



Department of  
**Education**

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Your ref: PMcC/SMcG/1026

28 November 2013

Dear Peter

## **ETI INQUIRY – ORAL EVIDENCE SESSION 13 NOVEMBER 2013**

I refer to your letter dated 15 November. I will respond to each point below.

- 1. Clarification requested on the number of complaints (successful or otherwise) made against ETI in respect of school inspections to the NI Ombudsman and/or the Information Commissioner to include details of successful complaints**

In respect of the Ombudsman, one case was referred to the Ombudsman and the report was withdrawn from the ETI website.

Two applications have been referred to the Information Commissioner. In one of these applications the Information Tribunal ruled in favour of the Department. The second case was not pursued other than a recommendation that in future instances ETI should retain information for a longer period. Information is now retained for seven years.

- 2. Clarification regarding the number of judicial reviews (successful or otherwise) made against the Department in respect of school inspections; and details of successful judicial reviews or judicial reviews which were the subject of a settlement**

There have been no judicial reviews in respect of the Department and school inspections. There was one application for leave that was resolved and the Department agreed to pay the Applicant's costs.

**3. Commentary in response to the suggestion that the principles of 'Every School a Good School' were in one case applied by ETI to a school retrospectively**

The four elements of high quality provision outlined in ESaGS inform the inspection process and to that extent are applied in inspection.

ETI does not place schools into the Formal Intervention Process; this is the role and decision of the School Improvement Team which sits within the Department.

**4. Commentary in response to the suggestion that confidentiality is applied by ETI selectively in that it is afforded to complainants, but not certain staff members**

Questionnaires administered prior to an inspection to parents and staff within a school, are confidential. The names of the respondents are not disclosed to the management of the school.

ETI makes every effort to avoid identifying individual teachers within a school in the written report but this is, at times, difficult particularly where there is comment about the leadership and management of a specific aspect of a school's provision such as special educational needs or pastoral care.

ETI's quality indicators for leadership are written in generic terms about the effectiveness of the strategic leadership of the organisation and avoid singling out any individual senior leader. In writing their reports ETI endeavours to avoid identifying individual leaders, who are never named. This can be difficult however, depending on the circumstances, including where a senior leader's work has been evaluated as unsatisfactory, or where, for example, the work of a newly-appointed principal has effected significant improvement.

**5. Commentary in response to the suggestion that it is/was ETI's practice to destroy evidence relating to school inspections following the completion of inspection reports**

Prior to October 2010 all inspection evidence was retained in line with the retention and disposal schedule signed by the Public Record Office of Northern Ireland (PRONI). In October 2010 the schedule was suspended voluntarily by the Department and all records were retained.

The current, retention and disposal schedule was approved by PRONI in 2012 and the practice is that all evidence relating to an inspection is held for seven years.

**6. Commentary as to how the assessment of school leadership by ETI is influenced by the non-compliance by staff with action plans and programmes recommended by ETI following an inspection report**

Schools which are evaluated as less than good are obliged to draw up action plans to address the issues identified, within a defined period as outlined in 'What Happens After an Inspection'. Schools may receive support from the ELB CASS service in this process. The action plans are sent to the School Improvement Team within DE who may pass them on to ETI for comment. Should clarification be required the District Inspector may arrange an informal visit to the school to provide additional advice and/or support.

Prior to the follow-up inspection a number of interim follow-up visits may be undertaken where the outworking of the action plan may be discussed and amendments, where appropriate, suggested.

At the follow-up inspection, which is held 12-24 months (depending on the inspection outcome) after the initial inspection, ETI evaluates and reports on the quality and appropriateness of the action plan and the extent to which the school is making adequate progress in implementing its action plan.

This process provides sufficient time for senior management to work with their staff in agreeing an appropriate action plan and its implementation.

**7. Commentary as to how the assessment of school leadership by ETI is influenced by staff complaints linked to the resolution of staff performance management issues**

ETI do not have access to records of complaint made by an individual member, or members, of staff against the school management. Specific incidents may be referred to in the questionnaire returns but these do not form firm evidence one way or another on any issue.

It is not the role of ETI to conduct staff performance management in or on behalf of schools. That remains the role of the governors and senior staff. ETI will evaluate the effectiveness of senior leaders in carrying out their roles and responsibilities.

Where ETI have sufficient evidence, however, that the number and extent of complaints against management are having a detrimental impact on the provision for the pupils in the school, and that view is well-founded on direct inspection evidence gathered by ETI itself, then inspectors will report as they find.

**8. Commentary that school leaders had in some cases complied with ETI requirements outlined in an inspection report but found that further requirements were put forward by ETI in subsequent reports**

When following up on an inspection report, ETI will pay attention to the extent to which areas for improvement, identified in the report, have been addressed effectively.

If ETI identifies any important aspects of provision which remain, or have become subsequent to the original inspection, inadequate or unsatisfactory, it will report these findings.

Furthermore, ETI, in reporting improvement, may make recommendations on aspects of provision which, while satisfactory or good, could be improved further.

The Committee also agreed to write to the Department to seek:

**9. Further information on the weighting allocated in school inspections to end of Key Stage assessments (as opposed to individual school pupil monitoring systems) as compared to other inspection findings**

ETI evaluates the extent to which the school makes effective use of all of the forms of assessment data available in order to provide appropriate teaching and support to all of the pupils. ETI does not 'weight' assessment data from any specific source.

Inspectors will make professional evaluations of the progress made by the pupils, drawing primarily on their own observations and judgements as professionals. With respect to the sources of assessment data which the school has available to it, ETI are interested to find out how well the school uses that data to plan teaching and to support learning.

**10. Commentary on suggestions of interference by ETI senior management with regard to the outcome of school inspections**

The role of senior management of ETI is to moderate and quality assure the work of all inspectors and the reports which they produce.

**11. Clarification as to the value placed by ETI on skills-based or vocational courses as opposed to academic courses when judging school performance**

ETI takes full account of the whole curriculum, and the entire range of qualifications provided by a school.

ETI evaluates the extent to which the curriculum addresses and meets the needs, interests, abilities and aspirations of all of the pupils. ETI therefore looks at all courses delivered by the school and at the pupils' achievements in them. Indeed,

ETI is uniquely placed to comment on the appropriateness of these courses and on the access they provided to further training and/or employment. This is because the ETI is a unitary inspectorate and as such also inspects all aspects of further education and training that lie with the Department of Employment and Learning.

In writing their reports on post-primary schools, ETI gives credit to appropriate provisions, both general and applied. ETI is also expected by the Minister to report on the readiness of the school to provide access to the Entitlement Framework, comprising both general and applied courses. ETI post-primary reports includes data tables which give full credit to the pupils' attainments in both general and applied courses, including data on the standards achieved in GCSE and GCE A level courses which includes all applied and vocational courses which are rated on a national qualifications framework as equivalent to GCSE and GCE A level.

Where courses lie on the qualifications framework and are equivalent to GCSEs then they are recorded, and reported, as such.

## **12. The Committee requested information on how ETI benchmarks its inspection activities; assesses Inspectors; and provides training and development for Inspectors**

All inspectors, on appointment, undertake an intensive induction period lasting nine weeks. During this period the new colleague will work mainly in the school sectors in which s/he will eventually conduct most of their inspection activity.

This induction programme is carefully designed to expose the new inspector to all aspects of the inspection process from the conduct of a pre-inspection meeting to the final editing of an inspection report. At all times during this process the new colleague shadows an experienced colleague. The new colleague is also allocated a mentor who will provide professional and pastoral support for the new colleague's first year in the organisation.

As members of the Northern Ireland Civil Service (NICS) the ETI follows the NICS appraisal procedures.

All ETI have access to a comprehensive staff development programme to which a minimum of 15 days per annum are allocated. Five days are centrally programmed for all inspectors where they meet together to hear about and discuss current education issues and other items of corporate business. In addition to this there are a number of phase-specific and subject-specific training days where issues such as consistency of judgement and new models of inspection are discussed. Finally, all inspectors are expected to undertake five days of personal development – generally this takes place outside of prime inspection time and can take the form of paired inspection visits or meeting with other educationalists.

In regard to 'benchmarking' its inspection activities ETI carries out a comprehensive post-inspection evaluation which is conducted on its behalf by NISRA. ETI is a current holder of the Customer Service Excellence Standard. In all of these evaluations those who have been inspected have the opportunity to either

record their views on inspection anonymously (in the case of NISRA) or to meet privately with an independent assessor to relate their experiences of inspection (Customer Service Excellence). In addition ETI has a close working relationship with the education inspectorates in the United Kingdom and Ireland and is a member of the Standing International Conference of Inspectorates (SICI). This enables ETI to compare inspection practice with others and to develop and share good practice.

Yours sincerely

A handwritten signature in black ink that reads "V. Bintley (mm)". The signature is written in a cursive style with a large initial 'V' and a stylized 'Bintley'.

**VERONICA BINTLEY**  
**Departmental Assembly Liaison Officer**