

Office for Standards in Education, Children’s Services and Skills (OFSTED)

Basics	Web site	http://www.ofsted.gov.uk/
	Geographical coverage	England (and Wales on behalf of HMI Prisons)
Constitutional Aspects	Legal Framework/Basis	The Education and Inspections Act 2006 (available at http://www.opsi.gov.uk/Acts/acts2006/ukpga_20060040_en_1), §112 (1) provides statutory basis. Also, the Childcare Act 2006, the Statutory Framework for the Early Years Foundation Stage, the Childcare (Early Years) Register Regulations 2008 and the Childcare (General Childcare Register) Regulations 2008.
	Independence	Ofsted is a non-ministerial government department that is responsible for inspection and regulation of education, children’s services and skills. Ofsted is independent but accountable to Parliament through a Select Committee. The key responsibilities of the Board and of Her Majesty's Chief Inspector (HMCI) are set out in Ofsted’s Corporate Governance Framework, available at www.ofsted.gov.uk . Ofsted also publishes detailed information about how it inspects and regulates on its website.
	Financial Independence	HMCI is the Accounting Officer for Ofsted and is answerable to Parliament for ensuring that all resources are used properly and provide value for money. HMCI, with the advice of the Executive Board, manages the preparation of the Ofsted budget on an annual basis, to reflect Ofsted's strategic priorities. The Ofsted Board reviews the budget annually and monitors it during the year. Any changes to individual directorate or divisional budgets are approved by HMCI, as advised by the Executive Board.
Membership	Composition of body	<p>Ofsted’s Board is responsible for setting the strategic priorities, targets and objectives for Ofsted, and for ensuring that HMCI’s functions are performed efficiently and effectively. The Board has five members including the Chairman and HMCI. The board meets between four and six times a year.</p> <p>HMCI is supported in ensuring the effective strategic and corporate management of Ofsted by an Executive Board, comprising HMCI and seven directors.</p>
	Appointment Expertise	Her Majesty's Chief Inspector (HMCI) has overall responsibility for the organisation, management and staffing of Ofsted. HMCI is appointed by Her Majesty by Order in Council, on recommendation by the Secretary of State for Education. §113(6)(a) states that HMCI may not, however, be appointed for a term that exceeds five years, whilst §113(6)(c) holds that HMCI may be removed from their office by Her Majesty on the grounds that they are unable or unfit to carry out the duties incumbent in the office. §120(1) requires that a member of Ofsted staff be appointed as a Children’s Rights Director, and they are tasked, notably, with ensuring the welfare of children in boarding schools and colleges under §87 of the Children Act 1989.

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	Expertise	<p>All inspectors are required to have appropriate qualifications and experience. Ofsted ensures that all inspectors:</p> <ul style="list-style-type: none"> • are properly trained and assessed to specified standards • engage in continuous professional development to improve their inspection skills • have relevant and up-to-date knowledge about their areas of expertise • have current and enhanced Criminal Records Bureau (CRB) checks and security checks as appropriate. <p>Schedule 12 Paragraph 10(2) of the Education and Inspections Act 2006, meanwhile, states that when HMCI delegates their ability to inspect to an Inspector, they must ensure that that person has the appropriate qualifications, experience and skills to perform the inspection in an effective manner.</p>
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Visiting Mandate	Places of deprivation of liberty to be visited	<p>Ofsted regulates and inspects the facilities set out in §123(1) of the Education and Inspections Act 2006. These include schools, colleges, initial teacher education, work-based learning and skills training, adult and community learning, education and training in prisons and other secure establishments, the Children and Family Court Advisory Support Service (Cafcass). Ofsted inspects places of further education for persons aged under the age of 19 that is provided by the local education authorities in England, and for persons over the age of 19 that are wholly or partly funded by the Learning and Skills Council of England. Places visited where liberty is deprived are secure units and places of training and prisons.</p>
	Frequency of visits	<p>This is by HMI Prisons. Secure training centres under an agreement with the Youth Justice Board and secure children’s homes as set out in regulation are inspected at least twice a year.</p>

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<p>Types of visits</p>	<p>There is the potential for both unannounced and announced visits, as per the Education and Inspection Act 2006 §131(3). In respect of education or training provided by an employer in the workplace, the power of entry conferred by subsection (2) may be exercised only if the employer has been given reasonable notice in writing.</p> <p>Proactive and reactive mandate: Education and Inspection Act 2006 § 128 (1) If requested to do so by the Secretary of State, the Chief Inspector must inspect - (a) the quality and availability of a specified description of education or training, in a specified area in England, for persons who are aged 15 or over but under 19; (b) the standards achieved by those receiving the education or training; and (c) whether the financial resources made available to those providing that education and training are managed efficiently and used in a way which provides value for money. (2) The Chief Inspector may conduct such an inspection without being requested to do so.</p> <p>There may also be announced and unannounced inspections of secure training centres under section 146 of the Education and Inspections Act 2006. These inspections will, according to subsection 2, be on such terms that HMCI and the Secretary of State agree upon in the arrangements.</p> <p>Announced and unannounced inspection of secure children’s homes can be conducted under §148 of the Education and Inspections Act 2006. Powers to enter, inspect, and where necessary seize documents are set out in the Care Standards Act 2000.</p>
<p>Private interviews</p>	<p>The use of private interviews with children and young people are central to the inspection of secure training centres and secure children’s homes.</p> <p>Private interviews are carried out with learners.</p>
<p>Access to information</p>	<p>Education and Inspection Act 2006 §131(2): When conducting an inspection, the Chief Inspector may, at any reasonable time, enter - (a) any premises on which the education or training inspected is provided; (b) any premises of the provider of that education or training which are used in connection with its provision. Subsection 3 states that in respect of education or training provided by an employer in the workplace, the power of entry conferred by subsection (2) may be exercised only if the employer has been given reasonable notice in writing.</p> <p>HMCI may under §132(2), if he considers it necessary or expedient for the purposes of the investigation, inspect, take copies of or take away any documents relating to the provision of education or training. Subsection 3 states that this power includes the ability to require any person holding those documents to produce them and that HMCI may request any computerised documents to be produced in a form that is legible and able to be taken away.</p> <p>Subsection 7 states that a person will be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale if they obstruct access to information as per HMCI’s powers under §131 or they fail to comply with any of the requirements under §132.</p>

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		Powers to enter, inspect, and where necessary seize documents in a secure children’s home are set out in the Care Standards Act 2000.
	Publication of findings after visits	Education and Inspections Act 2006 §124 (3): On completing an inspection under this section, the Chief Inspector must make a written report on it. Subsection 7 states that the Chief Inspector must arrange for the report to be
		published in such manner as he considers appropriate. Contributions made to HMIP reports. §127(2) states that the provider of education or training that is the subject of a report by HMCI must prepare a written statement of a) the action plan which they propose to take in light of the report, and b) the period within which he proposes to take that action.
	Coordination of visits	Visits are coordinated alongside Her Majesty’s Inspectorate of Prisons (HMI Prisons). This is set out by Ofsted in the Handbook of the Inspection of Education, Skills and Work Activities in Prisons and Young Offender Institutions, for use from April 2018. HMI Prisons is responsible for identifying the annual schedule of inspections, and it will then consult with Ofsted on their schedule of inspections. Upon conducting a full inspection, Ofsted will inform the institution of its findings after the visit that summarises the measures that it can undertake to improve, as well as assessing the impact of the changes made since the last inspection. The Handbook states that inspections will be carried out typically by an HMI, assisted by Ofsted Inspectors, whilst others will be led by Ofsted Inspectors themselves. Visits to secure training centres and secure children’s homes are coordinated by Ofsted.
Other Aspects of Mandate	Recommendations and suggestions for amendments to legislation	Education and Inspections Act 2006 §118 (3): The Chief Inspector may at any time give advice to the Secretary of State on any matter connected with any activities within his remit, including advice relating to a particular establishment, institution or agency.
	Preventive activities	Website: Ofsted regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. To achieve this Ofsted reports; listens to service users and providers; and communicates findings with a range of actors from service providers to policy-makers. Ofsted does not report to government ministers but directly to Parliament.

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Standards	Legal standards applied	<p>Inspections are based on <i>Ofsted Inspects</i> manual which was drafted in 2007 after an extensive consultation of 39 different regulatory and inspection systems, each with its own processes. <i>Ofsted Inspects</i> provides a framework to promote improvement in the services inspected, improve engagement with providers and users, provide greater consistency and integration to inspection and regulation and target inspection resources where they will have the greatest impact. It is also aimed at drawing on best practice from across Ofsted and providing a consistent and coherent approach to its work.</p> <p><i>Ofsted Inspects</i> sets out the principles of inspection and regulation and the overarching arrangements for all Ofsted inspections including the judgements that inspectors will make. Available at: http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browseall-by/Other/General/Ofsted-inspects</p>
Reports	Annual reports	<p>Her Majesty's Chief Inspector (HMCI) is responsible for Ofsted's inspection and regulation services and reports annually on the quality of education, children's services and skills in England. §121(1) of the Education and Inspections Act 2006 states that the Chief Inspector must make an annual report to the Secretary of State, who will then lay a copy of that report before each House of Parliament.</p>