

Mental Health Foundation Consultation Response

Ofsted: Education Inspection Framework 2019 -
inspecting the substance of education, April 2019

The Mental Health Foundation

Our vision is for a world with good mental health for all.

Our mission is to help people understand, protect and sustain their mental health.

Prevention is at the heart of what we do, because the best way to deal with a crisis is to prevent it from happening in the first place. We inform and influence the development of evidence-based mental health policy at the national and local government level. In tandem, we help people and communities to access information about the steps they can take to reduce their mental health risks and increase their resilience. We want to empower people to take action when problems are at an early stage. This work is informed by our long history of working directly with people living with or at risk of developing mental health problems.

The Mental Health Foundation is a UK charity that relies on public donations and grant funding to deliver and campaign for good mental health for all.

Website mentalhealth.org.uk
Twitter [@MHF_tweets](https://twitter.com/MHF_tweets)
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Mental Health Foundation submission to *Ofsted Education Inspection Framework 2019: inspecting the substance of education*

Summary of main recommendations

- The new 'Behaviour and attitudes' judgement category should be renamed 'Behaviour, attitudes and inclusion' to give clearer priority to inclusion.
- The inspection framework should be clear that inspectors are expected to evaluate the effectiveness of exclusions for the excluded learner as well as their effectiveness in creating an ordered school environment.
- Providers should not be judged 'outstanding' against the behaviour criteria if they have had to permanently exclude a pupil.
- Ofsted inspectors should evaluate the extent to which providers can deliver an individualised, graduated response when poor behaviour might be the result of educational, mental health, other needs or vulnerabilities.
- Ofsted should explicitly define what the framework means by 'character' and 'resilience'.
- The framework should clearly state that education providers have a duty to protect and promote the wellbeing of the learners in their care through a whole-school approach to wellbeing promotion.
- Ofsted should ensure that its framework is compatible with and does not disincentivise the use of wellbeing measures in schools. Ofsted should discuss with the DfE what guidance they are likely to be producing on this topic.

Introduction

We support Ofsted's decision to create separate judgements for 'behaviour and attitudes' and 'personal development'. We believe that this will help to begin to shift focus away from academic outcomes to better reflect the nature and breadth of learning in education settings. Very importantly, the new separate judgements will allow more room to assess education providers' (henceforth simply referred to as 'providers') approach to wellbeing, an important factor that has been missing from previous iterations of Ofsted's inspection framework.

However, we consider that Ofsted's proposed framework could do more to incentivise providers to positively promote the wellbeing of the children and young people in their care. In particular, there is no reference to having in place a 'whole-school approach' to mental health and wellbeing, despite the evidence presented by Ofsted and others that this is necessary to protect the wellbeing of children, helping them to thrive personally and academically.

Behaviour and attitudes

We broadly support the creation of this new judgement category. However, the proposed framework creates a tension between the need for schools to demonstrate good behaviour and the reference to using exclusions 'appropriately'. Depending on what weight is given to each point by inspectors – and particularly how rigorously inspectors adhere to the ambitious requirement for schools to create an environment



in which learners ‘**do not** experience bullying’ – providers could be perversely incentivised to implement ‘zero tolerance’ approaches to discipline, driving up school exclusions. We therefore recommend that the new judgement category be named ‘Behaviour, attitudes and inclusion’ to reflect the importance of schools being as inclusive as possible.

Despite Ofsted’s claim that the ‘use of exclusions is an essential part of behaviour management systems’ (review of the research, page 27), exclusions are rarely, if ever, in the best interests of the child being excluded. The study cited in Ofsted’s research by Ford et al shows a bidirectional relationship between exclusions and mental health¹. Not only are children with mental health problems more likely to be excluded, exclusions also contribute to the development of mental health problems.

It is also well-known that exclusions disproportionately affect the most disadvantaged, including learners with mental health needs and special educational needs. The Institute for Public Policy Research (IPPR) found that children who experience poverty, unsafe family environments, special educational needs, poor mental health, and low prior attainment are all at increased risk of being excluded². Many of those permanently excluded are referred to Alternative Provision, a sector that is of widely variable quality with poor oversight and accountability³, which can be detrimental to their future prospects.

In the context of learners with learning disabilities and autism, inspectors should be particularly vigilant for signs of the use of seclusions and restraint. The Challenging Behaviour Foundation surveyed parents of children with learning disabilities and autism and found that 88% of respondents reported that their children had experienced restraint and 71% had been secluded. For 21% of these children, seclusion was a daily experience and 91% of families surveyed said that their child had been negatively emotionally affected by restraint or seclusion. Of major concern is that 58% reported physical injuries⁴.

Ofsted’s framework does well to explicitly require inspectors to evaluate the effectiveness of fixed-term and internal exclusion and to assess the provider’s work to follow up and support fixed-term excluded pupils. We recommend that inspectors evaluate the effectiveness of such exclusions for the excluded learner as well as their effectiveness in creating an ordered school environment. We welcome that the proposed school inspection framework expects permanent exclusion to be ‘a last resort’ and we are pleased to see Ofsted tackling off-rolling, but we dispute Ofsted’s assertion that exclusion is a ‘vital measure for headteachers to use’, especially if exclusions are regular or permanent. We do not consider that schools should be judged ‘outstanding’ against the behaviour criteria if they have had to permanently

¹ <https://www.cambridge.org/core/journals/psychological-medicine/article/relationship-between-exclusion-from-school-and-mental-health-a-secondary-analysis-of-the-british-child-and-adolescent-mental-health-surveys-2004-and-2007/C01898F768A7C47FB9A1F2F894B22A85>

² <https://www.ippr.org/files/2017-10/making-the-difference-report-october-2017.pdf>

³ <https://publications.parliament.uk/pa/cm201719/cmselect/cmeduc/342/342.pdf>

⁴ <https://www.challengingbehaviour.org.uk/learning-disability-assets/reducingrestrictiveinterventionofchildrenandyoungpeoplereport.pdf>



exclude a pupil in any but the most exceptional circumstances. The emotional and other needs of learners being permanently excluded must be considered and inspectors should see evidence that excluded learners are being adequately supported through the process. Ofsted should do more to incentivise schools to prioritise inclusion and avoid exclusions wherever possible.

We are also concerned that Ofsted's inspection criteria do not focus enough on providers identifying the root causes of poor behaviour. Poor behaviour is often an expression of an unmet need and traditional, punitive approaches to discipline do not ensure this need is met. We recommend that Ofsted aligns its approach with the Department for Education's guidance on behaviour and mental health, which states that whole-school approaches to behaviour *'should be paired with an individualised, graduated response when the behaviour might be a result of educational, mental health, other needs or vulnerabilities'*⁵. Ofsted should also evaluate the extent to which this takes place.

Personal development

We welcome the new judgement category of 'personal development', and strongly support Ofsted's requirement for inspectors to look 'beyond the academic, technical or vocational'. In combination with Ofsted's aims to incentivise all providers to deliver a balanced curriculum, we believe this will help providers deliver a more rounded and holistic education.

However, a large part of the personal development judgement relies on inspectors' and providers' understanding of the concepts of 'character' and 'resilience'. From a mental health perspective, these terms can be damaging when interpreted wrongly, particularly if they are applied in a way which encourages the suppression of emotions or discourages help-seeking.

We recommend that Ofsted explicitly defines what they mean by 'character' and 'resilience'. To remain consistent with wider Government policy, Ofsted could use as a starting point the definition of character traits used in the new Relationships Education/Relationships and Sex Education/Health Education curricula:

Developing character traits includes: *'helping pupils to believe they can achieve, persevere with tasks, work towards long-term rewards and continue despite setbacks. Alongside understanding the importance of self-respect and self-worth, pupils should develop personal attributes including honesty, integrity, courage, humility, kindness, generosity, trustworthiness and a sense of justice'*⁶.

We would also recommend adding *'and recognise when they need help, encouraging and enabling them to ask for it'* to the first sentence.

⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/755135/Mental_health_and_behaviour_in_schools_.pdf

⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/781150/Draft_guidance_Relationships_Education_Relationships_and_Sex_Education_RSE_and_Health_Education2.pdf



Leadership and management

The leadership and management category should aim to better reflect Ofsted's overview of the research and promote a 'whole-school approach' to wellbeing. We would like to see it clearly stated that education providers have a duty to protect and promote the wellbeing of the learners in their care through a whole-school approach to wellbeing promotion. We are strongly of the view that such a focus is not at the expense of learner's academic achievement, but it is an essential companion to this; indeed, it is difficult for children to reach their full potential if they are experiencing difficulties in their lives.

Ofsted's overview of the research cites Public Health England's work showing that *'the most effective approaches focus broadly on well-being and promote strengths rather than primarily focusing on poor mental health. A whole-school approach that incorporates these factors in the curriculum as well as targeted support, staff development, working with parents and developing a positive climate, has been found to have a positive effect on both physical and mental health'*.

The review of the research also cites Professor Weare's work which found that *"Evaluations typically show that well-coordinated whole-school approaches are most likely to have an impact, while uncoordinated small-scale interventions are not. Support from the senior leadership team is essential"*.

These findings are not fully incorporated into Ofsted's draft inspection framework. We recommend that the framework should include a greater expectation that providers' leadership should take a strategic, whole-institution approach to mental health and wellbeing that engages and supports the whole community of that institution. Providers should also be expected to discuss their wellbeing strategy with inspectors during inspections. As with other parts of Ofsted's framework, inspectors should be evaluating the processes used rather than raw outcomes to help ensure that schools in disadvantaged areas or those with intakes with high levels of need are not disadvantaged.

Quality of education

We are pleased that Ofsted has recognised its influence in increasing the workload burden on teachers and that, as a result, the draft framework is clear that assessment should be focused and purposeful. We would recommend however that Ofsted makes clear reference to assessment for the purpose of wellbeing in its criteria. Otherwise we are concerned that Ofsted's criteria could disincentivise the use of wellbeing measures, which would be counter to the DfE's current work to promote them.

Ofsted could include an additional bullet point in paragraph 168 of the draft school inspection handbook stating, *'If applicable, teachers use assessment to identify issues with subjective wellbeing and have in place clear processes to act on the information generated'*. There should be further reference in the guidance to the benefit of assessing for wellbeing to reassure schools that using wellbeing measures will not result in penalties linked to Ofsted's criteria for limiting additional workload and data collection.



Since there are currently no obligations for schools to use wellbeing measures, despite their benefits, we would also recommend that Ofsted discuss with the DfE how the inspection framework could incentivise the use of wellbeing measures (or, at a minimum, remove any disincentives to use them). We recommend that Ofsted inspects the processes in place around wellbeing measurements – for example how well teachers and leaders can collect wellbeing data and take positive, whole-school action as a result. Good practice in this area should feed positively into one of the inspection criteria, either in the ‘Leadership and management’ or ‘Personal development’ criteria. Again, this measure should be based on the processes in place, not the outcomes in isolation, to avoid penalising schools with intakes with high levels of need.

In the draft Education Inspection Framework, paragraph 25, first bullet point under ‘Intent’, Ofsted writes that school leaders should ‘adopt or construct a curriculum that is ambitious and designed to give all learners, particularly the most disadvantaged, the knowledge and cultural capital they need to **succeed in life.**’ We strongly recommend that Ofsted replaces this with ‘... to be **happy, healthy, and successful in life.**’