

INDEPENDENT SCHOOLS

Inspection Guidance

September 2019

ETI: Promoting Improvement in the Interest of all Learners



The Education and Training Inspectorate
Promoting Improvement

Providing inspection services for:

Department of Education
Department for the Economy
and other commissioning Departments

CUSTOMER
SERVICE
EXCELLENCE



INTRODUCTION

The purpose of inspection is to promote the highest possible standards of learning, teaching and achievement throughout the education, training and youth sectors.

Our mission is:

‘Promoting improvement in the interest of all learners’.

Further information of the work of the Education and Training Inspectorate (ETI) including the Charter for Inspection, ETI’s principles, values and standards and customer service is available on the ETI website.

This guidance describes the main activities undertaken by the ETI during inspections of independent schools in Northern Ireland. It sets out the processes before, during and after the models of inspection and lays out clearly for schools the kind of evidence and activities that inspectors use to make their evaluations and on which they report. This guidance document seeks to improve the transparency of the inspection process, promote consistency and dispel any myths around inspection. While promoting consistency, it is important for schools to be aware that this handbook does not prescribe rigid inspection models and that the ETI will carry out inspections with flexibility to respond to the individual circumstances of each school.

THE CONTEXT OF INDEPENDENT SCHOOLS

In Northern Ireland, the term ‘independent school’ means a school at which full-time education is provided for learners of compulsory school age and which receives no government funding as a grant-aided school.¹

Generally, a management committee has overall responsibility for the school. Independent schools are not obliged to offer the Northern Ireland Curriculum. It is not a legal requirement for teachers in these schools to hold a recognised teaching qualification. The schools generally do not have to comply with the requirements for grant-aided schools as set out in educational legislation (for example, the Education and Libraries (NI) Orders) except where it refers directly to independent schools.

¹ Article 30 of the Education (NI) Order 1996

However, independent schools are obliged to take cognisance of The Children (NI) Order 1995 which is the principal statute governing the care, upbringing and protection of children in Northern Ireland and established the general tenet that the child's welfare shall be of paramount consideration. The schools must comply with all other relevant public policies and legislation. This includes public health and safety, which incorporates health and safety requirements for the premises.

The Department of Education (DE) does not legislate for independent schools in relation to care and welfare and safeguarding of pupils. Circular 2017/04 Safeguarding and Child Protection in Schools - A Guide for Schools² and 2003/13 Welfare and Protection of Pupils Education and Libraries (NI) Order 2003³ refer only to grant-aided schools. However in ensuring the safety, safeguarding and care and welfare of learners it is appropriate for independent schools to be aware of the legislation for the purpose of following best practice.

School Types (See Appendix 1)

In Northern Ireland, the independent sector is very different due to its diversity of provision. Nevertheless, the approach of the ETI, as with all schools, will reflect ETI's core values of Truth, Dignity, Service and Example.

It should be noted that while some schools are established as independent, with a view to becoming grant-aided, others retain their independent status indefinitely. Updated information can be found on the DE website⁴. There are three categories of independent schools registered currently in Northern Ireland:

- Christian independent schools
- Special schools
- Other schools

There is an option for integrated schools to have independent status.

2 <https://www.education-ni.gov.uk/sites/default/files/publications/education/Circular%202017-04%20Safeguarding%20and%20Child%20Protection%20-%20%20A%20Guide%20for%20Schools.pdf>

3 <https://www.education-ni.gov.uk/sites/default/files/publications/de/circular-2003-13-welfare-andprotection-of-pupils.pdf>

4 <https://www.education-ni.gov.uk/articles/independent-schools>

Inspection and registration

The DE School Governance Team (SGT) requests the ETI to carry out an **initial inspection visit** within six months of the receipt of an application form for the registration of a new school and a **formal inspection** every five years after registration is granted. Independent schools are provisionally registered until the initial inspection visit is conducted and the school is considered to be compliant with public policies and the requirements imposed by legislation. The purpose of each inspection type is as follows:

- a. **an initial registration inspection** – is usually carried out within three months of the school being set up. This initial inspection report gives an assessment for the purposes of registration. The registration inspection also validates the: adequacy of the educational provision; suitability of the accommodation, from a health and safety perspective; and, appropriateness of the child protection arrangements.
- b. **a formal (re) inspection** - normally every five years after registration is granted.

The (initial) registration inspection⁵

The purpose of this inspection is to determine if the school can be recognised and confirmed to function as a school, and can therefore be registered and gain status as an independent school to appear on the DE register of independent schools. This includes ensuring that: *efficient and suitable instruction is being provided for the age, gender and ability of the pupils*⁶; that the child protection procedures are implemented fully; and, that the accommodation provided is suitable for use as a school, taking account of the number, age, gender and abilities of the learners, and meets fully the current health and safety requirements. School accommodation can range from purpose-built educational facilities to converted buildings. Inspectors will seek evidence from the school to show that the premises have been checked and approved by the Fire Authority and relevant Health and Safety Executive standards.

⁵ *As a result of the initial registration inspection and/or the re-registration inspection if required, most schools will be confirmed by the DE as having independent school status. Some of these schools will remain independent and will not apply for grant aid. In any case, the smaller schools, because of their low number of pupils, do not qualify for grant aid. Other schools, especially Irish-medium schools, will remain voluntary temporarily, but will move to become established as grant-aided once they have achieved viable numbers of pupils. This change of designation will entitle them to recurrent funding. (NB If a school applies for grant-aided status, the application will be considered by Area Policy & Planning Team (APPT) who will set out the criteria to be fulfilled, and for instance, the schools must apply to meet the full requirements of the NIC.*

⁶ <https://www.education-ni.gov.uk/articles/independent-schools-registration-0>

The ETI will make an explicit recommendation in the report to the DE concerning the acceptability and suitability/adequacy or otherwise of the school to function as an educational provider. Based on this, the DE will decide if the school is to be recognised and registered as an independent school. For example, it is possible that the quality of education provided is good enough, but that there are serious deficiencies in the accommodation. It will be important, therefore, that the strengths and areas for improvement are prioritised in such a way that a recommendation is made to the DE School Governance Team regarding the recognition or otherwise of the school. This recommendation is to be accompanied by an evaluation of the school's arrangements for safeguarding its learners.

If significant weaknesses are found as a result of the initial registration inspection, the Assistant Chief Inspector (ACI) and Managing Inspector (MI) responsible for independent school inspections, the Inspection Services Team (IST) and the DE School Governance Team will be kept informed. A letter sent to the school by the DE will indicate which areas for improvement need to be addressed to confirm final registration. The DE will consider what further action is required.

A formal (re) inspection - every five years after registration is granted

The purpose of this inspection is to determine if the school can continue to be recognised and to confirm the school's fitness to function as a school, and that it can therefore continue to be registered and maintain its status as an independent school appearing on the DE register of independent schools.

The scope of inspection in both (initial) registration inspections and formal (re) inspections.

Key aspects to inspect in both models of inspection are as follows:

- How the school ensures that child protection procedures are implemented fully. This is evaluated through discussions with the designated teacher, the designated governor (or equivalent), the chair of the board of governors/ designated member of the management committee and, through the observation of practice within the school and, where possible, through discussions with the pupils.

- All adults/staff must be vetted through AccessNI⁶. Independent schools do not usually have access to Education Authority (EA) training for safeguarding and child protection policy and practice. Training related to policies and procedures may however be provided by the school's umbrella organisation or other appropriate external agencies.
- The curriculum is **suitably relevant and balanced to meet the educational needs of all the learners** (although independent schools are not obliged to offer the Northern Ireland Curriculum).
- The qualifications of the staff. While it is not a legal requirement for staff in these schools to hold a recognised teaching qualification, the number of staff and the nature of qualifications will be stated clearly in the context of the report.
- The accommodation must meet at least minimum standards for subject provision and the premises must meet required health and safety standards. The report will state which subject provision does not meet such requirements.
- An evaluation of the sufficiency, safety and appropriateness of equipment and resources.
- The attendance of the pupils. Independent schools are required to have pupils attend on a full-time basis. Regulations state that this means at least 3 hours daily under instruction, other than in religious education, if pupils are under the age of eight years and at least 4.5 hours daily under instruction, other than in religious education, in the case of any other pupil.⁷

The inspection report

The inspection report itself will focus on:

- the learners' achievements and standards in literacy and numeracy, in particular, how the school is addressing low attainment and under-achievement, where applicable;
- the suitability of the accommodation and if it meets health and safety standards;

⁶ This refers to enhanced disclosure through Access NI

⁷ <https://www.education-ni.gov.uk/sites/default/files/publications/education/2013%2009%20-%20Amended.pdf>

- the quality of provision in the school, with a particular focus on the implementation of the procedures for safeguarding and care and welfare; and
- the quality of leadership and management.

The report is structured under the main headings of:

- Outcomes for learners
- Quality of provision
- Leadership and Management
- Safeguarding

Evaluating and reporting on Safeguarding and Child Protection

The minimum requirements for the evaluation of safeguarding in the inspection of an independent school differ from the minimum requirements in grant-aided school as follows:

- Circular 2003/13: Welfare and Protection of Pupils - Education and Libraries (Northern Ireland) Order 2003 applies to grant-aided schools only; therefore, there is no statutory requirement on independent schools to comply with 2003/13.
- Circular 2017/04 Safeguarding and Child Protection a Guide for Schools and Circular 2016/20 Child Protection: Record Keeping in Schools are for guidance only but should be available to independent schools as exemplars of best practice.
- Child Protection policies for the registration of independent schools may be in line with the policies of the school's management organisation.

Independent schools should recognise that, if they do not meet best practice, as described in the DE's requirements for grant-aided schools in relation to safeguarding and child protection, they may be deemed, *not* be taking all the necessary steps to ensure the safety and well-being of their pupils at all times .

- The ETI will check that the school is receiving copies of Department of Education circulars. The ETI recommends that the school is aware of the requirements of the DENI Circulars 2017/04 and 2003/13 in order to be informed of the current guidelines and current best practice in the care and well-being of pupils.

- The current schools' version of the ETI Safeguarding Proforma¹ may be used by the school, if it chooses to do so, and can be used as a guide for the discussion about child protection and safeguarding policies and procedures with the designated teacher and/or designated member of the Board of Governors/ Management Committee (or equivalent). If the ETI Safeguarding Proforma is not used, a similar overview should be provided by the school.
- There may be aspects of the child protection information which are different to grant-aided schools for example, the training of designated teachers by independent organisations or church bodies. **It is particularly important for schools to show how all staff and volunteers are vetted and how safeguarding records are maintained for volunteers.** The ETI will assess the appropriateness and effectiveness of these aspects in the interest of all learners. Where the school is unable to provide evidence of any aspect of child protection provision, the reporting inspector will, in the first instance, seek advice from the Managing Inspector responsible for safeguarding and child protection, from the Managing Inspector responsible for the inspection of independent schools, and from the relevant Assistant Chief Inspectors. If issues emerge, these should be discussed with the principal/chair of the management group and identified in the written report. It is important for the ETI to set out clearly the issues which have been identified as areas for improvement in order to alert the school and the DE in order to ensure the safety and well-being of the learners. Registration with the DE may be deferred or suspended until the matter has been resolved.
- Meetings and discussions with pupils may form part of the inspection of independent schools, but only with the agreement of the school. The RI should seek to clarify this element in advance of the inspection.
- There is no separate guidance on the role of the representative for independent schools, as they are individual by ethos and provision, therefore please refer to the ETI website for the current guidance for the role of the representative⁹. The RI should discuss and agree any role with the principal at the pre-inspection visit.
- **Boarding departments of independent schools do not form part of the ETI inspection.** The ETI will inspect within the school and the classrooms but not within the boarding department. However, the inspectors will determine, through discussions with staff and pupils, where appropriate, how boarding adds value to the extra-curricular and informal learning of the pupils and how care and welfare extends to and through that learning.

¹ <https://www.etini.gov.uk/publications/safeguarding-proforma-nursery-primary-post-primary-specialeducation-schools-and-eotas>

Inspection Process

Pre-inspection

- The Inspection Services Team (IST) will notify the school of the inspection by issuing an email which contains links to the supporting documentation followed up by a telephone call. Soon after notification, the Reporting Inspector (RI) will contact the principal to discuss arrangements for the inspection.
- The RI will undertake a pre-inspection visit. During the visit, the principal will brief the RI on the context of the school. The RI will advise the school of the necessity of compliance with adequate vetting of staff and will ensure that safeguarding/child protection policies are in place. The RI will meet the staff to outline and discuss the arrangements for the inspection. During the visit, the school staff will be made aware of the ETI complaints procedure.
- The RI and principal will agree a timetable for meetings including, where possible, discussions with pupils. Parents/carers may request a meeting with the inspection team and this will be facilitated.
- The school will be invited to nominate a senior leader to undertake the role of the representative; if this invitation is accepted, the representative must read the associated guidance and sign the confidentiality agreement.

During the inspection

- The RI will meet with the inspection team on the morning of Day 1 of the inspection to provide an overview of the context of the school and any relevant information from the pre-inspection visit.
- The RI will allocate team duties for inspectors to lead on areas under evaluation, as required.
- Inspectors will visit lessons and hold discussions with relevant members of staff and of the management board as required. The arrangements for lesson observations and discussions with staff are flexible and subject to change as the inspection progresses.
- Inspectors will typically arrive at the start of a lesson and stay until the end. However, there may be occasions when inspectors observe part of the lesson only.
- Inspectors will give advance notice of discussions with members of staff. A programme of discussions may be agreed with the principal in advance and confirmed at the start of the inspection; however, it may also be subject to change as the inspection progresses.

- Lessons will be observed in order to support evaluations in the areas under focus. Typically this will mean that the work of some teachers may be observed on more than one occasion by more than one inspector, while the work of other teachers may not be observed at all. Usually, inspectors will have a short professional exchange with the teacher at the end of a lesson observation, outlining key strengths and/or areas for improvement; however, there may be occasions when this is not possible and arrangements may need to be made to do this at a more convenient time.
- A team meeting will be held at the end of day one and on day two, attended by the school's representative. On day two, the inspection team will consider all evidence and will make a decision in terms of registration and an evaluation of safeguarding.
- At the end of day two, the RI and Deputy Reporting Inspector (DRI) will provide an oral report back to the principal and representative from the board of management

Reporting of inspection findings

8

Due to the narrower evidence base and more specific purpose of inspection in independent schools than in grant-aided schools, an overall effectiveness conclusion and performance levels **are not** reported for an independent school inspection, **with one exception**: an overall performance level will be awarded in relation to Safeguarding and Child Protection. The evaluation will take account of: the school's health and safety and child protection policies and their outworking; the suitability of the school's accommodation; and, the fire safety measures.

If the report identifies areas for improvement in relation to safeguarding and child protection, including health and safety and accommodation, and the performance level awarded is level 3 (unsatisfactory) a six-week safeguarding follow-up will be scheduled. During this time the Assistant Chief Inspector (ACI) and Managing Inspectors (MI) for independent schools and for safeguarding will be updated by the District Inspector (DI) on the school's progress in addressing the areas for improvement (AFIs).

A copy of the final report will be made available to the DE School Governance Team who may request an action plan from the school. If an action plan is required, the school will be asked to submit the action plan to the DE within 30 days of the publication of the report to show how it intends to address the AFIs.

Should the independent school be unable or unwilling to meet the requirements of any AFIs, the matter should be reported by the Reporting Inspector at the earliest

opportunity to the MI and ACI for independent schools inspections. Further action by the ETI, in consultation with DE, will be considered.

Registration, and the continuation of registration, by the DE will rely on there being no substantive AFIs or, if there are, a clear sign of commitment on the part of the organisation to ensure that these matters will be addressed fully and, in the interim, there is no risk to the safeguarding of learners. The report will indicate explicitly if (continued) registration is recommended or not.

After the inspection has been carried out:

- the RI completes the report and forwards it to the MI responsible for the inspection of independent schools for the quality assurance process, copied to the relevant phase MI for information;
- when approved, the RI sends the report to Inspection Services Team (IST);
- a pre-publication copy of the report will be issued to the school by IST;
- the final report will be issued to the school by IST and published online by the ETI;
- a copy of the report will issue to the DE School Governance Team for any further action required, including the request for an action plan should it be required;
- an AFI which involves safeguarding and child protection, health and safety and/or accommodation is expected to be resolved within 6 weeks or as soon as possible thereafter. An addendum to the final report will report on the outcomes of the follow-up;
- the DI/RI will maintain contact with the school and ensure that all necessary follow-on action is taken;
- should the independent school be unable or unwilling to meet the requirements of the AFI and/or its action plan, further action in consultation with the DE will be considered.

Registration by the DE will rely on there being no substantive AFIs or if there are, a clear sign of commitment on the part of the organisation to ensure that these matters will be addressed fully and, in the interim, there is no risk to the safeguarding of pupils.

LIST OF INDEPENDENT SCHOOL AGE RANGES BY CATEGORY (2019)

The ages are taken from the age at 1st July on the school Census form.

Category One Christian Independent

REF NO	SCHOOL NAME	AGE RANGE
IS 33	Ballymoney Independent Christian School	3-11
IS 36	Bangor Independent Christian School	6-15
IS 45	Clogher Valley Independent Christian School	4-15
IS 88	OneSchool Global UK, (Newry Campus)	7-18
IS 89	OneSchool Global UK (Knockloughrim Campus)	7-18
IS 30	Kilskeery Independent Christian School	3-17
IS 48	Mourne Independent Christian School	4-15
IS 34	Newtownabbey Independent Christian School	4-18
IS49	Portadown Independent Christian School	3-15
IS103	Harmony Christian School	To be confirmed

Category Two Special Schools

REF NO	SCHOOL NAME	AGE RANGE
IS 59	Buddy Bear Trust Conductive Education	5-18
IS41	Glencraig Curative School	7-18

Category Three (Other)

REF NO	SCHOOL NAME	AGE RANGE
IS 28	Hollywood Rudolph Steiner Independent School	4-16
IS 24	Rockport Preparatory Independent School	3-18

Appendix 2

OUTCOMES FOR THE INSPECTION OF CHILD PROTECTION AND SAFEGUARDING

L1

Based on the evidence available at the time of the inspection, the arrangements for safeguarding the learners reflects the guidance from the Department of Education.

(And if appropriate)

The learners report that they feel safe in the school and that they are aware what to do if they have any concerns about their safety or welfare.

L2

Based on the evidence available at the time of the inspection, the arrangements for safeguarding the learners reflect broadly the guidance from the Department of Education.

However, the school needs to: *(list the AFIs)*

(And if appropriate)

The learners report that they feel safe in the school and that they are aware what to do if they have any concerns about their safety or welfare.

L3

Based on the evidence available at the time of the inspection, the arrangements for safeguarding the learners are unsatisfactory *<insert footnote: The Department of Education will seek assurance from insert the relevant authority that they are working with the school in relation to the inspection report.>*.

The areas which must be improved urgently include: *(list the AFIs)*

(And if appropriate)

The learners report that they do not always feel safe in the school and that they are not fully/not all aware what to do if they have any concerns about their safety or welfare.

The ETI will return to the school within six weeks to evaluate the progress in addressing the unsatisfactory arrangements for safeguarding

Independent Schools – Registration requirements

		Y	N	Partial	Notes
Educational	For each class Does the time-table include: *Name of teacher				
	*Number of pupils in class				
	*Length of time of instruction				
	*Subject of instruction				
	*Number of hours of instruction weekly in each subject of the school curriculum				
	*Dates the school will be in operation in the school year				
	* Are the premises suitable for use as a school? Consider the number, ages, gender and abilities of the pupils in attendance.				

	* Is the instruction efficient and suitable having regard to the ages, gender and abilities of the pupils in attendance?				
Compliance with public policies and legislation	*Do all staff have an enhanced AccessNI certificate? ²				
	*How often does/will the school re-check certificates?				
	*Does the school have a health and safety policy ³				
	* Has a fire assessment risk been completed? This must be written down if there are five or more employees. 4				
	* Are there notices telling people about the fire precautions in the workplace and what to do if there is a fire? Information should include which escape route to use, the names of staff nominated to help if there is an evacuation and the fire warning system used in the area where they are working.				

² Staff who are employed or volunteer in a role providing services to, or having close and regular supervision of children or vulnerable adults, need an enhanced NI Access check. Only an employer/a registered body registered with AccessNI can apply for an enhanced check.

³ legal requirement if five or more employees

⁴ Responsibility for fire safety in the workplace clearly rests with the employer and those with any degree of control of premises. Under The Order, the duty to carry out and implement a fire risk assessment lies with the appropriate person. Achieving fire safety is often a matter of common sense, and in many cases there may be no need for specialist or formal knowledge or training, providing the ⁴appropriate person makes enough time available to go through all the necessary steps.

	* Is the fire assessment risk reviewed periodically or after any significant change to the premises?				
	* Is there a twice yearly fire drill?				
	* Is there a fire detection system?				
	* Is there sufficient fire-fighting equipment?				
	* Is there a competent person to carry out the necessary fire safety checks and maintain records?				
	* Is the staff aware of first aid arrangements e.g. who and where is the first aider and where is the nearest first aid box?				
	* Is the school environment safe and secure in order that staff and pupils may work in an environment that minimises the risk to their personal safety?				
	* Is there a designated member of staff (or the management board) with specific responsibility for security?				
	* Does the school have proportionate security measures? Examples are CCTV, controlled access, limited access points, perimeter fences, alarm system.				

	* Is there a plan for crisis management?				
--	--	--	--	--	--

