

**NAHT(NI) Written Submission to the
Committee for Education**

**Inquiry into the Education and Training
Inspectorate and the School Improvement
Process**

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1. Introduction

The National Association of Head Teachers (NAHT) welcomes the opportunity to submit its views on the Education and Training Inspectorate (ETI) and The School Improvement Process.

The NAHT is an independent trade union and a professional association with 28,500 members in England, Wales and Northern Ireland. Members include head teachers, deputies, assistant head teachers, bursars and school business managers. They hold leadership positions in early years, primary, special, secondary and independent schools, sixth form colleges, outdoor education centres, pupil referral units, social services establishments and other educational settings. The membership represents 85 per cent of primary and 40 per cent of secondary schools and virtually every special school in England, Wales and Northern Ireland. This places the NAHT in a unique position to provide an informed response which covers the viewpoint of leaders across all phases of education.

2. The role and function of the ETI and its impact on the education system and individuals working within the system

2.1 Self Evaluating Schools

NAHT is a Trade Union and a Professional Association. Members are committed to improving the quality of education and the life chances of all children in their care. Members value the contribution which self evaluation makes to school improvement. Inspection teams can not be in every school every day, therefore the aim must be to create, within each school, a self motivated and self sustaining culture which is focused on continuous improvement. To achieve this, evaluation and assessment must be perceived as an ongoing process which involves every member of staff in every school every day.

Recommendation

Training and development must be provided on a regular basis to facilitate a common understanding of what constitutes good education and the tools that should be used to evaluate and assess what is being delivered. As a consequence of the dissolution of Boards, little or no training has been provided over many years.

At a meeting with the ETI it was suggested that the Principal and eventually HoDs could participate in aspects of their school's inspection process. NAHT(NI) believes that this interaction and participation would be a positive development in that it would facilitate a common language and understanding of what constitutes good practice, and a knowledge of the tools used by the ETI to assess the efficiency and effectiveness of teaching and learning. The knowledge gained would also provide a foundation for school based training and development.

2.2 External Evaluation/Assessment

An efficient, effective and respected process of external evaluation is an essential prerequisite if the public is to have confidence in our education system. The role of the external assessor should be to identify and share good practice, promote high quality delivery and ensure consistency across all schools in Northern Ireland.

The ETI has a role to play when poor practice is identified. However, our experience is that in order to avoid conflict with the teachers unions, they are unwilling to identify either the good or poor practice that they have witnessed in classrooms. While they will verbally raise issues of concern about a teacher's practice with the teacher and the Principal, they are reluctant to report formally and in writing on what they have witnessed. This has resulted, on too many occasions, in the Principal finding him/herself in conflict with members of staff who, in the absence of a written report, refuse to accept that there were problems or issues in their classroom(s) and refuse to participate in any programme of support.

It is also of concern to this Association that the ETI does not have the confidence of educationalists in general. The respect which schools in the past had for the ETI has been eroded by the belief that the ETI is no longer an independent organisation which

will report in an open and honest manner on what they witness in schools. The perception is that the ETI now exists to push through Department policy. Indeed, it has been described as “the Department’s enforcement arm”.

While we acknowledge that few schools in the past celebrated notice of an inspection, the fear which it now generates is a cause of concern. Members report that fear of a pending inspection is having a negative impact on the morale of teachers and school leaders and this in turn is having a negative impact on all aspects of the day to day management of a school, including learning / teaching.

In addition, the manner in which the outcome of inspections has been reported over recent years has had a negative impact on the public’s perception of the system as a whole. For example, as a result of the press coverage provoked by the then Chief Inspector, Mr Stanley Goudie, following one inspection, an NAHT member was suspended from school, subjected to ridicule and last year received a death threat. To add insult to injury, the committee will be aware that, as a consequence of the inspection and the manner in which it was reported, pupil numbers declined, standards fell, and the budget deficit increased. The Committee might also wish to note that this school, which in the past had been praised for its work, is now earmarked for closure. What links Crumlin Integrated College and many of the other schools that have been identified as inadequate or unsatisfactory is that although no formal grievances had been raised by staff, there were ongoing staffing issues which had not been resolved.

Unfortunately, the Stanley Goudie interviews and the impact that they had on public perception, and indeed on the profession, could not be regarded as a single error of judgment. NAHT(NI) is also concerned about the manner in which Noelle Buick, the current Chief Inspector, presented her report in the 2011/12 school year. Although, when one read the report there were many positive statistics and examples of good practice, Ms Buick chose to focus, throughout her interviews with the media and during her presentation at The Ulster Folk and Transport Museum, on the negative. It is of concern to this Association, that when challenged about why the report was presented in such a manner, one DENI official referred to the fact that previous Chief Inspector’s report had attracted little press coverage. Our assessment of this comment was that the negative tone of Ms Buick’s presentation was intentional and was designed to attract maximum coverage. No consideration had been given to the impact that it would have on parents, the staff who work in the school or indeed public perception of our education system as a whole.

An Inspection Process and the report must be open and transparent if it is to have the confidence of all stakeholders. It is of concern to this Association that the process in place in Northern Ireland is neither open nor transparent. For example, NAHT, on a number of occasions, has found it necessary to refer instances where the ETI refused to provide the evidence base on which they had determined that an individual was unsatisfactory to the Information Commissioner. When the Information Commissioner instructed the ETI to release their “evidence” it was apparent, despite the fact what was provided was heavily redacted, that there was no clearly defined process or procedure for determining the efficiency or effectiveness of a school or an individual. The MARS reports (Monitoring, Assessing and Recording Sheets) which were eventually provided were inconsistent and the grading did not reflect the outcome of the inspection process.

Principals are not alone in voicing their concerns about the process. We are aware of schools where, despite a good assessment, neither the staff nor Governors were at all happy about the manner in which their inspection was carried out. In one school where, as a consequence of the appointment of a new principal and the commitment, dedication and hard work of all staff, standards rose substantially, the Principal and Governors were told that the school could not be assigned the grade at which the school was working because they needed to demonstrate that the progress they had made could be sustained. It is NAHT's understanding that an inspection is a snapshot in time. If that is the case, why was a grade which reflected the school at that point in time not awarded?

Another school which had received a good grade following its inspection was inspected again when the Department and Board received a parental complaint. The determination at this stage was that the school was inadequate. NAHT sought clarification about what had changed in the few months between the two inspections? We also sought clarification on what action, if any, was taken to retrain the Inspectors who carried out the first inspection if they had got it wrong? It is interesting to note that no explanation was received.

NAHT does not challenge the need for external assessment, but if it is to be effective, the process must be open and transparent and must be based on mutual respect and the commitment of all parties to a set of common objectives. The process, as it operates at present, is a closed process. There is no common understanding of what inspectors are looking for or how a school is assessed. While NAHT(NI) would not hold up the inspection process in England as a shining example of how inspections should operate, at least in England there is an inspection framework which outlines what inspectors are looking for and how the process should operate. If an inspection framework exists and is in operation in Northern Ireland, it has certainly not been shared with the schools.

Recommendation

There is a level of mystery, uncertainty and confusion around the inspection process, how it operates and how our schools are evaluated. If teachers, school leaders and the public are to have faith in the ETI and the inspection process, it is essential that all aspects of that process are carried out in an open, honest and transparent manner. The outcome of an inspection should not come as a surprise to anyone.

Where poor practice is identified, the Inspectors should raise their concerns, in the first instance, with the individual, their line manager and Chair of Governors. Inspectors should produce and share with all of these parties a comprehensive and evidence based account of the issues identified and what needs to be addressed to enable the individual/school to raise their performance. The letter which is shared with the individual and their line manager(s) at present does not have the detail necessary to enable the individual to accept the designation or address the issues.

NAHT(NI) would recommend that, in addition to the initial face to face meeting and a comprehensive account of the issues identified, there should be a further opportunity for the individual to meet with their line managers and the Reporting Inspector prior to the publication of the inspection report so that issues of concern can be raised and properly considered and a formal response to concerns provided by the ETI.

The ETI should also provide, on an annual basis, a summary of their work throughout

the year. The summary should include the number of schools inspected and the outcome of those inspections. NAHT(NI) would suggest that this report should also summarise the number of schools inspected in each phase and sector and the outcomes of those inspections. There is concern across the system that some providers are judged differently and more harshly than others. The publication of inspection analysis and results could dispel concerns.

A summary should also be provided on a yearly basis of the inspectors who were involved in the assessment of schools, the number of schools they inspected and an analysis of their determinations. This will ensure that there is consistency within and across inspection teams.

In addition, it is essential that every member of the inspection team formally signs off each inspection report to which they have contributed and that those signatures form part of the formal report. Inspectors are paid a considerable salary and can have a significant impact on our education system. It is therefore not unreasonable to suggest that they, like teachers and school leaders, should be held responsible and accountable for the work which they do.

NAHT(NI) considers that analysis at this level will promote public and professional confidence and will ensure that there is consistency across all phases, sectors and areas of Northern Ireland.

A report outlining examples of good practice should also be produced by the ETI on a yearly basis. This report could be used as the basis for school based training. NAHT(NI) is convinced that the MARS reports, if properly managed, would also provide a common basis against which schools and the ETI could assess the effectiveness of the individual and/or the school.

Members are also convinced that the system as a whole would benefit if more opportunity was provided for Inspectors and teachers/school leaders to work and learn together. Principals are concerned that interactions, which facilitated good practice in the past, have been eroded over recent years. For example, the role played by District Inspectors was highly valued by teachers and school leaders across Northern Ireland. However, this role/relationship has been undermined in many areas by what is frequently referred to as the challenge function. This effectively means that on every occasion when an inspector comes into a school, their role and function is to inspect and report what they see. This acts as a barrier to the establishment of an effective working relationship and prevents teachers and school leaders from seeking advice from the ETI on issues of concern.

2.3 Faith in the Professional Competence of Inspectors

Many of those employed as Inspectors have little or no experience of teaching, leading or managing in schools. It is of concern to NAHT(NI) that in their responses to the Education Committee on this matter, the ETI were vague about the number of Inspectors who have school based experience. Indeed, we are convinced through our research that few of the permanent Inspectors who work in schools have any school based Senior Leadership experience. This inevitably calls into question their ability to evaluate work at this level.

In addition, this Association often receives comments from Principals who have concerns that ETI inspectors have exceeded their remit and commented verbally on management issues such as staff rotas, schools meals provision etc. The inspectors often propose a pastoral follow up visit to ensure that the changes they suggest have been implemented. These issues do not impact on the teaching and learning within the school nor do they impact on educational standards. They relate solely to the management of the school and should not be the concern of ETI. Such excessive attempts at micromanagement by inspectors, who have acknowledged that they have had no experience of leading and managing in a school environment, serves only to reinforce the profession's concerns about the role and competency of ETI.

Recommendation

It is essential that those who are tasked with evaluating and assessing the work of our schools have substantial school based experience in teaching, leading and managing and can evidence their role in the delivery of education which is of a high quality.

Inspectors tasked with the inspection of a school must also have relevant experience of teaching and leading in the phase being inspected. In other words, Inspectors with experience only of teaching and leading in Secondary Schools or Technical Colleges should not be tasked with assessing and evaluating the work of Nursery schools. Inspectors placed in this position have neither the knowledge or understanding necessary to do the job.

It is also essential that Inspectors assigned to evaluate the work of a school have an understanding of the culture and ethos of that school. For example, it is of concern to this Association when Inspectors who are not competent Irish speakers are assigned to Irish Medium Schools. NAHT is of the view that this demonstrates a total lack of respect to those who work in this sector.

In addition, NAHT(NI) is convinced that all inspectors should have recent and relevant school based teaching/leadership experience before they are permitted to participate in a school inspection. The basis for this recommendation is that the school environment has changed radically over recent years. Consequently, even those Inspectors who, in the past, had some experience of leading and managing in a school, could find themselves out of touch with today's education environment. It has been suggested that appointments to the Inspectorate should be on the basis of a secondment or fixed term contract. NAHT(NI) believes that this would ensure that all inspectors have the level and quality of experience necessary to assess the work which is ongoing in our schools.

In the interim, and on the basis of the Nolan Principles of openness, honesty and transparency, the ETI, in their pre-inspection information pack, should list the members of the inspection team and should provide for the school a pen portrait outlining each inspector's education/career experience. This would serve to reassure teachers and school leaders that the people coming in to assess their work have the knowledge, experience and background to do the job.

2.4 Assessing Schools in the context of their working environment

NAHT(NI) is concerned that inspection teams do not always assess schools in the context in which they are working. For example, it would appear that the level of social deprivation is assessed solely on the basis of FSM. This provides an inaccurate assessment of the catchment area and, ultimately, an inaccurate assessment of the school.

In addition, the ETI's over reliance on data impacts negatively on schools in our most deprived areas. Recent FOI requests highlight the correlation between lower inspection grades and the level of deprivation within the catchment area and school community. While they pay lip service, it is of concern to this Association that the ETI make no allowance for value added and do not acknowledge that some of our children face a harder route to educational attainment. For schools struggling to raise parental aspirations for the children, negative inspection reports are extremely damaging. Everything that our schools do is reflective and respectful of the communities that they serve. ETI should do likewise.

In addition, no cognisance is taken of the school environment. For example, although credence is always given to staff questionnaires, the ETI appear uninterested in the impact which industrial action has had on planning, the training and development of staff or, ultimately, school improvement. School leaders are held responsible and have been deemed incompetent on the basis that:-

- sufficient progress has not been made in relation to school improvement or
- measures are not in place to address a teacher's incompetence or
- communications in the school are ineffective

when, in reality, all attempts to move these issues forward were blocked by union action and the employer/ DENI's reluctance to address ongoing issues.

Indeed, it is of concern to this Association that while mention will be made in the report of management's failure in relation to communication, the management of staff or the management of the curriculum, no comment is made about the environment in which the Principal and staff are required to function.

Recommendations

NAHT(NI) believes that inspection reports should be a reflection of what is happening in the school at a point in time. Factors which have impacted on a school's ability to make progress should be reported. It is unacceptable that school leaders are held responsible and accountable for situations which are outside their control. For example, in assessing the school, the ETI must be sensitive to the context in which the school functions and should acknowledge the school's contribution to the overall development and attainment of the children without a blinkered reliance on data profiles which are inappropriate in certain areas.

Although responsibility for the management of industrial action rests with the employers and DENI, we have yet to see any report which outlines the impact which industrial action has had on a school or any comment about the action or inaction which DENI/the employers have taken to address such issues.

In addition, staff in many of our schools are working in sub-standard accommodation. It is of concern to this Association that issues relating to the quality of the buildings are rarely highlighted in Inspection reports. On those occasions where these issues are highlighted, they are written in a way which castigates the school. On other occasions, and with the support of a sympathetic inspector, deficiencies are sensitively identified and the report can then be used by the Principal and Governors to ensure that essential work is completed. NAHT(NI) believes that there ought to be consistency about the manner in which such issues are reported. We are also of the view that accommodation issues should not have an adversarial impact on the evaluation of the work of a school.

2.5 Questionnaires

Leading and managing in a school environment is challenging. School leaders are rarely given credit when things go right but are always held responsible and accountable when they go wrong. In the day to day management of their school, Principals and other school leaders often have to tackle difficult issues. For example, Principals are expected to challenge underperformance and poor attendance. However, managing such situations can create unease across the staff as a whole. This unrest frequently stems from the Principal's inability to share with the whole staff the basis of such action as this would be perceived as breaching the individual's right to privacy. It is therefore of concern to this Association that in the aftermath of such action, a concerted and coordinated campaign has, on many occasions, been launched by members of staff who appear to regard the inspection process and staff questionnaires as an opportunity for pay back. NAHT(NI) has expressed, over many years, our concerns about the use of anonymous staff questionnaires and the ETI's apparent willingness to accept, at face value, all staff responses. It is also of concern to this association that, on the basis of these anonymous questionnaires, school leaders have been deemed incompetent and have been placed on the Unsatisfactory Teacher Procedure.

There are also issues in relation to the interpretation of parental questionnaires. NAHT believes that parental input into the inspection process is vital. It is of concern to this Association that not every parent is provided with an opportunity to input their views. In addition we are concerned that, given the limited input permitted, that ETI appears occasionally to focus on individual comments instead of the majority view. Opportunity must also be provided for school staff to respond to such comments and it would appear that no attempt is made by the ETI to put such comments into context. This is unfortunately yet another example of the ETI focusing on the negative and refusing to acknowledge the many positive developments that are ongoing in schools.

Recommendations

Staff should be provided with opportunities to input into the inspection process. However, staff questionnaires should be signed off and staff should be advised from the outset that the ETI and or Governors may require staff to produce the evidence necessary to support their responses. NAHT(NI) is also convinced that the content of questionnaires should always be shared with the Board of Governors and school leaders so that they are aware of issues of concern and can address those issues.

When NAHT(NI) raised concerns about the use of anonymous questionnaires, the ETI stated that questionnaires need to remain anonymous because some staff are afraid

that there would be reprisals if information was shared with the Principal. However, this issue is actually about natural justice. Providing the individual with an opportunity to respond to allegations made against him/her is a basic human right.

Article 6 of the Convention of Human Rights states that:-

- (2) *Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.*
- (3) *Everyone charged with a criminal offence has the following minimum rights:*
 - (a) *to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusations against him;*
 - (b) *to have adequate time and facilities for the preparation of his defence;*
 - (c) *to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;*
 - (d) *to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;*

There is something very sad about the fact that while these rights are enshrined for those subjected to criminal charges, they are denied to hard working and committed school leaders who are not advised of the nature and source of the allegations and are not given an opportunity to respond to such allegations. NAHT would also urge the panel to ensure that if questionnaires are to be used in the inspection process, all allegations should be properly investigated and individuals making the allegations should be required to substantiate their allegations with appropriate evidence.

We would also ask the panel to note that the ETI's concerns about the well-being of staff are unfounded. Members of staff are protected from victimisation or reprisal. In situations where false allegations have been made against a Principal or other school leader, the individual(s) should also be held responsible and accountable for their actions. The procedure, as it operates at present, is very one sided.

All parents should be given the opportunity to input into the inspection process as this would give ETI a fuller picture of school life than their current restricted focus groups. This is already the case in Nursery schools and in the opinion of this Association should become normal practice. All staff in schools receive questionnaires. All parents should be afforded the same opportunity. Anonymous questionnaires should not be accepted and when considering parental questionnaires, the ETI should be as quick to comment on the positive responses as they are the negative responses.

2.6 Inspection Reports

Inspection reports are now public documents. The ETI, on this basis, sought to ensure that while reports reflected a school's strengths, challenges and its grading, teachers were not identified or identifiable in the report. NAHT(NI) appreciates the sentiment behind this determination. However, it is interesting to note that while the ETI is reluctant to name or identify teachers, Principals are not treated in the same manner. NAHT(NI) is very concerned that personal and private information about members is shared freely with the general public. For example information about a Principal's

absence from school is often included in the report. We have raised our concerns about this difference in treatment with the Chief Inspector but have yet to receive a satisfactory response.

Schools are also increasingly concerned that inspection reports are now so short and general that they are meaningless. The ETI have explained that they are produced in this manner to protect teachers. However, we note that other jurisdictions have found ways to manage confidentiality without undermining the value of the report. For example, Inspectors in Scotland produce a document similar to our ETI report for public consumption and an in-depth report that identifies not only school based strengths and challenges, but comments individually on teachers and school leaders and the effectiveness of their practice. The full report is used internally by teachers, school leaders and Governors to improve the quality of teaching and learning.

NAHT(NI) is of the view that our inspection process could only be deemed value for money if the information received was sufficiently detailed that it could be used to improve the quality of teaching and learning.

Recommendations

If they are to fulfill their role and function, the ETI must produce reports that are meaningful and informative and which confirms strengths, clarifies the issues which need to be addressed and supports the school as it engages in an improvement process.

We believe that two reports should be provided at the end of each inspection. A public report should be produced in the present format. The internal report should identify and celebrate the good practice witnessed in classrooms so that those teachers can share their experience and good practice with other members of staff and in so doing, can play an active role in whole school improvement.

The report should also highlight those situations where a teacher's practice is not up to standard and where there are areas for improvement.

The cost of retaining an ETI is considerable. They should not be permitted to hide behind generalities.

2.7 Appeals

NAHT(NI) notes that while schools can lodge 'concerns' about the manner in which members of the ETI carry out their duty, there is no appeal in relation to the outcome of an inspection. NAHT(NI) acknowledges that in most situations it is better for a school to accept the outcome and plough their energies into addressing the issues identified in the report. However, it is of concern to this Association that, even in those situations where a school has serious concerns about the basis of the assessment and believes that the outcome is wrong, there is no right or process of appeal.

Recommendations

Inspectors are not infallible. They can get things wrong and it is important that on those occasions where they have made a mistake or have not taken into consideration all of the evidence available, that there is a process which will facilitate professional dialogue and resolve concerns. Where a school continues to have concerns about the process or outcome of an inspection, there should be opportunity for appeal. We would ask the panel to note that the process, as it exists at present, does not even facilitate professional exchange.

School teachers and leaders, on a daily basis, are subject to challenge and are required to deal with concerns raised by a range of stakeholders in a professional manner. It is therefore of concern to this Association that the ETI regards all exchanges as an attack on individual inspectors or their organisation and responds accordingly.

It is of even greater concern that when a complaint is lodged, the ETI refuses to delay publication of the report. NAHT believes that if a complaint about the manner in which an inspection has been carried out is registered, the report should be held at least until there has been an opportunity for professional dialogue or until an investigation has been carried out.

When a complaint is lodged, it is investigated in-house. Bearing in mind the potential impact of a negative report and the fact that it could close a school and be career ending for a school leader, it is imperative that all complaints regarding the conduct of an inspection are investigated by an independent body which has access to all of the appropriate documentation. It is also essential that an opportunity is provided for witnesses to make their presentation to this panel.

Publication of the report should be delayed until this investigation is complete.

2.8 NAHT(NI) notes that the ETI has been tasked with providing the evidence which will result in schools that are less than satisfactory, entering FIP (AQW22129/11)

NAHT(NI) is concerned that an inspector's assessment of a teacher or the work of a school leader appears too often to be subjective in its determination. NAHT welcomes the fact that the ETI will now be required to produce an evidence base to support these determinations.

Recommendations

NAHT would seek the panel's assurance that the evidence collected and collated by the ETI will now be shared with all relevant bodies and an opportunity will be provided to enable schools to challenge the evidence presented.

NAHT is also concerned by what appears to be an undermining of the role and function of the Board of Governors. The ETI's role and function is to produce the evidence base and present its recommendations to the Board of Governors. On the basis of the evidence presented, the Board of Governors should determine which course of action a school will follow.

2.9 Inspecting Governance

While NAHT(NI) would not underplay the importance of good governance, members and experienced governors have expressed their concerns about the ETI's intention to inspect and report on the effectiveness of Governance in inspection reports. Members have reported that a number of their more experienced governors have already advised them that, on the basis of this new development, they will not seek re-election when BoGs are re-constituted in the new school year.

Recommendations

NAHT would ask the panel to note that Governors are volunteers. We would also ask you to bear in mind that not every governor has a professional background. That does not mean that their contribution to the effective working of a school is any less valuable. However, the prospect of their work being inspected is terrifying for many of these individuals. Schools find it difficult enough to attract good governors. We would seek the panel's assurance that, before we lose the services of committed governors, an impact assessment is carried out to review the implications of this proposal.

2.10 Value Added

Schools are not all the same. Research has highlighted the devastating impact which social deprivation can have on predicted outcomes. However, NAHT(NI) is concerned that the ETI's present reliance on FSM (free school meals) places some of our schools at a considerable disadvantage. The use of FSM to determine the level of social deprivation in an area is, at best, a very blunt tool. However, we are concerned that its use effectively skews outcomes, impacts adversely on rural schools and places many of our schools at a financial disadvantage.

The ETI do not recognise children's achievements. Instead, the impact of level scores means that classes and children are pre-judged and because of this, the ETI do not objectively look at the quality of the lessons or the depth of learning that is being achieved.

The failure of ETI to view schools within the context of their local environment will, in the opinion of this Association, also have a detrimental long term effect on recruitment of staff in areas of significant disadvantage. Fewer aspirant or experienced Principals are likely to apply to a school where there is a significantly higher risk of lower inspection grades, regardless of the many improvements that they support in enhancing a child's life chances. The Minister for Education has expressed his desire to recruit our most capable professionals into our most challenging areas. This will not happen whilst the likelihood of only ever achieving a lower inspection grading is associated with these schools.

Recommendations

Our statisticians are already aware of the limitations of using FSM as the sole indication of Social Deprivation. They persist with this approach because it is relatively easy to use. NAHT(NI) would urge the panel to insist on the use of measures which are more reliable and which do not disadvantage sectors of our community.

The ETI should assess children's progress on measures wider than level scores. Taking schools own data into account gives a fuller picture of children's achievements from within their community context. The ETI should never lose focus on the individual child. It would appear that the ETI find it difficult to acknowledge the very difficult lives some of our children experience and the obstacles they must overcome to achieve educational successes.

2.11 Welfare

NAHT is concerned that the inspection process has become more stressful for all school staff. NAHT receives many reports from Principals whose mental and physical health has suffered as a consequence of the inspection process. These reports are received from all Principals regardless of the grade that they achieved. Even those who received glowing and outstanding inspection reports talk about the mental and physical exhaustion they experienced and the related health problems which they attribute to the stress involved in the process. The ETI seem reluctant to acknowledge or address this issue. This is not specifically an issue for school leadership as all school staff report similar experiences. This issue arose in prominence in Scotland as a consequence of the tragic suicide of a head teacher following an inspection.

Recommendations

Research should be conducted into the impact of inspection on staff health and wellbeing and to ascertain which aspects of the inspection process should be modified to minimise stress and maximise the opportunity for school improvement.

People today lead increasingly complex and stressful lives. We all have a duty of care to ensure that the process of inspection is there to develop the individual and the school and is not a process which destroys confidence, self esteem and morale.

3. The School Improvement Process

The impediments to School Improvement and what NAHT(NI) believe needs to be in place to ensure that education delivered in Northern Ireland is consistently of a high quality.

3.1 Introduction

NAHT(NI) believes that all children should be entitled to an education which is of a high quality.

If this objective is to be achieved, factors that impact adversely on a school's ability to deliver a quality education experience for all of our young people needs to be openly acknowledged and addressed. It is of concern to this Association that this has not been the practice to date. Indeed, it would appear that, on too many occasions, our decision makers have chosen to;

- ignore issues which are impacting on the quality of teaching and learning
- place obstacles in the path of effective management of our schools
- refuse to support good and effective management
- opt for compromise and an easy solution instead of focusing on what is right for our children and then,
- blame school leaders when things go wrong.

Recommendations

If we are to tackle under achievement, develop the education process and improve the life opportunities of our young people, the Nolan Principles of openness, honesty and transparency should be applied to all aspects of the management of our education system. We need to face up to the challenges and be willing to do what is right even in those situations where this would place the service in conflict with established sectors. The interests of our children should be paramount.

3.2 What are we seeking to achieve?

It is essential that we are very clear about what we want from our education system, what we want for our children, how we measure success and how we manage those situations where the education that is being delivered is not of sufficient quality. NAHT(NI) is convinced that the level of clarity necessary to enable school leaders to lead and evaluate teaching and learning is not in place at this point in time.

The two documents normally referred to in discussions about school improvement '*Together Towards Improvement*' and '*Every School a Good School*' do not have common objectives and offer, in some instances, conflicting advice. The incompatibility of these documents was referred to in a report commissioned by DENI and produced by PWC in 2009. However, it would appear that none of the issues identified in this report have been addressed.

It is also of concern to this Association that, instead of paring back on administration costs, it would appear that the new structures that have been proposed will deliver less

support for schools at a considerably greater cost. This will inevitably have an adverse impact on school budgets and ultimately on our children and their learning.

When she announced RPA, Angela Smyth talked about creating an education system suitable for the 21st century. She talked also about the importance of putting the interests of our children before sectoral interests. It would appear that in the intervening years we have lost sight of that objective.

Recommendations

Teachers, school leaders and other educationalists have urged the decision makers to focus their policies on our children and their needs. If we put the child first and focus our educational budget on those initiatives which improve their learning experiences, educational outcomes will improve automatically.

Our administrative structure should be tailored to reflect the needs of schools. At present, the tail is wagging the dog.

3.3 Managing the process

If we want to improve the quality of education in our schools we need to go back to basics and determine;

- what do we want to achieve?
- the resources required to achieve our objectives
- how success will be evaluated
- the measures which must be in place to support those children who are not achieving
- the measures which must be in place to enable teachers to deliver, and
- the support systems which schools need to address under-performance

Recommendations

It is essential that those tasked with the job of supporting teaching and managing school improvement have had the experience of teaching, leading and managing in successful schools. Teachers, school leaders and Governors find it difficult to place their trust and confidence in people whose only experience of leading and managing is theoretical and comes from the book which they have read. Only those who have done the job should be tasked with supporting teachers and school leaders in the management of school improvement.

3.4 Managing Staff

The staff in our schools should be held responsible and accountable for the quality of education that they deliver.

If this is to be achieved, school leaders must be given the authority to manage and should be confident in the knowledge that, providing they have not behaved in an unreasonable or inappropriate manner, the Board of Governors and their employers will

support them in their endeavors. That is not the situation at this point in time. Although school leaders are responsible for the day to day management of their school, they are, on too many occasions, prevented from managing effectively. For example, although in 2009, DENI, the employers, confirmed that school leaders should observe teaching and learning, this is still not happening in many schools across Northern Ireland. On the advice of their unions, teachers in those schools have refused to teach when the Principal or a colleague comes into their classroom to observe teaching/learning. It is of concern to this Association that where teachers have refused to participate in the process, school leaders have been advised to back off on the basis that pushing ahead with classroom observation could impact on staff relationships in the work place.

NAHT(NI) wrote to the ETI to express concerns that school leaders were being harshly judged in the inspection process because they were not engaging in classroom observation, a situation which had been created by industrial action and was therefore outside the control of Principals and other school leaders. We asked the ETI to put out a statement which would make clear to all teachers the ETI's expectation that observation would be an integral part of school life. The response we received from the ETI was in the negative. The letter stated that while the ETI expected school leaders to have knowledge of what was happening in their school, it was up to the school leader to determine how that knowledge would be achieved.

In addition to the restrictions on classroom observation, teachers, on the advice of their union, have refused, in some schools, to hand in lesson planning. The argument here is that lesson plans are there to facilitate the teacher and should not be reviewed by the Principal. Once again, and despite having been made aware of the situation, the employers have simply ignored the issue. While the ETI will report on the lack of co-ordinated planning and will refer to the importance of leadership, they refused to outline, in school reports, the barriers which have prevented this from happening.

Although 'The Jordanstown Agreement' makes it clear that teachers are required to teach any class allocated to them, many teachers across Northern Ireland refuse to move class, even when the purpose of the re-organisation is explained to them. This effectively prevents staff development. While the ETI will frequently complain to the Principal about a teacher being too long with one age group, they have consistently refused to place on record their support for staffing flexibility.

Boards of Governors and the employers on too many occasions trade the efficient and effective management of our schools for what initially appears to them to be a quiet life. However, this quiet life is often at the expense of quality and the improvement of teaching and learning.

One of the biggest obstacles to school improvement is staff absence. While NAHT values the systems in place to support colleagues who are ill, we are concerned that the Managing Attendance Policy is not fit for purpose and does not enable school leaders to address persistent absence. The Employers and DENI must ensure that the procedures in place to manage persistent poor attendance are suitably rigorous and fit for purpose.

It is of concern to this Association that while the Board of Governors and the employers play lip service to school improvement, they are reluctant to challenge poor attendance or poor performance. For example, NAHT(NI) is very aware of the number of school leaders who, when they attempt to address these issues, suddenly find themselves

facing allegations of Bullying and Harassment or, alternatively, concerted and orchestrated industrial unrest. NAHT(NI) believes that all members of staff should be treated with respect. Bullying and harassment can not be condoned in any workplace. However, if school improvement is to be achieved, and if all children are to receive a quality education, school leaders and Governors must be given the powers, authority and support that will enable them to deal effectively with the very small number of staff who abuse the system, disrupt the education of our children and, on occasion, put children at risk.

In addition, allegations of bullying and harassment must be properly investigated and managed. Asking a member of staff to fulfill his or her contract is neither bullying nor harassment. Expecting teachers to teach the class allocated to them, plan their lessons and mark books should be the norm in any school. Indeed, NAHT(NI) would regard this as a pre-requisite to any effective education process. However, the need to fulfill these key functions is challenged daily in some schools. It is therefore of concern to this Association that instead of referring to 'The Jordanstown Agreement', which outlines what can reasonably be expected of any teacher, and dealing with the allegations accordingly, Board of Governors/employers, on too many occasions, side step formal procedures and attempt to facilitate a compromise. This results, quite often, in that small number of disgruntled teachers not fulfilling their contracts. This ultimately impacts on the morale of their teaching colleagues who work hard to improve the life opportunities of the children in their care and school leaders who are not permitted to manage and are constantly subjected to challenge and poor educational standards.

NAHT is also concerned about the time it takes to address competence issues. The new 'Managing Effective Teaching Procedure' was designed to speed up the process but will only be fit for purpose if Principals and school leaders receive the advice and guidance they need and if the teacher is able and willing to avail of support.

The situation at present is that attempts to address competence issues are resisted and cause so much additional pressure for all of the stakeholders that they are only implemented as a last resort. We need to put in place systems and structures which will enable teachers themselves to avail of support in situations where they feel that they are under pressure and before their issues impact on children in the classroom. This intensive support should be for a limited period and should be regarded as a positive process of professional development.

Despite these, and indeed many other restrictions on the management of schools, school leaders are held responsible and accountable for the quality of teaching and learning in their school.

Recommendations

If school leaders are to fulfill their role and function and do the job allocated to them, it is essential that they are given the support and the tools which will enable them to deliver. That is not the situation at this point in time. It is essential that the needs of our children are put first.

3.5 Industrial Action

NAHT(NI) is both a union and a professional association. We respect the right of any employee to take industrial action and, where they consider it appropriate, to withdraw their labour. However, responsibility for managing industrial action rests with the employers and DENI.

One would therefore expect DENI and the employers to play a leading role, particularly in those situations where Industrial Action has been ongoing for a number of years. However, we are unaware of any action which DENI or the employers have taken to resolve the difficulties which industrial action has caused in many schools across Northern Ireland. We are also unaware of any support and/or offer of advice issued to schools and Governors to enable them to manage their schools despite ongoing action. We are also unaware of any challenge issued to the unions who have engaged in action and/or any sanctions which have been imposed on the basis of that action.

School leaders have been advised that they should not challenge teachers who are engaged in industrial action. Consequently, in many schools across Northern Ireland, teachers consistently walk out of school at 3 o'clock. Directed time does not exist, staff meetings do not happen or happen only infrequently and, in many of these schools, teachers refuse to participate in any form of training and development. "Baker Days", if they happen at all, are un-directed and are used by teachers to prepare for the new school year. There is no forward planning and no opportunity for professional dialogue. It is also of concern to this Association that while the ETI in school reports will refer to poor communications within the school, no account is taken of the impact that industrial action will have had on communication and no reference is made to ongoing industrial action and the impact that it will have had on teaching or learning. It would appear that the ETI, once again, finds it easier to blame school leadership than allocate blame appropriately. School leaders find this extremely frustrating and demoralising.

Recommendations

We need to be open, honest and transparent about the factors which are impacting on school improvement and on how we address those issues.

3.6 School Closures and Amalgamations

In many of his recent statements, the Education Minister, John O'Dowd, stated that the purpose of Area Planning is not to save money but to improve the quality of education in our schools.

NAHT(NI) is concerned about this stated objective. While we acknowledge and accept that the reorganisation of our school estate is essential if we are to continue to meet the needs of communities, we are concerned that Mr O'Dowd appears to automatically link the size of a school to the effectiveness of that school. That link is not borne out by evidence. Indeed, an analysis of inspection reports would suggest that the percentage of small schools rated good, very good or outstanding is higher than the percentage in larger schools. If the aim of re-organisation is to improve the quality of education, we need to go back to stage one of the process and ensure that the criteria used to identify schools at risk reflects outcome as opposed to size.

It is also important to recall that the process of re-organisation can in itself have a negative impact on school improvement. NAHT's General Secretary, Russell Hobby, in his previous career carried out research into the impact of school closures and amalgamations. His report concluded that far from improving the quality of provision, many school closures and amalgamations impacted negatively on outcomes. Indeed, as a consequence of the disruptions caused by re-organisation and the impact that it has on staff morale and relationships, it was found that many of these new schools had failed to reach the level of delivery/quality of their component parts through the process. In other words, it is likely that in the short term at least, standards, as a consequence of the re-organisation process, will go into decline. That does not mean that we should avoid the re-organisation of our school estate. However, we need to be very clear about the basis for that re-organisation and we need to factor in the impact that it is likely to have on school improvement.

Recommendations

The present process is fundamentally flawed. Each sector carried out a review of its own schools. There has been very little cross sector co-operation. In addition, there has been only limited cross board co-operation and no consideration at all of other types of school structures in place in other jurisdictions. NAHT(NI)'s concern is that if the proposals which have been presented will create a school estate which will disadvantage pupils and parents and effectively block any movement towards a shared future. NAHT(NI) is of the view that we need to go back to stage one and establish, in the first instance, an acceptable administrative structure. Our school estate should be reviewed again in its entirety and should focus on the needs of children and communities in Northern Ireland and not on sectoral interests.

Summary

2. The Education and Training Inspectorate (ETI)

- 2.1 Self evaluation is effective in promoting school improvement. However, training and development must be provided to foster a common understanding and ensure that there is consistency across all schools.
- 2.2 An efficient, effective and respected process of external evaluation is an essential prerequisite if the public is to have confidence in our education system. However, our ETI does not have the confidence of the profession or the community.
- 2.3 It is essential that those who are tasked with evaluating and assessing schools have recent and relevant school based experience in teaching, leading and managing. Many of those employed by the ETI have little or no experience of teaching, leading or managing in schools.
- 2.4 Schools must be assessed in the context of their working environment. Factors including social deprivation, culture and industrial action will have had an impact on the learning environment and must be considered in the context of the report.
- 2.5 Staff and parents should have an input into the inspection process but the use of anonymous questionnaires is contrary to the concept of natural justice. In addition, the ETI report should seek to present a balance of opinion.
- 2.6 The reports which are produced at present are so general that they are of little use to anyone. Inspection teams should continue to produce a report in the present format for public consumption. They should also be required to produce a report on every class/teacher/department inspected. These reports should be made available to the teacher, his/her line manager, the Principal and the Board of Governors and should form the basis for training and professional development.
- 2.7 Inspectors are not infallible. They can get things wrong and it is important that, on those occasions where they have got it wrong, or where a school is concerned, that they have not taken into consideration all of the evidence available, that there is an appeals process and that no report is published until this process has been completed.
- 2.8 The ETI's role and function is to produce the evidence base and present its recommendations to the Board of Governors. The Board of Governors should determine how issues identified in the report will be addressed. NAHT(NI) is concerned that the ETI are over-stepping their remit and have been undermining the role and function of Boards of Governors.
- 2.9 Governors are unpaid volunteers. NAHT(NI) is concerned that proposals to subject governors to the inspection process will make it very difficult to attract governors.
- 2.10 FSM is a very blunt tool when used to measure social deprivation. There is concern that the use of FSM means that many schools are being unfairly

assessed and are failing to attract the resources available to others.

- 2.11 Research should be carried out into the impact of our inspection process on staff welfare and school improvement.

3. The School Improvement Process

3.1 All children should be entitled to an education which is of a high quality.

3.2 What are we seeking to achieve? It is essential that we are very clear about what we want from our education system, what we want for our children, how we measure success and how we manage those situations where the education that is being delivered is not of sufficient quality.

3.3 It is essential that those tasked with the job of supporting teachers, school leaders and the school improvement process have recent and relevant experience of teaching, leading and managing in successful schools. That is not always the case at present.

3.4 The staff in our schools should be held responsible and accountable for the quality of education that they deliver. School leaders must be given the authority to manage and should be confident in the knowledge that, providing they have not behaved in an unreasonable or inappropriate manner, the Board of Governors and their employers will support them in their endeavors.

3.5 Responsibility for managing industrial action rests with the employers and DENI. However, it is of concern to this association that these situations are not properly managed. No consideration is given to the impact that industrial action will have had on the day to day management of the school and it is not mentioned in ETI reports.

3.6 The present Area Planning process is fundamentally flawed. Each sector carried out a review of its own schools. There has been very little cross sector co-operation. In addition, there has been only limited cross board co-operation, other types of school systems/structures have not been considered at all. NAHT(NI)'s concern is that if the proposals which are in place at present are permitted to go ahead, we will have created a school estate which will disadvantage pupils and parents and will effectively block any movement towards a shared future.

DENI appears to automatically link the size of a school to the effectiveness of that school. That link is not borne out by evidence. Indeed, an analysis of inspection reports would suggest that the percentage of small schools rated good, very good or outstanding is higher than the percentage of larger schools. If the aim of re-organisation is to improve the quality of education, we need to go back to stage one of the process and ensure that the criteria used to identify schools reflects outcome as opposed to size.

It is also important to recall that the process of re-organisation can, in itself, have a negative impact on school improvement.

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