

# Ofsted inspections from May 2021 – guidance for members

Last revised and updated: 30 April 2021

## Introduction

On 29 March 2021 Ofsted [announced](#) its plans for school inspections for the remainder of the academic year 2020/21.

Ofsted's intends to conduct some:

- section 8 monitoring inspections of 'inadequate' schools
- section 8 monitoring inspections of 'requires improvement' schools
- section 8 monitoring inspections of some 'good' and 'outstanding schools.

In addition, there are:

- circumstances where a section 8 monitoring inspection may be 'converted' to a full section 5 inspection, which could result in a change to a school's overall effectiveness grade
- specific inspection arrangements for secondary schools

On 19 April Ofsted published revisions to the [education inspection framework](#), [school inspection handbook](#) and [section 8 inspection handbook](#).

This advice contains detail about amendments to Ofsted's inspection methodology and includes suggested steps that schools can take in circumstances where a **deferral** is appropriate.

## 1. Which schools will Ofsted inspect from May 2021?

Routine (section 5) inspections of all schools **remain suspended** for the remainder of the academic year 2020/21. Ofsted plans to restart routine inspections from September 2021.

**Secondary** schools will **not** be inspected during the first half (term 5) of the summer term 2021 (except where there are serious concerns).

**From 4 May 2021** Ofsted will conduct some **onsite**, lighter touch **section 8** inspections during summer term:

- Ofsted will undertake section 8 **monitoring inspections** of schools previously judged as 'inadequate' or 'requires improvement'.

- Some **‘good’ schools** that have not been inspected within their statutory window (that is, exceeding five years from the end of the school year in which the school was last inspected under section 5 or section 8) **may be inspected under section 8**. That section 8 inspection can be used to ‘reset the clock’ for the school’s next section 5 inspection. Section 8 inspections of good schools will follow the practice set out in the [section 8 school inspection handbook](#).
- **Some ‘outstanding’ schools** that request an inspection **may be inspected under section 8**. Ofsted will prioritise those that have had the longest period without inspection (current regulations require Ofsted to inspect all previously exempt outstanding schools by 1 August 2026). A school can request an inspection by writing to the relevant Ofsted regional director.

Ofsted **may** also use s8 powers to conduct ‘no formal designation’ inspections of any school where **serious concerns** have arisen.<sup>1</sup> The inspection should be confined to the issues of concern, but Ofsted has the power to ‘convert’ this inspection to a section 5 inspection if it has cause to do so.

Note that in all of the examples listed above, Ofsted has indicated there is a possibility that a section 8 inspection **could be ‘converted’** to a section 5 inspection, in which case the full range of judgements must be made, including a judgement on the school’s overall effectiveness.

## **2. Will section 8 monitoring inspections, or section 8 inspections of ‘good’ or ‘outstanding’ schools, result in a grade?**

Section 8 monitoring inspections and section 8 inspections of good schools are not graded. A section 8 inspection of a ‘good’ or ‘outstanding’ school can reset the school’s inspection interval.

**However**, Ofsted also says that where the evidence that a school’s current grade is no longer a fair reflection of its work, inspectors will be able to ‘convert’ the section 8 inspection to a full section 5 inspection ‘either immediately or later in the term’.

In practice, this means that a monitoring inspection of an ‘inadequate’ school could be converted to allow the school to be removed from, for example, special measures, or for a school previously judged as ‘requires improvement’ to be judged ‘good’ or better overall. Similarly, a section 8 inspection of a ‘requires improvement’ school *could* be converted.

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<sup>1</sup> Typically, NFD inspections are in response to a qualifying complaint(s) that gives rise to concerns about the safety of pupils and staff, or where there may be a breakdown in leadership and management of a school.

Note also that Ofsted can ‘convert’ *any* section 8 inspection where inspectors have serious concerns about a school. Inspectors would make and report the full range of section 5 judgments, including a judgement on a school’s overall effectiveness.

### **3. What is likely to be different about the inspection planning phone call?**

During the notification call inspectors will want to understand, in addition to the more usual content:

- the specific impact of covid-19 on the school community and how the school’s leaders responded to the situation
- how the school implemented the curriculum remotely and what, if any, elements of remote education remain in place at the time of inspection.

In a maintained nursery school, or a school with early years provision, the inspector will determine whether it is [disapplying \(or has previously disappplied\)](#) the early years foundation stage (EYFS) requirements for: learning and development; assessment progress check at age two and EYFS profile; staff qualification and ratios; and paediatric first aid certificate.

The call will also agree the covid safety measures that inspectors will follow, which should take account of the school’s risk assessment and current operating practices. (see below). Ofsted expects that the call may take longer than the normal 90 minutes, so it’s worth knowing this when planning the time for the call.

There is more information below about changes to inspection during the pandemic. The changes set out at paragraphs 7-37 of the [handbook](#) along with a list of changes to both the school inspection handbook (listed [here](#)) and the section 8 school inspection handbook (listed [here](#)).

#### **Will inspection planning take account of my school’s covid safety measures?**

Yes. The Ofsted framework and school inspection handbook has been amended in light of the pandemic. The [framework](#) states that inspectors will ‘agree safety protocols that inspectors will follow to ensure that the inspection is completed in a covid-secure way’. The [section 8 handbook](#) refers schools to paragraphs 7-37 of the [school inspection handbook](#), which set out how inspection will operate during the pandemic. There are amends throughout both the section 5 and 8 handbooks.

The phone call is an opportunity to explain the context, circumstances, restrictions and measures in force in your school and set out how they might affect the inspection team’s work. The lead inspector should discuss and agree the safety

protocols that the inspection team will follow, in order to facilitate inspectors' work and maintain Covid secure arrangements.

NAHT expects that inspectors will continue to work flexibly and that inspection teams will be prepared and willing to adapt their practices, working in collaboration with schools to maintain specific safety measures set out in the school's risk assessment.

For example, it may be difficult for inspectors to visit lessons without breaching the safety arrangements set out in a school's risk assessment. Nevertheless, inspectors are likely to want to speak to pupils, so a solution may be for inspectors to meet pupils in their 'bubbles' in safe spaces, such as an outdoor area where distance can be maintained, or a well-ventilated large space such as the school hall. Similarly, it may be possible to bring staff and inspectors together via an online platform, if necessary.

The handbook makes provision for this at paragraph 28, stating:

*'...it may be pragmatic to carry out some elements of the inspection through video/telephone calls. This will be agreed with the headteacher at the start of the inspection. It will usually only be used to involve pupils, parents, governors/trustees and others with leadership responsibility in inspection who are unable to attend the school site.'*

If infection levels rise in the coming weeks and months there may be localities where it will not be appropriate for inspectors to be on site at all. If this is the case you should explore alternative inspection arrangements with inspectors, or in extreme circumstances seek a deferral (see below).

If you encounter any difficulty in agreeing steps to maintain covid safety, **contact NAHT's helpline for assistance at the earliest opportunity on 0300 30 30 333** (select option 1). Do **not** wait until after the inspection. If necessary, NAHT advises that you ask the lead inspector for a break in the notification call to allow you to seek advice.

### **How should I approach a phone call notifying me that my school is going to be inspected?**

NAHT suggests that you explain:

- any restrictions on entry to, and movement within, the school site
- staffing levels, numbers shielding or absent through illness, including TA and support staff cover and the impact on the school; and any particular circumstances that have restricted the school's ability to provide remote education
- where applicable, any rota systems or off-site arrangements for staff or pupils

- pressures on specific areas of the school, including, for example, leadership
- how you kept vulnerable pupils safe and delivered face to face education for them, including any barriers
- how you maintained safeguarding procedures
- changes to the curriculum that are a result of maintaining covid measures, or stem from the impact of the pandemic
- the steps that you are taking to support pupils' return to face-to-face learning, and how you are assessing their needs and focusing your school's work to aid educational recovery, and support the mental health and well-being of pupils and staff
- if relevant, the number of pupils working remotely versus numbers onsite and operational pressures this is creating
- how you developed, evaluated and reviewed your remote learning offer; your rationale for its design within your school; and the adaptations and organisational change that were necessary according to your school's circumstances and context; how this has affected your current provision, including your curriculum offer
- how you engaged with parents and the wider community, not forgetting to reference positive feedback.

This is the right time to:

- **Explain any limitations** on inspection activity that result from your risk assessment and covid-secure measures; for example inspectors may not be able to visit classrooms or access various parts of the school in order to maintain 'bubbles' for staff and pupils; or they may be limited to outdoor space or a large ventilated space within the school; or might consider using Teams or other meeting tools to hold certain discussions.
- **If necessary, suggest that some elements might be best achieved through different, remote or virtual means;** for example, it may be appropriate for inspectors to meet staff or pupils outside or in a well-ventilated large indoor space. In circumstances where infection rates are very high and a school is restricting access to the site solely to specific staff and pupils, it may be that some meetings might be conducted by Teams or a similar platform.
- **Request a deferral** where the operational challenges posed by an inspection cannot be resolved, for example, where the school is in an area of high infection rates and onsite learning had been suspended for all but vulnerable pupils and children of key workers, and the inspection is likely to negatively impact the safe running of your school; or where your school does not have capacity to support the inspection. If this is the case please see the section on deferrals, below.

If you encounter any difficulty in agreeing the inspection plan, **contact NAHT's helpline for assistance at the earliest opportunity on 0300 30 30 333** (select option 1). Do **not** wait until after the inspection. If necessary, NAHT advises that you ask the lead inspector for a break in the notification call to allow you to seek advice.

## 4. What are the key changes to inspection?

Ofsted has published information about changes to inspection during the pandemic at paragraphs 7-37 of the [handbook](#), along with a list of changes to both the school inspection handbook (listed [here](#)) and the section 8 school inspection handbook (listed [here](#)). These changes cover all section 8 inspection types. They are also relevant to section 5 inspections, in the event that an inspection is converted.

Broadly speaking, the changes and amendments provide scope for inspectors to take into account the impact that the pandemic has had on individual schools. No two schools have had exactly the same experience, so it is important that inspectors understand the specific circumstances and context of your school. How your school operated during periods of 'lockdown' will be relevant to the decisions that you have made about your school's current approach to provision.

The list below is not exhaustive, but highlights areas where Ofsted has indicated changes to its practice and methodology as a result of the pandemic. **Remember**, in most cases inspectors will not be making graded judgements, as most inspections will be conducted under section 8.

### Curriculum

Inspectors should be mindful that each school's curriculum planning and delivery will have been affected by the pandemic. Members will want to explain their curriculum journey over the last year and how this is informing their current approach to delivery – this is relevant background to help inspectors understand the choices that a school has made in response to its current context and circumstances. For example, explaining how remote learning was implemented and how this has influenced current curriculum planning, delivery and priorities will be helpful to inspectors, alongside an explanation of the steps that have been taken to assess pupils, and identify strengths and gaps in their learning.

Inspectors will be interested in:

- how schools have adapted and prioritised their curriculum
- how schools are making up for 'gaps' in pupils' knowledge
- how schools are returning to, or bringing about, an 'ambitious curriculum', taking account of the impact of the pandemic.

The transition arrangements for curriculum '**intent**' remain in place – inspectors should recognise that the school may still be in transition with its curriculum and that

its plans may have been delayed by the pandemic. The grade descriptors for the 'quality of education' judgement require inspectors to consider any 'necessary amendments' that a school has made in response to the pandemic.

The '**implementation**' grade descriptor is amended so that inspectors will consider how assessment is used to 'check understanding and inform teaching, or to understand different starting points and gaps as a result of the pandemic'

The '**impact**' grade descriptor is clear that teacher assessed grades from 2020 and 2021 will **not** be used to assess impact. *See paragraphs 14-15, 198, 205, 206 209, 215, 334 and 33; and the 'good' grade descriptors for quality of education in the school inspection handbook.*

### **Remote education**

Inspectors will **not** take into account the quality of remote education when evaluating the 'quality of education' but will be interested in how decisions on remote education were implemented. Members should have the opportunity to discuss how they reviewed, evaluated and improved their school's remote education offer during this period. Inspectors will discuss remote education with teachers, parents and pupils. *See paragraphs 16 -19 and references in the curriculum section*

### **Data**

Inspectors will refuse to accept internal data, although members can explain how their assessment strategies have informed curriculum decisions and an understanding of starting points and gaps. Teacher assessed grades from 2020 and 2021 will **not** be used. Inspectors are likely to refer to older published external data. They should be mindful that the age of this data means that its utility is limited. *See paragraphs 20, 21 and 220-223 of the school inspection handbook.*

### **Leadership**

The amends to the school inspection handbook at paragraphs 22 to 23 recognise that a school's development plans will have been impacted by the pandemic. Inspectors will focus on how remote education was developed and monitored; how staff and pupils were supported to use it; how vulnerable pupils were safeguarded and 'prioritised' for face-to-face education; how the school engaged with parents; staff absence impacted on the school; and how the well-being of staff and pupils was 'promoted'. Members should be clear with inspectors about the pressures that they and their leadership colleagues have faced.

The grade descriptors for 'good' leadership and management include reference to leaders' proactive management of staff workload resulting from the pandemic and building teachers' expertise in remote education. *See paragraphs 22-23 in the school inspection handbook and the 'good' grade descriptors for leadership and management.*

### **Safeguarding and attendance**

In all section 8 inspections, a written judgement is made about on whether the school's safeguarding arrangements for children are effective, and the 'safeguarding culture' of the school considered. *See paragraphs 15-23 of the section 8 handbook, and relevant references to specific section 8 inspection types.*

Attendance data between March 2020 and March 2021 will **not** be used to make a judgement on attendance. Inspectors will be interested in how the pandemic has affected attendance in individual schools and how schools have achieved the 'best possible' attendance for pupils eligible to attend in person, particularly vulnerable pupils; and how schools have acted to achieve 'the best possible' attendance since March 2021.

Inspectors are likely to ask about the steps taken to ensure effective safeguarding arrangements during the pandemic for both pupils in school and those learning remotely, and how these have changed over time. Note paragraph 302 states that safeguarding is likely to be judged ineffective if inspectors are unable to corroborate evidence on safeguarding by talking to pupils. *See paragraphs 24 -26 and 302 of the school inspection handbook.*

### **Personal development**

Inspectors' primary focus will be on the steps taken by leaders to offer a wide range of personal development opportunities to pupils since March 2021, but will also be interested in the provision and opportunities available before the pandemic. Paragraph 65 of the section 8 handbook states 'Where usual opportunities have been disrupted by the pandemic, inspectors will look at whether the school has found alternative approaches to providing a rich range of personal development opportunities to all pupils' (we have made Ofsted aware of an error – at the time of writing this reads since 'March 2020', but should read 'March 2021'). Note that inspectors will not make a judgement on personal development in a section 8 inspection.

### **Relationships and sex education**

The DfE provided clarity on the requirements for RSE in the [schools coronavirus operational guidance](#). By the **end** of the academic year 2020 to 2021, schools are required to have taught some of the new curriculum, published a policy and consulted parents on this. This means that a school should not be penalised provided that it can show Ofsted its policy in draft or final form, that teaching has taken place or is planned to take place this term, and that a consultation with parents is taking or has taken place. Paragraph 254 of the school inspection handbook states:

'Inspectors will be sympathetic to schools that, as a result of the pandemic, have not been able to fully implement the new curriculum, provided that they:

- have had regard to the statutory guidance
- have a good rationale for prioritising what they have implemented
- have clear and effective plans to address any gaps before the end of the 2021 to 2022 academic year.

### **If inspectors convert an inspection, will the full section 5 judgements be made?**

Yes. However, there will be greater latitude for inspectors when making the overall effectiveness judgement.

In a [blog](#), Ofsted's national director stated: 'In cases when we do make graded judgements this summer, we will take into account the impact of the pandemic. Normally, a school would be rated inadequate under a particular judgement if one or more of the inadequate criteria applies. However, this will not be the case where inadequate criteria apply solely because of the impact of COVID-19'.

## **5. Can I request a deferral?**

Yes – Ofsted's [deferral policy](#) includes a section on covid that states:

*'If providers have concerns about the timing of their inspection or visit and request a deferral, we will judge each case on its own merits, in line with this policy. COVID-19 restrictions that require providers to close, or other restrictions as a result of COVID-19, may be a relevant factor for deferral.'*

School leaders are best placed to advise inspectors on their own school's individual circumstances and context.

### **What are the grounds for deferral?**

NAHT advises that where there are grounds for deferral, these will depend on a school's individual context and circumstances, and might include more than one of the examples below. This list is not exhaustive and does not seek to cover all eventualities.

- The school's risk assessment in response to changing local circumstances, or a local or national lockdown has established a strict programme of controls that restricts entrance only to essential staff and specific pupils.
- Inspectors moving within the school would breach the school's risk assessment and covid-secure policies.
- Where there is a mixture of onsite and remote learning, the high number of children of key workers and vulnerable pupils on site is creating operational

stress and stretching staff resources to the maximum, making the servicing of an inspection untenable.

- The school is operating in an area of very high transmission.
- Pupils and/or staff are operating in strictly defined 'bubbles' to prevent transmission.
- The school is operating a minimum onsite staffing model, where school leaders have key operational roles that require their presence throughout the day.
- The school is struggling with sufficiency of staff due to illness and self-isolation.

It might be possible for inspectors to **mitigate the deferral request** by conducting specific aspects of the **inspection remotely**. In these circumstances the solution probably lies in both the school and the inspection team operating flexibly.

Members are advised to contact **NAHT's helpline (0300 30 30 333 and select option 1) for assistance at the earliest opportunity** if this is required.

## **6. What do I do if I have concerns about an inspection when I am notified, or concerns during the inspection?**

It is critical to raise concerns at the earliest opportunity with the lead inspector. If the lead inspector is unable to resolve the concerns the matter should be raised with Ofsted. **Do not wait to raise concerns until after the inspection has been completed.**

In all cases, seek advice from **NAHT's helpline (0300 30 30 333 and select option 1) at the earliest opportunity.**