

Nottingham Roman Catholic  
**Diocesan Education Service**



**Diocesan Canonical Inspection**  
**Inspection Handbook**

September 2018

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## INTRODUCTION

Every Catholic school of whatever kind is subject to a denominational inspection. This inspection is required and regulated by canon law<sup>1</sup>. Catholic academies are subject to a denominational inspection which is regulated by the academy funding agreement for each academy. For all Catholic academies, the diocesan Inspection outcome and report will serve as the inspection outcome and report required by the academy funding agreement.

In the case of independent schools, the diocesan bishop has the canonical right to inspect any Catholic school in his diocese.

This handbook describes the main activities undertaken by inspectors conducting diocesan inspection within the Diocese of Nottingham. It also sets out the judgements that inspectors will make and on which they will report. The handbook is intended to complement the diocesan inspection *Evaluation Schedule*.

The diocesan inspection of a school provides an independent external evaluation of its effectiveness as a provider of Catholic education and a diagnosis of what it should do to improve based upon a range of evidence, including that from first-hand observation by inspectors. As a result, a diocesan inspection provides the Bishop of Nottingham and parents/carers with information about the quality of its Catholic Life, Religious Education and Collective Worship. Diocesan inspection therefore complements Ofsted inspections (maintained schools) but should be seen as dealing with matters fundamental to the Catholic school which are not inspected in an Ofsted inspection.

Whilst this Inspection Handbook seeks to provide as much information about the process of diocesan canonical inspection, it must be recognised that all inspections will vary and no publication may possibly describe every eventuality.

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<sup>1</sup> See *The Code of Canon Law*, canons 804 and 806

## Part A: Framework and Schedule

### 1.1 Inspection Framework

During a diocesan inspection, three headline judgements will summarise the quality of:

- Catholic Life (CL)
- Religious Education (RE)
- Collective Worship (CW)

For each of these areas of school life, three judgements will be made. Each headline judgement will be informed by the quality of the following in each distinctive area of school life:

- Pupil Outcomes (1)
- Provision (2)
- Leadership and Management (3)

The school will also be given an overall judgement of the quality of Catholic education. This grade will be a summary of the three headline judgements.

In summary, the shape of the diocesan inspection framework is:

- The overall effectiveness of the school in providing Catholic education
- The quality of the Catholic Life of the school
  - CL1** The extent to which pupils contribute to and benefit from the Catholic Life of the school.
  - CL2** The quality of provision for the Catholic Life of the school.
  - CL3** How well leaders and governors promote, monitor and evaluate the provision for the Catholic Life of the school.
- The quality of Religious Education
  - RE1** How well pupils achieve and enjoy their learning in Religious Education.
  - RE2** The quality of teaching, learning and assessment in Religious Education.
  - RE3** How well leaders and governors monitor and evaluate the provision for Religious Education.

- The quality of Collective Worship
  - CW1** How well pupils respond to and participate in the school’s Collective Worship.
  - CW2** The quality of Collective Worship provided by the school.
  - CW3** How well leaders and governors promote, monitor and evaluate the provision for Collective Worship.

Each judgement will be graded according to the following scale:

- 1 Outstanding
- 2 Good
- 3 Requires Improvement
- 4 Inadequate

## 1.2 Inspection Scheduling

Diocesan inspections are scheduled independently from Ofsted inspections and occur according to the following intervals:

- For a school which was judged good or outstanding in its last diocesan inspection, an inspection will usually occur in the fifth year following the school year in which they were last inspected.
- For a school which was judged to be less than good in its last diocesan inspection, an inspection will usually occur in the third year following the school year in which they were last inspected. In all cases inspection will happen no later than the fifth year in which the school was last inspected.

Whilst these are the usual intervals for inspection, the bishop has the canonical right to call a diocesan inspection of any Catholic school at any time. Please see the Diocesan Inspection Policy for further details.

## 1.3 Diocesan and Ofsted Inspections

A protocol defining the relationship between the inspectors for the diocese and Ofsted has been agreed by Ofsted and the Catholic Education Service.<sup>1</sup> Ofsted inspectors must not inspect denominational education or the content of Collective Worship. This is the legal prerogative of the Diocese or the diocesan inspector.

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<sup>1</sup> See Appendix \*\*

## 1.4 Relationships with the School

To ensure that inspection is productive and beneficial, it is important that inspectors and schools establish and maintain an appropriate working relationship based on courtesy and professional behaviour. The inspector should at all times, act in accordance with the principles of the Code of Conduct (below).

## 1.5 Code of Conduct for Inspectors

Before inspection, inspectors must:

- contact the school in a timely way and in accordance with diocesan protocols and discuss with the headteacher the programme for inspection and a protocol for feedback.
- not to share with anyone the name of the school to be inspected before the school has been notified of inspection.
- use the school's *Diocesan Self-Evaluation Form (DSEF)* and *Inspector's Notebook* to note any pre-inspection hypotheses for each section of the report in order to identify inspection priorities.

During inspection, inspectors must:

- evaluate the work of the school objectively and impartially and inspect without fear or favour.
- report honestly and fairly, ensuring that judgements reflect reliably and accurately, what the school does.
- base all evaluations on clear and robust evidence and compile a well-organised evidence base, that can be scrutinized if necessary by appropriate personnel from the NRCDES.
- have no connection with the school that could undermine the inspector's objectivity.
- carry out their work with integrity, treating all those they meet with courtesy, respect and sensitivity.
- endeavour to minimise the stress on those involved in the inspection.
- act with the best interests of pupils and staff as a priority.
- observe the normal codes and practices of the particular school.
- maintain purposeful and productive dialogue with staff and communicate provisional judgements clearly and frankly.
- respond appropriately to reasonable requests.

- respect the confidentiality of information, particularly about individuals and their work.
- at the end of the inspection, present an oral report to the chair of governors, headteacher, senior leadership team and head of department/subject leader for Religious Education to share the outcomes of the inspection and offer an opportunity for clarification.
- complete the *Inspector's Notebook* and maintain a coherent set of evidence forms (EFs).

After inspection:

- ensure that the governing body of the school is clear about their responsibilities with regard to disseminating and acting upon the report.
- draft the written report in the order of the inspection schedule, in a clear and comprehensive style appropriate to its wide readership.
- send a draft copy to the NRCDES inspection officer within **ten working days** of the end of the inspection.



## Part 2: Pre-inspection

### 2.1 Arranging the Inspection

A member of the inspection team will contact the school by telephone to announce the inspection (normally before midday) and to request documentation. This will then begin the formal period of notification which, in the case of diocesan inspection is three **full** working days, (please see table below).

<b><i>Telephone call before midday</i></b>	<b><i>Day of diocesan inspection</i></b>
Monday	Friday
Tuesday	Monday
Wednesday	Tuesday
Thursday	Wednesday
Friday	Thursday

Inspectors should bear in mind the fact that they may not be able to make contact with the school immediately or may not be able to speak to the headteacher. If the headteacher is unavailable when the call is made to the school, the inspector should ask to speak to the most senior member of staff available.

Once the telephone call has been made, the inspector must inform the NRCDES after which formal confirmation will be sent to the school by email.

Please note that in cases where the Diocese of Nottingham may have concerns about a school, an inspection may be carried out without notice. In this case, the inspector will telephone the school approximately 15 minutes before arriving on site. This call will be to inform the school that an inspection will take place, other arrangements will be left until the inspector's arrival at the school.

In the case of announced inspections, the telephone call is the first opportunity to initiate a professional relationship between the inspector and the headteacher. It must be short and focused on practical issues, (a suggested outline can be found in the *Inspector's Notebook*).

The purpose of the telephone call is to:

- inform the school of the inspection date(s)
- confirm the anticipated length of the inspection
- inform the school of the name(s) of the inspector(s)
- make arrangements for the inspection, this includes an invitation to the headteacher to participate in joint observations
- make arrangements for discussions with key staff, governors and clergy

- make arrangements for other inspection activities (sample timetables are available in the *Inspector's Notebook*)
- request that relevant school documents including the DSEF are made available as soon as possible

## 2.2 Inspection Rescheduling (Deferral)

There are a limited number of circumstances in which a decision can be taken that a diocesan inspection should not go ahead on the planned dates. The diocesan policy is that deferral of inspection will only usually be granted if:

- an Ofsted inspection is announced to occur on one or both of the days already scheduled for a diocesan inspection. In such a case, a school may decide not to defer the inspection but should they request deferral, it would be granted.
- the school has experienced a recent major incident, such as a fatal accident to a pupil or member of staff.
- the school is closed to all pupils – for example, owing to a staff training day or adverse weather conditions – for at least half of the period for which the inspection has been scheduled.
- at least three quarters of the pupils will not be at school – for example, owing to a school trip or a religious festival – for at least half of the period for which the inspection has been scheduled.

Applications to defer a planned inspection on the grounds that the headteacher is out of school for reasons other than those stated above will not be accepted as pupils at the school are still receiving education.

In the event that an inspector who is scheduled to carry out a diocesan inspection discovers that the school for which they are responsible is due to undergo an Ofsted inspection, then the Ofsted inspection will take precedence. In this case, the planned diocesan inspection would be postponed and rescheduled.

## 2.3 Self-Evaluation

Regular self-evaluation of the quality of Catholic education should be an integrated feature of whole school self-evaluation processes and should be ongoing. Self-evaluation should not be seen as something which is done in order to prepare for inspection. It will include such things as the *DSEF Toolkit* and the updating of the school's development plan. This is an ordinary expectation of school leaders and is not required specifically to prepare for inspection. However, the diocese does require the submission of a *Diocesan Self-Evaluation Form (DSEF)* prior to inspection. This will be requested during the initial pre-inspection

contact. Therefore, whilst this document is only requested prior to inspection, schools should prepare it annually so that it is ready to send to an inspector upon request.

## 2.4 The DSEF Toolkit and the DSEF

In order to assist schools in the process of self-evaluating, a tool kit has been produced by the diocese. This is available to download from the diocesan website. It is designed as an electronic document which will lead schools through a detailed self-evaluation process.

The *DSEF Toolkit* has been designed to assist schools but there is no obligation to use it. The toolkit is entirely intended for school use and should not be sent to an inspector prior to inspection neither must it be submitted in place of the school's self-evaluation.

The school's review process should be concerned with three areas of Catholic education:

- a. Catholic Life
- b. Religious Education
- c. Collective Worship

From three different perspectives

- a. Pupil Outcomes
- b. Provision
- c. Leadership and Management

## 2.5 Preparing for Inspection

The inspector(s) will use the documentation sent in advance by the headteacher and the diocese to arrive at some pre-inspection hypotheses to be tested during the inspection.

The *Diocesan Self-Evaluation Form (DSEF)*, as the summary of a school's process of self-evaluation, is at the heart of the inspection process; it serves as the main document when planning the inspection and provides crucial evidence in evaluating the quality of leadership and governance.

When preparing for the inspection, the inspector will evaluate the school's view of itself as expressed in the DSEF under the headings of the evaluation schedule and explore the extent to which this is compatible with the other documentary evidence. Issues for inspection will arise from important inconsistencies between the DSEF's conclusions and the evidence and also from significant matters that the DSEF seems to have omitted. This will generate a set of pre-inspection hypotheses. Inspectors should also ask about the self-evaluation process and ascertain the extent of involvement of senior leaders and governors.

Pre-inspection preparation should be recorded in the *Inspector's Notebook* which will form a key part of the inspection evidence. The *Inspector's Notebook* should include analyses and evaluation of the *DSEF* and the other documents provided for the inspection. Inspectors should take care to ensure that evaluation at this stage leads to hypotheses and not judgements. The notebook is organised around the headings from the *Evaluation Schedule*.

The *Inspector's Notebook* should identify any significant issues that are to be explored during the inspection together with some analysis of why these are seen to be issues. The main issues and hypotheses should be briefly listed and they should be shared with the headteacher at the start of the inspection.

Inspectors need to ask a series of questions in using the school's self-evaluation during pre-inspection preparation and in pursuing its conclusions during the inspection:

- Is the school asking the right questions of itself?
- Is it supporting its judgements with relevant and specific evidence?
- What processes does the school have in place to evaluate its effectiveness in Catholic Life, Collective Worship and Religious Education?
- Does the evidence mean what the school thinks that it tells them?
- Is the school distinguishing between strong and weak evidence?
- Are there significant matters that are glossed over?
- Is the school identifying aids or barriers to improvement?

and then:

- Is the evidence shared amongst staff and with governors? Are governors taking final responsibility for the self-evaluation?
- Are governors demonstrating a strong commitment to the school as a Catholic community?
- Are the outcomes prioritised?
- Is the school identifying key priorities for improvement arising from the evaluation?
- Is there evidence of school action to make improvements?

Continuous prose is not required. Notes and bulleted points are sufficient but they must be clear for another reader.

## Part 3: During Inspection

### 3.1 Key Evidence Sources

The inspector needs to get as complete a picture of the school as possible in the short time available. Clearly, direct evidence gathering is central and will include:

- Viewing the school's website
- Learning walk
- Lesson observations
- The school's most recent end of year data submission to the diocese and notes of visit from diocesan advisers
- Portfolio of moderated work
- Observations of Collective Worship
- Interviews with key members of staff, governors, parents, chaplain or chaplaincy coordinator and in the case of a primary school, the priest or deacon with pastoral responsibility

However, inspectors must always be checking for typicality. Direct observations must always be triangulated against other sources of evidence which indicate the strengths and weaknesses of the school across time. These will include:

- Records of lesson observations
- Records of Collective Worship observation
- Work scrutiny
- Records of pupil planning of worship
- Current data and progress analyses
- Parental, staff and pupil questionnaire summaries

### 3.2 Evaluating Pupil Progress (Primary Schools)

In the absence of a reliable benchmark against which to judge progress, inspectors of primary schools are advised to make a close scrutiny of lessons and books in order to arrive at a judgement about the quality of progress within lessons and over time.

#### ***Progress in lessons***

Progress within lessons will be judged by inspectors in the usual way, taking account of the following indicators:

- Behaviour for learning

- Engagement of children
- Appropriate questioning
- Use of assessment for learning
- Differentiation
- Appropriate level of challenge
- Independent learning

These generic criteria will form the basis of the diocesan inspector's judgement of progress within Religious Education lessons.

### ***Progress over time***

Inspectors will use lesson observations, attainment data, and child discussion to make a judgement of progress of different groups e.g. SEN, pupil premium. In addition to this, a work scrutiny will also take place (see below). It is for the inspectors to decide upon which year group work books they would like to scrutinise during the course of the inspection.

It is expected that for an inspection which occurs in the Advent Term, books from the previous academic year will be kept by the school to provide inspectors with evidence of progress over time.

## **3.3 Guidance on Work Scrutiny**

The purpose of the work scrutiny is to form a judgement about the attainment and progress of the pupils within and between years and key stages. The work scrutiny is a critical activity for forming accurate judgements about attainment and progress of pupils of different abilities, about the quality of teaching over time and about the taught curriculum and its relationship with that which is planned.

The scrutiny of a sample of pupils' work complements the discussions with pupils about their work and lesson observations. Inspectors should take every opportunity during lessons to look at pupils' work and, if appropriate, talk to them about it.

In secondary schools, inspectors should examine the work of those pupils whom they interview but should also look particularly at any year groups which they do not see being taught. Schools should be asked to provide Religious Education books and samples of work for higher, middle and lower achieving pupils.

In primary schools, the work scrutiny will be focused on progress over time as outlined in the section above.

In work scrutiny, particular attention should be paid to whether the pupils' work reflects the data the school has submitted to the diocese. This should be done hand in hand with a scrutiny of the school's moderated portfolio which will indicate whether the school is usually assessing pupils' work accurately.

Inspectors should investigate the school's own work scrutiny in Religious Education, the processes used and the outcomes of the sampling. All evidence gathered from work scrutinies should be recorded on the diocesan evidence form. A *work scrutiny grid* exists to assist inspectors in coming to a judgement as a result of performing a work scrutiny. This can be found in the *Inspector's Notebook*.

### **3.4 Guidance on the use of Data**

Inspectors should exercise great care when scrutinising the school's analysis of assessment data for Religious Education. It must be made clear from the outset that the data gathered for Religious Education with the exception of externally marked public examinations will be very different to the data which schools have relating to subjects such as English and mathematics for example. National Curriculum levels (although now no longer used) are categorically not the same as *Levels of Attainment in Religious Education* published by the Bishops' Conference of England and Wales.

Inspectors should make judgements regarding the school's accuracy of assessment in Religious Education and how pupils' progress is both tracked and monitored. Inspectors should examine the school's processes for assessing pupils' work in Religious Education, the impact of the school's leadership and management in this, how staff are supported and how frequently pupils' work is moderated at an external level to the school in order to ensure accuracy and consistency.

Inspectors should also evaluate the impact of the school's actions following an analysis of assessment data in Religious Education.

In all cases, triangulation should be used in order to compare the school's assessment data for Religious Education with the quality of work found in pupils' books and the demonstration of pupils' knowledge and understanding in Religious Education exhibited through pupil discussion.

It may be helpful for inspectors to consult publications such as ASP or the data dashboard, however whilst these may provide contextual information, direct comparisons should be avoided.

Each year, schools are required to submit their data for Religious Education to the NRCDES. This information is used to compile the ADDR. Reference should also be made to this.

### 3.5 Guidance on Lesson Observations

Teaching must be judged by its **impact** on learning, attainment and progress. Teaching is assessed through work scrutiny and pupil discussions about their work and not just through lesson observations.

Inspectors must be aware – and should explain to the teachers – that they are not there to judge the individual teachers; that the **impact** of teaching is their main concern and that it is the **impact** of teaching across the school that will be the subject of the report. External factors can always influence the success of a lesson – wind, wet lunch-times, movement around the school, presence of the inspector, disruptive pupils. Inspectors should look for the way the teacher seeks to handle these factors. They should be seeking through the triangulation of evidence to discover what teaching is usually like.

Whether whole lessons are seen is left to the discretion of the inspector, but in principle, inspectors should see some whole lessons where possible.

A *lesson observation grid* exists to assist inspectors in coming to a judgement as a result of observing a lesson. This can be found in the *Inspector's Notebook*.

### 3.6 Feedback on Quality of Teaching

Each inspector will draw all the evidence they have gathered about teaching in the school into a summary, which will inform the judgement about the overall quality of teaching across the school. The focus of inspectors is on the **impact** of teaching **over time** across the school and not on the performance of individual teachers. Inspectors will not grade the quality of teaching or enter such a grade on the evidence form for individual lesson observations, learning walks or equivalent activities. Instead, inspectors simply record any evidence gathered onto the form. They use this to provide any feedback to leaders. Feedback is not normally given to teachers due to the time constraints faced by inspectors. However, where a teacher has been observed for more than 25 minutes, it may be requested but it must be made clear that feedback is not a dialogue and it is not an opportunity to influence the opinion of the inspector but merely an opportunity for a teacher to receive some indication of the inspector's observations of teaching and learning.

Before commencing lesson observations the lead inspector should check with the headteacher whether there are any good reasons for not observing a particular member of staff. Teachers who are undergoing disciplinary/capability procedures should not be observed.



### **3.7 Joint Lesson Observations**

Headteachers or another member of the senior team will be asked to join the inspector for lesson observations. If they do observe then the focus of the observation becomes the headteacher's judgement as well as the quality of teaching and learning in the lesson itself. If joint observations are to be undertaken, the inspector and headteacher should agree which lessons to select.

After a joint observation, the inspector and headteacher or member of senior staff should discuss their views about the quality of teaching and learning observed in the lesson. If the headteacher or member of senior staff offers a written record, the inspector can look at this. Any differences in the analysis of the lesson and the judgements made should be explored.

Following a joint observation, the inspector should write up an evidence form on the lesson in the usual way. Comments about the quality of the headteacher's or member of senior staff's evaluation should be written on a separate evidence form. Any notes taken by the headteacher or member of senior staff should remain in the school; they are not included within the evidence base for the inspection.

### **3.8 Guidance on Inspecting Curriculum Provision**

Inspectors will check that the school complies with the requirements of the Bishops' Conference of England and Wales that there should be 10% of the taught week allocated to Religious Education except in the sixth form where there should be 5% of the taught week allocated to general Religious Education for all registered students, including those who are studying an A Level in Religious Studies.

The curriculum in Religious Education should be discussed with the subject leader for Religious Education/head of department to ensure consistency with diocesan requirements and how its effectiveness is monitored. In primary schools, there should be discussion of how the primary programme is used, whether tasks are planned to meet the needs of the pupils in the school, how progression is secured within and between years, and how it is resourced; particular attention should be paid to this in schools with mixed year groups.

Inspectors may identify how the curriculum in Religious Education contributes to pupils' spiritual and moral development. The evidence for this should be in the curriculum plans but also derived from pupils' work, discussions and staff interviews.

Inspectors must determine whether or not Religious Education is given core subject status and if not this should be reflected in the report. Any disparity in status and provision would

impact negatively on a judgement about leadership of Religious Education as outlined in the *Evaluation Schedule*.

### 3.9 Conducting Interviews

**Headteacher:** At the beginning of the inspection and the issues and hypotheses from arising from the pre-inspection analysis should be discussed with the headteacher. The purpose of this is to permit the headteacher to indicate where evidence relating to the issues may be found and to provide his/her own perspective on the issues.

**Chair of Governors:** The chair of governors – or another governor if the chair is unavailable – should be invited to explain how the governors fulfil their responsibilities as leaders of a Catholic school. This will often be achieved by discussing appropriate sections of the *DSEF*, particularly those about the leadership and management of the school. Final responsibility for the *DSEF* rests with governors. The inspector will need to establish whether governors are holding the headteacher to account for the leadership and management of the Catholic Life of the school and ensuring compliance with the requirements of the Bishops' Conference of England and Wales and the diocese. Governors in a Catholic school, specifically foundation governors play a vital role in ensuring (on behalf of the diocesan bishop) that the Catholic nature of the school is preserved and enhanced.

A list of exemplary questions for governors is given in the *Inspector's Notebook*.

**Priest or deacon with pastoral responsibility:** An interview with the priest or deacon with pastoral responsibility may also form part of the inspection. The inspector must remember that s/he is not inspecting the parish priest or other member of the parish. The parish priest should not be referred to by name in the report.

A list of exemplary questions for parish priests is given in the *Inspector's Notebook*

**Lay Chaplains:** The inspector should seek evidence of what the lay chaplain does, how much s/he has access to the senior leadership team, what the impact of her/his work is on the Catholic Life of the school and particularly its Collective Worship and liturgy.

A list of exemplary questions for lay chaplains is given in the *Inspector's Notebook*.

**Head of Sixth Form:** will be a source for judgements about the Catholic Life and opportunities for students in the sixth form. Interviews should seek further information about provision for sixth formers, how the Catholic Life is evaluated and the recruitment for, and evaluation of, religious studies post-16.

**Subject Leader/Head of Religious Education:** the issues discussed with the headteacher should also be explored with the subject leader for Religious Education: the monitoring and

evaluation of Religious Education; the processes involved; the extent of the subject leader's involvement and development planning in the subject. The curriculum leader should have a firm grasp of attainment and achievement in Religious Education as well as the quality of teaching and learning and curriculum development in the subject.

A list of exemplary questions for the subject leader of Religious Education is given in the *Inspector's Notebook*.

**Pupils:** The selected pupils should number no more than six and should meet two criteria: they should represent a range of ability and they should be sufficiently confident to talk to inspectors. It is also important that inspectors take opportunities to talk to other pupils - during lessons for example - in order to get a representative range of pupil opinions. In the case of pupil interviews outside of the classroom, inspectors may also ask pupils to bring with them their Religious Education workbook or folder.

A list of exemplary questions for pupils is given in the *Inspector's Notebook*.

### **3.10 Quality Assurance Visits**

The Director of Education (or his/her representative) may, at any time during an inspection, carry out a quality assurance visit. In this situation, the focus of the visit will be to undertake some inspection activities alongside the inspectors and to assess the quality and accuracy of the inspectors' judgements.

### **3.11 Communication with the Headteacher during Inspection**

At all times during the inspection, inspectors should be feeding back to the headteacher and sharing emerging judgements with him/her. The inspector should always provide the opportunity for schools to provide further evidence and should indicate what sort of evidence is lacking in supporting the school's own judgement of itself. The inspection findings should not come as a surprise to the headteacher at the end of the inspection. Of course, in a single day inspection, there may be factors arising late in the day which have an effect on the levels of confidence in a judgement. Meetings with the headteacher should be recorded on an evidence form (EF).

In the case of a school being led by an executive headteacher, opportunities should also be made for him/her to make a contribution to the inspection.

### 3.12 Reaching Final Judgements

There should be sufficient time planned for the inspection team to meet and consider the evidence available and make final judgements. Final judgement grades (although these will be subject to quality assurance checks once the report is written) should be recorded and key points for feedback should be identified as the meeting progresses.

### 3.13 Feedback to Headteacher, Governors and Senior Staff

In exceptional circumstances, where the inspectors feel unable to provide feedback, arrangements will be made for the inspection to continue the next day or for the feedback to take place within three working days of the inspection. Inspectors must have the prior authorisation of the Director of Education for this and must inform the school before 4.00pm. Please see also the section below on 'responding to evidence of inadequacy'.

At the end of the inspection, feedback should be given on the main conclusions of the inspection to the headteacher, curriculum leader for RE and chair of governors (other senior leaders and governors) may attend. The Chief Executive Officer of the Catholic Multi-Academy Trust and/or the Director of Performance and Standards may also be present.

Inspectors should explain to those present that the purpose of the feedback session is to share the **main** findings of the inspection and to give an indication of some of the recommendations which may be made for improvement. It is not always possible to share all of the recommendations arising from the inspection during the feedback. It should be made clear during the feedback that any judgements shared are **provisional** and subject to monitoring and quality assurance by the diocese. All judgements are therefore indicative rather than final. Inspectors should also stress the importance of ensuring confidentiality until the school receives the final report.

Before leaving, inspectors must ensure that the school is clear:

- that the draft report will be sent within 15 working days of the inspection
- about the grades awarded for each area of the *Evaluation Schedule*
- that the grades are provisional and may be subject to change as a result of quality assurance procedures at the diocese and that the outcomes of the inspection are confidential until the publication of the final report
- about the main recommendations which will be made but that there may also be others and that these will be referred to in the text of the report
- that the school is invited and encouraged to complete the inspection evaluation form which will be sent with the final report
- about the procedure for raising a formal complaint (available on the diocesan website)

### **3.14 Guidance on Responding to Evidence of Inadequacy**

If, during the course of an inspection, it becomes clear that there may be an area of school life which is inadequate the inspector must contact the Director of Education. Any inadequate judgement will necessitate that the whole school is judged to be inadequate. Furthermore, the giving of an inadequate judgement will have a huge negative impact on the school which the diocese will need to be ready to manage. Therefore, before any aspect of school life is judged to be inadequate, a conversation with the diocese must happen both in order to check the accuracy of the judgement and to prepare the diocese to respond to the feedback given at the end of the inspection.

Schools which receive any inadequate judgements will be enrolled in a diocesan support programme. This can be of varied length depending on the individual needs of the school.

If there is a concern that any area of the school is inadequate, the matter should be discussed with the diocesan officers only. Beyond this, the matter should be treated with full confidentiality.

Inspectors should be conscious that on occasion, when they go into a school, there may have been a recommendation from Ofsted inspectors just before the diocesan inspection that the school is to be placed in an Ofsted category. The inspector should be sensitive to the concerns of the school on this matter, but conduct a rigorous inspection nonetheless. Schools giving cause for concern to Ofsted may not provide the same concerns to diocesan inspectors because of the different focus of the inspection. There have been cases in recent years where the Catholic Life of a school and the quality of provision of Religious Education have been stronger than other aspects of the school. However, it is likely that certain weaknesses identified by Ofsted will be reflected in the findings of the diocesan inspection.

## Part 4: Post-Inspection

### 4.1 The Factual Check

The NRCDES will send the draft report to the headteacher within 15 working days of the inspection for the 'factual accuracy' check. The headteacher will be given one working day to respond to this. Where no communication is received from the Headteacher within the specified time, the report will be published and sent to the headteacher.

It must be made clear that the purpose of the factual check is for the headteacher to alert the NRCDES to any *factual inaccuracies* which are contained within the report. It is not an opportunity for the school to dispute the judgements made in the report.

### 4.2 Publication of the Final Report

The school will receive an electronic version of the final report as soon as possible after the factual check has been completed. Once the school has received the final report, it **must** publish the report on its website and share its findings with parents. This can be done by referring parents to the website but hard copies should be made available on request. Governors will then need to ensure that the findings and recommendations of the report are acted upon in a timely manner.

Reports from all diocesan canonical inspections carried out in the Diocese of Nottingham will be published on the diocesan website and will also be sent to the Catholic Education Service (CES) to be published nationally.

### 4.3 Post-Inspection Evaluation Form

Schools will be sent a post-inspection evaluation form along with the final report. The response to this will be communicated to inspectors and used in monitoring and moderation of inspectors. A nil return will be presumed to be a positive evaluation of the process. Please see *Appendix 3: The post-inspection evaluation form*.

### 4.4 Complaints

You can complain about a Diocesan Inspection report if think there was a problem with:

- the inspection process
- how the inspection was conducted, for example the behaviour of an inspector
- the outcome of the inspection, including the report

#### **Before you complain**

You should raise any concerns during the inspection by speaking to the inspector(s).

### **How to complain**

Information about how to complain is available from the NRCDES.

You can complain at any time up to five working days:

- after the concern was raised
- after the report has been published

### **What happens next**

An investigating officer will contact you to discuss the complaint. They will investigate using:

- evidence from the report
- feedback from the team that carried out your inspection

You will receive a written response, usually within 30 working days of the Diocese receiving your complaint.

## **4.5 Retention of Documentation**

All inspection documentation will be retained for a period of one calendar year. After that, it will be destroyed.

## **SECTION B: APPENDICES**



## Appendix 1: Pre-Inspection Timeline

### 10 DAYS PRE-INSPECTION

The NRCDES contact the inspection team to inform them of the school to be inspected.

The **inspectors** plan a time to make initial contact with the school in line with the notification period.



### THREE WORKING DAYS PRE-INSPECTION

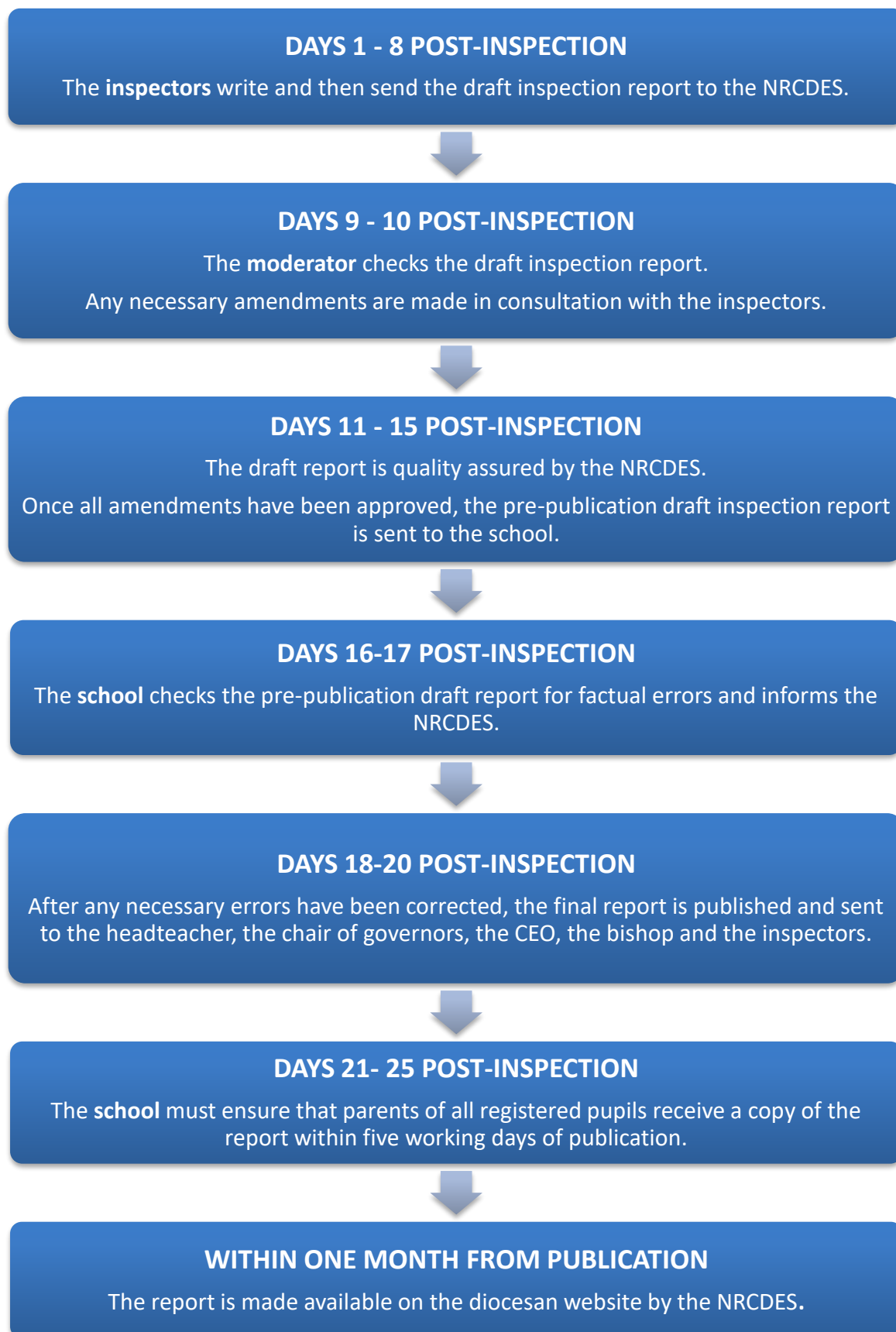
The **inspector** contacts the school and documentation is requested.

The NRCDES sends written confirmation of the inspection to the headteacher and the CEO of the Catholic Multi-Academy Trust.

The **headteacher** informs the chair of governors, the school staff and parents of the arrangements for the inspection.

The school sends the inspection documentation to the inspectors.

## Appendix 2: Post-Inspection Timeline



### Appendix 3: The Post-Inspection Evaluation Form

In answer to each of the following questions, please indicate whether you:

1. strongly agree
2. agree
3. disagree
4. strongly disagree
5. don't know

Overall, I was satisfied with the administration provided by the NRCDES.

The demands placed on me by the inspection were reasonable.

The inspection team challenged constructively the judgements and evidence we provided in our self-evaluation summary.

The inspectors provided appropriate opportunities for the headteacher/senior staff to engage productively with the inspection team.

Inspection judgements about the school are fair and accurate.

The oral feedback and the written report were consistent.

Overall, I am satisfied with the clarity of the inspection report.

Overall, I am satisfied with the way in which the inspection was carried out.

## Appendix 4: Timetable for Inspection

### Primary

DAY 1	
8.00	Arrive in school /meeting with headteacher Tour of school
8.45	Meet staff
9.15	Attend Act of Collective Worship
9.30	Lesson observations Discussions with pupils
12.00	Brief headteacher / feedback for teachers
1.00	Work scrutiny Documents
1.30	Interview with headteacher
2.00	Interviews: <ul style="list-style-type: none"> <li>• RE subject leader</li> <li>• chair of governors / governors</li> <li>• parish clergy</li> </ul>
3.30	Work scrutiny Documents
4.30	Brief headteacher
	Confirmation of judgements
5.30	Feedback to headteacher, SLT, governors

DAY 2 (optional)	
8.00	Brief headteacher
8.30	Documents / further checks
09.00	Additional meetings Work scrutiny
12.00	Feedback to headteacher, SLT, governors

## Secondary

DAY 1		
8.00	Arrival in school / inspectors' meeting	
8.15	Brief headteacher	
	<b>Lead Inspector</b>	<b>Associate Inspector(s)</b>
8.45	Registration and Collective Worship	Documents Work scrutiny
9.15	Documents	Lesson observations
9.45	Lesson observations	Meetings / discussions
	Meetings / discussions	Lesson observations
12.30	Brief headteacher / feedback for teachers	
1.30	Lesson observations	Meetings / discussions
	Work scrutiny	Lesson observations
4.00	Brief headteacher	
4.30	Meeting – consolidation of judgements Further scrutiny of work / documents	
5.30	Feedback to headteacher, SLT, governors	

There may be a need to have an additional day or half-day. This should be discussed with the school.

## Appendix 5: The Code of Canon Law

### Book III - The Teaching Office of the Church

#### Chapter 1

#### Schools

- Can.803 1 A Catholic school is understood to be one which is under the control of a competent ecclesiastical authority or of a public ecclesiastical juridic person, or one which in a written document is acknowledged as catholic by the ecclesiastical authority.
- 2 Formation and education in a catholic school must be based on the principles of catholic doctrine, and the teachers must be outstanding in true doctrine and uprightness of life.
- 3 No school, even if it is in fact catholic, may bear the title “catholic school” except by the consent of the competent ecclesiastical authority.
- Can.804 1 The formation and education in the catholic religion provided in any school, and through various means of social communication, is subject to the authority of the Church. It is for the Episcopal Conference to issue general norms concerning this field of activity and for the diocesan bishop to regulate and watch over it.
- 2 The local Ordinary is to be careful that those who are appointed as teachers of religion in schools, even non-Catholic ones, are outstanding in true doctrine, in the witness of their Christian life, and in their teaching ability.
- Can.805 In his own diocese, the local Ordinary has the right to appoint or to approve teachers of religion and, if religious or moral considerations require it, the right to remove them or to demand that they be removed.
- Can.806 1 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 constructed by members of a religious institute, although they retain their autonomy in the internal management of their schools.
- 2 Those who are in charge of catholic schools are to ensure, under the supervision of the local Ordinary, that the formation given in them is, in its academic standards, at least as outstanding as that in other schools in the area.

## Appendix 6: Education Act 2005

### Chapter 18

#### PART 1, SCHOOL INSPECTIONS AND OTHER INSPECTIONS BY SCHOOL INSPECTORS

### Chapter 6

#### *Inspection of religious education*

#### 47. **Meaning of “denominational education”**

In this Part “denominational education”, in relation to a school, means religious education which:

- (a) is required by section 80(1)(a) or 101(a) of the Education Act 2002 (c.32) to be included in the school’s basic curriculum, but
- (b) is not required by any enactment to be given in accordance with an agreed syllabus.

#### 48. **Inspection of religious education: England**

(1) It is the duty of the governing body of any voluntary or foundation school in England which has been designated under section 69(3) of the School Standards and Framework Act 198 by the Secretary of State as having a religious character to secure that:

- (a) any denominational education given to pupils; and
  - (b) the content of the school’s collective worship.
- are inspected under this section.

(2) An inspection under this section is to be conducted by a person chosen:

- (a) in the case of a voluntary controlled school, by the foundation governors after consultation with any person prescribed for the purposes of this subsection in relation to the religion or religious denomination that is specified in relation to the school under section 69(4) of the School Standards and Framework Act 1998, and
- (b) in any other case, by the governing body after consultation with any person so prescribed.

(3) Inspections under this section must be carried out at such intervals as may be prescribe.

*[These must be completed for all schools by 1 August 2009 and, following that inspection, the school should be inspected within three school years from the end of that school year in which the last such inspection took place.]*

(4) It is the general duty of a person conducting an inspection under this section:

(a) to report on the quality of the denominational education provided by the school for any pupils to whom denominational education is given by the school; and

(b) to report on the content of the school’s collective worship.

and any such person may report on the spiritual, moral, social and cultural development of pupils at the school.

(5) A person conducting an inspection under this section may do so with the assistance of such other persons chosen by him as are in his opinion fit and proper persons for carrying out the inspection.

(6) In this section and section 49:

“Collective worship” means collective worship required by section 70 of the Schools Standards and Framework Act 1998 (c.31).

“prescribed” means prescribed by regulations made by the Secretary of State.

**48. Procedure for inspections under Section 48**

- (1) An inspection under section 48 must be carried out within such period as may be prescribed
- (2) When the inspection has been completed, the person conducting the inspection must, before the end of the period prescribed for the purposes of this subsection, prepare in writing a report of the inspection *[15 working days]*.
- (3) The person conducting the inspection must, without delay, send the report to the governing body of the school concerned.
- (4) The governing body must:
  - (a) make any such report available for inspection by members of the public, at such times and at such a place as may be reasonable;
  - (b) take such steps as are reasonably practicable to secure that every parent of a registered pupils at the school:
    - (i) for whom the school provides denominational education; or
    - (ii) who takes part in acts of collective worship the content of which falls to be inspected under section 48, as the case may be, receives a copy of the report as soon as is reasonably practicable. *[within 5 working days of the receipt of the report]*; and
  - (c) provide such a copy of the report, free of charge or in prescribed cases on payment of such a fee as they think fit (not exceeding the cost of supply) to any other person who asks for one



## Appendix 7: Extract from the Curriculum Directory<sup>1</sup>

### The Religious Educator

The Church recognises the fundamental contribution of those charged with the planning and delivery of Religious Education. In what may be called the ‘hidden curriculum’, the witness, integrity and sincerity of the teacher or staff member will influence the communication of Christian faith, especially as knowledge to be believed and lived. As Pope Benedict XVI has said:

*As you know, the task of a teacher is not simply to impart information or to provide training in skills intended to deliver some economic benefit to society; education is not and must never be considered as purely utilitarian. It is about forming the human person, equipping him or her to live life to the full – in short it is about imparting wisdom. And true wisdom is inseparable from knowledge of the Creator, for ‘both we and our words are in his hand, as are all understanding and skill in crafts’ (Wis7:16).*

Developments in the provision of tertiary education and a greater variety of routes into the teaching profession have led to changes in the formation and preparation of teachers. Indeed, many of our teachers may not have been trained in the Catholic sector and may come from a variety of academic backgrounds. The perennial challenge for the Catholic community is to identify the best ways in which to develop the character and knowledge of Catholic teachers. The *Catholic Certificate of Religious Studies* remains a significant element in the formation of our teachers and we hope that many more will undertake this and other courses. This concern with formation is not limited to teachers of Religious Education, but extends to all Catholic teachers and indeed to senior leaders and governors with whom responsibility for Religious Education rests. Those responsible for Religious Education in our schools should:

- be prepared to give living witness to what they teach;
- recognise that they share in the teaching office of the Church exercised in the person of the local bishop and enshrined in the trust deed of the school;
- fulfil their professional responsibilities with regard to all that develops and enhances the life of the Catholic school;
- plan and teach schemes of work that are engaging and accessible so that all pupils may progress appropriately in their knowledge and understanding of the Catholic faith;
- have high expectations of all their pupils;
- ensure that 10% of the curriculum to age 16 and 5% of the curriculum beyond the age of 16 is devoted to Religious Education;
- ensure that Religious Education contributes positively to the broad and balanced curriculum of a Catholic school through cooperation and dialogue with other subjects;
- take care continually to deepen their own knowledge and understanding of the Catholic faith;
- take seriously the duty of every Catholic to form his or her conscience;
- be given opportunities for their own spiritual and professional development as Catholic educators.

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<sup>1</sup> Catholic Bishops’ Conference of England and Wales Department of Catholic Education and Formation, *Religious Education Curriculum Directory for Catholic schools and colleges in England and Wales*, published 2012

## The aims of Religious Education

1. To present engagingly a comprehensive content which is the basis of knowledge and understanding of the Catholic faith;
2. To enable pupils continually to deepen their religious and theological understanding and be able to communicate this effectively;
3. To present an authentic vision of the Church's moral and social teaching so that pupils can make a critique of the underlying trends in contemporary culture and society;
4. To raise pupils' awareness of the faith and traditions of other religious communities in order to respect and understand them;
5. To develop the critical faculties of pupils so that they can relate their Catholic faith to daily life;
6. To stimulate pupils' imagination and provoke a desire for personal meaning as revealed in the truth of the Catholic faith;
7. To enable pupils to relate the knowledge gained through Religious Education to their understanding of other subjects in the curriculum;
8. To bring clarity to the relationship between faith and life, and between faith and culture.

The outcome of excellent Religious Education is religiously literate and engaged young people who have the knowledge, understanding and skills – appropriate to their age and capacity – to reflect spiritually, and think ethically and theologically, and who are aware of the demands of religious commitment in everyday life.

## Methodology

Like other disciplines, Religious Education makes use of a repertoire of appropriate teaching methods, according to the age and ability of pupils. Religious educators must be able to adapt a variety of methods to their task. The introduction to the *Catechism of the Catholic Church*, quoting the earlier *Roman Catechism* of 1566, reminds teachers that they must not imagine a single kind of person has been entrusted to them, nor that it is appropriate to teach everyone through one and the same method. Rather they 'must suit their words to the maturity and understanding of their hearers'. It belongs to the competence of education professionals to discover, develop and share appropriate methods.

Religious Education learns from evangelisation and catechesis that learning and growth involve active participation and response. For this reason, personal experience plays a significant part in the exploration, discovery and assimilation of the saving truth of God's revelation. Teaching in Religious Education:

'Should help people to be attentive to the meaning of their experiences, illumined by the light of the Gospel, so that they may respond to God more fully. Experience can also make the Christian message more intelligible. It 'serves in the examination and acceptance of the truths which are contained in the deposit of Revelation'.

At the same time, teaching in Religious Education will introduce those formulas which help develop pupils' understanding of Catholic belief. The tradition of the Church 'in maintaining, practising and professing the faith that has been handed on' values formulas which provide a common language that all may use, and form that 'memory' of the Church which vividly maintains the presence of the Lord among us.

Such formulas include texts from the Bible, the liturgy, the teaching documents of the Church, the Creeds, *The Catechism of the Catholic Church*, and the traditional prayers and devotions of Christian faith (e.g. Our Father, Angelus, Stations of the Cross). A basic and convenient collection of such formulas may be found in the widely available *Simple Prayer Book* and the *Compendium of the*

*Catechism of the Catholic Church*. They should be presented after sufficient time has been given to exploration and explanation, and those will be chosen which, 'while expressing faithfully the truth of the Faith' are suited to 'the capacity of the listeners'.

Recent developments in the field of special education have enabled pupils with disabilities to gain greater access to an equality of provision in Religious Education. These include advances in methodologies and interventions, disability and equality legislation, new technologies and an evolving theology of disability. Efforts to promote authentic belonging and participation for all reflect the example of Jesus Christ at the heart of the Gospels. St. Paul reminds us that 'the members of the body that seem to be the weaker are indispensable.' It is now evident that the multi-sensory and symbolic approaches and resources developed to provide enjoyable and appropriate Religious Education for children with a range of different needs contribute to enriched Religious Education opportunities for all.

Children of all abilities benefit from ways of learning and knowing which are not necessarily reliant on cognitive ability, in particular the learning of the heart. To continue the progress made towards an equity of provision in Religious Education for all children and to ensure that the particular needs of children and young people with learning difficulties and disabilities are taken into account, due attention needs to be given at the appropriate levels of responsibility to ensure that:

- the need for 'adaptation' is removed by ensuring that from the outset programmes and curriculum planning encompass the needs of all children taking account of a range of different needs, abilities and learning styles;
- professional development is provided at every level in relation to disability awareness, the requirements of legislation, the call of the Gospel and the implications of these on the development of accessible Religious Education programmes;
- advisors and inspectors are familiarised with the different ways of teaching, assessing and gathering evidence for pupils working within the P scales;
- all schools provide access to multi-sensory experiences and symbol-supported text resources;
- a variety of age appropriate and enriching Religious Education experiences is provided for pupils who may not necessarily progress through the P scales (e.g. those with degenerative or life-limiting conditions);
- links are formed between Catholic special and mainstream schools so that the accessibility of the Religious Education curriculum for pupils with special needs in the latter may be enhanced;
- avenues of accreditation for pupils working at different levels are explored.

## Summary

The methods employed in Religious Education are always aimed at opening up for the pupil the mystery of God's saving action in Jesus Christ. This mystery is both many-sided and entirely one, for it is in essence the person of Christ 'the same yesterday, today and for ever'. The mystery can be imagined as a well-cut and highly polished gem, each facet reflecting its brilliance, yet best appreciated as a single whole. It is this image that is used in this *Curriculum Directory* to hold together the various aspects of Catholic faith that make up the content of Religious Education.

## Attainment Levels

The Bishops' Conference publication *Levels of Attainment in Religious Education in Catholic Schools and Colleges* enables religious educators to provide increasingly challenging Religious Education to match each pupil's stage of development and ability. It furthermore assists in charting each pupil's rate of progress in Religious Education over time, so that provision and teaching may be adjusted to facilitate the blossoming of higher order skills and deeper levels of knowledge and understanding.

In the descriptions of the *Levels of Attainment* under both Attainment Targets (Learning about Religion and Learning from Religion), the verbs used ('driver words') gradually chart a greater measure of engagement and active learning as the pupil progresses to higher levels of attainment. This helps teacher and pupil to talk constructively about what is needed to aid progress and secure an attainment level appropriate to the latter's growing ability. The use of *Levels of Attainment* enables the progress and achievement of each and every pupil to be recognised and celebrated.

*Levels of Attainment* also help writers of new resources to assess the appropriateness of their materials. In addition, the levels assist inspectors of Religious Education in their judgements about the quality of provision and attainment in Catholic schools.

## P Scales

The P scales are differentiated performance criteria that provide a chart of progression in Religious Education for pupils with a range of learning difficulties and disabilities whose attainment level is below Level 1. Based on the National P scales they have been customised for use in Catholic schools.

When planning Religious Education lessons and activities, attention should be given to providing:

- a range of motivating and enjoyable experiences to engage all children;
- scope and provision to enable children to move through and demonstrate success at the different P scales;
- strategies, approaches and resources to enable children with Autistic Spectrum Conditions to participate.

## Appendix 8: Protocol on the inspection of schools with a religious character in England

### THE INSPECTION OF PUBLICLY FUNDED SCHOOLS WITH A RELIGIOUS CHARACTER IN ENGLAND (THOSE SCHOOLS SUBJECT TO INSPECTION UNDER BOTH SECTIONS 5 AND 48 OF THE EDUCATION ACT 2005) <sup>11</sup>

#### PROTOCOL FOR INSPECTORS AND INSPECTORATES

##### Background

1. Maintained schools and academies are subject to inspection by Ofsted under section 5 of the Education Act 2005 (“a section 5 inspection”). In schools designated as having a religious character, the remit of this inspection is limited in certain respects, as these schools are also subject to a religious or denominational inspection under section 48 of the same Act (“a section 48 inspection”).
2. Section 5 and 48 inspections together constitute the complete inspection regime in schools with a religious character. This complementary regime is the latest manifestation of the settlement between the State and the churches and other religious bodies in the nineteenth century. In particular, the settlement is set out in correspondence in 1847 providing that the State's inspectors would “examine and report upon the secular instruction only” while it would rely on the declaration of the appropriate ecclesiastical authority that the religious elements were satisfactory. Accordingly, both inspection frameworks are entitled to parity of esteem.
3. Ofsted has no statutory remit in respect of section 48 inspections. This protocol is designed to clarify the manner in which section 5 and section 48 inspections relate to each other, to assist the overall delivery of a complete and competent picture of each school with a religious character.
4. In this protocol, unless the context requires otherwise, "school" includes all maintained schools and academies (including free schools) with a religious character, and "governing body" includes the board of directors of an academy trust company. The “appropriate religious authority” means the body specified in relation to the school in the Education (School Inspection) (England) Regulations (2005) No 2038.
5. This protocol governs the relationship between Ofsted and the appropriate religious authority and/or its inspectorate for religious education. It serves to ensure that:
  - a. appropriate arrangements are in place for the independent scheduling of section 48 inspections;
  - b. the scope and remit of the respective parties and the relationships between them are

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<sup>1</sup> From 2016 Catholic dioceses will carry out non-statutory denominational inspections in Catholic sixth form colleges in a similar way to s.48 inspections of schools. This protocol will be observed with respect to the relationship between those diocesan inspections and Ofsted inspections of catholic sixth form colleges under the Common inspection framework 2015 and part 8 of the Education and Inspections Act 2006 *mutatis mutandis*.

- clearly defined and understood;
- c. if section 5 and section 48 inspections occur simultaneously, inspectors co-operate while remaining within the statutory requirements of each inspection, including the provision of separate reports; and
  - d. there is a good working relationship between Ofsted, the appropriate religious authority and the signatory to this protocol.
6. This version of the protocol is between Ofsted and the Catholic Education Service.

### **The Legal Framework**

- 7. Schools have a religious character if they are designated by the Secretary of State under section 69(3) of the School Standards and Framework Act 1998. In these schools, section 5(7) of the Education Act 2005 provides that denominational religious education and the content of collective worship may not be inspected under section 5, but are to be inspected under section 48. The funding agreements of academies (including free schools) provide that denominational religious education and the content of collective worship are to be inspected under section 48 in the same way as maintained schools. These inspections have the same character and status as section 48 inspections.
- 8. Section 5 inspections must therefore not extend to a judgment of, nor may section inspectors comment on, denominational education or the content of collective worship and assemblies.
- 9. The governing body of a school (or foundation governors in the case of a voluntary controlled school) is responsible, after consultation with the appropriate religious authority, for setting up the section 48 inspection and for appointing that inspector.
- 10. Section 5 Inspections are generally carried out by a team, one member of which is designated the lead inspector. This designated lead inspector may be one of Her Majesty's Inspectors (HMI). Section 48 inspections are generally carried out by one or two inspectors, approved by the appropriate authority. Where an inspection is carried out by a single inspector, the term "lead inspector" is used to describe this inspector in this protocol.

## **Scheduling the section 48 inspection**

11. Section 48 inspections and section 5 inspections are scheduled separately and independently from each other. Each prescribed inspection authority is able to determine the timing of these inspections as long as they occur within the statutory timescales.
12. A separate arrangement with the DfE allows for a grant to be made payable in accordance with the DfE policy requirements for section 48 inspection.
13. No school is exempt from section 48 inspection, which must always occur within five years of the end of the school year in which the school last received a section 48 inspection.<sup>21</sup>
14. Ofsted will inform the appropriate religious authority and the signatory organisations to this protocol of the names of relevant schools designated as having a religious character to be inspected on the day the school itself is informed.

## **The scope and remit of each inspectorate and the relationship between them**

15. It is the duty of a section 5 inspector, acting on behalf of Her Majesty's Chief Inspector of Education, Children's Services and Skills, to inspect and report on the quality of education and in particular:

- (a) the achievement of pupils at the school;
- (b) the quality of teaching in the school;
- (c) the quality of the leadership in and management of the school;
- (d) the behaviour and safety of pupils at the school.

In reporting on these areas, inspectors must consider-

- (a) the spiritual, moral, social and cultural development of pupils at the school;
- (b) the extent to which the education provided at the school meets the needs of the range of pupils at the school, and in particular the needs of-
  - (i) pupils who have a disability for the purposes of the Equality Act 2010, and
  - (ii) pupils who have special educational needs."

In a section 5 inspection these are incorporated in the judgements on:

- effectiveness of leadership and management
- quality of teaching, learning and assessment
- personal development, behaviour and welfare

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<sup>1</sup> The Education (School Inspection) (England) (Amendment) Regulations 2009

- outcomes for pupils.

Each of these areas receives a formal graded judgement which contributes to the overall effectiveness judgement on the school.

16. An inspection under section 5 must not extend to:
  - a. denominational education, or
  - b. the content of collective worship
17. Denominational education, including any judgment on teaching, learning and assessment and the content of collective worship, are to be inspected by the section 48 inspector alone.
18. Although a section 5 inspector cannot make a judgment on denominational education or the content of collective worship, a section 5 inspector may visit religious education lessons and acts of collective worship to help them to arrive at a whole-school judgement about:
  - a. spiritual, moral, social and cultural education;
  - b. behaviour for learning; and pupils' welfare.<sup>31</sup>
19. Section 48 inspection reports shall not be subject to scrutiny by Ofsted for the purposes of quality assurance, and section 5 inspection reports shall not be subject to scrutiny by section 48 inspectors or the appropriate religious authority for the purposes of quality assurance.
20. The work under section 48 of the Education Act 2005 of any section 48 inspector who also inspects under section 5 shall not be admissible in support of her or his performance management by Ofsted.
21. The existence of a section 48 inspection report on a school shall be acknowledged in the *Information about the school* section of a section 5 inspection report.
22. The failure of the governing body of a school with a religious character to arrange a section 48 inspection within the prescribed period can be considered as part of the evidence for a section 5 inspection in relation to the assessment of leadership and management. Section 5 inspectors are required to consider the effectiveness of governors in discharging their core statutory functions.
23. Representatives of the appropriate religious authority are entitled to attend the final feedback meeting given by the lead inspector to the senior management and those responsible for the governance of the school.

#### **Relationship between inspectors during concurrent inspections**

24. If the independent scheduling of the section 48 inspection results in the section 5 and section 48 inspections being scheduled to occur on one or more of the same days, then it will be permissible for both inspections to happen simultaneously.
25. Where inspections take place concurrently, each lead inspector will, if requested, make available to the other lead inspector their evaluation schedule and any supporting guidance.

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<sup>1</sup> School inspection handbook - August 2016 - Annex



26. Section 5 and section 48 inspectors should jointly take steps to avoid over- inspection of particular teachers and to minimise the burden on the school.
27. In the case of concurrent inspections, to support their understanding of the school and its standards and provision, section 5 and section 48 inspectors may discuss, within the terms of the Ofsted Code of Conduct for inspectors, inspection evidence and emerging judgements, providing that no inspector from either inspection shall seek to take part in decisions or influence judgements made by inspectors from the other.
28. Where inspections occur concurrently, feedback on both inspections may take place at the same meeting, with the agreement of those receiving feedback, and provided that the feedback and subsequent discussion are conducted under the terms of the Ofsted Code of Conduct for inspectors. The timing of the feedback should be agreed beforehand by the inspection teams and the school's leadership.
29. In cases where the inspections take place within the same term, the lead inspector on the later inspection should inform him or herself of any key issues raised at the earlier inspection but should not use its evidence in their own inspection.


## **Relationship between Ofsted and the signatory**

30. Ofsted and the signatory to this protocol will:

- a. consult each other on drafts of any documents that will affect schools with a religious character;
- b. hold meetings with each other on a regular basis, in proportion to the number of section 48 inspections covered by this protocol
- c. respond in a timely manner to any concerns raised by the other in relation to inspection;
- d. at all times work collaboratively and in a spirit of partnership for the common good of the education system as a whole.


31. This protocol will be subject to collective review and amendment by Ofsted and other signatories from time to time.

Signed and dated by:

 9<sup>th</sup> September 2016

Faith Group representative  
Catholic Education Service

Signed and dated by:

 19<sup>th</sup> September 2016.

~~National Director Schools, Ofsted~~

National Director, Education, Ofsted.

#### Relevant parties to this agreement

Church of England National Society - representing diocesan authorities  
Catholic Education Service - representing diocesan authorities  
Pikuach - representing the Board of Deputies of British Jews  
The Methodist Church;  
The Association of Muslim Schools;  
The Network of Sikh Organisations