contract to the inspectorate. Each team will also have two peer inspectors. Peer inspectors will be senior leaders from a local authority or regional consortia from a different region of Wales. At least one of the Local Authority's Link Inspectors (LALIs) will normally be part of the team and will usually act as the deputy reporting inspector. Where possible, both LALIs will be team members.

The inspection team will always include an inspector from the Wales Audit Office (WAO). Depending on the nature of issues identified in pre-inspection evidence, the team may request an inspector from the Care and Social Services Inspectorate for Wales (CSSIW) or the Healthcare Inspectorate Wales (HIW) to join the Estyn inspection team. If appropriate the reporting inspector will contact CSSIW or HIW before the inspection to ascertain whether CSSIW or HIW are able to join the inspection team.

The local authority will be invited to select a senior member of staff to take on the role of nominee, to work with the inspection team.

4.4 Inspection Schedule

4.4.1 A programme of local authority inspections for LGES will be planned over a five-year cycle from September 2018. As far as possible, Estyn will schedule one inspection per region during each year of the cycle. Estyn will notify a local authority of its inspection eight weeks in advance. During the pilot phase, Estyn will informally notify the local authority ten weeks in advance. The purpose of this informal notification is simply to provide dates for the inspection. Estyn will formally notify the local authority eight weeks in advance.

4.4.2 Preliminary Visit

Around two or three weeks prior to the inspection, Estyn will carry out a preliminary visit to the local authority. This will provide an opportunity for inspectors to meet a range of stakeholders, to gather their views, discuss their experience of working with the authority or receiving support from the authority. It will be an opportunity to explore and refine emerging questions for the core inspection week.

4.4.3 Initial meeting with the local authority

At the start of the inspection, the inspection team will meet senior officers, including the chief executive and director of education, and senior elected members, including the leader, cabinet lead member and chair of scrutiny. The local authority will be given the opportunity give a presentation to the inspection team and should cover the main messages from the local authority's self-evaluation. The presentation should highlight important areas that the local authority regards as being good or excellent and the evidence that justifies this view, as well as aspects that are of concern to the local authority and how these are being addressed.

4.4.4 Gathering and reviewing inspection evidence

Inspections start by considering the local authority's own self-evaluation and plans for improvement. The team will ensure that they have enough time to review the key evidence that is needed to make judgements. The main forms of evidence are:

- the authority's self-evaluation;
- the Welsh Government's datasets on the local authority's performance;
- briefings from Estyn's link inspectors for the local authority and Estyn's regional link inspector;
- briefings from Wales Audit Office (WAO), CSSIW, and other inspectorates where relevant;
- documentary evidence, including scrutiny reports and local or regional data on learner and local authority performance and progress;
- the views of children, young people, parents and other stakeholders such as staff in LGES, schools and partner organisations (including the findings of perception surveys and questionnaires facilitated by Estyn);
- discussions with senior officers, elected members, in particular from cabinet and scrutiny and other stakeholders.

At the end of every day, the reporting inspector should, as far as practicable, offer to have a professional dialogue with the chief executive or another senior officer to discuss the progress of the inspection. This is an opportunity to share provisional strengths and possible important areas for improvement as well as the need for further evidence.

4.4.5 Formal Feedback

At the end of the on-site part of the inspection, the team will feedback verbally to senior leaders and managers. Usually those present at feedback should include the chief executive, education director and deputy directors, council leader, cabinet lead, and chair of scrutiny. The feedback should convey the main judgements and the reasons for them, for the three inspection areas. The feedback meeting provides the opportunity for leaders and managers to hear and to reflect on the judgements. The feedback should focus on the strengths and areas for improvement and the factors that contribute to them. All the judgements reported during an inspection are provisional and subject to moderation and validation by HMCI. The judgements are confidential to the local authority and its partners.

4.4.6 Follow-up activity

During all core inspections, the inspection team will consider whether local government education services are causing significant concern and require follow-up activity. The inspection team must report as they find, and be able to substantiate their judgements on the basis of sound evidence. If the evidence points to the conclusion that the authority is causing significant concern, inspectors must make that judgement.

Inspectors must give particular consideration to identifying the authority as causing significant concern if one or more inspection area is judged unsatisfactory. Inspectors should also consider whether or not an authority is causing significant concern where all the inspection areas are judged adequate. Inspectors must consider if the authority has the capacity to improve before coming to a judgement about whether it is causing significant concern.

4.4.7 The Inspection Report

The reporting inspector is responsible for producing a final inspection report that is clear to a lay audience and helpful to the local authority. The inspectorate will give the local authority a late draft of the report to help check the factual accuracy of the content. The local authority will have five working days in which to consider the draft report and to identify any factual errors.

Five working days prior to the publication of the final report, the inspectorate will send electronic copies of the final report to the chief executive of the local authority, the chief education officer, the council leader, the elected member with main responsibility for education, and the chair of education scrutiny.

Following the publication of the inspection report, the local authority should update its plans to address the recommendations and to take account of shortcomings identified through the inspection process. The local authority should publish a short statement in response to the inspection and provide links to its plans. The local authority should do this within three months of the inspection.

4.4.8 The Inspection Framework

The three inspection areas of the LGES inspection framework are set out below.

1 – Outcomes

1.1 Standards and progress overall

1.2 Standards and progress of specific groups

1.3 Wellbeing and attitudes to learning

2 – Quality of Education Services

- 2.1 Support for school improvement
- 2.2 Support for vulnerable learners
- 2.3 Other education support services

3 – Leadership and management

- 3.1 Quality and effectiveness of leaders and managers
- 3.2 Self-evaluation and improvement planning
- 3.3 Professional learning
- 3.4 Use of resources

The draft document *Guidance for the inspection of local government education from September 2017* identifies supplementary information on the three inspection areas that will support self-evaluation processes.

4.4.9 Judgement Descriptors

The inspection team will award a judgement for each inspection area using the four-point scale below.

Excellent – Very strong, sustained performance and practice

Good – Strong features, although minor aspects may require improvement

Adequate and needs improvement – Strengths outweigh weaknesses, but important aspects require improvement

Unsatisfactory and needs urgent improvement – Important weaknesses outweigh strengths

5. WELL-BEING OF FUTURE GENERATIONS

5.1 This Attendance Strategy contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act:

- Long Term: The importance of balancing short-term issues of attainment alongside longer-term needs around the impact of attainment on economic wellbeing and health and wellbeing.
- Prevention: A long term strategic plan that makes a contribution to public bodies meeting their wider objectives.
- Integration: A purposeful, strategic plan fully integrated into the Local Authority wellbeing objectives
- Collaboration: Improvements in standards of attainment and achievement reliant upon effective partnership with a range of stakeholders including schools, EOTAS settings, inclusion and medical specialists and safeguarding teams.
- Involvement: Improvements in standards reliant on the involvement of pupils and other young people in achieving the identified objectives. This includes stakeholder feedback on the impact of any proposed LA strategies to raise attainment.

6. EQUALITIES IMPLICATIONS

6.1 The LA is committed to ensuring that all children and young people gain maximum benefit from their education, regardless of the individual or family characteristics of those children and young people.

7. FINANCIAL IMPLICATIONS

7.1 There are no financial implications.

8. PERSONNEL IMPLICATIONS

8.1 There are no personnel implications.

9. CONSULTATIONS

9.1 All responses are reflected in the report.

10. RECOMMENDATIONS

10.1 Members are requested to note the content of the report.

11. REASONS FOR THE RECOMMENDATIONS

11.1 Improving attainment is a priority at both national and local level.

12. STATUTORY POWER

12.1 Education Act 1996.

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