

Ofsted inspection

Advice for school leaders in England

What is the problem with the new Ofsted inspection framework?

As a school leader, you have difficult decisions to make to balance staffing with budget in your school. The new Ofsted inspection framework assumes a particular type of management structure usually found in secondary schools. These management structures have head of department posts, which are allocated appropriate extra non-contact time to monitor the teaching of the subject and student progress. These posts are usually appropriately rewarded with a Teaching and Learning Responsibility (TLR) payment.

The majority of primary schools do not have this structure. In most primary schools, teachers who are subject leads for a curriculum area do not have a timetable with additional non-contact time which would enable them to observe, assess and monitor the teaching of the curriculum in their subject area. In many cases, they do not have any TLR payment either. In some secondary schools, teachers have responsibility for a phase or key stage within their subject, again with no corresponding non-contact time or TLR. Yet these teachers are being required to be responsible for other teachers' delivery and monitoring of that subject throughout the school. This is unfair and unworkable.

This problem is even worse in small primary schools, where one teacher may be subject lead for more than one subject and required to complete monitoring documents for a range of subjects.

What are members reporting

The new inspection framework is focused on the quality of the school's curriculum. In order to assess curriculum quality against the framework's quality of education judgement requirements, inspectors are doing 'deep dives' into subjects, agreed in the pre inspection phone call with the head teacher.

As part of the 'deep dive', inspectors meet with subject leaders. They are being asked, among other things, about:

- the match between the school curriculum and the national curriculum
- how teachers, throughout the school plan for memory retention and retrieval
- evidence of consistency of teaching approach and quality throughout the school
- the rationale of the sequencing in the subject
- how the curriculum is monitored and evaluated.

NEU advice for school leaders

According to The School Teachers' Pay and Conditions Document (STPCD) TLR payments are intended to reward classroom teachers "for undertaking a sustained additional responsibility, for the purpose of ensuring the continued delivery of high-quality teaching and learning and for which the teacher is made accountable".

STPCD statutory guidance, which all maintained schools and academies should follow, sets out the limits on what teachers can be expected to do if they do not receive a TLR payment:

"Teachers are expected to contribute ... to curriculum development by sharing their professional expertise with colleagues and advising on effective practice. **This does not mean that they can be expected to take on the responsibility of, and accountability for, a subject area or to manage other teachers without appropriate additional payment. Responsibilities of this nature should be part of a post that is in the leadership group or linked to a post which attracts a TLR [payment]" (2019 STPCD Section 3 para 48).**

It is a normal and reasonable expectation that teachers should be provided with the necessary support to discharge their responsibilities if they are to be held accountable for them by anyone. **In terms of time, the STPCD states that teachers have a right to non-contact time, additional to their PPA time, for management responsibilities (2019 STPCD Section 3 para 52.6).**

Ideally, any teachers with subject responsibility should have a TLR and additional non-contact time. In the event that you are unable to provide this within your current budget and staffing constraints, then NEU advice, based on the STPCD, is that those teachers **should not** be viewed as responsible or accountable for that subject area.

Being on the upper pay range (UPR) does not change matters. The STPCD does not impose any extra professional responsibilities or duties upon teachers on the UPR compared to those on the main pay range (MPR).

- **You should not** be required to complete any paperwork which records any of the above.

In terms of Ofsted inspections

TLR payments are intended to reward classroom teachers "for undertaking a sustained addition

- If you employ teachers without a TLR, and without the necessary non-contact time to undertake the responsibilities of subject leader, **you should ensure that a senior member of staff accompanies those teachers to any meetings with Ofsted inspectors. That senior leader should contribute to the discussion of the curriculum, its delivery and monitoring, throughout the school.**
- When senior members of staff accompany teachers to meetings with inspectors, they should **make it clear to inspectors that the NEU, their union, has advised them that, due to budget and staffing restraints, the teacher cannot be held responsible for the quality of the curriculum in the subject deep dive.** We have advised our teacher members to make the same point.
- If you lead a small school where there is no-one else who could take on the responsibility of, and accountability for, a subject area or to manage other teachers, **you should write to the lead inspector in the region to state that the school**

cannot implement a part, or parts of the quality of education judgement requirements, because it does not have the resources necessary to provide staff with the time and payment to undertake those responsibilities fully.

- NEU recommends that you provide information for the Ofsted inspection team about your budget and staffing constraints and ask for this to be reported in the final inspection report. NEU also suggests that you make this information available for parents.

The NEU advice during Ofsted inspections and at all other times, is set out below

- Leaders **should not** ask teachers without TLRs to be responsible for standards in that subject, standards of teaching in that subject, feedback in that subject, sequencing of knowledge in that subject, consistency of teaching in that subject, or monitoring and evaluation of teaching and learning in that subject, across the school.
- Leaders **should not** require teachers without TLRs to complete any paperwork their records any of the above.

Don't wait for Ofsted to arrive before you tackle these issues. Use this advice to make a difference.

NEU recommends that leaders, with SLT members, should arrange a meeting with staff to discuss these concerns collectively, to secure their support for the approach outlined above.

NEU recommends that you arrange conversations with other heads in your area, in order to explain the approach that you will be taking during the inspection.

If you need further advice or support, contact your local NEU officers – you can find their contact details at neu.org.uk/contact-us

Act now, and act together!

Don't wait for Ofsted to arrive before you tackle these issues. Use this advice to make a difference.

Talk to your NEU school rep about organising a meeting of NEU members at the school you don't have a rep, organise the meeting yourself, and elect a rep at the meeting as well.

Discuss your concerns collectively, then ask your head teacher for a meeting to discuss them with SLT members and secure their support for the approach outlined above.

If you need further advice or support, contact your local NEU officers – you can find their contact details at neu.org.uk/contact-us