

Nottingham Roman Catholic
Diocesan Education Service



**Diocesan Canonical Inspection
Policy**

September 2015

Diocesan Canonical Inspection Policy

Introduction

The statement below has now been adopted as policy by the Nottingham Roman Catholic Diocesan Education Service (NRCDES). It provides guidance for schools on the revised arrangements for the timing and frequency of diocesan canonical inspection within the Diocese of Nottingham (formerly known as section 48 inspection) and also clarifies the bishop's right to watch over and inspect all Catholic schools within his diocese.

The authority of the bishop of the diocese

As works of the apostolate, all Catholic schools are subject to the jurisdiction of the diocesan bishop, even those that are not in diocesan trusteeship. Canon 806§1 (see appendix 1) provides that the diocesan bishop has the right of supervision, visitation and inspection of Catholic schools in his diocese, even those established or directed by members of religious orders. He also has the right to issue directives concerning the general regulation of Catholic schools.

Inspection is where the diocesan bishop or his delegate inspects a school according to criteria determined by the bishop. In practice, this is normally carried out under section 48 of the Education Act 2005 (or equivalent) in a way which is complementary in scope to the section 5 inspection, but it can extend to all aspects of the school's curriculum and life at the bishop's discretion.

Supervision, or episcopal oversight, is the duty of the diocesan bishop, personally or through others, to ensure that all Catholic institutions within his diocese are acting in conformity with the teachings and regulations of the Church and the mission of the diocese, to regulate all works of the apostolate, and to take all necessary actions to ensure such conformity.

The information above is taken from: *Governance of a Catholic School: A Clarification of Roles and Responsibilities for England and Wales (published by the Catholic Education Service – 2014).*

<http://catholiceducation.org.uk/schools/guidance-for-schools/item/1000224-governance>

Therefore, the NRCDES (acting on behalf of the bishop of the diocese) may carry out a diocesan canonical inspection at **any time** and in some circumstances, the costs incurred will need to be met by the school.

Timing and frequency of diocesan canonical inspection

Diocesan canonical inspection will no longer follow Section 5 inspection. There will be a completely separate cycle which will be operated by the NRCDES. In most circumstances, schools will receive a diocesan canonical inspection every 5 years, however, where a school's last overall effectiveness judgement was less than 'good', there will be a diocesan canonical inspection within 3 years (see appendix 2). In the case of a school being graded as 'requiring improvement' or where a single area is graded as 'requiring improvement', the school will receive a monitoring visit within 12 months of the publication of the inspection report. A school graded 'inadequate' will receive an annual monitoring visit. Please see separate guidance document on *diocesan canonical inspection monitoring visits*.

The process of inspection

Details of the process of inspection and the criteria used to form judgements can be found in the latest version of the NRCDES *evaluation schedule* for inspection. This and a range of additional supporting documents can be found on the NRCDES website (www.nottingham-des.org.uk) 'inspection' section.

Diocesan canonical inspections outside of the normal round

In certain circumstances, schools may request a diocesan canonical inspection outside of the normal round. Please contact the Deputy Director of Education. A charge would be made for this service.

September 2015

Appendix 1

The Code of Canon Law

'The diocesan bishop has the right to watch over and inspect the Catholic schools situated in his territory, even those established or directed by members of religious institutes. He has also the right to issue directives concerning the general regulation of Catholic schools; these directives apply also to schools conducted by members of a religious institute, although they retain their autonomy in the internal management of their schools. Those who are in charge of Catholic schools are to ensure, under the supervision of the local ordinary, that the instruction given in them is, in its academic standards, at least as distinguished as that in other schools in the region'. (Canon 806)*

*this includes voluntary aided schools, academies and independent schools

Appendix 2

REVISED POLICY STATEMENT FOR TIMING OF SECTION 48 INSPECTION (Department for Education – January 2014)

As a consequence of changes to the statutory provisions governing school inspection under Section 5 of the Education Act 2005, Ofsted is no longer required to routinely inspect 'outstanding' schools. This, coupled with the further complexity arising when some outstanding schools could be brought back into the Section 5 inspection cycle (as a result of Ofsted's risk assessment of schools) means that it is no longer practicable to run Section 5 and Section 48 inspections concurrently.

What does this mean for Section 48 inspection?

The statutory position on the requirement for an inspection to be carried out as set out in Section 48 of the Education Act 2005 has not changed. The Education (School Inspection) (England) Regulations 2009 (SI1564) sets out that the interval within which the inspections are required to take place is **'within 5 school years from end of the school year within which the last inspection took place'**. All Section 48 inspections should now be scheduled independently from Ofsted's Section 5 schedules, with the timing determined by the outcome of the last Section 48 inspection for that school.

Timing

All schools that were judged 'good' or 'outstanding' at their last Section 48 inspection must be scheduled for their next Section 48 inspection within 5 school years from end of the school year within which they were last inspected. For example, if a school was inspected at any time between September 2012 and July 2013, the next inspection would be scheduled during the school year September 2017 and July 2018. This means that an inspection should not normally take place at an interval of less than 5 years from the date of the previous inspection. Any school with a Section 48 inspection judgement that was less than 'good' can be scheduled for its next Section 48 inspection at any point after 3 years from the date of the last Section 48 inspection, but no later than 5 school years from the end of the school year within which the last inspection took place. For example, if a school was inspected in September 2012 the earliest it should be inspected again is September 2015. The latest date that the inspection could take place would be July 2018. If, in exceptional circumstances, particular concerns arise which might warrant consideration of earlier inspection, this will need to be agreed with the Department in advance.

Academies

Where an Academy is formally designated as having a religious character and delivers denominational education, this should be specified in the funding agreement for that Academy. The funding agreement should also specify the requirement for the Academy to arrange for the inspection of denominational education and collective worship to take place in line with the statutory position set out in Section 48 of the Education Act 2005 and the supporting regulations as specified above. Where a school chooses to convert to Academy status, the date and the outcome of the last Section 48 inspection for the predecessor school will be used to determine the timing of the first Section 48 inspection of the Academy

New schools

Where a new voluntary-aided or academy/free school opens, Section 48 inspection should be scheduled no earlier than 2 years and no later than 3 years from the date of opening. Thereafter the timing of inspections should be in line with the general guidance above.

Lesley Hollick (Policy Adviser, School Inspections Unit)