

The Role of the Representative in the Inspection Process

Guidance for Schools, Youth, Further Education
and Work-based Learning Organisations

September 2017

ETI: Promoting Improvement in the Interest of all Learners



The Education and Training Inspectorate
Promoting Improvement

Providing inspection services for:

Department of Education
Department for the Economy
and other commissioning Departments



INTRODUCTION

The Education and Training Inspectorate's (ETI) mission is 'to promote improvement in the interest of all learners'. The ETI believes that a partnership approach to inspection, working with those we inspect in a collaborative and transparent manner helps organisations recognise and understand the improvements that need to be made in the interest of learners.

The ETI evidence shows that full participation by the leader of the organisation or their representative (the representative) in inspection helps them to understand more fully the inspection process and the evaluation outcomes.

To facilitate participation and transparency, shortly after notification of inspection the reporting inspector (RI) will request the organisation to identify a senior member of staff to represent the organisation before, during and after the inspection. The representative will manage the inspection process¹ within the organisation and will normally hold a senior management position within the organisation. The role is offered on a voluntary basis and organisations may decide not to nominate a representative.

As the inspection proceeds, the RI will keep the representative fully informed of the emerging findings along with the underpinning evidence used to support the inspection team's evaluations. The RI will ensure that the representative is aware of any issues that are emerging, with a particular emphasis on any areas of the organisation's provision or work that may have important or significant areas for improvement. The representative will be invited to attend key inspection team meetings and will be able to direct the inspection team to documentation and/or individuals where additional evidence may be obtained. The representative will be invited to attend the moderation meeting but will not contribute to the final discussions and decisions on specific performance levels or overall effectiveness.

THE KEY BENEFITS

There are a number of benefits to both the organisation and the ETI by involving the representative as part of the inspection process including:

- underpinning strongly the promotion of improvement in the interests of learners;
- a greater openness and transparency around the inspection process;

¹ The role of the representative is applicable to full inspections only but not Sustaining Improvement Inspection (SII) Monitoring Inspection (MIn) or Baseline Monitoring Inspection BMIn.

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- better informed action planning for improvement;
- enhanced opportunities for leaders to ensure that the inspection team has access to all of the evidence;
- immediate feedback to inspectors on lines of inquiry and emerging evaluations;
- improved understanding by the organisation of how inspectors arrive at evaluations;
- more opportunities for the leader of the organisation to contextualise emerging evidence; and
- demonstrating the ETI core values of truth, example, dignity and service.

WHO SHOULD BE A REPRESENTATIVE?

In order to be able to undertake fully and effectively the role, the representative should be:

- in a senior management position within the organisation², with full and immediate access to the principal, director or leader;
- a positive advocate for the organisation throughout the inspection process;
- knowledgeable about the organisation's learning programmes, operational arrangements and quality systems, in particular the development planning, self- evaluation and quality improvement planning processes;
- trusted by, and have good working relationships with, the staff at all levels;
- confident enough to engage constructively with the inspection team to help them reach accurate evaluations, whether or not they are favourable;
- able to take actions or make decisions as necessary to ensure the smooth running of the inspection; and
- a key member of staff involved in improvement planning after the inspection.

² In a school, the principal will normally be the representative but is free to nominate an alternative. In Youth, this may be the leader and in FE and WBL the representative may be the leader/owner or member of senior management.

The organisation may prefer **not** to nominate a representative. In this circumstance, the RI will continue to promote the ETI's core principles of openness and transparency and maintain good working relationships with the senior management and staff. This will include daily feedback to the principal/director/leader on emerging findings and the inspection evidence used to underpin the evaluations. If an organisation decides not to appoint a representative, it will not prejudice the inspection or influence the evaluation of the inspection team in any way.

While an organisation may agree to nominate a representative at the pre-inspection stage of the process, there may be circumstances where the representative does not wish to attend all or part of the team meetings or moderation meeting. Although it is the ETI's intention that the representative will be fully involved in the inspection process, the RI will accommodate any request from the representative or the organisation not to attend or to withdraw from the meetings. The RI will make alternative arrangements to provide daily feedback on the emerging findings from the team meetings and/or the overall findings following the moderation meeting.

WHAT IS THE ROLE OF A REPRESENTATIVE?

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The role and responsibilities of the representative include:

- facilitating the administrative arrangements at all stages of the inspection process;
- ensuring the inspection team has access to all relevant information³ and accurate, reliable and up-to-date data;
- arranging meetings between inspectors and key staff, learners and other relevant stakeholders, including employers in Further Education (FE) and Work Based Learning (WBL);
- attending inspection team meetings, including the final inspection moderation meeting;
- contributing to discussions and raising any concerns about, or seeking clarification with regard to, the evidence base, emerging findings (preferably in advance of the moderation meeting) and communicating immediately to the RI any concerns about the conduct of the inspection;

³ The information and data required for each inspection phase is available on the ETI website and will also be provided by the RI.

- sourcing and providing any additional, relevant evidence relating to ongoing evaluations by inspectors, where appropriate;
- being an advocate for the organisation;
- becoming fully informed of the emerging strengths and areas for improvement and the evidence supporting inspection outcomes;
- respecting the confidentiality of inspection discussions;
- signing up to a code of conduct agreement (**Appendix**); and
- providing post-inspection feedback on the process and conduct of the inspection.

Inspection is a complex process and concerns can arise. The role of the representative is a demanding one and it is expected that he/she will contribute to the smooth running of the inspection.

BEFORE THE INSPECTION

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Pre-inspection visit

During the pre-inspection visit, the RI will discuss the phase-specific inspection process, associated arrangements and information and data requirements. It is important that the representative, if not the leader of the organisation, is involved in these discussions. The arrangements for the first day of the inspection, including any presentations or briefings and joint lesson observations, will be agreed during this visit.

The representative should be in a position to provide advice and make decisions about meeting times, deployment of staff, timetable arrangements and facilities required by the inspection team. The RI will also take time to discuss in some detail the role of the representative and request that the code of conduct agreement is signed by the representative and provided to the RI on or before the first morning of the inspection (**Appendix**).

The representative will work with the RI to ensure that the arrangements for, and the requirements of, the inspection are suitable. Any pre-inspection queries will be communicated to the RI by the representative and vice versa. The RI will confirm dates and times of discussions at the beginning of and throughout the inspection.

Information required

The representative will ensure that the required information is collated and available prior to the inspection. The RI will discuss with the representative the specific phase-related information required prior to, and on the first day of the inspection.

Information may include details of:

- the context of the organisation;
- the data relating to the outcomes and the wider achievements of the learners;
- the organisation's development plan and self-evaluation report(s);
- the organisation's structure with details of staff responsibilities;
- in FE and WBL, details of learning programmes for which the organisation has a contract with the Department for the Economy;
- information in relation to additional support for those learners who require it;
- any other relevant factors, for example, staff or pupil/learner absenteeism;
- any significant changes since the last inspection; and
- timetables for staff, learners, trainees and/or apprentices.

DURING THE INSPECTION

The representative will be introduced to the inspection team on the first morning of the inspection. From that point on, he/she will be fully involved in the inspection including key team meetings and the final moderation meeting. He/she will attend, and typically contribute significantly to, any first day inspection briefings or presentations by the leader and/or senior management team.

Joint lesson or directed training observations⁴

A senior manager or leader/principal who may be the representative may also be provided with the opportunity to undertake a small number of lesson⁵, or directed training session, observations with the inspectors or to examine with an inspector, samples of learners' work. The RI will discuss how this works in practice with the leader/principal and the representative at the pre-inspection visit.

⁴ <https://www.etini.gov.uk/publications/joint-lesson-observations>

⁵ Joint lesson/session observations are offered during four-day primary inspections, post-primary, special, further education and work-based learning inspections and district and specialist visits.

Team meetings

It is expected that the RI will convene key team meetings during the inspection to which the representative will be invited. At these meetings the representative will:

- contribute, in a professional manner, to discussions involving emerging findings which will become more fixed as the inspection progresses;
- understand the evidence underpinning the evaluations; and
- ensure that inspectors have access to relevant evidence and note any additional evidence that is requested.

The ETI team will work to a relatively strict timetable and the team and moderation meetings will be carefully timed by the RI. The representative is welcome to contribute to the meeting, but should be conscious of the time limitations and any points made should be concise and clear.

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In Irish-medium schools, the team and moderation meetings will be held largely in English to ensure that there is no misinterpretation of the messages provided.

A representative who is unable to attend a team meeting, or who wishes to withdraw from the meeting at any time during the discussion, may do so by informing the RI who will make alternative arrangements to provide a briefing on emerging findings.

At all times, the representative is expected to maintain the confidentiality of the inspection process.

Other more informal meetings may be held between members of the inspection team to discuss aspects of the inspection which the representative will not be expected to attend.

Moderation meeting

On the final day of the evidence gathering phase of the inspection, or the day after⁶, the inspection team will hold a team moderation meeting which is chaired by the RI and which the representative is invited to attend. The purpose of the meeting is to collate and discuss the findings from the inspection, then moderate and agree performance levels for each of the three contributory areas (outcomes for learners, quality of provision and leadership and management), safeguarding and care and welfare, and the overall effectiveness of the organisation. All those attending team and moderation meetings should expect to participate in robust and rigorous discussions.

Both the inspection team and the representative are expected to follow the code of conduct outlined in 'A Charter for Inspection (January 2017)'⁷. If at any point, in the professional view of the RI, the code of conduct is not being followed by the representative or the inspection team (or an individual member of it), he or she is at liberty to halt the meeting and take appropriate action. This could involve requesting the representative, or a member of the inspection team, to leave the meeting temporarily or permanently.

By the time of the moderation meeting, the representative will have been informed of the emerging findings at the regular key team meetings and will be aware of the evidence on which the emerging findings are based. It is expected that the representative will have raised any concerns about the evidence base and emerging findings with the RI during these earlier meetings.

At the moderation meeting, the key focus will be on discussing and finalising the performance levels and the overall effectiveness. The inspection team, led by the RI, will then engage in discussions to determine the performance levels for the three key areas detailed above and an overall outcome for the effectiveness of the organisation⁸, based on the identified key strengths and areas for improvement (AFIs). The significance of each strength or AFI is more important than the number reported.

The role of the representative at the final moderation meeting includes listening to the feedback from each of the inspectors and the discussion which follows this feedback.

⁶ Inspection windows vary across the particular phases; for example, in primary inspection activity may last for two, three or four days.

⁷ The 'Charter for Inspection' document can be found at: <http://tinyurl.com/Charter-Insp>

⁸ This will determine the follow-up activity required.

The representative will not contribute to the final decisions on performance levels and the overall effectiveness outcome.

The outcomes of the moderation meeting are confidential to the team and the representative and should not be shared with the organisation prior to the final report back.

As part of the internal ETI quality assurance process, a managing inspector (MI) or an Assistant Chief Inspector may attend for all or part of the moderation meeting. In addition, the performance levels across the three contributory areas and the overall effectiveness are subject to the internal ETI quality assurance process and are provisional until the publication of the report. Where the quality assurance process leads to a performance level and/or overall effectiveness level being amended, the RI will discuss the change and the reasons for it with the representative and/or the leader of the organisation and the chair of the board of governors/management committee.

As the representative is present throughout the moderation meeting, he/she will know how the performance levels and the overall conclusion were determined and the evidence on which they were based. Consequently, he/she is well placed to understand the significance of the key strengths and AFIs; this will help the organisation, where appropriate, in the formulation of an effective improvement plan after the inspection and preparing for any follow-up inspection activity.

Where the representative is not the leader/principal he/she should be expected to attend the formal report-back.

AFTER THE INSPECTION

Immediately following the inspection report-back, the representative will be able to share with staff the outcome of the inspection and the evidence underpinning the evaluations. The information is confidential to the organisation until the publication of the report, as the ETI internal quality assurance process has yet to be completed.

The organisation will receive a pre-publication copy of the inspection report. The representative will be involved in checking the report for factual accuracy and ensuring it is returned to inspection services in a timely manner. This is not an opportunity to provide new or additional inspection evidence or to challenge inspection findings. The final report will be published on the ETI website.

Depending on the outcome of the inspection, the organisation may be advised by the RI that an action plan to address the AFIs is required. The procedures for any follow-up inspection activity can be found in the **What Happens After an Inspection**⁹ document relevant to the particular phase. It is expected that, given the central role that the representative has had in the inspection process, he/she will be significantly involved in devising the quality improvement action plan.

Every organisation inspected by the ETI will receive a confidential questionnaire, independently administered by the Northern Ireland Statistics and Research Agency (NISRA) through which feedback can be provided on the inspection process. The representative may wish to remind all of the staff that they will have an opportunity to respond to this questionnaire.

⁹ What Happens After An Inspection can be accessed at: <https://www.etini.gov.uk/articles/what-happens-after-inspection>

FREQUENTLY ASKED QUESTIONS

1. Do I attend all the meetings of the inspection team?

The RI will arrange for key team meetings during the inspection when the team will collate and discuss the evidence evaluated. The representative is invited to attend and contribute to these meetings. The representative is also invited to attend the moderation meeting. In addition, the RI or other members of the inspection team may wish to meet with the principal and/or representative on other occasions throughout the inspection to discuss areas of curriculum or leadership responsibility.

The RI has a responsibility to maintain an overview of the emerging findings and may wish to meet with various members of the team throughout the inspection to get regular updates, resolve any issues that may arise and make further arrangements for accessing and analysing evidence. Lead or specialist inspectors for particular areas may also wish to meet throughout the day to review the arrangements for the inspection. The representative will not be expected to attend these meetings.

2. If I think the team has not seen something important what do I do?

This is a key role for the representative. It is very important that you bring any additional evidence to the team's attention in advance of the moderation meeting. This is expected and where appropriate will be considered by the relevant team member. Likewise, if you feel that the inspection team has not spoken with a key member of staff, or in the case of FE and WBL, an important external stakeholder or employer this should also be raised with the RI.

3. Do we have to change our timetables if the Reporting Inspector (RI) asks?

The RI may need to agree changes with the organisation in order to gather information about a certain skill or line of inquiry, gain access to particular members of staff, or to optimise the coverage of the inspection. It would be helpful if the organisation is able to accommodate these requests, although the ETI will strive to minimise them. Any requests for changes should be made through the representative.

4. If I disagree with what the team or an individual inspector says in a meeting and the evaluation being presented what can I do?

You should contribute to the discussions in a constructive way and bring any additional information or evidence to the attention of the team. Any challenge should be underpinned by solid evidence. It is your responsibility to ensure that the additional information is provided in a manner which allows the team to access analyse and evaluate this information in an efficient and appropriate manner. While the team will consider it, the information may not change the evaluation. Any additional information or evidence should be provided to the RI in advance of the moderation meeting.

5. Do I stop the principal release teacher or a part-time teacher/tutor coming to the school during the inspection days?

Inspectors need to see the organisation operating as it normally does. Normally, it would not be appropriate to make staff changes because of inspection.

6. I am principal of a very small school with a full-time teaching commitment, or a leader/owner with a significant teaching commitment and need to attend the briefing meeting on the first morning. Can I ask the RI that my teaching is not observed until later in the day or inspection window?

That would be a reasonable request and the ETI understands fully the demands upon teaching principals during inspection. It is important that these issues are discussed early on with the RI, who will normally try and accommodate a request such as this.

7. If a member of staff contacts the school/organisation close to the inspection to say that they are sick and cannot attend the inspection what do I do?

Schools/organisations should largely operate in the same manner as they normally would. Staff can be absent for a number of reasons so please continue with whatever arrangements you would normally make but the representative should inform the RI as soon as possible via the inspection services team (IST) before the inspection or in person if it is during the inspection. If a substitute teacher/tutor is employed, he/she may well be visited by a member of the ETI team.

8. If we have something special scheduled in the school/organisation that we would like the inspection team to see during the on-site inspection should I let the RI know?

Yes but please ensure that the RI is informed in a timely manner. The team will do their best to see the area that has been identified (if appropriate) but please understand that not all requests can be accommodated. If the school/ organisation or the RI feels that the event could have a detrimental impact on the process of the inspection, for example, it involves a proportionately large number of the pupils, then the RI and the representative should discuss this and determine the best course of action to ensure the smooth and effective running of the inspection from the school's/organisation's viewpoint.

9. If the team mention that they have not seen learners/young people or staff using any ICT/ILT¹⁰ skills in class can I tell the staff?

Team discussions are confidential; however, the representative may be able to consider the timetables and suggest some lessons or provide additional samples of pupils' or trainees' and apprentices' work where the use of ICT/ILT may be more prevalent.

10. Will the evaluations be affected if the organisation does not have statutory requirements in place?

Failure to meet statutory requirements, particularly in relation to safeguarding and child protection, development planning or curriculum provision, could affect the outcome of the area under inspection and the overall effectiveness level for the organisation.

¹⁰ Information and Communication Technology/Information and Learning Technology

11. Circumstances may arise where I cannot or do not wish to attend a team or moderation meeting or may wish to withdraw from a meeting. What should I do?

Acceptance of the role of representative is voluntary and while ETI would wish to involve the representative as fully as possible in the inspection process you are not obliged to come to a meeting when invited and you may withdraw from a meeting at any time by informing the RI that you wish to do so. The RI will make alternative arrangements to provide information on the emerging findings from the team meetings and the overall findings from the moderation meeting.

12. Can I be asked to leave a team meeting?

Yes. While it is hoped that all meetings will be conducted in an atmosphere of mutual and professional respect, behaviour that is constantly challenging or disruptive to the process may result in the RI asking you to leave the meeting for a short time or for the remainder of the meeting. Before this occurs, however, the RI will remind you about the protocol that was agreed and explain why you are in breach of the agreement.

If the behaviour of the representative continues to be overly challenging and disruptive, the RI will, as a last resort, inform the representative that their role in the inspection process has been suspended. The RI will inform the phase Managing Inspector of the decision and the Chair of the Governors during the report back. The representative should understand that, as the principal or member of the organisation's senior management team, their behaviour reflects on the nature of leadership and management of the organisation.

The ETI team will work to a relatively strict timetable and the briefing and moderation meeting will be carefully timed by the RI. The representative is welcome to contribute to the meeting but should be conscious of the time limitations and any points made should be concise and clear.

13. Do I choose the learners/young people for the inspection team to meet?

No. You will be advised by the RI of the learners/young people the inspectors will wish to meet. If you feel for any reason, that a pupil or young person should not meet with the team please discuss this with the RI.

14. Do I need to make sure that the team have access to a selection of learners'/ young people's work?

Access to learners'/young people's work is a critical part of the evidence base upon which evaluations on standards of work are made. It may be possible for inspectors to access some of the work through an electronic portfolio system if one is available. Specific arrangements should be made with the RI.

15. Will the inspectors meet with all subject co-ordinators/managers for professional and technical areas and essential skills?

The RI will discuss this in detail with the representative at pre-inspection. Those invited to meet inspectors should be prepared to refer them to the most recent documentation and actions relating to monitoring, evaluation and improvement with specific reference to current priorities in the organisation and where appropriate the professional and technical area.

16. Who would be appropriate in the role of representative?

An appropriate representative would be:

- someone who keeps the interest of the learner at the centre of the inspection process;
- a senior manager/principal/leader who is open to professional discussion relating to all aspects of the organisation's work and performance;
- a good communicator who is able to mediate challenging evaluations to other members of staff at the appropriate point;
- a senior manager who understands fully the quality assurance and self-evaluation process;
- someone who is able to act as an advocate for the organisation; and
- decisive and able to act if necessary before, during and after the inspection.

17. Can there be more than one representative?

In the primary and post-primary sectors, there can only be one representative. It is important that the inspection team has a single, clear line of communication with minimal room for confusion. This will normally be the principal, although an alternate may be nominated if desired.

On the larger and more complex multi-campus FE and WBL inspections, there will also only be one representative but supporting representatives will be considered if requested by the organisation where there are multi-sites.

18. What can I share with the organisation's staff after the moderation meeting and before the report back?

The ETI understands that the staff of the organisation will be very keen to learn of the inspection outcomes. However, the representative is required to maintain the confidentiality of the inspection process, and all associated discussions.

19. Is the overall evaluation I hear at the moderation meeting the final outcome for the organisation?

Not necessarily. The inspection process and all inspection performance levels and overall effectiveness outcome are subject to a rigorous internal quality assurance process, and can be changed.

20. What do I do if a problem arises?

Speak with the RI. It is important that matters are resolved quickly and to your satisfaction wherever possible. If the matter is not resolved to your satisfaction, the ETI Complaints Procedure¹¹ is available on the ETI website.

¹¹ <http://tinyurl.com/Comp-Procedure>

APPENDIX

Statement of Commitment and Understanding

This section should be completed and given to the Reporting Inspector on or before the first day of the inspection.

Name of Organisation: _____

Name of Representative(s): _____

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I have read the guidance regarding the role of the representative¹² in the inspection process. I am willing to participate as the representative for the inspection and agree to contribute in line with the guidance within this booklet and the code of conduct contained within the Charter for Inspection (January 2017)¹³.

Signed: _____

Date: _____

¹² In FE and WBL there may be supporting representatives who will also need to complete this pro-forma.

¹³ The 'Charter for Inspection' document can be found at: <http://tinyurl.com/Charter-Insp>

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