

## Become's response to the consultation on Ofsted's draft education inspection framework 2019

Become is the leading charity for children in care and young care leavers. We provide help, support, and advice to make sure care-experienced young people can unleash their potential and take control of their lives. We help make the care system work better by ensuring that young people's voices and perspectives shape policy and service provision. Until November 2016, Become was known as The Who Cares? Trust.

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### Introduction

School is a key part of all children's lives. For looked after children, school may be one of the few places they find safety, support and stability, but it might also be an environment in which they experience additional vulnerability. We know that looked after children in better-performing schools experience more stability in their lives – children in schools rated as 'Outstanding' by Ofsted are half as likely to experience a mid-year school move compared to children in schools rated 'Inadequate'<sup>i</sup>.

Statutory guidance notes that schools judged by Ofsted to be 'Good' or 'Outstanding' should be prioritised when seeking a place for looked after children in need of a new school<sup>ii</sup>, highlighting the significance of these judgements in supporting the decisions made about the lives of young people in care. Therefore, it's incredibly important that Ofsted – as the inspectorate for services providing education and care for children and young people – has an inspection framework that encourages providers to create a supportive and positive environment for learning, and that is suitably able to recognise where this has been established for the benefit of all children, particularly for those who face additional disadvantage or vulnerability including children looked after.

Our comments below are grouped around the four revised judgements offered within the new inspection framework – *Quality of education, Behaviour and attitudes, Personal development, and Leadership and management* – and come directly from our own research and conversations with care-experienced young people.

### 1. Quality of education

- 1.1. We are pleased to see a more holistic view of what constitutes evidence of a quality education; a narrow focus on exam results in previous years has only served to undermine the achievements and progress made by many children in care within schools each year. Whilst academic attainment should remain a key indicator, the context in which results are achieved is extremely important, particularly so for young people in care who are likely to experience significant challenges which will impact on their performance in school.
- 1.2. It is good to see a specific mention within the framework of ensuring schools deliver the best outcomes and a broad curriculum for "all learners, particularly the most disadvantaged", which includes children looked after. We hear often from young people about how professionals in their lives, including those within school, have acted to limit the educational pathways they can follow. Children in care deserve schools which are aspirational for them and work closely with them and relevant professionals to deliver a Personal Education Plan that does not limit ambition or choice.

## 2. Behaviour and attitudes

- 2.1. The draft inspection framework notes that inspectors will evaluate the extent to which providers have “high expectations for learners’ behaviour and conduct and apply these expectations consistently and fairly”. We know that many young people in care feel they are not treated fairly, and that teachers and school staff fail to appreciate how the difficulties they may be facing in their lives outside of school can impact on their behaviour within school. Applying policies for behaviour and conduct fairly within a school includes understanding the lived experiences of individuals and recognising *why* a child may display particular patterns in behaviour. Whilst it is good to see that the draft inspection handbook for schools goes into more detail to outline how inspectors will investigate the implementation of policies and their impact on the attendance and behaviour of specific groups of pupils with “particular needs”, further clarification and commitment within the framework is needed.
- 2.2. We are particularly disappointed by the lack of information within the overview of research of how trauma and adverse childhood experiences can influence behaviour and how certain behaviours may be understood as a communication of mental health needs. These considerations, including in the context of looked after and formerly looked after children, are included within other guidance around mental health and behaviour in schools from the Department for Education<sup>iii</sup>, but are absent from Ofsted’s research overview, draft handbooks and proposed inspection framework. We believe that the *Behaviour and attitudes* judgement should be visibly informed by the body of information and research around the impact of trauma and attachment issues on the learning and behaviour of children in school, such as the work undertaken by Bath Spa University<sup>iv</sup> and the Rees Centre at the University of Oxford<sup>v</sup>. Schools who can demonstrate how the design and application of their behaviour policies have reflected on the individual mental health needs of their most vulnerable students should be rewarded within the new inspection framework.
- 2.3. Given the omission above, it is particularly unfortunate that ‘no excuses’ or ‘zero tolerance’ behaviour systems are normalised within the overview of research. Such policies are insufficiently flexible to respond to the complex factors which impact on the behaviour of pupils with special educational needs and fail to resolve the underlying difficulties. The application of rigid behaviour standards often unfairly discriminates against particularly vulnerable groups including looked after children; over half of all children in care have a special educational need compared to under 15% of all children, with social, emotional and mental health needs by far the most common primary type<sup>vi</sup>.
- 2.4. The accompanying draft inspection handbook for schools outlines that inspectors will “evaluate the experience of particular individuals and groups such as... children looked after”, with a focus on exploring the use of fixed-term and internal exclusions. We know that looked after children are five times more likely to be temporarily excluded than pupils overall<sup>vii</sup>, and it can be argued that the negative impacts of these exclusions are intensified for those in care. It is particularly important that Ofsted encourages schools to consider the potentially uneven impacts of exclusions across different individuals and groups of pupils, and that these considerations are factored into decisions made based on the ‘effectiveness’ of exclusions in improving future attendance and behaviour.
- 2.5. Our own research suggests that young people do feel stigmatised by their peers for being in care<sup>viii</sup>, and school is one environment in which this stigma is heard and internalised by care-experienced young people. It is good that inspectors will continue to evaluate whether learners feel safe and if they experience bullying or discrimination, and this must be explored with an understanding of how stigma, discrimination and bullying may manifest itself for different groups of young people. For young people in care, schools can act

to mitigate stigma through introducing learning about the care system within school and using inclusive language – see point 3.3. for further details.

### 3. Personal development

- 3.1. Almost half of children in care have a diagnosable mental health disorder<sup>ix</sup> compared to 11.2% of all 5 to 15 year olds<sup>x</sup>. Whilst schools are not there to replace the vital direct work of mental health services, there are opportunities for schools to support the wellbeing and mental health of their pupils, and these are not sufficiently considered as part of current inspections. Therefore, it is welcome that inspectors will assess how schools help pupils “know how to keep physically and mentally healthy”. Learning well and participating fully in school life requires children to feel safe, happy and in control of their emotions, and we know that the turbulence of life in the care system can make this more difficult for those young people. Schools shouldn’t just be expected to deliver occasional isolated learning around mental health, but should have a whole-school approach involving all staff and understand how they can support those who might need the help of other services to access them.
- 3.2. It is good to see the draft inspection handbook for schools note how providers will be assessed on how they promote physical health and healthy lifestyles. Children in care are more likely to miss out on information about making healthy choices and opportunities to develop relevant knowledge and skills than their peers; offering flexible opportunities for all students to understand about healthy eating, develop their cooking skills and participate in physical exercise is vital to promote good health outcomes.
- 3.3. The framework refers to how schools will be expected to develop learners’ spiritual, moral, social and cultural development. Alongside promoting respect for the different protected characteristics, schools can reduce the stigma which care-experienced young people feel by supporting learning about the care system, using language which reflects a diversity in family circumstances (e.g. not everyone lives with “mum and dad”) and ensuring children in care are never made to feel different as a result of school policies or teaching practice. An appreciation and understanding of social and cultural diversity extends to learning about and showing respect towards those with different family and living arrangements, something which can be delivered through (but not exclusively within) appropriate relationship and sex education.

### 4. Leadership and management

- 4.1. We are pleased to see that inspectors will specifically evaluate “the extent to which leaders’ and managers’ high ambitions are for all pupils, including those who are harder to reach”. Our own research has identified how children in care feel their teachers don’t hold the same aspirations for them as they do for other young people<sup>xi</sup>, as well as uncovering negative stereotypes amongst teachers about their attitudes towards looked after children<sup>xii</sup>. When school staff have low aspirations for their students, this can have long-lasting consequences for pupils in terms of their future educational choices and achievements.
- 4.2. The framework is right to address growing concerns around gaming and off-rolling, and encourages inspectors to check how schools are exploring alternatives to exclusions. Ofsted’s own analysis has uncovered that looked after children were over-represented in the group of Year 10 pupils who did not appear in the census of a state-funded school in Year 11 the following year<sup>xiii</sup>. We are concerned about reports which suggest that children in care have been unfairly excluded from their schools<sup>xiv</sup>, in addition to those who have been denied entry to schools in the first place<sup>xv</sup> despite clear statutory guidance which prioritises their acceptance<sup>xvi</sup>. Ofsted is not necessarily the only influencing power in these issues, but it

does have the ability to hold providers to account where they have failed to provide the best for their looked after pupils.

- 4.3. The draft inspection framework notes that school leaders are expected to engage effectively with local services; joined-up working and good communication between local authority children's services, schools and the virtual school are essential to promoting the best outcomes for children in care. Our Teachers Who Care report identified that teachers don't feel they have enough support from or contact with local authority children's services<sup>xvii</sup>. It's particularly important that knowledge of how to support children in care isn't left exclusively with senior leaders or designated teachers, but there is instead a whole-school understanding of the role of children's services.

## Summary

There are a number of developments within Ofsted's proposed inspection framework that should lead to an improved experience in school for children in care, and will encourage schools to consider more closely the potentially uneven impacts on their policies and actions on groups of vulnerable pupils. We are particularly pleased by a new focus on a holistic quality of education and the context in which academic results are achieved, a recognition of the importance of mental and physical wellbeing for all pupils within the *Personal development* judgement, and the strong message around off-rolling/gaming and developing alternatives to exclusion. However, we would like to see more consideration of how schools will be evaluated in responding to the mental health challenges faced by pupils who have experienced trauma and childhood adversity, particularly within assessments of the *Behaviour and attitudes* judgement, as well as how an environment of respect and understanding is cultivated amongst pupils and staff for children not living with their birth families.

As the inspectorate for not only educational providers but services with care for children and young people, including local authority children's services, fostering agencies and children's homes, Ofsted is well-positioned to share learnings internally across its teams to ensure the educational environment for looked after children in schools is suitably understood and assessed within its inspections. We would like to see evidence of how different teams within Ofsted are working collaboratively to inform each other's work and promote greater awareness of the needs of children in care and young care leavers.

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<sup>i</sup> [Stability Index 2018: Overview and Findings](#) (Children's Commissioner, June 2018)

<sup>ii</sup> [Promoting the education of looked-after children and previously looked-after children: Statutory guidance for local authorities](#) (Department for Education, February 2018)

<sup>iii</sup> [Mental health and behaviour in schools](#) (Department for Education, November 2018)

<sup>iv</sup> [Attachment Aware Schools](#) (Bath Spa University)

<sup>v</sup> [The Alex Timpson Attachment and Trauma Programme in Schools](#) (Rees Centre, University of Oxford)

<sup>vi</sup> [Outcomes for children looked after by LAs: 31 March 2017](#) (Department for Education, March 2018)

<sup>vii</sup> [Outcomes for children looked after by LAs: 31 March 2017](#) (Department for Education, March 2018)

<sup>viii</sup> [Perceptions of Care](#) (Become, June 2017)

<sup>ix</sup> [Promoting the health and wellbeing of looked after children](#) (Department for Education and Department for Health and Social Care, March 2015)

<sup>x</sup> [Mental Health of Children and Young People in England, 2017](#) (NHS Digital, November 2018)

<sup>xi</sup> [Perceptions of Care](#) (Become, June 2017)

<sup>xii</sup> [Teachers Who Care](#) (Become, October 2018)

<sup>xiii</sup> [Off-rolling: using data to see a fuller picture](#) (Jason Bradbury for Ofsted, June 2018)

<sup>xiv</sup> [Forgotten children: alternative provision and the scandal of ever increasing exclusions](#) (House of Commons Education Committee, July 2018)

<sup>xv</sup> [Schools: Admissions: Written question – 145341](#) (parliament.uk, May 2018)

<sup>xvi</sup> [School admissions code](#) (Department for Education, December 2014)

<sup>xvii</sup> [Teachers Who Care](#) (Become, October 2018)