

**PAUL GARVEY**

# **TAKING CONTROL 2**

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**HOW TO PREPARE FOR  
OFSTED UNDER THE  
EDUCATION INSPECTION  
FRAMEWORK**

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# INTRODUCTION

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The education inspection framework introduced in September 2019 is a very different beast from all the previous Ofsted frameworks. If you have bought this book, you are likely to be in a school that will soon be on the opposite end of a 90-minute phone call from someone like me.

If so, read *Taking Control 2* with the relevant Ofsted handbook at your side or, even better and far more green, on screen. There are many references to paragraphs and pages (always in grey) in the section 5 (S5) and section 8 (S8) handbooks or the framework (EIF) where you can investigate the detail further, should you need to do so.

This book, like its predecessor,<sup>1</sup> gives you the inside story on inspection. The Latin saying *praemonitus, praemunitus* loosely translates as ‘forewarned is forearmed’ – and with inspections being so enormously high stakes today, schools really do need to be forewarned and you really do need to be metaphorically armed to the proverbial teeth in readiness for your inspectors. Be under no illusion: inspection is a battle that can definitely be won or lost.

Ofsted suggest you shouldn’t do anything extra to your day-to-day activities to prepare for inspection, and I – and every single one of the schools I have supported through their inspections and many others – say that’s mad!

Ofsted won’t allow their independent inspectors to offer advice to schools; thus, Ofsted wouldn’t allow me to both inspect and to write a book like this. I said ‘someone like me’ above. Some time ago, Ofsted’s intransigence on inspectors helping schools caused me to stop inspecting. I loved helping schools, and still do, but hanging up my inspector’s badge allowed me to write *Taking Control* and this, its sequel.

Ofsted have a large team of just over 1,500 inspectors whose main remit is to inspect in the education, learning and skills sector. They inspect mainstream schools and academies; over 70% of these inspectors are

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1 Paul Garvey, *Taking Control: How to Prepare for Inspection* (Woodbridge: John Catt, 2017).

serving professionals in schools. They have another 320 who inspect mainly in early years and a handful who inspect mainly in the social care sector.<sup>2</sup>

There is an annual churn of inspectors. Over 200 joined in the period June 2018 to June 2019 and well over 400 left in the same 12-month period. As a result, your inspection team may lack experience, so it is worth asking your lead inspector what depth of inspection experience they and their team possess. It will also take some time until inspectors are experienced with the EIF. Almost all will be ‘feeling their way’ (as one school put it) in their early days.

All these inspectors could be licensed to support schools in inspection preparation, but the organisation chooses instead to prevent this excellent workforce from doing so. Of course, Ofsted inspectors do help, and of those I know, both those serving in schools and those who are independent Ofsted inspectors, all use their knowledge in some way to help schools or as part of their work in schools or multi-academy trusts (MATs). Ofsted’s stance means this advice has to be given below the organisation’s radar. That is not me. I am just too open and honest about supporting schools to prepare for inspection. This book could not have been written by any of Ofsted’s inspectors who wish to continue to inspect, but it is a book that I hope many schools will find extremely useful.

Although Ofsted maintain that schools should not prepare for inspection, your inspectors will be making mental notes about how effective leaders and managers are throughout your inspection. They will be thinking, ‘Has this leadership team got the “capacity for improving the quality of education provided by the school”?’ (p. 75, S5, in the bullet list for ‘inadequate’). If it becomes clear that leaders at all levels don’t know the school as well as your inspectors might like you to – and especially if there is seen to be no coherent plan for progression in the school’s curriculum – it will cause you problems and overhang your inspection. If your inspectors feel that leaders are not well briefed and organised, this question may well raise its head, if not for an inadequate grade then as a counterweight to good. It will supplement thinking around other

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2 A list of current inspectors and their remits can be found at: <https://www.gov.uk/government/publications/ofsted-inspectors-list>.

reasons why leadership and management may not be judged as positively as you would like it to be. It is the first 'unknown unknown' for which you may need to be prepared (see page 14).

In the previous framework, it was senior leaders who needed to be prepared. In this EIF, it is subject leaders and even classroom teachers who must be ready to face some detailed questioning about curriculum organisation. This includes subject leaders in small primary schools who may be leading subjects with no financial reward and in their first years of teaching. It also includes all teachers of all subjects. Ofsted's expectation is that every teacher should be able to talk about the curriculum in their subject. The handbook (para. 189, p. 46, S5; my emphasis) makes this abundantly clear:

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The following activities will provide inspectors with evidence about the school's implementation of its intended curriculum:

- discussions with curriculum and subject leaders *and teachers* about the programme of study that classes are following for particular subjects or topics, the intended end points towards which those pupils are working, and their view of how those pupils are progressing through the curriculum.
- 

Ofsted also expect subject leaders to be able to talk about their subject with confidence, with reference to starting points and end points, in all years in the school, including the early years and sixth form. It is a big ask of middle leaders, especially in primary schools, and is an unfairness of this framework.

This book will help teachers, together with subject leaders and their line managers in senior leadership, to prepare for inspection. It will give you the knowledge to face those inspection meetings and activities with confidence.

In the previous framework, classroom teachers and assistants had next to no need for preparation. This time, observations – with subject leaders, not senior leaders – are back on the agenda. No grades will be given by inspectors, but a knowledge of where the lesson sits in the school's subject curriculum now has a much higher profile. In *Taking Control* I was able to say that 'Any extra inspection preparation pressure put on

classroom teachers and their assistants by leaders – or by themselves, as teachers can be their own worst enemy sometimes – is unnecessary.<sup>3</sup> I can't do that now. It is well worth classroom teachers demonstrating that their pupils know what they have learned and what they are about to learn. Inspectors will ask them. In addition, my previous advice to classroom teachers and assistants still stands: speak positively with inspectors and follow your school's policies, especially around behaviour.

It is good to see that Ofsted have removed teaching from any of the main judgement categories, but this does not mean they won't look at teaching on inspection. If anything, the EIF increases the use of what they see in lessons. Ofsted's main expectations of teachers can be found in the section 5 handbook (para. 183, p. 44).

I go further than believing that teachers, subject leaders and senior leaders, including governors, should prepare for inspection. I firmly believe that leaders can *take control* of the process. What this book will do is give you the best chance possible of inspection success.

This book also gives your school the best chance possible to get the inspection grade you believe you deserve. It will enable you to construct compelling arguments that your Ofsted inspector will find difficult to counter. A feature of this book is a concentration on schools' knowledge of curriculum progression, but data (or information) is still important, especially when assessing the impact of the school's work. Published data will give your lead inspector their initial feel for your school. If, at face value, these data do not look positive, that must be countered and explained, in a persuasive self-evaluation form (SEF).

Although Ofsted would like you to feel that curriculum is now the main focus of inspection, it will be interesting to see how many schools with poorer data are judged to be good or outstanding. I predict few, and probably similar percentages to the previous framework. Curriculum may now be Ofsted's king, but data is now the joker in the pack that could upset your outcome.

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3 Paul Garvey, *Taking Control*, p. 7.



This book is for you ...

- If you know that you are leading a good (grade 2) school, but your inspection data summary report (IDSR) may be suggesting otherwise.
- If you are leading a good school but you have made improvements from your last inspection, and believe that you may now be an outstanding school, and want your inspectors to recognise this.
- If you believe you are leading an outstanding school, ostensibly exempt from inspection, doing amazing things, but are worried that this framework may preclude another grade 1.
- If you are leading a school that is grade 3 or grade 4 and you are improving from difficult times, but you need Ofsted to listen to what is now possible in the future.
- If you are a subject leader or classroom teacher and you are worried by the raised expectations on you, inherent in this new inspection regime.
- If you are a governor or trustee who needs to understand the inspection process, as you will be interviewed by the inspection team, and you want to support your head teacher/principal to the fullest.

An important piece of knowledge for all schools is that the interpretation of every single criterion in the inspection handbook is subjective. It is down to the interpretation of your inspectors. That is where this book can help.

My advice is to be forearmed because, if your preparation is lacking, the handbook may well give your inspectors licence to find reasons to say you are not as good as you feel and know you are. The grade given to a school has to add up. Things have to satisfy a 'best fit' of subjective judgements around the criteria for four grades and your grade for overall effectiveness.

Grade 1 – outstanding.

Grade 2 – good.

Grade 3 – requires improvement.

Grade 4 – inadequate.

The quality assurance process at Ofsted doesn't give either Ofsted inspectors or Her Majesty's Inspectors (HMI) the freedom to report that a school is good if the handbook criteria are not satisfied well enough, and all HMI and lead inspectors know this. But it is possible for you to help them towards their decision through what you do before and during your inspection.

With the help of this book, you can be subtle and clever enough to help your lead inspector to write the inspection report you would like to read. Inspectors are very well trained in the use of the handbook, but, to be blunt, *you* have to know the inspection handbook as well as, if not better than, your inspectors. Know it well enough to be able to quote from it to back up your position.

I will refer to what are currently the most recent versions of the handbook, but please check at [www.gov.uk](http://www.gov.uk) for the most up-to-date editions:

The current section 5 handbook can be found at: <https://www.gov.uk/government/publications/school-inspection-handbook-eif>.

The current section 8 handbook can be found at: <https://www.gov.uk/government/publications/section-8-school-inspection-handbook-eif>.

The current education inspection framework (which includes Ofsted's methodology on deep dives) can be found at: <https://www.gov.uk/government/publications/education-inspection-framework>.

The handbooks are extremely detailed and rather arcane documents, but schools must be cognisant with their intricacies. If not, you will be faced with a lead inspector who is very familiar with the handbooks, which can leave you vulnerable. I will help you throughout with clear references to the parts that I think are most helpful to schools.

## Types of inspections

In state schools, inspections come in two forms: section 5 and section 8 inspections. In 2005, these replaced earlier section 10 inspections from the relevant section of the Schools Inspections Act 1996, in which they were established in law. More experienced (OK, older!) readers may remember those big teams descending on your school and looking at every subject, after you had spent the six-week(!) lead-in time working yourselves silly to prepare.

Section 5 inspections last two days and grades are given. They usually occur when a previously requires improvement or inadequate school undergoes its next inspection. In addition, if a good school undergoes a section 8 inspection and inspectors feel there is evidence that the school has improved towards outstanding or may no longer be good, inspectors will specify that the next inspection is a section 5 inspection, with the full range of graded judgements available (para. 29, p. 10, S5). They can also occur when a school requests an inspection (para. 31, p. 10, S5).

Section 8 inspections almost always last two days, but in schools with fewer than 150 pupils it will be just one day. It results in a letter, but no grades are given; a section 8 inspection cannot change the overall effectiveness grade for the school. These usually occur when a previously good school undergoes its next inspection, which takes place every four years. They also occur if previously outstanding schools, exempt from inspection, are identified as having declined in performance, via Ofsted's annual monitoring. There are other possible reasons for a section 8 inspection which are set out in the relevant handbooks. In exceptional circumstances, section 8 inspections can be 'converted' to section 5 inspections and extra team members brought in. This will then result in grades being given.

Section 8 inspections actually give the inspectorate the power to perform inspections at any time and for any reason, at the discretion of Her Majesty's Chief Inspector of Schools (HMCI). These inspections are known as section 8 inspections with 'no formal designation'. Basically, Ofsted can look at anything in their remit, any time they wish. Fortunately, these are fairly rare and come about due to specific reasons, as laid out in the handbook (paras 218–224, p. 49, S8). These apply

especially to exempt schools and are a way for Ofsted to inspect a previously outstanding school if:

- There are any safeguarding concerns, including a decline in the standards of pupils' behaviour and the ability of staff to maintain discipline, and/or welfare concerns.
- A subject or thematic survey inspection raises more general concerns.
- A qualifying complaint is received which, taken alongside other available evidence, suggests they should inspect the school.
- Concerns are raised about standards of leadership or governance.
- Concerns are identified about the curriculum (including if the statutory requirement to publish information to parents is not met).
- HMCI or the secretary of state have concerns about a school's performance.

That is, just about anything!

In 2012, section 8 'short inspections' of previously good mainstream schools were introduced, but these have now gone in the EIF. All good schools now receive two-day inspections every (approximately) four years, as do outstanding (and good) nurseries, pupil referral units and special schools.

Complicated? Yes. Overcomplicated? Very probably, but Ofsted are subject to legislation and can't change the inspection parameters. It is worth referring to the handbooks for precise and up-to-date information on the type of inspection you may face and the timings. Ofsted changed these during the previous framework and may well change them during this framework too.

Following a section 5 inspection, schools are given a judgement of overall effectiveness. Schools receiving a grade 4 and a proportion of those receiving a grade 3 receive further section 8 monitoring inspections until they are graded good, although conversion to academy status now complicates inspection timings. If a school is graded inadequate and placed in 'special measures', it is likely to face forced academisation and be required to join a MAT, not of its choosing.

A lead inspector of both section 5 and section 8 inspections can be either an HMI (salaried to Ofsted) or an Ofsted inspector who is independent of Ofsted, working on an ad hoc basis and performing a number of inspections each year. These inspectors can be serving professionals in schools.

A chink of light has recently been provided. Ofsted had to change the grade at a West London Academy following a complaint.<sup>4</sup> This is the first change for six years.

It is a complex situation, generally well known to senior leaders in schools, but sometimes difficult for other staff in schools to appreciate the full details. For an explanation of why we have this split between section 5 inspections of requires improvement and inadequate schools, section 8 inspections of good schools, and the fact that outstanding schools are exempt from regular inspection, see section 1.3.

*Taking Control 2* will aid those leaders of good schools in persuading their Ofsted inspector/HMI that they do not need to alert Ofsted in their section 8 inspection letter to reinspect because standards have fallen. It will also aid such leaders if they feel that the section 8 inspection of their currently good school really does need to look, quickly, at whether it is now an outstanding school.

Ofsted no longer presume that a previously good school is still good, but after reviewing your data, pre-inspection, all HMI/Ofsted inspectors will have formed initial ideas about the school that they will need to test out. However, hopefully they will not have made any judgements. Long experience of inspecting has taught me that you never know what you will find when you walk through the doors of a school, but not all inspectors are the same. If you get the feeling that your lead inspector is trying to fit what they are seeing to a preconceived idea of what the school must be like, based on its outcomes, ask the lead inspector to leave your office and call the Ofsted helpline on 0300 123 1231 immediately and ask to speak to the duty HMI.

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4 Helene Mulholland, Ofsted amends 'inadequate' grade after curriculum inspection complaints, *Schools Week* (31 January 2019). Available at: [https://schoolsweek.co.uk/ofsted-amends-inadequate-grade-after-curriculum-inspection-complaints/amp/?\\_\\_twitter\\_impression=true](https://schoolsweek.co.uk/ofsted-amends-inadequate-grade-after-curriculum-inspection-complaints/amp/?__twitter_impression=true).

Please don't leave this to a later complaint. After supporting many schools through complaints and listening to the experiences of many head teachers and principals, I have come to the opinion that the Ofsted complaints procedure is so stacked against complaining schools, and in favour of the inspectorate, that it is not worth the paper on which it is written. A recent Freedom of Information (FOI) request found that not a single inspection grade had changed as a result of a complaint in the period 2014–2019. I find that quite incredible, in the true sense of the word. It is unbelievable. Ofsted can't have got every single inspection right over this five-year period, but that is effectively what they are suggesting with the zero changes in grades via complaints. Good luck if you ever have to cope with this badly flawed procedure.

Always remember that all grades and criteria are subjective. Your lead inspector has to evidence any decisions they make to get their eventual section 8 letter or final section 5 report through quality assurance. This gives you the lever to influence and persuade. It is possible to take control of your inspection. It really is!

A very persuasive SEF (the acronym means self-evaluation form, although there is now no compulsory form to fill in, as there was at the start of section 5 inspections in 2005 – it is just a self-evaluation of your school, but SEF survives in common parlance, so I will use it as an abbreviation throughout) combined with a confident demeanour from all leaders on inspection is needed. Marry this with clear and accurate references to improvements and link this in your SEF to relevant sections in the inspection handbook. This can plant the seed of an idea that your school is at least good and may be better, if that is what you are aiming for.

In addition, if they don't see you confidently helping them towards their decision, even though their pre-inspection view of the school is positive, your inspectors will be making unspoken value judgements about whether leadership and management are really driving improvements towards a good or an outstanding school, or whether they still have some way to go. *Take control.* Provide your lead inspector with all the information they need in order to make the decisions you want them to make, and deliver all the necessary information with confidence, belief and persuasiveness. Taking control will also help if you are a grade 2 school undergoing your four-yearly section 8 inspection, and you really

don't want that inspection to result in a letter saying Ofsted will come back earlier to look at requires improvement.

Ostensibly, section 8 inspections don't result in grades. In reality, of course, the inspectors are always thinking grades. You should know how your lead inspector is thinking, as they are tasked to keep you up to date with how the inspection is going. This is especially true at the end of an inspection. The inspector will tell you then why they are not convinced you are still a grade 2 school. This is obviously an outcome you want to avoid, if possible. It will lead to a section 5 inspection within two years, and that team will have the letter you received following your section 8 inspection firmly in mind. This two-year period can be stressful, but it can also be used to effect the improvements the lead inspector's letter asks of you. All hope is by no means lost, but this time make sure you take control of that section 5 inspection. However, if schools like these could have been more convincing on their section 8 inspection days, they may not have had to endure a full section 5 inspection. If this is why you are reading this book, *Taking Control 2* will give you those tools of persuasion.

The possibility of a grade slip is perhaps the most difficult inspection situation. If it is a catastrophic slip to inadequate, as all presently good or requires improvement schools know, this opens up the potential abyss of forced conversion to an academy, and perhaps being swallowed up and 'sponsored' by an academy chain which, if you had a choice, you would not consider joining. The option of determining your own future in an academy-dominated educational world may be taken away from you, simply because of an inspection decision which may have been brought about through not knowing what you could have done to prepare fully. This can happen all too easily if you fail to show an inspection team that you are actually a good or requires improvement school that has turned a corner, and the future is actually a lot brighter than your current IDSR suggests. This book will give you the best possible chance of persuading your lead inspector/HMI that this is the case. The stakes are abominably high.

On the other side of the fence, so to speak, academy chains and MATs are under scrutiny from a government which expects results in terms of school improvement. The main and very crude measure that is being used to judge MAT success is changes in Ofsted grades of the schools

that comprise the MAT or chain. As the MAT will have been expected to assimilate a potentially significant number of grade 3 and grade 4 schools, it is extremely important that the strongest possible arguments are offered to demonstrate the improvement of individual schools to inspection teams. An improving set of Ofsted grades over time, or maintenance of existing good grades, is a very strong argument for Ofsted, in discussion with the regional schools commissioner, to not perform a full and potentially damaging inspection of the MAT or academy chain. This book is also for those MATs.

## What this book can't do is save you

If your school does not give pupils a leg-up in their life chances, from joining your school to leaving, there is nothing this book can do to help you change your likely Ofsted grade. If pupil progress from their starting points is poor – and I will detail many ways in which you can show good progress from starting points – or leadership and management is poor, or behaviour is not under control, something in your school has to change. If safeguarding is not right, I have no sympathy. You must get it right. If your pupils are not getting a good deal over time, please don't look to the contents of this book as your safe passage. If you are in that position, I would have had no hesitation in giving you a grade 4, and I would expect your inspectors to do exactly the same.

I believe that schools need to be held to account if they are not performing well. I support a supportive, professional monitoring process, and although I agree with Ofsted on some things, I no longer feel that they are competent enough to be responsible for inspection. Too much hubris, too many Department for Education agendas, too many flaws.

However, if it is simply that you are finding it hard to *demonstrate* that the pupils in your school are getting a good deal over time, but actually staff, leaders, parents and pupils feel that they are, then *Taking Control 2* is definitely for you.

There is a moral base to the school inspection process to which I, and almost every inspector I have ever met, subscribe. I inspected for the pupils; not for head teachers or principals, not for senior leaders, not for



teachers or teaching assistants, not for governors or MAT boards. There was only one reason I inspected (and it certainly wasn't for the money, which really does not recompense lead inspectors for the responsibility of leading inspections, which is huge), and that was to ensure that the pupils in a school were getting the best deal possible for the future. If I and my team judged that pupils ought to be getting a better deal – following an extremely detailed and many-faceted inspection – we would walk away from the school knowing that we had done the best job we could have done for the pupils, even though the school would have been given a grade 3 or grade 4. However, I always walked in with no fixed idea of what that school would be like, having only looked at the data. That is where I differed greatly from a few of my colleagues. Ofsted have still not sorted out that mindset in some inspectors, and that isn't good enough because it isn't fair or moral. Every school deserves to be inspected with an open mind, poor headline data or not.

Yes, things in a school may have to change. Yes, people may have to leave as a result of the inspection. It may be leaders initially, but perhaps later, under a change of leadership, teaching staff will need to go too. However, on inspection, you follow the moral imperative that the pupils come first. They only get one chance at their education, and an inspection which highlights problems in a school can help them to get the best out of the education they are offered in the years they have left there. As I observed in *Talk for Teaching*,<sup>5</sup> head teachers and principals are brilliant people doing an extremely difficult and demanding job – indeed, I describe them all as mad for doing the job at all – but some find that brilliance beyond them and this can impact on pupils. In that case, it doesn't matter how much effort you put into inspection preparation, this book won't save you.

In the past, I have suggested that a grade 4 and special measures is not the worst thing that can happen to a school. It used to give the school a baseline from which to change and move forward. (But does anyone like working in a school that is clearly failing? No.) However, things have changed markedly in recent years and now we have the blight of forced academisation. To force a school into a trust that they don't know and which may have an approach that parents, especially, may not want for

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5 Paul Garvey, *Talk for Teaching: Rethinking Professional Development in Schools* (Woodbridge: John Catt, 2017).

their children is the single worst thing that can happen to a grade 4 school. To have no agency whatsoever in your future is wrong. Forced academisation is a cruel place to be. It is an ideological trap and the sooner it is removed, the better.

I believe it is time for a new kind of inspectorate, and I'm not alone. The Labour Party committed to abolishing Ofsted at their conference in September 2019 and the National Education Union (NEU) support this too. Many in education are in agreement: Ofsted have had their day. The discussions around a viable replacement are already happening. @HeadsRoundtable, on Twitter, is a collection of forward-thinking head teachers who have some excellent proposals for the future of inspection and my views are very much aligned with theirs. It is time for a change. Maybe the inspectorate's tardiness in stopping inspections at the start of the coronavirus crisis will convince schools that they may not be the force for good that they say they are.

This book is not about the future of inspection though; it is about providing schools with the best arguments for facing inspection within this framework.

If a school is not failing, but outside agencies such as the local authority or the regional school commissioner's office are applying pressure by saying that it is failing (perhaps without an actual inspection), this book will help you with your arguments. Again, it will not save you if outside agendas are fixed or if your school really is poor, but there are organisations that may be able to help – especially the NAHT ([www.naht.org.uk](http://www.naht.org.uk)).

## Unknown unknowns

When preparing for inspection, Donald Rumsfeld's quote from 2002 rings very true. He was talking about a very different circumstance and was actually alluding to the 1955 work of two American psychologists, Joseph Luft and Harrington Ingham. His rather tortuous comment, during a Department of Defense press briefing concerning the lack of

evidence for weapons of mass destruction in the Iraq War, has become infamous:

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there are known knowns; there are things we know we know. We also know there are known unknowns; that is to say, we know there are some things we do not know. But there are also unknown unknowns – the ones we don't know we don't know.<sup>6</sup>

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Therein lies the crux of what this book will help you to do. I have already mentioned one possible unknown unknown around the capacity for further improvement, and there will be many more. I will also expose your own unknown unknowns – those gaps in your inspection knowledge that could, potentially, cost you dearly on inspection. You will probably never know the degree to which your lack of knowledge about such unknown unknowns will have damaged your defence, if indeed they do. However, with those unknown unknowns revealed, it becomes possible for you to have the confidence to take control of your inspection and to present your arguments in the most credible way possible.

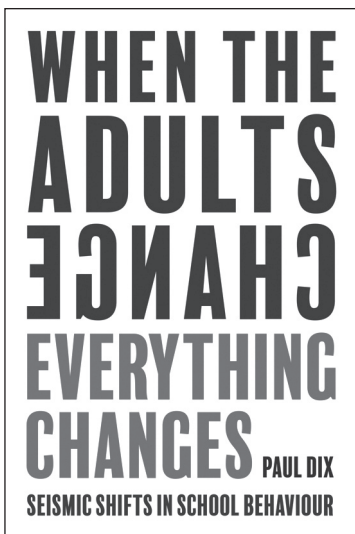
The book is divided into four main chapters:

1. Inspection Preparation
2. SEF Writing
3. An Inspector's Inspection – Inspection Methodology
4. A School's Inspection

where you will uncover the unknown unknowns bespoke to you. I can't point each one out, as your personal unknown unknowns are, logically, unknown unknowns to me too! Some information will be known to you and some you might be hoping to find out, but no one except yourself will understand when you have discovered a little nugget of an unknown unknown.

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<sup>6</sup> Donald H. Rumsfeld, Department of Defense news briefing (12 February 2002). Available at: <https://archive.defense.gov/Transcripts/Transcript.aspx?TranscriptID=2636>.



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**Paul Garvey** was a teacher for 22 years and is a former lead inspector for Ofsted. He has also supported many schools in preparing for inspection. Paul is a member of both Barnsole Academy Trust and PEAK Multi Academy Trust, and is the author of *Taking Control* and *Talk for Teaching*.

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