

Education Committee

Oral evidence: Safeguarding in schools, HC 328

Tuesday 15 June 2021

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Members present: Robert Halfon (Chair); Fleur Anderson; Apsana Begum; Tom Hunt; Kim Johnson; David Johnston; Ian Mearns; David Simmonds; Christian Wakeford

Questions 1 - 63

Witnesses

I: Amanda Spielman, HMCI, Ofsted; Andrew Cook, HMI and Regional Director for the North-West, Ofsted; and Vanessa Ward, Chief Executive and Chief Inspector, Independent Schools Inspectorate.

Written evidence from witnesses:



Examination of Witnesses

Witnesses: Amanda Spielman, Andrew Cook and Vanessa Ward.

Q1 **Chair:** Good morning, everyone. Thank you very much for coming. For the benefit of the tape, and those watching on Parliament TV, could you kindly introduce yourselves and your positions?

Vanessa Ward: My name is Vanessa Ward, and I am chief executive and chief inspector of the Independent Schools Inspectorate.

Amanda Spielman: My name is Amanda Spielman, and I am Her Majesty's Chief Inspector of Education, Children's Services and Skills, which is the Ofsted chief inspector.

Andrew Cook: Hello, my name is Andrew Cook. I am the regional director for the north-west in Ofsted.

Q2 **Chair:** We are going to spend the first 40 minutes to an hour discussing safeguarding. Then the Independent Schools Inspectorate will leave and we will have a general accountability session.

Amanda, the former Chair of the Women and Equalities Select Committee, Maria Miller, was quoted in *The Guardian* last week saying that the Ofsted finding, that sexual harassment was so commonplace in schools that pupils do not bother to report it, was not new news and that her Committee's report had recommended in 2016 that Ofsted put into their school inspection framework the specific requirement to look at the reporting and recording of sexual harassment. She says that Ofsted did not change the inspection handbook until 2019. Furthermore, when inspection data showed that only 6% of schools have recorded sexual harassment allegations, Ofsted failed to act.

I just quote her, "What's so shocking is that as an inspectorate they are responsible for monitoring safeguarding in our schools. We wouldn't expect as adults to have our workplaces dominated by people asking us for nude images of ourselves or receiving 'XXX pics'. Yet we are expecting young women in our schools to endure that sort of pressure." What went wrong? Why have you not picked up all these safeguarding problems that you uncovered in your previous inspections?

Amanda Spielman: A number of things have been rolled together there. The first I would like to be clear about is that there is a complete misapprehension of what we did. I arrived in January 2017, three months after the publication of that report, and we were already considering. Part of the planning of the new inspection framework I wanted to do was to build a strand in, as we did. We started the development work on that framework in 2017, and it was consulted on and published. You are aware that these things have to be taken through with the expectation that every inspector would ask and be able to follow up on sexual harassment and violence, as well as other aspects of bullying



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safeguarding. It has always been there, but it made it more explicit to ensure that it was fully discussed.

Alongside that, the Department for Education published advice in December 2017. We carried out training for all our inspectors in every remit in spring 2018. We put out further guidance for the sector, as well as inspectors, in a school inspection update in March 2018 and July 2018. We did further training in spring and September 2019 and published a blog in October 2019.

We did an immense amount, first, to make sure that it was built into the framework and, secondly, to ensure what is as important as having words in a framework: having inspectors fully trained and prepared, and the sector understanding what is going to be discussed at inspection.

Chair: The harrowing report published last week uncovered—

Amanda Spielman: If I could finish.

Chair: Briefly, please.

Amanda Spielman: There were a number of questions rolled up together. We were also a partner in a University of Bedfordshire project “Beyond Referrals” on sexual harassment in schools through that period.

We were only able to inspect under that new framework for six months because, as you are aware, our power to make routine inspections was suspended more than a year ago on the onset of the Covid pandemic. One of the things we have been able to do in this report is to publish an analysis of that first six months of inspections. I should mention that we worked with a number of groups working on this issue in that period between the publication of the Women and Equalities report and starting our new framework.

The universal assumption was that having this explicit request for schools to provide information would elicit a considerable stream. It has come as a surprise to a lot of people that not only is it as few as 6% of schools reporting specific instances but, also, that getting on for half of schools gave us a nil return.

Standing back, this is part of why we did this dig-in with single-sex focus groups and with these very—

Q3 **Chair:** I have it. We have lots to go through. The fact is that you inspected many schools and passed them off as “good” or “outstanding” and did not uncover safeguarding issues, as your report highlighted last week.

Amanda Spielman: You are conflating two things there. These are not necessarily safeguarding issues. Safeguarding is a term used for things putting children at significant risk of harm. Much of what we are talking about in this report is stuff that is already contemplated and dealt with in things like bullying policies, anti-bullying and harassment. There is an



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immense amount of work already done. There is an immense amount already in schools, and we review that.

The problem is that there are aspects of this that are particularly hard to surface, as I think everybody is recognising, and a great deal of this is happening outside schools as well as inside schools. This is not something that is narrowly about a school problem.

- Q4 **Chair:** There are many education establishments graded “inadequate” or “requires improvement” by Ofsted within the last three years that have not received a follow-up monitoring visit or inspection. In some cases, Ofsted has stated that the safeguarding is not effective. Pupils have reported that they do not feel safe, yet the school remains open and unmonitored. In a sample of 87 schools in a survey conducted by the Safeguarding Alliance, 37 schools currently ranked as “outstanding” have not been inspected in over five years, with some having had their last inspection 12 years ago. Surely this is symptomatic of why so many safeguarding issues have not been addressed before. Do you not need to review the safeguarding aspect of your inspection process?

Amanda Spielman: I am not aware of the list to which you refer. We have made arrangements to undertake our monitoring visits this term. Perhaps this is a good one to bring Andrew Cook in, since he will be responsible for this in the north-west region. The Safeguarding Alliance may be confusing the fact that a report has not yet been published, and on that basis—

- Q5 **Chair:** What they are saying is that there are many schools that you have not inspected for many years that have safeguarding issues.

Amanda Spielman: I find that hard to believe. Andrew, do you want to add anything about the monitoring visits?

Andrew Cook: We certainly have been carrying out monitoring visits where we have known concerns around safeguarding. They have continued throughout the period, even during the pandemic, where we feel that we need to go in and check safeguarding. It is incorrect to say that we are not making monitoring visits. We do those under what we call section 8, no formal designation visits, where we have concerns about safeguarding. We are making those.

You refer to “outstanding” schools where there are safeguarding concerns. Any school that has a safeguarding concern where we feel there is a need to visit the school to check safeguarding, then we will do so.

- Q6 **Chair:** Will Ofsted take responsibility for the significant number of schools inspected by you in which safeguarding problems have been found? Will you be providing a detailed timetable of when seriously overdue inspections will take place?



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Amanda Spielman: I do not believe we have seriously overdue inspections. The outstanding exemption has now been lifted and we will be bringing those schools back into routine inspection. I am not aware that any school can have a 12-year gap since it was inspected, unless it is currently rated outstanding.

Q7 **Chair:** Clearly there are many schools you have not inspected for many years that may have safeguarding issues, so therefore—

Amanda Spielman: We have been prevented from inspecting. Where we have had specific intelligence or complaints, we have been able to visit, but we have not been able to inspect outstanding schools routinely.

Q8 **Chair:** What you are saying is the report that you published last week, none of it is your responsibility in the sense that Ofsted did nothing wrong by not uncovering the many safeguarding incidents that have been uncovered by your own report, which your inspectors should have found when they were inspecting the schools?

Amanda Spielman: I think you are mischaracterising it. We have reported in every case. In this report, one of the things we said is that to the extent schools were aware of things, except one school where we uncovered significant concerns that was converted into an inspection—

Q9 **Chair:** The report is reactive not proactive, so basically you are acting after the horse has bolted.

Amanda Spielman: No, I do not think so. We put this in the framework precisely so that, as with everything that a new framework does, we can evaluate, we look and see what it is eliciting. We had seen that less was emerging so we needed to look to say: why is this measure not doing what campaigners hoped it would do? Because inspection is a tool that tries to find out if schools are acting responsibly. If they do not know about it, it is very hard for them to act responsibly. What we are saying is that the inspectors will need to look and push harder on this issue because it is so hard to—

Q10 **Chair:** Perhaps they should have done that before. That is why I am saying it is after the horse has bolted. I have been told that some private schools are hiring Ofsted inspectors independently to give them advice on safeguarding. They then get inspected by Ofsted or the independent body, surely there is a conflict of interest if Ofsted inspectors are moonlighting advising wealthy schools on safeguarding and then Ofsted investigates that institution.

Amanda Spielman: We have very clear requirements: first, our staff would not be allowed to be. Anybody who is working as an Ofsted inspector—

Chair: That is not the case. I am happy to write to you privately, but I have been given evidence of one school where they have hired an Ofsted inspector who guides them on safeguarding. Apparently this is



commonplace.

Amanda Spielman: I would be grateful if you could send me details because we have clear contractual provisions. We have cancelled Ofsted inspector contracts where we found them to be acting in breach, such as by offering seminars on how to get through inspection.

Q11 **Chair:** Are you saying Ofsted inspectors are not allowed to go to schools and offer their services or to moonlight at all?

Amanda Spielman: Ofsted inspectors can offer certain types of services to schools. They cannot offer anything that is associated with preparation for inspection. Andrew, do you want to describe the restrictions here?

Chair: It is a bit of a conflict of interest from what I have heard.

Andrew Cook: We have a clear conflict of interest policy and Ofsted inspectors, who are contracted by us, should not be working under their title of an Ofsted inspector. Some of them may be doing other work, but it will certainly not be helping a school to prepare for an Ofsted inspection.

Amanda Spielman: They would also not be able to inspect any school that they had advised.

Q12 **Chair:** I understand it may not be the same person inspecting, but it is still unfair if some schools are able to afford to hire Ofsted inspectors in terms of moonlighting and then Ofsted comes in, because it means that they have a head start. That seems to me not a level playing field.

Amanda Spielman: We have a model that does not use exclusively Ofsted staff. We use part-time contract inspectors, many of whom are serving practitioners working the rest of their time in schools, some of whom are retired heads. We would cancel that model, but it is perceived to have many advantages and helps to bring interchange with the sector. We can have a discussion about that, if you wish.

Q13 **Chair:** Just to change subject slightly. ONS data in 2018-19 across England shows a 44% decrease in fixed period exclusions for sexual misconduct: 1,886 each year, 133 of which were among primary-aged pupils. Is it correct that there is no explicit legal obligation for schools to report sexual violence, abuse or harassment?

Amanda Spielman: Not that I am aware of. There is no specific requirement. Nor is there for other types of serious bullying. Of course, if something meets a threshold for reporting to the police or involving social services, it will or should be reported there, but there is no special regime for the—

Q14 **Chair:** Should there be a legal requirement, if there is a case of abuse or sexual assault, for the school to report it?

Amanda Spielman: If there was a case of sexual abuse, I would expect it to be reported to the local authority.



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Chair: You said to me there is no legal requirement, I am asking you if there should be a legal requirement and a legal obligation for schools, if there is, to report sexual violence, abuse or harassment. Should there be legally?

Amanda Spielman: There are reporting requirements that cover all types of abuse and harassment. I do not think there needs to be special separate requirements.

Q15 **Chair:** You do not think it should be a legal obligation for schools to report sexual violence, abuse or harassment?

Amanda Spielman: It is a legal obligation for schools to report abuse and harassment that falls within that.

Q16 **Chair:** As I understand it, it is guidance not legal.

Amanda Spielman: It is guidance that is followed by all. I do not immediately know whether it is statutory or non-statutory.

Q17 **Chair:** We know that many of the schools have not reported it, as the Everyone's Invited website and others have pointed out.

Amanda Spielman: In this review, the schools that we visited—Andrew may wish to supplement here—were handling the allegations and incidents that surfaced in line with guidance. We did not find significant failures on that front. Andrew, could you add to that please?

Andrew Cook: Yes, that is fair to say. We did find that, when they were aware of incidents, schools were involving other agencies, including the police and the local authority children's services, and they were taking the appropriate action. That is something we did find that schools were doing.

Q18 **Chair:** I am just going back to my main point: should there be a clear legal obligation, not just guidance, to report these things?

Andrew Cook: It is very clear that schools should be following the DfE guidance on keeping children safe.

Q19 **Chair:** I know, but should there be a legal obligation? Can you just answer yes or no: should there be a legal obligation? That is all I am trying to find out. It is not an unreasonable question.

Andrew Cook: No, it is not an unreasonable question. That would be for the Government to decide. We ask schools to report to us whether or not they have any records or analysis of sexual harassment and sexual violence. They are also required to follow the guidance set out by the DfE, that when a child has been sexually abused they should report to the police and to local children's services when it is appropriate to do so. The guidance is very clear for schools on how to do that and when to do that.

Q20 **Chair:** You will not give a view on whether it should be a legal requirement?



Andrew Cook: It is very clear that the guidance is there for schools—

Chair: Guidance is guidance, but it is not legal. I am asking: should it be legal? That is all I want to know. I don't know why you won't give me a view.

Andrew Cook: What we are saying is that, when we visited the schools that we have visited, those schools were following that guidance so, therefore, that guidance is obviously clear enough for schools to follow and they seem to be following it.

Chair: I have one or two other questions, but I am going to bring in Fleur and then David Simmonds on this point.

Q21 **Fleur Anderson:** Good morning, panel. I would like to ask the chief inspector if she thinks there should be a change in the way inspections are carried out to enable pupils to refer to instances that they have uncovered. The Everyone's Invited campaign has shown that lots of people—and especially girls—do not feel able to talk to teachers. It may happen outside school but part of it is school-related. There are so many incidents that had not been reported so far that pupils did feel able to report on the website. Is there some way of reporting that can go alongside an inspection, which would enable the inspectors to find out what the real situation is rather than just asking teachers and about reporting to teachers? There seems to be a gap there?

Amanda Spielman: We do not just ask teachers. Andrew, perhaps you could explain how we gather information from pupils.

Andrew Cook: On an inspection, inevitably we will talk to young people. That is one of the most important things we ever do on an inspection or a visit to a school. Inevitably, we will talk to them about how they feel safe and some of the things that happen in school. We hear it first hand from children and young people. That is important.

We will also talk to teachers, and we will talk to leaders about the culture that they are creating within their school to keep children safe. Our report found that, too often, young people and children were not reporting or not talking to adults in schools about this. I am sure that our recommendations will be taken very seriously by school and college leaders to try to improve that culture within their organisations, to make it easier for children and young people to feel comfortable to report or to talk about sexual abuse and sexual harassment that they may be experiencing.

Q22 **Fleur Anderson:** What changes do you think there might be, like a website? It seems that people felt more able to talk on the Everyone's Invited website.

Andrew Cook: One of the things that we found really helpful on our visits was talking to single-sex groups. Inevitably, the whole thing around Everyone's Invited, the fact that we were making a visit to schools



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around sexual harassment and sexual violence, obviously made children and young people very aware that this is why we were there. Talking to single-sex groups, we found that girls were very open to talking about what their lives were like, the experiences that they were having day after day.

I have already heard from a number of school leaders that they are already beginning to explore how they can make it easier for children and young people to talk about these very sensitive matters.

Q23 David Simmonds: There is statutory guidance to schools on this, but we know the requirement under statutory guidance is that the school has regard to what it says. In my experience, as a lead member, and therefore a statutory observer on the local safeguarding arrangements, was that it leads to very inconsistent practice between schools.

Typically, in a local area, we would expect to receive nil or almost nil referrals from the private sector. We tend to receive quite an inconsistent range of referrals from local authority schools, and often they would change. For example, there would be a change in school leadership and a school that was regularly making a few referrals would stop making them altogether.

I would like to pick up your point: should there be a statutory duty to disclose? The Independent Inquiry into Child Sexual Abuse is looking at this, but it has highlighted that the problem with that is someone then needs to make a decision about whether what has happened is disclosable. Do you feel there is a training need to ensure that at every school there is consistent practice, so that the referrals into the system and the drawing of the system's attention to emerging issues, like sexting for example, is done in a consistent way rather than leaving individual schools and individual head teachers to make up their own minds in an inconsistent way across the system about when a matter needs to be escalated?

Amanda Spielman: The short answer to that is yes. We have reported that we saw some inconsistencies between schools but, also, inconsistencies between local safeguarding partnerships. We hear this from both ends. You hear schools that have to deal with a number of local authorities—perhaps they have a very widely spread pupil intake—saying how hard it is to deal with very different processes and thresholds in different areas. There is room for considerably more harmonisation of processes and thresholds, and to train people to do that well.

Q24 David Simmonds: Should schools be statutory partners in the local safeguarding partnership, where at the moment they are outside of that arrangement?

Amanda Spielman: It does create some difficulties that they aren't. I simply do not know what the reasons were for leaving them out, in the first instance.



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Back on the local authority point, one of the things that concerned us in the discussions we had for this review was that there are a couple of local authorities that said, "We don't have a problem in our area." They genuinely believed that problems with image sharing and so on are not happening in their area. What we have seen and know suggests that this is an endemic problem for teenagers in and out of school everywhere, so I was surprised that any local authority could think they were not affected.

- Q25 **Chair:** Do you think there should be an offshoot of Ofsted, or an independent safeguarding body, that goes into schools regularly to ensure consistent safeguarding? As we highlighted earlier, there are lots of schools you do not see for many years. If schools had that option, it would ensure consistent safeguarding across the country.

Amanda Spielman: It has been a matter of Government policy for many years to make inspections smaller and lighter. We could absolutely do it if we were funded. In terms of Ofsted funding, as a percentage of the school budget, the school inspection budget is now under 0.1% of school funding where it was once 0.4%. It has been a policy choice to reduce that capacity. That could be restored if there was a desire to put more effort into this area.

- Q26 **Chair:** But do you think there should be a separate organisation or an offshoot of Ofsted that just goes into schools, both advising and inspecting safeguarding on a much more regular basis, in an ideal world? Would that be an option? Because when you were originally set up it was primarily to deal with academic performance and so on.

Amanda Spielman: We have been dealing with safeguarding for very many years. It was one of the rationales for consolidating inspectorates for children into Ofsted. We have done an immense amount of work to bring the safeguarding expertise that sits in social care together. We have an extremely effective central safeguarding team that influences how we inspect in all remits.

Pulling that apart and trying to separate out academic from safeguarding, in trying to get a rounded take on a school, if you chop out safeguarding, if you take out all the different kinds of bullying, for example, that a lot of what we have talked about in this report reflects, you would chop the picture up into awkward pieces.

- Q27 **Chair:** The reason I mention it is because there are clearly cases where there have been problems. If you look at the *Times Educational Supplement*, to quote an article, "Ofsted was alerted to an incident in which a secondary school had put a 16-year-old girl back into a classroom with a male classmate who had allegedly raped her. The case was marked for 'immediate action' by Ofsted, but the school was not inspected for a further 10 months, and when the inspectorate published its subsequent report it found the school to be effective on safeguarding." There are lots of instances like that that we can find across the



newspapers, so clearly there is an issue here.

Amanda Spielman: I am well aware of that particular case. It received a great deal of coverage, and because it is anonymous it resurfaces with great regularity. That touches on one of the problems I referred to here. The “Keeping children safe in education” guidance now has clear advice for schools on what they should do while an incident is being investigated. When you are dealing with cases of sexual assault, one of the issues is that so often the evidence is inconclusive because there are no witnesses. You are dealing with something that comes down to whether there was consent or not. Very often, the police are involved. All the authorities do everything they can but, at the end of the day, if the incident is not resolved to the satisfaction of the people concerned, at that point schools do not know what they should do. One of the recommendations that we made in the report was to improve the clarity of safeguarding guidance for those situations.

Chair: My colleague, Ian Mearns, has a comment to make on something you said earlier.

Q28 **Ian Mearns:** Chief inspector, when is an allegation of sexual harassment involving a child not a safeguarding issue?

Amanda Spielman: I have talked recently, for example, to a sample of girls who left school within the last two years. Only one of them was able to say that they had never been sent an image by a boy—I was bleeped by Ofcom for using the term on radio, so perhaps I will not use it—of a photograph of their naked self. Most of the girls laugh that off and think it is contemptible. They would not want to be pulled into safeguarding procedures by reason of being a sent a photograph that they think is simply contemptible.

Q29 **Ian Mearns:** Is it not a safeguarding issue for the boy who sent the photograph as well, in terms of their behaviour and what else they are likely to be getting up to?

Amanda Spielman: There is a spectrum here, and the advisers we had on the reference group were helpful on this. In sexual misconduct of every kind there is a spectrum from the truly evil and appalling at one extreme, all the way down to things that are essentially clumsy explorations of emerging adolescent sexuality.

One of the things that we noticed in doing this work was that it was difficult for schools to find a good way of thinking about and representing that gradient. Understanding where the right place to draw the line is, in terms of deciding what is a cause for serious concern and what is simply a matter of education, where the messages that reinforce culture that helps boys and girls understand what oversteps the mark and helps them understand the importance of respecting that.



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There is one piece that is about culture and education and one piece that is about the point at which you invoke formal proceedings of any kind, whether it is safeguarding or criminal.

Chair: I am going to pass on to Christian now. Ian, you can come back a little bit later. Vanessa, you will be pleased that you are part of this section.

Q30 **Christian Wakeford:** My first question is to you, Vanessa. The ISI provides a paid inspectorate service to its client schools. To what extent does this present a conflict of interest for making impartial judgments?

Vanessa Ward: The way the funding model works is that ISI charges an annual levy to all schools that are in membership of an association that is itself a member of the Independent Schools Council. That is an annual levy on a sliding scale. There is a flat fee for all schools and then, depending on the size of the school, there is a per pupil charge. That is charged annually. It is invoiced annually, whether or not a school has an inspection that year. It is not attached to particular inspections. It is costed on a model that runs over the full six-year cycle of inspections. Every six years, every independent school inspected by ISI gets two inspections. It is a routine inspection every three years. That funding model funds the work of the inspection over that inspection cycle.

Regarding the comment about conflict of interest, it is part of our appointment under statute that the Independent Schools Inspectorate is independent of the schools that it inspects. There is quite clear guidance in the approval documentation around the impartiality of inspectors and the independence of the inspectorate and the ISI board. It is an organisation that is wholly independent of the schools it inspects and of the ISC as well.

Q31 **Christian Wakeford:** Amanda, in 2018 you wrote to the Government to ask for greater powers to monitor the Independent Schools Inspectorate and warned that systems were not configured to identify and tackle potential safeguarding issues. Is it still your view that Ofsted should be awarded these powers?

Amanda Spielman: We were extremely clear when the Department changed the arrangements that the collaborative working they were proposing would not replace a quality assurance arrangement. It is for Government to decide what assurance they want. I wanted to be completely clear that collaborative working, while clearly a good and useful thing—and I think coming out of this we have agreed to do some joint inspector training, for example—is not a replacement for quality assurance.

Q32 **Christian Wakeford:** A question to both of you. With having two inspectorates—one for independent schools and Ofsted for state schools—to what extent do you think blind spots can occur and, if those blind spots are being exhibited, what do you think you can do to overcome them?



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Vanessa Ward: As Amanda said, the two inspectorates work together under ministerial direction to work jointly. Both inspectorates inspect the same safeguarding guidance, the statutory guidance: "Keeping children safe in education". All independent schools are inspected against statutory standards, the independent school standards. Those bring in all the statutory guidance that schools have to follow. To all intents and purposes, both inspectorates inspect to the same guidance and the same framework in relation to safeguarding.

I used to work for Ofsted. I was one of Her Majesty's inspectors at Ofsted. Now I have come to ISI and I have looked very carefully at the way that ISI inspects. There are real similarities, particularly around safeguarding, because we are inspecting to the same framework and to the same statutory guidance.

Amanda Spielman: I would add a couple of things, and we discussed this extensively with IICSA as well. The first is that inspection is a very limited review and falls a long way short of a full investigation. It is very important for people to understand that. I have said to this Committee that, at the moment, inspection is a very thin layer of assurance in the system in the maintained sector, that it is about as thin as it can sensibly be. It is very important for people to remember that.

The other point for people to remember is that it is a review model that is dependent on the integrity of the organisation under review. Where people deliberately conceal or withhold information, the mechanisms used in it give you a chance of finding inconsistencies or spotting other evidence that tells you that what is being represented is not actually the case but, because it is not a full investigation, you cannot guarantee that every aspect of every situation will be explored. Understanding those limitations and seeing it as part of a tool in a regulatory system, not as the be all and end all of everything, is so important.

Q33 **Christian Wakeford:** A final question from me on this section about Everyone's Invited. Amanda, to what extent do you think schools are being held to account for a systemic societal failure rather than the failure of leadership in individual schools?

Amanda Spielman: That is a very important point. We tried to be clear about this. What we have published in this review is not angled at attributing blame. It is saying that this has grown to be a bigger problem than any of us expected when smartphones came along a decade ago. It is an endemic societal problem. Schools are only a part of the solution and we believe, in the light of this work, that a change of emphasis on the part of schools, not just to make sure that they are experts in the reactive piece but to put more effort into the preventive. To assume by default it is happening, even if it is not surfacing, is the most constructive part that schools can play in the system at the moment.

Q34 **Chair:** The *Schools Week* newspaper has suggested that approximately eight times more independent schools are named in Everyone's Invited



allegations than state schools. Why are there so many more allegations about independent schools on the Everyone's Invited website? Is it just because state school pupils are less likely to go on that website? What is the reason?

Vanessa Ward: We know that when Everyone's Invited—it started a while ago—started getting a lot more testimonies in March, a lot of those early ones were referring to independent schools. The founder of Everyone's Invited, Soma Sara, said it was disappointing that it was becoming about particular schools rather than being seen as a societal issue and that her own background could be the reason for this. Whatever the reason, across all schools—and there are many different types of school in this country—this is an issue. It is not about thinking, "It's not happening here." As the Ofsted review says, we have to flip that and presume it is happening and, therefore, action needs to be taken.

Q35 **David Johnston:** Vanessa, I want to ask about this. Eight times is a significant multiple for independent schools versus the rest. Can we just try that again? Do you really think it is just because of the background of the person who set up the website, Everyone's Invited? That does not seem a particularly persuasive argument to me. Is that really what you think is the reason that it was eight times more independent schools?

Vanessa Ward: We have to focus on the fact that it is clearly happening everywhere. Girls and young women are being subjected to behaviour that is unacceptable, whatever school they are in. As an inspectorate, ISI is very clear in its training for inspectors on peer-on-peer sexual harassment and violence and we have reports that report on it. The point is that we need to look at why it is happening. We need to look at RSHE education to prevent it happening. We need to educate young people and give them very clear guidance about what is acceptable behaviour, whatever school they are in.

I was listening to the radio at the weekend. There were three young people speaking and the young men on that programme were saying they felt pressure to be part of the group by sharing these photographs, so I think that—

Q36 **David Johnston:** I agree with all of that, and I agree it is happening everywhere but, given the analysis that there are eight times the number of independent schools represented in the data, is it your position that you do not think it is any more prevalent in those schools than in the state sector?

Vanessa Ward: It is clearly prevalent everywhere. That is the message that is coming out clearly from the research that Ofsted has done, the review that we have heard, going back to the Women and Equalities Select Committee report back in 2016. This is an issue but it is a societal issue. It is important that we all take responsibility for this. It involves parents. It involves schools. It involves school leaders. It involves pastoral leaders, teachers and young people themselves. It is through



working together and creating confidence in knowing how to address this that there will be improvements.

Q37 David Johnston: Given that you used to work for Ofsted, do you think there are different ways in which the independent and state sectors report and deal with safeguarding allegations?

Vanessa Ward: They both work to the same guidance, “Keeping children safe in education”. From the reports I have read from ISI—and I have shadowed an inspection since I joined ISI—I can see that there are real similarities in practice in the way that inspection takes place, the pre-preparation for inspection is very careful. Ofsted recognises that across both inspectorates. There is a lot of preplanning that goes on. Inspectors are very knowledgeable. They are very careful. They gather appropriate evidence. There are real similarities in practice, and rightly so, because both inspectorates work to exactly the same guidance in terms of the statutory guidance that is there.

Q38 David Johnston: Given that is the case, my final question is: in 2019 your inspection of Latymer Upper School gave it an excellent grade but this school was among the most cited on the Everyone’s Invited website. If it is following the same processes as Ofsted, as you just described, why do you think the inspection did not pick up these significant safeguarding issues?

Vanessa Ward: One of the issues that the Ofsted review has revealed, and came through from the NSPCC report, “No one noticed, no one heard”, is that young people find it very hard to talk about these things. They do not necessarily want to talk to adults about it. They might talk to their friendship group about it. But inspections can only inspect and report on the evidence that is available to it at that point of inspection.

As Amanda said, and as is included in the Ofsted review, inspections are not investigations. They are there to look at the systems and processes in the school, so that the school is meeting its accountabilities across a wide range of different standards in the independent school sector, because we have independent school standards, and against safeguarding guidance.

What we need to look at is ensuring that, on inspection, young people are really heard. We do that. We have questionnaires and then we have meetings, both formal and informal. We have recently revised our questionnaires. We are piloting at the moment to have a lot more questions, more simply worded. We are including far more free text boxes after each group of three questions so that we can capture what the young people may want to tell us as they are answering the questions. They may think of something they want to tell us—

Chair: If we can try to answer more concisely, it would be really appreciated. I know there is a lot to say. Ian, if you could do your questions briefly please.

Q39 Ian Mearns: First a quick observation: the number of schools cited on



the website, there were eight times more for the independent sector schools. That is still the case, even though the website has been going for quite some time and has been quite well publicised. That is a matter of concern for the independent sector from that perspective.

A question for you, Vanessa, about the way the inspectorate pulls together its inspection teams. I understand that the majority of the inspectors are in teams that are drawn exclusively from retired or serving independent school staff. How independent can those inspection teams be? When you are talking about retired and current serving senior staff from independent schools, the pond they work in is much smaller than the state sector. Is there a danger here that you will develop a mutual merry-go-round of inspectorates where it becomes a large backscratching exercise?

Vanessa Ward: It is recognised that it is very important to have inspectors inspecting schools, both in the maintained sector and in the independent sector, who have experience and expertise of the schools they inspect. That is part of the conditions of our approval, that our inspectors have knowledge and experience of the schools in the sector that they inspect. They cannot go on an inspection where they know everyone. We have strict rules about connectivity. That has to be declared before an inspection, and no inspector will be allocated to a school they have any connection with.

Then there is a high degree of professional training. Our inspectors have to be able to show impartiality. Again, that is part of the conditions of our approval. They are highly trained, highly professional, and they want to report, without fear or favour, on the schools that they inspect. They want to be inspectors because they want to help to support and improve the education sector. They come at it without bias and with impartiality.

Q40 **Ian Mearns:** Good. Vanessa, the staff who are on the inspection teams know and understand that they are inspecting schools in the same market that they probably work in, and of course it is in everybody's interests within that market to big the market up. Is there not an inherent danger of that?

Vanessa Ward: It is in everyone's interests within any school system for schools to be the very best they can be, and I think that is what all inspectors come to inspections wanting to support. It is important that schools fulfil their purposes and that they meet the standards. ISI inspectors fail schools. Over 13% of schools every year are reported to the Department for Education for failing standards. The Department for Education will then commission a follow-up inspection. If a school fails standards, it also fails on leadership and management. ISI inspectors are reporting to the Department for Education 13% of the schools that we inspect in a year are failing standards, including management. I think that shows their impartiality.



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We have progress-monitoring inspections that follow up when standards are failed. The Department for Education commissions a follow-up visit. On those follow-up visits we see rapid improvement takes place.

Chair: I ask you to be as concise as you can, please.

Q41 **Ian Mearns:** Last one on this. I have listened very carefully to what you have said, Vanessa. I would really like to know, from your perspective of leading the inspectorate, and looking back on what has been going on, is there any significant matter of regret where your inspection team seems to have had their blinkers on when it has come to all these safeguarding issues that have emerged?

Vanessa Ward: There has been really robust training for inspectors, particularly on peer-on-peer abuse, and they have been reporting on it. During the period 2018 to 2020 we had 17 reports that refer to it, and 14 of those reports reported deficiencies. I can read you some examples if you would like me to. We did an internal review of 22 evidence bases. All of those evidence bases refer to peer-on-peer abuse, and 14 of those inspections reported it.

Q42 **Ian Mearns:** Did you highlight those in your annual report?

Vanessa Ward: The annual report was last year. The annual report covers a high-level reflection of the inspectors' work and the inspectorate's work.

Q43 **Ian Mearns:** I think that is one for the future, in that case. If there are safeguarding issues of those sorts being thrown up in inspection reports, one would think there would be a reference to it in your annual report.

Vanessa Ward: They are all reported to the Department for Education. Everything is reported to the Department for Education.

Ian Mearns: Your annual report did not mention it.

Vanessa Ward: The annual report is a high-level document. I can certainly talk to the Department about what it would like included in it.

Q44 **Fleur Anderson:** I would like to pick up on the Online Safety Bill that is coming up. The Ofsted report mentioned some recommendations about what could now happen so we can address some of the problems we have been talking about, and specific recommendations from you about what should be in the Online Safety Bill. I have talked to so many teachers who have said that, if they can change one thing for safeguarding, it would be access to social media images. We have had evidence from a safeguarding police officer for the country who gave us alarming figures about access to online images, and legal porn especially, for down to primary-school age children.

One of the recommendations for the Online Safety Bill is to have more age verification, so children do not have access to legal porn. That is one thing. What concrete examples do you have? What are your top recommendations for the Online Safety Bill that will address some of the



issues seen in schools and seen by teachers and pupils?

Amanda Spielman: I am afraid I am not a technical expert here. The point we can make, flowing from the education and safeguarding side of things, is reducing children's exposure as much as possible. I am not able to say, "This means will be effective and that means won't." I am well aware that there are really difficult discussions with the various multinationals or foreign companies who control an enormous amount of social media, and that Governments get locked in arm wrestles. I would like to strengthen the arm of the Government here by reporting on the extent of harm that the almost unfettered access that, in practice, most young people seem to have is having.

Q45 **Fleur Anderson:** Do you think banning phones in schools would make a difference?

Amanda Spielman: Banning phones in schools certainly gives young people some hours a day away from social media. It does not solve the fundamental problem that things are happening out of school at least as much—and possibly more—as in school. Giving people a bit of respite is great, but it does not solve the problem.

Q46 **Tom Hunt:** Vanessa, in terms of the independent schools where there have been found to be issues, is there a connection between schools where most pupils board compared with those that are more day? Are there more allegations at schools where most pupils board?

Vanessa Ward: We have a set of standards for all independent schools and we have a set of standards for boarding schools, the National Minimum Standards for Boarding. On inspection you would absolutely look at all that and you would combine the National Minimum Standards for Boarding, which look at the welfare of boarders. You would ask questions about that specifically. You would ask all boarders specific questions around how they respond. They would have the questionnaires, too. All that information would be gathered on inspection.

On each inspection the schools are asked to tell us about the records they have and how they have dealt with any issues that have come up. The welfare of boarders is a really high priority on boarding school inspections, yes.

Q47 **Tom Hunt:** There is no pattern that you are aware of that perhaps indicates there are more safeguarding issues at independent schools where there is a higher proportion of boarders?

Vanessa Ward: No, not in terms of there being a pattern. In terms of inspection, there is an extra layer of inspection for boarding that will look at any issues that are boarding specific, or the provision and welfare of boarders as boarding specific. It is very much a feature. We have specially trained boarding inspectors who undertake those inspections.

Q48 **Kim Johnson:** Good morning, panel. Vanessa, ISI is conducting its own



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internal review of safeguarding. Your preliminary summary found that ISI has identified peer-on-peer abuse in 19 inspections out of 22. The small numbers reporting abuse meant that the results seemed statistically insignificant and were dismissed. What are your headline findings of the internal review? Given the extent of public interest in this issue, should your findings not be disclosed publicly?

Vanessa Ward: When we first started looking at this we looked at a range of schools where there had been concerns reported as part of the concerns process. We looked at a selection of the evidence bases from those inspections and the reports. As part of the Ofsted review, we also looked at an additional set of evidence bases, and also sent some through for Ofsted to look at as well. What our review shows is that, as the Ofsted review found, generally the inspection of safeguarding is sound. Inspectors are careful. They look at evidence very carefully. They take appropriate evidence and they report from that clearly.

We have questionnaires that ask pupils to reflect on a series of questions about their experience at school. We look at those as a total percentage of responses. You can have some very positive responses coming out overall, but you can have some negative responses in there, too. On a few inspections we found that those negative responses, small percentages, were not followed through as robustly as we would expect.

We have separated out our questionnaires so that questions go in and we can capture responses from the pupils in more detail. All inspectors now have to report on how they follow up any negative percentage in terms of very small percentages: if 3% say that they disagree, or whatever. We have some really strong guidance coming through there in terms of the questions.

In terms of our review, it was an internal review for the board. We have reported that to Ofsted and we have shared it with you. It was what we called an evidence-base review. We are looking at some qualitative work we do, trying to assess how effectively our inspection practice is doing what it should be doing against the standards that we inspect against. We found that it is careful and appropriate, but in a few examples the follow up on some negative percentages could be more robust.

Q49 **Chair:** What about the key point about publishing your review?

Vanessa Ward: We have obviously shared it with you. It is not a statistical analysis. It was more of a qualitative reflection on our evidence bases as the situation was emerging.

Q50 **Chair:** Why not disclose it publicly?

Vanessa Ward: It would be no more than I have already said. We have shared everything.

Q51 **Chair:** If it is not a big deal, why not just do it?



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Vanessa Ward: As part of our accountability to the DfE, we have to do a rigorous review of our inspection practice. That is what we did. It would be what I have said. In effect, by speaking with you and sharing it with you, I have disclosed it. There is nothing—

Q52 **Chair:** Why not publish it properly?

Vanessa Ward: I am more than happy for what I have said to be written down.

Q53 **Tom Hunt:** Teachers have been reported as telling girls to wear shorts under their skirts to prevent boys upskirting. How confident are you that the current safeguarding inspection frameworks are equipped to detect this type of misogyny in schools?

Amanda Spielman: I saw that media story. I have learned in more than four years in this job not to leap to conclusions about the facts that may get into the papers. There is nearly always a bigger story underneath. It is important that we do not slide into a national culture that is essentially victim blaming. I do not know what the reasons are in this case. At primary school I would very much hope that we can find solutions in addressing any cultural problems that could be making girls feel uncomfortable doing normal things that every child should be doing in the playground, doing somersaults, or cartwheels, or what have you.

Chair: Tom, do you want to follow up at all?

Tom Hunt: No. I sympathise with the point. I think it is very concerning that that sort of question would be asked. It does verge on victim blaming, from what I can see.

Q54 **Chair:** I have a couple of questions to close this section. Why does there need to be two different inspection bodies? I know you do some already, but why do you need an independent body and an independent group of inspectors for independent schools? Why not just have Ofsted do it all?

Amanda Spielman: That is a question for Ministers, not for me. When I started doing this job there were four inspectorates, of which Ofsted is clearly by far the largest. There were two smaller independent school inspectorates. Both of those have closed and their load has been distributed partly to Ofsted and partly to ISI. At the end of the day, it is a matter for Government, not for us.

Q55 **Chair:** Vanessa, why do you need to exist? Why not just have it all done by Ofsted, and I say that very politely because I recognise the work that you do.

Vanessa Ward: Thank you, and we do. We report robustly to the Department for Education. We inspect 400 schools a year on average, and 40 emergency inspections or additional inspections by the Department for Education or inspections that are non-routine.

I think there are real benefits to inspectorates working together. There is combined expertise, sharing knowledge and practice for improvement,



and reflection on methodology. That leads to system improvements. Education in England encourages a diverse range of schools. It welcomes and encourages parts of the sector working together to strengthen the system, as can be seen with the Ofsted review, so I think there is a benefit to having more than one body of expertise in the inspectorate.

Q56 Chair: Given what has gone on, my own view is that there should be one body doing safeguarding to ensure consistent national safeguarding measures across the board. It seems to me that you overlap each other and that Ofsted's remit is too big. I think if there was one organisation just focused on safeguarding it might make a difference.

Amanda, in the report that you published last week, unless I am mistaken there was nothing about the role of parents. The fact is that, of course, despite the incredible efforts of many parents to bring up their children, parents do have some responsibility for what goes on. Why didn't you talk about parental engagement and perhaps safeguarding training for parents in schools to deal with some of these problems, especially helping parents with social media?

One of my colleagues brought up online harm and pornography. There are sites like TikTok and others that young children can access and see almost anything they like. Clearly, there is some responsibility for the parent. It is not just all about state bodies. Why not recommend parental engagement and parental safeguarding training in the schools?

Amanda Spielman: First, we did discuss parental responsibility. For example, we talked about issues like affluent neglect. We talked about the kinds of parties where many of the incidents that seem to be the origin of undesirable—

Chair: The solutions did not really involve anything to do with parents, as far as I am aware.

Amanda Spielman: We talked about the importance of join up between schools and parents. In various interviews I talked extensively about the grey space that is enabled by smartphones in between direct parental oversight and school oversight, and about the importance of a joined-up approach, but I did not make any explicit recommendations. That was not within the terms of reference we had from Government, which was to look at the effectiveness of schools.

Q57 Chair: Yes, but the effectiveness of schools will help with parental engagement and safeguarding training for parents, surely.

Amanda Spielman: Yes, but I think we have a recommendation about helping parents understand the issue, so it is expressed as a recommendation for Government on a communications initiative to get better parental understanding of the issues here, so I think we have addressed that.

On another point, I have significant concerns about this message that Ofsted is enormous. Particularly on the school side, we are half the size



that we were 20 years ago. We have shrunk and shrunk and shrunk, and there is a narrative that we have a huge machine that simply does not fit with reality. I think we have fewer than 200 full-time inspectors, and we would have to shrink that further because a significant proportion of that is safeguarding. It would be very hard to sustain an effective national inspectorate if it were unbundled in the school space.

Q58 Jonathan Gullis: Thank you, Chair. Not for the first time, you have stolen my thunder on the parent issue, although I probably see it from a slightly different perspective.

Amanda, I am sorry for my Committee colleagues. I was a teacher for eight and a half years before I entered this place. I worked as a head of year for four of those eight and a half years. I get quite frustrated when we talk about safeguarding. I am not bemoaning my colleagues here, but while there are, of course, horrific incidents that take place and obviously more needs to be done and there is always time for review, safeguarding in this country is pretty good overall. I think that schools do a tremendous amount of work.

I know that in my time there were checks and balances that we had within a school, relaying information with my designated safeguarding lead as well as that safeguarding lead having fantastic relationships with our local police, social care and children's services at the local authority. It is very easy to forget that schools go above and beyond. I want to make sure that is clear on the record, because while there are clearly incidents going on and more needs to be done, it is important to remember the tremendous amount of work that does take place.

From the parents' perspective, although I do not think this is something that should be legislated, I do think that the message from Ofsted very much needs to be that parents have a responsibility at the end of the day. As a head of year, you can imagine, Amanda, I used to get absolutely sick and tired of parents coming into school because of an Instagram post or because of a Snapchat message that was sent after school, off the school grounds, yet the issue is being brought into school. Even though nothing had happened in the school, there was this potential rumour that something might. That took a lot of hours out of my day from teaching prep time and so on.

I would like to hear your views on making and sending a clear message to parents that they have a responsibility to check their children on social media and, ultimately, to hold their children to account for when social media goes wrong. It is not always the school that can enforce punishment for incidents that take place off the school grounds. Only when incidents come into school and take place do we have a duty, unless there is a serious safeguarding concern with a certain image where we would report that into the police and local authority.

Amanda Spielman: Thank you. I hope I have been clear in this report that schools do a valuable job and are only a part of the solution to this problem. It is important, and we attempt to say that very clearly here



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and I have consistently said it in relation to many other initiatives over the last four years, that we must not simply knee-jerk assume that schools must sort X out, whatever X is. Schools are there primarily to educate, and we must make sure that they have the space and capacity to do that job.

Q59 **Chair:** How many schools have Ofsted not inspected for over five years?

Amanda Spielman: I am afraid that is a question I cannot answer on the hoof, Robert. As far as I know, for every school that is due an inspection, it has happened or is scheduled this term.

Q60 **Chair:** There must be a fair few that have not been inspected for over five years.

Amanda Spielman: I think only the outstanding schools. We can write to you to confirm that.

Q61 **Chair:** Do you have a very rough figure? I appreciate that you may not have the figure off the top of your head.

Amanda Spielman: The more than five years in the outstanding schools is probably, I do not know, a couple of thousand schools.

Q62 **Chair:** Right, so those schools are missing from inspections on safeguarding as well?

Amanda Spielman: Which is why, since I started, I pushed for removal of the outstanding exemption, which finally happened during the suspension of inspections. As soon as we resume, we will be including schools with previous outstanding judgments in the routine inspection cycle, but we will not be able to do all of those in the first term.

Q63 **Chair:** Understood, but potentially there are thousands of schools that have not been inspected for safeguarding?

Amanda Spielman: The only schools that have not been inspected are those with an outstanding judgment, where we have not had a specific piece of information that pushed us to go to inspect.

Jonathan Gullis: I have one more question about neighbourhood policing. One of the issues that we have as a school system is that we do not have neighbourhood policing plans, and I am hoping that is something that is going to be corrected by the Home Secretary and the many newly elected police and crime commissioners. Does Amanda have a viewpoint about how local policing plans could engage with schools, particularly around the end of the school day where we have seen a rise in knife crime attacks in particular parts of the country, or people who should not be hanging around school gates. Ultimately, I think that has to form part of the policing plan.

Chair: Thank you. What we are going to do, everyone, is thank you, Vanessa, for your time this morning. It is really appreciated and it is our job to scrutinise the work that you do, and I do appreciate your coming in



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to answer all of our questions. Thank you for the commitment to publish the review as well. If you could send that to the Committee and then we can put it on our website, that would be very helpful.

Vanessa Ward: Thank you. I think I have already sent it to you, but I will send it again.

Chair: Yes, so that we can publish it publicly. If we have it already, we will publish it publicly. Thank you.