



**Confederation  
of School Trusts**

## Consultation response

# Improving the way Ofsted inspects education: Response of the Confederation of School Trusts

### About the Confederation of School Trusts

The Confederation of School Trusts (CST) is the sector body and national organisation for school trusts. We represent almost 80% of all academy schools, and academy trusts, and our members educate more than 3.6 million children.

We help shape the education policy agenda by speaking on their behalf, bringing together frontline education experts from across the country. We work to drive real, strategic, change for education on the big issues that matter most.

### Introduction

1. CST values the existence of an independent inspectorate of schools. It is important the work of the inspectorate is valued and trusted by stakeholders within and outside of schools.
2. As we set out in several papers in recent years, when designing an approach to inspection there are tensions and trade-offs to be grappled with. Wider factors like the stakes and consequence of inspection add further complexity. Therefore, there is not a single 'best way' to do school inspection but rather a need for the approach, and the accountability and regulatory system in sits within, to be carefully calibrated to deliver maximum efficacy while mitigating unintended consequences as far as possible.
3. Accordingly, we take Ofsted's consultation as we find it: a set of proposals from an independent inspectorate about how it intends to inspect schools within a wider accountability and regulatory system set by government. Our response is deliberately pragmatic in that it deals with the issues within scope of the consultation and the broad direction of travel outlined by Ofsted and government.
4. We believe the most helpful response we can make on behalf of our members, their staff and the children they serve is to give Ofsted clear and precise feedback on how it must improve its

### The voice of school trusts

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proposed inspection framework in order to work most effectively for the schools it inspects and the stakeholders it serves.

### Our work with CST members

5. CST has worked with its membership and its elected Policy Advisory Group (PAG) to understand the response of trusts to the proposals Ofsted has put forward. PAG consists of more than 30 trust leaders, elected by their peers, and drawn from every region of England. PAG members represent trusts of all sizes and phases, and include representation of specialist AP & SEND settings too.
6. Furthermore, we have developed, tested and iterated our positions with hundreds of members, with trusts of all sizes and locations. We are grateful to CST members for their support during this process.
7. We offer this consultation response as a product of this engagement. It reflects where we think the weight of evidence and opinion within the sector points, but it is important to acknowledge there are differences of opinion about Ofsted's proposals, as well as differing views on the nature and extent of the problems inspection reform needs to address.
8. For these reasons, our response does not attempt to comment on every aspect of the proposals. Rather, we think it is most helpful for us to focus on the most significant features of the proposals – where we agree and where we wish to see changes.

### Starting from aims and purposes

9. The proposals in the consultation address a range of issues, some of which are emergent from the Big Listen. These include:
  - Providing a more nuanced assessment of school performance.
  - Embedding inclusion at the core of evaluations.
  - Identifying strong practice to benefit the wider system.
10. However, it is important to be clear that while inspection reform seeks to address these issues, inspection itself is ultimately required to serve specified purposes. A key purpose, as set out in statute, is for inspection to report to parliament on the quality of education in schools.
11. We highlight this point because the framework must, following whatever reforms are enacted, allow the inspectorate to fulfil this statutory function of reporting on the quality of education in schools in England.
12. In our view this requires Ofsted to have a sharp focus on establishing inspection practices that are as valid and reliable as can be reasonably achieved. There are some areas of the proposals that concern us in this regard. These include:

- The complexity of the proposed approach to grading, particularly at the level of exemplary.
- The ambiguity and lack of precision in the drafting of some of the toolkits.
- Some of the new evaluation areas, particularly developing teaching and the curriculum.
- The complexity of the multi-layered approach to judging inclusion (existing both as a thread and as an additional and distinct set of criteria).
- Risks associated with the new proposed methodology.

## Recommendations

13. The following six recommendations are, we believe, the areas that require work to allow the proposed inspection framework to deliver the aims of inspection as prescribed. There are, as with all changes to inspection, other risks Ofsted will need to mitigate through inspector training, guidance and so on. But in our view, these are the areas Ofsted must address as fundamental priorities:

- 1. Simplify and clarify the grading scale approach to grading.**
- 2. Review the toolkits to address imprecise or unnecessary criteria.**
- 3. Merge the developing teaching and curriculum evaluation areas.**
- 4. Make the inclusion evaluation area an aggregation rather than an additional set of criteria.**
- 5. Ensure the methodology that replaces deep dives can support consistent evaluations.**
- 6. Reduce the proposed volume of monitoring activity.**

### The six recommendations in detail

#### **1. Simplify and clarify the grading scale approach to grading**

14. There is a good degree of consensus that the proposed approach to grading is too complex, but there are different views about what the solution should be. The arguments around this vary, with some arguing a smaller number of grades would lead to more reliable judgements and others feeling that five grades, rather than four, is just 'too many': it's another set of things for schools to be expected to do. For others, concerns are not primarily about the existence of a fifth grade (exemplary) but more the imprecise nature of it as proposed.

15. To address such concerns Ofsted should simplify the grading structure. One way to achieve this is to return to a four-grade scale, although we note that Ofsted believes it important to have a break with the old four-point grading scale in order to reduce 'read across' from the old system to the new.

16. Another solution is to simplify the grading approach for the fifth grade (exemplary) by making it a secure fit measure against the 'strong' criteria. This would mean that a school that meets

*some* of the strong criteria would be graded strong on a best fit basis, whereas a school meeting **all** the strong criteria would be judged exemplary for that evaluation area.

17. To make this work, however, the difference between the secure and strong criteria would need to be significantly improved (see point two, below).

Causing Concern	Attention Needed	Secure	Strong	Exemplary
	Not yet secure		Best fit against strong criteria – meets <b>some</b> of the strong criteria	No additional criteria.  Secure fit against strong criteria - must meet <b>all</b>

18. There are several advantages to this approach:

- It removes the ambiguity of the exemplary grade as proposed (which introduces a range of highly subjective indicators).
- Exemplary becomes about consistently meeting all of the strong criteria rather than some other set of standards. This is clearer for schools and parents. It still allows Ofsted to acknowledge where excellence exists in schools.
- It is likely to be more reliable than what is proposed in the consultation.

19. Ofsted should further simplify grading by changing 'attention needed' to reflect the school is not yet secure in this area, rather than specifying additional criteria. This approach has been used for requires improvement over several years and is preferable to introducing an additional set of criteria that could introduce ambiguity in the 'attention needed' and 'secure' boundary.

20. Across the grading scale Ofsted should clarify its approach to grading; for example, where it is best fit, secure fit and so on.

21. Ofsted should also remove its proposal to only award exemplary if all other evaluation areas are at least secure. This seems to establish a whole-school standard by proxy. While the intent may be to ensure a minimum standard, this undermines the stated desire for nuance, and the decision to remove overall effectiveness judgements, by disregarding the possibility that a school could be sector leading in one area but might need improvement in another.

22. It is important Ofsted is clear on what it is trying to achieve in relation to its Academy. If Ofsted wants to use the opportunity of inspection to gather insights for its Academy, as is proposed in the consultation, this should be seen as something separate to the grading

approach. Rather than entangle the two, inspectors could have an internal system for tagging particularly effective practices, which could then feed into the Academy. It would surely be presumed that inspectors would usually refer practice from 'exemplary' schools to the Academy, but that needn't become part of the grading approach itself.

## **2. Review the toolkits to address imprecise or unnecessary criteria**

23. Many toolkit criteria lack precision, particularly in distinguishing between 'secure' and 'strong.' For example, 'secure' curricula are described as "well designed," whereas 'strong' curricula are "expertly designed." This wording is too vague to support consistent grading.
24. However, it is not only about the semantics. It is also because the criteria themselves are insufficiently distinct in places. Ofsted must redraft much of the strong criteria so that they are substantively different constructs from those in the secure grade.
25. Indeed, the proposed simplification of the grading scale proposed above only works if the criteria between secure and strong are sufficiently well differentiated. Rather than relying on supplementary guidance, which could undermine accessibility and transparency, revising the toolkit's wording item by item is a priority. Getting this right would enhance clarity and reliability.
26. There are also too many criteria. We question whether all of those proposed in the toolkits can be assessed in a two-day inspection without either creating intolerable intensity for those inspecting and being inspected, or inspectors sacrificing the accuracy of their inferences. We recommend Ofsted streamline the toolkits to surface the most important criteria in each evaluation area. Presumably many of these could come from the sections already identified by Ofsted in the leadership and inclusion threads.

## **3. Merge the developing teaching and curriculum evaluation areas**

27. While we support and would prefer continuity of the current Education Inspection Framework's 'Quality of Education' judgement that brings together achievement, curriculum and teaching, we understand Ofsted's proposal to view achievement as a separate evaluation area. In part this is a response to criticisms of the current framework and inspection findings that have appeared anomalous to stakeholders when outcomes measures and quality of education judgements appear to be dislocated.
28. We think this could be improved by more meaningfully bringing together the proposed two strands of the achievement evaluation area: i) test and exam results, and ii) how well pupils are learning the curriculum. This could be based on identifying overarching areas of performance in relation to achievement, such as the achievement of disadvantaged pupils, with the relevant criteria from both strands of achievement sitting underneath these.

29. We are much less convinced that teaching and the curriculum can be decoupled. Furthermore, analysis of the toolkits shows the criteria for developing teaching and curriculum overlap significantly. Additionally, 'Developing Teaching' includes criteria related to the quality of teaching itself rather than professional development. Merging these areas into a single category, such as 'Teaching the Curriculum' or 'Quality of Education' would improve validity.
30. The CPD-related criteria could be relocated to the Leadership evaluation area, aligning with the Headteachers' Standards, or within the Quality of Education evaluation area.
31. This consolidation would, of course, also address concerns some CST members have that the number of evaluation areas is excessive. The corollary of reducing the number of evaluation areas should be to improve consistency and reliability of inspections.

#### **4. Make the inclusion evaluation area an aggregation rather than an additional set of criteria**

32. We agree inclusion is an important and urgent area which requires a system level response. However, we are also aware of Goodhart's law: "the more important a metric is in social decision making, the more likely it is to be manipulated." In part, Ofsted's proposals mitigate this risk by threading inclusion through all the evaluation areas, so it is less of a 'bolt-on'.
33. However, this is complicated by there also being a discrete inclusion evaluation area with additional criteria. We understand the desire for a clear signal in the system about inclusion, which an inclusion evaluation area might offer, but we are worried about the risk of incoherence between the inclusion threads and the evaluation area. A solution is to remove the criteria in the inclusion evaluation area and use the inclusion threads from the other areas to reach an aggregated indicator of performance in relation to inclusion. This would maintain the focus of inclusion as something threaded through school and inspection practice, rather than being a bolt-on. It would also retain the overall signal Ofsted has proposed to introduce and which government appear to support.
34. Given inclusion is a strengthened focus in the new framework, and the need to guard against unintended consequence, the inclusion threads and grade should be a particular focus of ongoing monitoring through the pilot stage and implementation.

#### **5. Ensure the methodology that replaces deep dives can support consistent evaluations**

35. We note and understand the decision to end the deep dive methodology. However, we want to better understand what will replace it.
36. This year Ofsted has used a 'focus areas' approach in ungraded inspections. Some of the wording of the consultation sounds like this approach could underpin the approach to graded inspections moving forward.

37. The consultation document says: "Instead of deep dives, inspectors will work with leaders as they decide the areas to focus on. Inspectors will discuss the most appropriate activities tailored to the specific provider. These will typically mirror leaders' improvement priorities."
38. We have some concerns about this. Firstly, we are not aware of any evaluative work – at least that's been shared externally – into how the focus area methodology has functioned in ungraded inspections in 2024/2025. While we acknowledge the need to move on from deep dives, there is risk in rolling out a replacement that may have different but equally problematic downsides.
39. Secondly, while we believe it is important that inspection activity and outcomes are sensitive to school characteristics, context and so on, we also believe that consistent inspection outcomes require a sufficient level of commonality in *what* inspectors look at and *how* they look at it. And, while valid school inspection will always have elements of subjectivity, objectivity is also something that should be strived for, especially in a system with high stakes consequences.
40. Our concern with the focus areas approach is that it seems to build in multiple layers of inspector judgement about what is looked at within any given school. While this might work for ungraded inspections where judgements are not made, and consequences are reduced, we question whether this approach will work alongside the range of evaluation areas and grading scale proposed in the consultation – especially considering all routine inspections will be graded.
41. Therefore, we would ask that Ofsted clarifies what the new methodology will look like, and that work is done to ensure the new methodology lends itself to consistent inspection activities and outcomes.

## **6. Reduce the proposed volume of monitoring activity**

42. We acknowledge Ofsted's positive intent in the proposal to monitor all schools with attention needed judgements, as well as those requiring significant improvement. However, we are concerned about this proposal for a number of reasons:
- The aggregate effect of this seems to be a significant increase in the volume of Ofsted's monitoring activity. We are not convinced it is a proportionate system response to monitor all schools with any attention needed judgement. This feels especially so given the new grading structure and range of evaluation areas seems likely to mean that attention needed is not a rare occurrence.
  - Linked to this, we wonder if Ofsted has sufficient resources to deliver this programme, and if it were to require additional resource whether this would be the right priority for funding given the wider financial challenges facing schools.

- There is a parallel policy drive from the Department for Education to extend its RISE programme to all 'stuck schools' as well as those requiring significant improvement. Given these will be the same schools Ofsted is monitoring, there is a risk of such schools receiving support from too many external sources – especially concerning if the advice differs. Ofsted's own 'Stuck Schools' report identified how receiving multiple external sources of advice/support can in fact aggravate rather than bolster a school's improvement journey.
  - Proposals such as monitoring schools requiring significant improvement five times in eighteen months risk adding additional burden to schools without us being convinced of a demonstrable benefit.
43. As a result, we would encourage Ofsted to reconsider the extent of its monitoring proposal. To be clear, we're not calling for an end to Ofsted's monitoring. We know that some leaders have found monitoring activity to be helpful. However, we are not convinced this is universally the case or that a greater volume would lead to a corresponding positive impact on schools and children.

## Specific consultation questions we wish to respond to in addition

### **1. *What do you think about including data alongside report cards, for example information about how well children and learners achieve?***

44. The proposal to include data from the time of inspection on the report card might be helpful. However, it could also be confusing for stakeholders if the data is out of date and/or different to that which is shared through other sources such as Compare School and College Performance or school profiles (when these go live). Therefore, Ofsted must carefully weigh the pros and cons of doing this. We are not convinced that old data is more useful for stakeholders than more recent data and it may be that key stakeholders such as parents should be steered towards more recent data as a result. Ofsted would need to be clear about how it displays old data and how stakeholders can access more recent data should they wish to.
45. The most obvious point of difficulty is in the government's parallel work to introduce school profiles. While profiles are to be a Department for Education product, it is incumbent on the Department and Ofsted to work sensibly together to ensure coherence for schools, parents and other users of these products.

### **2. *How suitable is the toolkit for use in special schools and alternative providers?***

46. Some of our members in special and AP settings have expressed concerns about the toolkits and their applicability in these settings. For example, some have concerns about the way



some achievement criteria are worded currently and how well they work for children for whom achievement looks different to other children.

47. Rather than seek to resolve highly specific issues here, we propose that Ofsted undertakes a thorough engagement activity with specialists to test and refine the toolkits so as to be effective in these settings. CST would be happy to convene such a conversation with leaders of trusts with special and AP settings.

**3. *What do you consider are the likely workload and well-being implications of these proposals?***

48. Changes to accountability systems tend to lead to changes (often increases) in workload, at least in the short term as practice adapts to new measures and incentives. We anticipate this will happen in this case too. In order to mitigate this Ofsted needs to be very clear with stakeholders about its plans and what schools *do not* need to do as a result.
49. It should also take opportunities to see how it can reduce the burden of inspection to offset the normal fluctuations that reform brings. We welcome the transparent format for presenting criteria in the toolkit. If the wording and number of toolkits can be improved this approach might be beneficial in making the 'rules' of inspection clearer to schools than at present, which could be helpful for workload. However, it can't be stated strongly enough this depends on getting the wording of the toolkits right so that meanings are precise. As part of this Ofsted needs to reduce the subjectivity of the wording in the toolkits: subjectivity risks triggering unnecessary activity in schools which may be anxious or unclear about what a particular criteria means. The logical response in this situation is to 'hedge' by trying to cover multiple eventualities. This is a risk for workload.

**4. *Is there anything else about the changes to inspection that you would like to tell us?***

**Safeguarding**

50. An area of significant attention in recent years has been Ofsted's approach to schools with ineffective safeguarding. Ofsted has iterated its position on this over time, which we have broadly welcomed, in order to provide schools a limited opportunity to improve safeguarding issues when the rest of the school is 'good'.
51. We note that little is said on this in the consultation. It appears to us to be clear that a school which does not meet the safeguarding expectation but leadership is not causing concern would be judged to require significant improvement. And if leadership was causing concern then the school would be judged special measures. But it is not clear if there is any sort of improvement period applied, especially if the other aspects of the school are judged to be secure or above.
52. We believe Ofsted should clarify its proposed position on this matter at the earliest opportunity.

### **Ungraded inspections**

53. We note that Ofsted intends to move towards graded inspections for all inspections from November 2025. While there are advantages of this – the higher inspector tariff may lead to more rigorous inspections – there are also drawbacks too. For example, graded inspections are higher stakes by their nature because any set of judgements is possible. They are also likely to be more expensive due to the inspector tariff.
54. Our assessment, albeit from a distance, is that in order to deliver this Ofsted may need an increase in its budget. Given the constraints on the public finances we are not certain such an increase will be forthcoming. If it is not, Ofsted may need to revisit this intention.

### **Summary**

55. Our response to Ofsted's consultation is a pragmatic response that aims to enhance the framework's reliability, clarity, and effectiveness. A simplified grading scale, clearer toolkits, streamlined evaluation areas, and simpler framing of the inclusion evaluation area would help ensure the framework achieves its intended outcomes while minimizing unintended consequences.
56. However, all of this could be undermined if the methodology inspectors are following is not specific and consistent. Therefore, we also urge Ofsted to clarify what will replace deep dives and to ensure it lends itself to consistent inspection outcomes.
57. We hope that our feedback is helpful to Ofsted, and the schools it inspects, by identifying the key areas we believe need to be addressed in order for the proposed framework to fulfil its function of reporting on the quality of education in schools.