

NIACE response to:

Draft Common Inspection Framework for Inspecting Post-16 Education and Training (September 2000)

1 Background

NIACE, the National Institute for Adult Continuing Education, is the national membership organisation for adult learning in England and Wales. It is a registered charity and company limited by guarantee. The main aim of the institute is to promote the study and general advancement of adult continuing education; by improving the quality of opportunities available; by increasing the number of adults engaged in formal and informal learning; and by widening access for those communities under-represented in current provision.

NIACE works with all the many interests active in the education and training of adults. It undertakes advocacy and policy work with national, regional and local agencies; provides information and advice to organisations and individuals; carries out research and development projects, organises conferences and seminars; publishes journals, books and directories; and co-ordinates a major national promotion of education and training for adults through Adults Learners' Week.

The following sections include a summary of what NIACE welcomes and has concerns about what we recommend for the final framework, and our detailed comments on each section.

2 Summary

2.1 NIACE welcomes the *Framework's* clarity. In particular we welcome the following

- the commitment to putting learners and their experiences at the heart of what is inspected
- the explanation of terms, a 5-point rather than 7-point scale, involvement of the provider's nominee
- the commitment to openness, briefing of providers, training of inspectors and code of conduct
- the recognition that achievement is more than qualifications, and the promise to return to 'value added' in due course
- the relatively simple structure of the *Framework*, based around a limited set of good questions.

2.2 NIACE is concerned about

- the lack of strong focus on self assessment and quality improvement
- safeguards for inspectors as well as providers in relation to conduct of inspections
- the rather vague comments on the format of feedback
- the time scale of the inspection process

- ❑ how the voice of learners will be heard both during and following inspection
- ❑ the exclusion of the provider's nominee during grading discussions
- ❑ the potential confusion of a 5 point grading scale being used for reporting, but a 7 point scale for observations
- ❑ how 'occupational areas' will be chosen and what will be graded (especially where provision falls into several occupational areas)
- ❑ lack of mention of innovation, experimentation, new providers, sensitivity to exploratory areas of curriculum, mutual learning among diffident community groups, neighbourhood renewal
- ❑ how inspection will reflect the comments in 'Inspection Focus' on the particular requirements of learners with disabilities
- ❑ whether the style and tone of the *Framework* will feel sympathetic to community based providers. If voluntary and community-based providers are not likely to be inspected until well into the life of the LSC, there will be little opportunity for providers of community-based learning to influence the style, tone and operation of such inspections.

2.3 NIACE recommends that there is

- ❑ a stronger focus on the use and purpose of self assessment reports and how the post-inspection action plan connects with other quality improvement
- ❑ a code of practice signed by organisations representing providers as well as the two inspectorates
- ❑ a clear statement on the format of feedback and its timing
- ❑ a clearer indication of how learners can provide feedback on the inspection process and how their views will be systematically collected
- ❑ no 'exclusion' of the provider's nominee
- ❑ one 5 point scale used for all purposes of grading
- ❑ more information on how areas for inspection will be chosen and what will be graded, especially where providers are small
- ❑ a clear statement about how the quality of provision for students with learning difficulties or disabilities will be recorded
- ❑ a stronger recognition that the *Framework* must be able to capture community development and the impact of learning on neighbourhoods, and not just the impact on individuals
- ❑ a full sample of LEAs and community-based providers of learning for adults included in the first year of inspection.

3 NIACE's detailed response

3.1 NIACE had asked, among other things, for specific reference in detail to

- ❑ the principle of 'openness' and recognition of different contexts
- ❑ the role of inspection in terms of development as well as audit
- ❑ guidance and the access agenda
- ❑ training and accreditation of inspectors
- ❑ role of the 'nominee'
- ❑ broader understanding of what is meant by 'achievement'
- ❑ a clear and simple grading scale

- less on individual teacher weakness, more on areas for broader improvement
- proper attention to the voice of the learner.

- 3.3 Most of these points have been addressed, at least in part, in the covering letter. The letter explains that respondents wanted more detail on how the *Framework* applies in different circumstances and more is to be published on this later on. The respondents also asked for:
- more on the ‘value added’ by providers
 - explanation of the terms used
 - the 5 point (FEFC/TSC) scale as opposed to the 7 point (Ofsted) scale
 - the ‘provider’s nominee’ to be involved in all discussions.

The two inspectorates have agreed to put learners, their achievements and the quality of what they experience ‘at the heart of what is inspected’. **NIACE would expect methods to obtain the ‘voice of the learner’ (and not just their achievements and the observed quality of what they receive) to be clearly mentioned in the final *Framework* document.**

The *Framework* aims to give more attention to how the provider gives ‘added value’. NIACE believes this is important because achievement of qualifications alone is only a proxy for quality and sometimes gives no indication of the value added by the provider to the learner’s achievement. The letter offers an explanation of terms which is helpful in showing how the *Framework* applies to all education and training contexts.

The 5-point scale was preferred by most respondents but the two inspectorates are considering using the 7-point scale for observations and the 5-point scale for published reports. This is at least a reasonable compromise but is likely to cause confusion and reduce openness. **NIACE suggests that the 5-point scale is simpler and easier for providers to deal with. To do one thing during inspection and another for publication shows limited openness and will not help providers or learners.**

The letter affirms the need for the process to be ‘open and transparent’ and the ‘provider’s nominee’ to link between the inspection team and the provider, ensuring information exchange, keeping the provider informed of emerging findings, and when judgements are explained and presented. However, the letter suggests that the nominee withdraws from some inspection team meetings, ‘particularly when final decisions are being formulated’. **NIACE agrees that inspectors need time to discuss things in private. However, this should be kept to an agreed minimum in order to preserve openness and it is at the point where final decisions are being formulated that the nominee has most impact. Once a decision has been taken it is harder to get the balance of judgements to change. NIACE strongly suggests that there should be a clear rule about when the nominee can be excluded and that this is not left to each inspection team.**

4 The Framework

4.1 The *Framework* itself

- ❑ starts with definitions of terms ('provider, learner, teacher/trainer, learning goals, personal and learning skills')
- ❑ is intended to apply to the inspection of education and training in a wide range of settings
- ❑ reminds readers of the *Act* and the three key requirements on Ofsted and ALI to report on
 - ❑ the quality of education and training;
 - ❑ standards achieved by learners; and
 - ❑ resources managed efficiently and used to provide value for money.
- ❑ reminds readers of the purpose of inspection which is
 - ❑ to give an independent public account of the quality of education and training
 - ❑ identify strengths and weaknesses and highlight good and poor practice
 - ❑ inform the secretary of state, the Learning and Skills Council (LSC) and the Employment Service (ES)

NIACE comment:

The 'terms explained' is helpful. The broad definition of 'teacher' is useful, to indicate that it includes all those with a teaching function regardless of job description. 'Learning goals' ought to indicate that they include what the learner and provider wishes them to include which may not be anything to do with a qualification. We suggest that the list starts without qualifications and moves on to qualifications so that it does not move in and out of qualifications or parts of qualifications. As it includes 'milestones towards' this helps with readers' understanding of the broader achievement goals which learners can work towards as well as the need to find evidence to support such goals.

NIACE would hope that one of the purposes of inspection which could be stated is to help providers to improve their provision.

4.2 The *Framework* states that the focus will be on 'the experiences and expectations of individual learners' through evaluating

- ❑ achievements
- ❑ quality of teaching, training and learning
- ❑ the programme, resources and support
- ❑ quality and value for money
- ❑ social and educational inclusion, equality of access, provision for learners with learning difficulties or disabilities.

Inspectors are to be

- accredited, trained and well prepared for inspection

Providers are to be

- briefed before inspection (both the process and their role)

Inspection must

- engage providers' staff and keep them informed of emerging issues and findings
- keep demands for information to a 'realistic' minimum
- seek the views of learners as part of the evidence.

NIACE comment:

Methods of hearing the experiences and expectations of learners need to be identified and the voice of learners fully used in all inspections of adult learning. The current systems for hearing from learners are ad hoc and rather ineffective; we need better methods. Accreditation, training and preparation of inspectors is welcomed but it would be helpful to have more detail of what is intended. We welcome the process of briefing providers before inspection, which is well tried and tested in current inspection arrangements. The principles set out are welcome, too. In particular, the intention to keep providers' staff well informed of emerging issues and findings. NIACE expects this to lead to full involvement of the provider's nominee in each inspection. Openness is a crucial principle.

4.3 The conduct of inspectors is set out as part of the document for consultation. In order to hold 'high professional standards' inspectors must

- be impartial and objective
- report honestly and fairly
- be open and transparent and provide as much feedback as possible
- carry out the work with integrity, and with courtesy and sensitivity
- 'act with the best interests of learners as a priority'.

The quality of inspection has to

- be well supported by evidence from observations, documentation, learners, staff and others
- ensure match between evidence and judgement; match between overall findings and the balance of evidence overall; and ensure that the judgements reflect the collective view of the inspection team
- include clear and well-argued judgements based convincingly on evidence.

The follow-up to inspections will allow for

- ❑ full and open feedback of findings from the lead inspector, and discussion
- ❑ varied composition of feedback between inspections, but usually including
 - ❑ senior managers responsible for the provision
 - ❑ governing bodies where appropriate
- ❑ feedback from providers about the inspection
- ❑ factually accurate inspection reports, with providers offered an opportunity to check the factual accuracy before it is published.

Post-inspection action plans will be expected following an inspection where issues for improvement will be identified by the inspection report. The action plan will be prepared by providers or others responsible for the provision, to address weaknesses and to build on strengths.

A complaints procedure will be published and will be made known to providers in advance of inspections.

NIACE comment:

We recognise that the model of quality, follow-up and action planning is similar to the existing TSC and FEFC inspection model which has worked satisfactorily in recent years, and we welcome this. In particular we welcome the statements on the conduct of inspection, inspection quality, follow-up to inspection and the safeguards for providers. However, NIACE would like to see

- ◆ **safeguards for inspectors too, against any unprofessional behaviour on the part of providers; we suggest that the interests of learners are not best served where inspectors feel intimidated and we would like to see a joint declaration on the conduct of inspection, between inspectorates and providers' organisations**
- ◆ **guidance on what is a fair sample of observation or a reasonable sample of learners and staff, from which to secure evidence that is sufficient**
- ◆ **a fuller mention of the role of the self assessment report and its importance in relation to inspection judgements**
- ◆ **a clearer statement on how providers can be assured that oral findings match with those given later in writing**
- ◆ **a clearer statement of what format of feedback is expected for each inspection; it does not seem reasonable to leave this to each lead inspector**
- ◆ **a clearer statement about the role of governors in respect of feedback on inspection**
- ◆ **some indication of timescale between inspection, feedback, written report for checking, and publication**
- ◆ **clearer information on timescale in respect of post-inspection action plan: length of time between publication of report and issuing of action plan**
- ◆ **links between post-inspection action plan, provider's strategic plan and self**

assessment report

- ◆ **some indication of how learners can feedback on the conduct of inspection, and some statement that learners will also have recourse to the complaints procedure.**

- 4.4 The remainder of the *Framework* document sets out the seven headings of the evaluation requirements demanded of the inspection process. The requirements apply to the provider as a whole, or whichever part is being inspected in the case of a large provider, where the sections apply to occupational areas.

NIACE comment:

A lot will depend on which occupational areas providers will be inspected against. We have particular concerns about those aspects which are generic and fall in to several occupational areas. Other problematic areas include provision for learners with disabilities; here the *Framework* will need to reflect the comments in ‘Inspection focus’ about the particular requirements of learners with disabilities. What steps will be taken to have particular regard to these learners: will this be an ‘occupational area’ or inspected as part of a cross-provision area. The same applies to other groups of learners and to subjects like basic skills and English for speakers of other languages (ESOL). The proper reporting of quality in relation to these groups of learners continues to be a national concern.

It would be helpful to know exactly what was to be graded: all seven areas, the three broad areas, or combinations of occupational areas? In particular, NIACE is concerned that smaller organisations will receive grades that properly reflect their structure and the *Framework* ought to set out more clearly how this will be done.

- 4.5 The *Framework* sets out three broad headings of inspection (achievement and standards, quality of education/training, and leadership and management), under two over-arching inspection questions: ‘How effective and efficient is the provision of education and training in meeting the needs of learners, and why?’

Each of the seven questions is set out in two parts: what will be evaluated in relation to each question and the evidence that might contribute to the judgement. For example, under ‘*How are achievement and learning affected by resources?*’ (section 3) one of the two areas to be evaluated is ‘the adequacy and suitability of staff’ and inspectors are asked to consider, where applicable, ‘*the extent to which*

- *there are enough qualified and experienced teaching, training and support staff matching the demands of programmes and the range of learners’.*

NIACE comment:

The *Framework* has improved considerably since the first version published in *Inspecting Post-16 Education and Training* in May, 2000.

- 4.6 Section 1 covers achievement and standards, asks for an evaluation of success in achieving targets, standards of learners' work, learners' progress, and the development of personal and learning skills.

NIACE comment:

It is unclear why success in achieving challenging targets includes 'qualifications and learning goals' when 'learning goals' is defined under 'terms' at the beginning of the document as qualifications. This seems not only tautologous but over-emphasises qualifications, when successful achievements should be evaluated more broadly.

For some short courses it is difficult to evaluate prior attainment and potential of learners; perhaps 'learners' progress' (bullet point 3) should read, 'where applicable'.

It would be helpful to see 'achievement of challenging learning goals' at the start of the list of evidence, instead of following retention, trends in performance, and analysis of added value, given that this is the most important item for learners.

It is unclear what 'standards are consistently high across the provider's work' actually means.

- 4.7 Section 2 covers effectiveness of teaching, training and learning. The key items to be evaluated are how well teaching meets individuals' needs and course requirements, and how well learners learn and make progress. The evidence asked for is about the knowledge of staff, planning of programmes, methods of teaching, challenge to learners, use of assignments, individual learning plans, relationships, and sensitivity to equal opportunities.

NIACE comment:

In addition to acquiring knowledge and skills, knowing how they are progressing, applying effort and using time effectively, learners also need to enjoy their studies. Some mention of finding learning inspiring or stimulating would help to remind providers of the broader Government vision set out at the start of the *Learning Age*, leading to the development of individual confidence and the wider benefits of learning.

- 4.8 Section 3 covers the effect of resources on achievement and learning and evaluates suitability of staff and specialist equipment, resources and accommodation.

NIACE comment:

It is unclear why learners with learning difficulties or disabilities are singled out. The document states that learning resources and accommodation should allow these learners in particular to participate fully. This applies to all learners. In fact the word ‘allow’ appears patronising when applied to just this group of learners and we suggest this should read, ‘allow all learners to participate fully’ or ‘encourage all learners to participate fully’.

- 4.9 Section 4 is about the effective assessment and monitoring of learners’ progress. The rigour of assessment and use of assessment to plan and monitor learning is the main focus.

NIACE comment:

It is surprising that monitoring of learners’ progress is not a key evaluation bullet point in its own right. It is not just the use of assessment in relation to monitoring progress that matters but monitoring progress of individuals itself is vital.

It might be helpful to differentiate between initial assessment and other forms of assessment, to distinguish assessment from achievement. In fact ‘assessment’ might be defined helpfully under ‘terms’ at the start of the document.

We suggest that monitoring individual progress and informing learners clearly about their progress are two distinct things and should be separated. It is odd to see that parents and employers should be ‘clearly and regularly informed about learners’ progress’ but individual learners themselves are only ‘informed’.

It would be helpful to state that initial assessment should pay due regard to the learner’s prior experience.

- 4.10 Section 5 is about how well programmes and courses meet the needs and interests of learners. Inspectors are asked to evaluate the match between programmes and learners’ aspirations, and how far programmes meet external requirements and local circumstances.

NIACE comment:

It would be helpful to include under the evidence for making judgements that learners should have the opportunity to study ‘an appropriate range of courses or *individual learning* programmes’, which would be helpful for those learning in less traditional settings, such as learning workshops.

Some explanation of what is meant by curriculum or programmes of work being ‘socially inclusive’ would be helpful.

Some explanation of what is meant by ‘courses or programme of work’ and ‘enrichment activities’ would be useful under ‘terms explained’ at the start of the document.

- 4.11 Section 6 is about guidance and support. Evaluation questions focus on the quality of information, advice and guidance to learners and career progression; the diagnosis and provision of individual learning needs; and the access to support on personal issues.

NIACE comment:

It would be helpful in the *Framework* to refer to the work of the Guidance Council Accreditation Board and its responsibilities.

There is a need to recognise the importance of guidance and advice in relation to non-standard provision such as that made by learndirect.

Some clarity about expectations on part-time as well as full-time provision would be helpful.

It would be useful to add the phrase ‘learning’ so that learners received ‘effective additional *learning* support’.

- 4.12 Section 7 appears the longest section because it incorporates management, governance, quality assurance, and value for money. The key questions are about how well managers set a clear direction, the effectiveness of quality assurance including self assessment, promotion of equality of opportunity, how well governors or boards meet their responsibilities, and the effectiveness and efficiency of deployment of resources to achieve value for money.

NIACE comment:

It may be helpful to define the term ‘supervisory board’ or use the phrase ‘management board’ as opposed to ‘supervisory’ since in most voluntary organisations a board of directors or management board is responsible for the strategic direction of the provider.

The ‘best value’ concept may need explanation, especially to those not in local authorities.