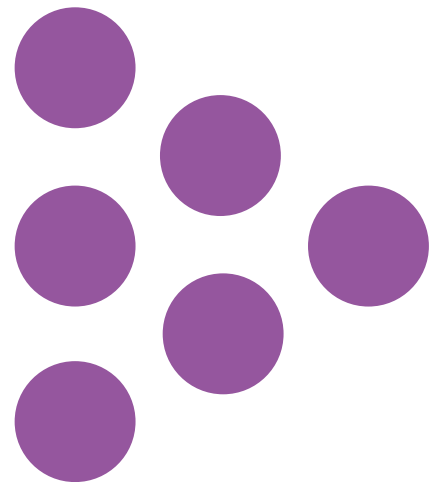

Ofsted Consultation

**Education Inspection Framework 2019
NFER Response**

National Foundation for Educational Research (NFER)



Education Inspection Framework 2019

NFER Response

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About the National Foundation for Educational Research

NFER is a leading independent provider of rigorous research and insights in education, working to create an excellent education for all children and young people. We are a not-for-profit organisation and our robust and innovative research, assessments and other services are widely known and used by key decision-makers. Any surplus generated is reinvested in projects to support our charitable purpose.

About this document

Between January and April 2019, Ofsted consulted on its proposals for changes to its Education Inspection Framework. This document is NFER's response to the proposals.

NFER welcomes many of the proposals in the 2019 Education Inspection Framework. In particular, we support efforts to ensure that Ofsted inspections do not create excessive work for teachers, through eliminating unnecessary and unhelpful collection of data. The sections of the document follow the consultation questions. We only answered those questions where we could draw on relevant evidence or expertise.

Underpinning our response is evidence from our recent Teacher Voice Survey and our research into teacher retention and turnover. The Teacher Voice data is also published alongside this document.

Proposal 1: To what extent do you agree or disagree with the proposal to introduce a ‘quality of education’ judgement?

NFER’s response:

We welcome the intention of focusing on the curriculum during inspection. NFER has found that the biggest challenge across all the systems examined is securing a curriculum with breadth and depth. Subjects like literacy and numeracy are crucial for accessing other parts of the curriculum but researchers and practitioners worry that subjects tested as part of accountability regimes are the ones that schools focus most attention on, to the detriment of other parts of the curriculum. This reinforces the important role of inspection as a means of complementing, rather than duplicating, robust performance measures, taking into account a wider set of measures and the context within which a school is operating.

However, the framework must be implemented with a number of potential challenges in mind. There is inevitably a tension between the ambition for a reliable, systematically derived quality judgement and schools being able to demonstrate leadership and flexibility in designing and delivering their curriculum. The reference to judging the extent to which schools are making progress in delivering the EBacc also seems at odds with the ambition to encourage creativity and a curriculum that is most relevant to an individual school’s cohort of pupils.

Central to the ‘quality of education’ judgment is whether a school is offering a broad and balanced curriculum. One way of assessing this might be to examine how the curriculum offered has changed in recent years, including the number of subjects offered by a school.

In order to get some insights into this, in February 2019 we used NFER’s representative Teacher Voice survey to explore the extent to which secondary school leaders and classroom teachers believed the school offered a curriculum which has breadth and depth. We found:

- The vast majority (81 per cent) of respondents agreed that their school offered a Key Stage 3 curriculum which had breadth and depth, with senior leaders answering more favourably. The majority of respondents also thought that their Key Stage 4 curriculum had breadth and depth, albeit at slightly lower levels (68 per cent). However, 22 per cent of classroom teachers disagreed that their Key Stage 4 curriculum had breadth and depth.
- More than half (53 per cent) of senior leaders and classroom teachers said that the number of GCSEs taught at their school had decreased over the last few years. Only 27 per cent of respondents said this had not been the case.
- Nearly half of the senior leaders and teachers (46 per cent) that responded said that there were other subjects / qualifications which they did not currently offer that they would like to include as part of their curriculum.
- When asked why these subjects were not currently offered, around a third of respondents said that this was because they do not fit with Progress 8 / the way we they operate Progress 8 in their school. However, there were several other reasons offered with similar levels of responses, including staff shortages/low staff numbers in that subject in the

school; a lack of teaching expertise in that subject/qualification in the school; and only a small number of pupils in the school wanting to take the subject.

- Over half of the respondents (56 per cent) said that their school started teaching the GCSE curriculum for most/all subjects in Year 9, compared to 40 per cent who said their school started in Year 10.

This analysis suggests that there is some evidence of curriculum narrowing in some schools. On one hand, it shows that a large number of schools are starting to teach their GCSE curriculum earlier. The Key Stage 3 curriculum is being curtailed in these schools to make more space for GCSEs, which is a form of curriculum narrowing. This will impact on the breadth and depth of learning that pupils receive in these important years, and the level of grounding they get, which they can then build on in future studies.

However, it is important to recognise that senior leaders and classroom teachers report that a wide range of factors are responsible for limiting the breadth of the curriculum, including many which are outside of their control. The shortage of teachers, particularly in EBacc subjects, has been well documented (See Worth and De Lazzari, 2017, for example), and will constrain either the subjects offered by many schools, or the quality with which they are taught. Ofsted will need to explore the reasons for any observed curriculum narrowing and avoid assuming this is entirely related to a school's attempt to maximise its Attainment 8 / Progress 8 score.

The framework must also ensure that it induces external challenge and support for schools to continually improve, not simply to reach a "good" rating. The challenge of designing a new accountability framework should help schools to get to a "good" rating but then to continue to lift standards higher.

Proposal 4: To what extent do you agree or disagree with the proposed focus of section 8 inspections of good schools and non-exempt outstanding schools and the proposal to increase the length of these inspections from the current one day to two days?

NFER's response:

NFER agrees with the position of the *Improving school accountability* report by the NAHT Accountability Commission (2018) on the subject of ensuring that fair inspections should be conducted on all schools. It is difficult for an inspection to generate a sufficiently deep assessment of a school within even a two- day period and the credibility of these inspections must be backed up by a full assessment of their benefits. In such a short time frame, it is hard to achieve validity and reliability. On-going training of inspectors will be crucial, and we want to see consideration given to longer inspections for Inadequate and Requires Improvement schools. We would ask Ofsted to task an independent commission to assess the required length for a worthwhile inspection.

Proposal 6: To what extent do you agree or disagree with our proposal not to look at non-statutory internal progress and attainment data and our reasons why?

NFER's response:

We understand the rationale for Ofsted proposing that their inspectors will not use schools' internal performance data for current pupils as evidence during a school inspection. We recognise that a school's own data may lack the robustness of the statutory data that the Department for Education collects and publishes, which Ofsted inspectors review before going into a school. We also recognise concerns often voiced that unnecessary data collection, which some school leaders impose on their teachers, is not adding any value and is causing heavy workloads. Indeed our recent reports, including NFER's own Teacher Workforce Dynamics in England (Worth *et al.*, 2018) have shown that unmanageable workload is consistently the most cited reason ex-teachers give for why they left the profession.

We are therefore supportive of measures to try to tackle teacher workload, including eliminating unnecessary and unhelpful use of data. However, we would note the following points about this proposal:

1. Why schools share their own data: To understand why schools share their own data with Ofsted inspectors, we asked senior leaders a series of questions about this approach in NFER's most recent Teacher Voice survey. This showed that 85 per cent of senior leaders across both phases had shared their own performance data during their last inspection, while another eight per cent had shared some other non-performance data (total sample size 534). The proportion of schools sharing data was higher in the secondary phase (96 per cent) than the primary phase (91 per cent). This suggests there is a strong culture among school leaders to share their own data with Ofsted inspectors.

We also asked school leaders what their reason(s) had been for supplying internal data to the Ofsted inspectors. The results are summarised in Table 1. This shows that the most popular reason given by nearly 80 per cent of school leaders was to provide greater context about the performance / outcomes of a subgroup of pupils or results at a key stage. The third most common reason given by two-thirds of senior leaders was to highlight the impact of an intervention or change that the school had implemented, while the fourth most popular reason was because the statutory data that Ofsted inspectors had was out of date and the school had more up-to-date information.

Taken together, these three reasons suggest that school leaders are sharing their own data to provide a richer or more up-to-date picture of the school, or to illustrate the impact of interventions they have put in place to tackle an issue that the inspectors are querying. If Ofsted inspectors will no longer use schools' internal performance data as evidence, school leaders may feel that they no longer have the opportunity to provide evidence to demonstrate the effect of the actions they have taken. School leaders and their representatives may start to question the fairness of the inspection process, which in turn may impact on the credibility of the new framework.

Table 1. What were the reason(s) for supplying your own school's internal data to the Ofsted inspectors?

	Primary senior leaders (%)	Secondary senior leaders (%)	All senior leaders (%)
To provide greater context about the performance / outcomes of a subgroup of pupils or results at a key stage	77	83	79
To show the school were using data to self-improve	71	75	73
To highlight the impact of an intervention or change the school had implemented	64	72	67
The statutory data that Ofsted inspectors had was out of date and the school had more up-to-date information	42	43	43
Other	8	5	6
Number in senior leaders who responded (N)	291	204	495

More than one answer could be given so percentages may sum to more than 100.

The percentages in this table are weighted separately by FSM rates. Reported base sizes (N) are unweighted.

Source: Teacher Voice Omnibus Survey March 2019.

2. Unintended consequences: Not all collection / use of data by schools to self-improve is a bad thing. Effective use of data plays an important role in effective school leadership. However, most schools are highly attuned to the value that Ofsted place on different things during inspections. This is demonstrated in Table 1, where nearly three-quarters of senior leaders who responded to our Teacher Voice survey said that one of the reasons for sharing the school's own data with inspectors during an inspection was to show the school was using data to self-improve.

There is a real risk that the outcome of this operational change, should it be adopted in the new framework, is that schools hear the message that Ofsted no longer value the use of data in schools, so headteachers stop collecting and using data to self-improve. This would have a potentially harmful effect on school outcomes.

Ofsted will also need to guard against the alternative evidence they collect or review (instead of using a school's internal assessment data), such as reviewing pupils' books becoming a focal point for school leaders, resulting in unnecessary teacher workload in other areas of their work.

3. Data quality: Ofsted state that part of the rationale for proposing that inspectors will not use schools' internal performance data as evidence during an inspection is because this data has limitations, and their inspectors will not be able to assess whether the data is an accurate and valid representation of pupils' learning of the curriculum. Instead, Ofsted state that inspectors will gather direct evidence of the quality of education in schools and through their inspectors having meaningful discussions with leaders about how they know that the curriculum is having an impact. This implies that the quality of the data that inspectors gather during their inspections is somehow robust and reliable, despite it being based on a relatively small number of observations (e.g. based on sitting in classes, reviewing pupils' books) or qualitative (e.g. interviews with governors and senior leaders) in nature.

As with a school's own data, data collected by inspectors during an inspection will also have its limitations (e.g. the quality of observed lessons could be affected by teacher stress, a lack of precision in speech during an open discussion about performance or practice, a small number of observations). However, there does not seem to be any acknowledgement of this in the consultation. The rationale may be that Ofsted inspectors are well trained and very experienced at identifying and picking up salient data and information about the school, but this is nonetheless unstructured and subjective data. Inspectors could also be trained to assess the quality of a school's own assessment data, and where appropriate (i.e. where it is robust and used to inform teaching and learning) use it judiciously as part of the inspection process.

To conclude, we are supportive of any measures to try and tackle teacher workload, including eliminating unnecessary and unhelpful use of data, but this should not be at the expense of giving school leaders the opportunity to present evidence of the impact of actions they have implemented to address issues. We also have concerns that unless this is managed well, it could lead to schools stopping collecting and using all data to self-improve, which would mean that a lot of good practice would be lost. The following actions need to be taken to help address these issues:

- To mitigate the risk that schools would stop using all data to self-improve, Ofsted should develop guidance for schools which explains that using (not just collecting) data can really help to drive self-improvement, and provide examples of where this has been effective and where it does not add value, building on the Teacher Workload Advisory Group report (DfE, 2018).
- To respond to the main reasons why schools want to share their own data with inspectors, Ofsted should encourage school leaders to focus on explaining the way they identified issues and the process by which they addressed them, and rationale for using that approach.

Proposal 11: To what extent do you agree or disagree that the timescale within which providers that are judged to require improvement receive their next full inspection should be extended from ‘12 to 24 months’ to ‘12 to 30’ months’?

NFER’s response:

We recognise that improvements take time and that in order for such improvement to be as useful as possible it should be a continuous journey. In *How should we treat under-performing schools?* A regression discontinuity analysis of school inspections in England (Allen and Burgess, 2012) the main point at which impact is seen is two years post inspection and after that point there is a flattening in improvement.

Timescales should therefore be designed to generate continuous improvement in a school rather than creating a single point in time target. However, it is also crucial that further points of assessment exist in order to drive an increase in standards and if a timescale is not set out for how long measures have to be implemented then the improvement stalls and the pupils suffer.

It is important that the framework is designed to ensure that improvement continues. Two years as a minimum will ensure sufficient time for school leaders to establish stabilising measures. However, it should be acknowledged that for both cultural and large-scale system shifts to improve, further time will be required.

We would urge Ofsted and school leaders generally to engage with the large body of research available to assist schools on their improvement journey. Overall, we welcome the recognition that schools will need time to adjust to the new requirements, and adapt their approach to curriculum design and implementation.

The importance of understanding a school’s context

There is an important gap in the new inspection framework relating to the extent to which a school’s local context can affect its performance. It is essential that inspectors consider this as part of their inspection and judgements in order to add value to the performance tables. As outlined in *Improving school accountability* by the NAHT Accountability Commission (NAHT, 2018), a school’s local context – including the level of support provided by local services and the degree of engagement from parents – affects the degree of challenge facing schools in helping all their children to achieve. Ofsted should review the use of “families of schools” as a means of setting school performance in a broader context.

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