

# Written Evidence submitted by Mr Frank Norris and Ms Julie Price Grimshaw

## Introduction

The six former HMI who have collaborated in this response have nearly 100 years of inspection experience including working for Ofsted at a senior inspector level. We believe school inspection is important and should continue but we sadly believe in its current form it is unreliable, its processes and outcomes are inconsistent, ideologically driven and at times dangerous.

A major concern is that Ofsted has lost a clear sense of strategic purpose. It does not know whether its key role is holding schools to account, promoting improvement, sharing best practice, informing parents or whether it is in effect a 'curriculum authority'; as a result, it does none of these well, nor does it hold Government policy to account. This lack of clear purpose is exemplified in the universally derided school reports, which are of little use to anyone.

Our submission draws on our knowledge and experience of Ofsted since its inception and makes clear the need for root and branch reform.

We are willing to meet with members of the select committee formally or informally to provide more details of our experience and our thoughts on improvements. We have provided short bios here to provide confidence to the committee of the depth and range of our experience.

## Peter Green

I was an HMI for 13 years, inspecting schools, colleges, training providers and local authorities. I was the lead adviser for equality and human rights until the post ceased and a convenor for the FDA until I retired. I am still active in education as a governor for a tertiary college and further education and skills provider. I also mentor/support teachers through my links with EDI organisations.

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Debbie Clinton

As an HMI I inspected schools (including many non-association independent schools), SEND, AP and ITE providers. I also dealt with Section 11 complaints to Ofsted.

Since leaving Ofsted in 2015, I was the CEO of two Multi Academy Trusts (MAT). I became a freelance Education Leadership Expert in 2022 – focused now on Senior exec/leaders coaching, External Review of Governance, School improvement (including SEND, EDI and Safeguarding support/challenge). I am a Forum strategy associate (leading their Education Executives offer). I am also the Vice Chair trustee of a York based MAT.

The usefulness of Ofsted inspections and inspection reports, and whether inspections are carried out in sufficient depth to meet the expectations of schools, governors and parents.

The six former HMI who have collaborated in this response have nearly 100 years of inspection experience including working for Ofsted at a senior inspector level. We believe school inspection is important and should continue but we sadly believe in its current form it is unreliable, its processes and outcomes are inconsistent, ideologically driven and at times dangerous.

A major concern is that Ofsted has lost a clear sense of strategic purpose. It does not know whether its key role is holding schools to account, promoting improvement, sharing best practice, informing parents or whether it is in effect a 'curriculum authority'; as a result, it does none of these well, nor does it hold Government policy to account. This lack of clear purpose is exemplified in the universally derided school reports, which are of little use to anyone.

When Ofsted started in 1992 inspection reports could be around 90 or so pages in length with each subject or phase receiving a section that drew together considerable evidence and subsequent evaluations. Schools were given up to six weeks' notice and many complained that this notice period added to the stress of inspection. In 2005, it was decided that schools had reached a level of maturity assessing their own performance and that greater collaboration could be introduced so that inspection would feel as if it was a more collaborative venture. An important element of the new Section 5 inspections was a shorter period of notice of less than a week. This philosophy was introduced to newly appointed HMI in training as 'working with schools, not doing to them'. A Self-

evaluation tool, called the Self Evaluation Form (SEF) was introduced which enabled schools to highlight their strengths and weaknesses and this was shared at the beginning of the inspection with the inspection team. The report template was made shorter, and the number of days inspectors were on-site reduced to two from the previous five. Inspections would cost less but would add value through the analysis of a school's own evaluation.

The Coalition Government decided to cut Ofsted's budget as part of its austerity programme and, as part of a cutting bureaucracy drive, instructed the Department for Education (ergo Ofsted) to stop the use of the self-evaluation form. Subsequent inspection frameworks did not embrace the collaborative approach and have therefore expected inspectors to deliver inspection frameworks with much less time and in a more combative manner that led to a more authoritative and intimidatory approach. This approach was underpinned by a greater focus on data and the use of grades that could restrict the outcome of an inspection if certain aspects of the inspection framework were judged to require improvement (assessed as grade 3).

Setting aside the objections to the preparation time of a longer notice period, a major benefit of up to five-day inspections was an opportunity to better understand the context of the school, to create a working partnership with those being inspected and thus gain a more realistic and accurate picture overall. Increasing levels of trust led to greater openness and an appreciation of the depth of evidence that was being brought to the judgements being made. The impact of the judgements was not entwined with a broader accountability framework, so they were easier (but not always) to accept. The system was, however, costly compared to today. In recent years the Ofsted judgement has been used as a formal trigger for consideration as to whether a school should be forced to academise, or if already in a trust, to be re-brokered. This has significantly raised the stakes. As a result, schools are increasingly using the legal system to fight judgements because they have little or no confidence in Ofsted dealing with their complaint in a fair, objective manner.

It is clear to us that inspections are viewed with much greater suspicion and with significantly higher stakes now. The reporting template cannot be adapted by inspectors. It provides little space for particular strengths or weaknesses to be explained and additional contextual information to be added so that the reader can better understand why things are as they are. This is despite the fact that inspectors are told they should bring out the essential and key features/qualities of a school's work. The restriction on the number of words and areas that must be covered prevent this. Although Ofsted publicly states it does not prescribe or proscribe certain features, particular words are unlikely to be found in reports. Such words relate to equality, diversity, 'groups' such as Gypsy, Roma and Traveller (GRT) or those with English as an Additional Language (EAL). To us, it feels as though inspection reports have shifted from the tone of a 'quality broadsheet' to a 'sensationalist tabloid'. It is also pretty impossible to distinguish one school from another.

When we served as HMI, ensuring the final inspection report support the judgement was the most important aspect of report writing. This ensured that the evidence from across the inspection supported the evaluation. We have read hundreds of Ofsted reports in the past three years, and we have been shocked at the inconsistencies we have identified with many including judgements that are unsupported by the evidence provided elsewhere in the report. We have identified reports that include grades for 'Good' schools where high numbers of exclusions and even bullying are weaknesses. We have also detected clear professional bias and an unwillingness, or inability, to report on the issues that are affecting schools at that time. We believe it was wrong of the current Chief Inspector to instruct inspectors not to report in depth on their efforts during the pandemic and subsequent issues that have arisen since. The lack of attention in reports on recruitment and retention of staff, particularly senior leaders, the impact of underfunding of staff pay rises in recent years, problems accessing appropriate mental health services, the complete loss of some subjects in

secondary schools and subsequent lack of balance in the curriculum offer have all been missing from nearly all inspection reports. Ofsted has been reporting on what they (that is the Government) prescribe as the school curriculum rather than what is actually happening in schools. The inspectorate has lost its ability to report with candour, impartiality and without fear or favour.

All of these factors result in many governors and parents reading reports without a sense that they describe the school they know. As we know, at present, most schools are judged to be at least 'Good'. Parents and governors/trustees are happy to accept this fact especially if it aligns with their own perceptions (confirmation bias in action). For those where it is less than 'Good' then the current reporting template doesn't provide sufficient insight to explain why. We have clear evidence that inspectors do not give sufficient value to the importance of governors/trustees in helping to move the school forward after the inspection. Their views are not given sufficient weight and their insight (through the loss of the self-evaluation element) is unappreciated. This has resulted in a lack of alignment between how schools see themselves and how they are judged by Ofsted.

The impact of Ofsted judgements on schools and pupils, and the adequacy of the support schools can access to enable them to improve following an Ofsted judgement.

It is worth reiterating that the 2005 Framework (known as Section 5) was a significant step forward in indicating that the sector had embraced inspection and was ready to be brought into the process more. The self-evaluation form was a mechanism whereby schools could consider their strengths and weaknesses, and these could be confirmed with governors/trustees. This approach ensured that support was available prior to any inspection. This was an important principle. A robust and accurate inspection judgement that determines that a school is less than 'Good' can be a poor reflection on those who have oversight. This would include governors, trustees, school improvement partners, the local authority and multi-academy trust support systems.

It is worth pointing out that inspection was originally introduced to assess the quality of education in each school and to provide impartial, professionally subjective judgments by inspectors with a wide range of experience. Over the last 3 to 5 years the haemorrhaging of experienced inspectors has meant that schools have less confidence in the judgements and are far more likely to appeal and complain. Currently, the average length of service of an HMI is 3 years. This is because they are either using Ofsted as a steppingstone for their career or in the case of many, it is due to the pressures, demands (too much to do in too little time), insufficient training and culture within the organisation. The findings as explained in the inspection report were to help school/trust leaders determine priorities for development. It was for schools to consider all the inspection findings and recommendations, not for schools necessarily to slavishly accept them all without question. Insufficient attention is given by inspectors to the specific issues that they deem need improving. Our research has shown that many recommendations are formulaic and do not appear to pertain to the specific issues within each school.

The most damaging and toxic judgement is that made on the quality of leadership and management. This is due to the emphasis now given to that aspect in the inspection framework that leaders are responsible for everything. Thus, the headteacher of a school judged as inadequate during their tenure feels the stress keenly.

The corollary of this is that for several years following the introduction of Section 5 inspections, reports singled out headteachers for praise; reports of outstanding schools frequently stated 'outstanding' or 'inspirational' headteacher. This gave rise to or reinforced the notion of 'super headteachers' which many have used to further their careers in taking over the burgeoning academy trusts as CEOs. The outstanding schools were thus 'left alone' by Ofsted (due to the legislation

stating they would not be re-inspected) and hand-in-hand with this development was the abandonment of the requirement to self-evaluate. However, although many schools (unlike in further education where the practice is very well-embedded) did continue with the process, our view is that in the schools' sector robust self-evaluation as a tool for improvement and for assessing the maturity of a school is largely ignored by Ofsted.

The pressure faced by headteachers and senior leaders is at times unbearable and this stress and anxiety flows down through the staffing structure. We have knowledge of some staff not wanting to be open about weaknesses for the impact it would have on the school in general and others where they feel inspectors may not be confidential if they spoke about a particular issue. In addition, we know of some parents/staff who have an 'axe to grind' who use the inspection process to complain about a long-standing grudge they may have.

In terms of the adequacy of support available, it will depend largely on the resources that are open to schools locally. For maintained schools, they either have to identify support for themselves due to the erosion of local authority school improvement services or begin to consider moving into an academy trust with sufficient support services to offer them. The government's over-reliance on national providers such as NLEs and favoured trusts is not viewed positively by school leaders because they are viewed as 'favoured' providers.

The impact of Ofsted inspections on workload and wellbeing for teachers, school leaders, governors and pupils, specifically relating to workload required by the inspection process, and what measures are put in place to mitigate this.

It is clear, that many schools judge their effectiveness through the external lens of Ofsted. This means that many decisions are made to suit the needs of inspection rather than those that are most needed for the school. We consistently hear senior leaders proclaim that they will introduce a change in approach after Ofsted has visited. The close link between the Ofsted outcome and academisation raise the stakes even further.

It is wrong for an inspectorate to have got into a position whereby it can control and lead on the nature of schooling, its curriculum, the leadership decision making and the future of senior leaders within the school. Ofsted should report without fear or favour on what it finds. It doesn't feel as if this is happening because we have 'preferred practice' relating to phonics teaching, behaviour approaches, the EBacc and a host of other aspects and preferred educational theories about learning. It is as if various governments have decided that Ofsted and a revised Framework are an easier route for education change than delivering it through statute. The impact on schools is that this makes them jump through several loops without a voice on whether these will benefit their pupils.

In recent years evidence has developed that links Ofsted's recent approaches to the unwillingness of senior and middle leaders to step up and consider becoming a headteacher. This is particularly true in areas in which it is most difficult to recruit, namely those serving our most disadvantaged communities. The current inspection process leaves far too much to the preference of lead inspectors in how they interpret the effectiveness of schools serving these tough areas. We need to find an appropriate way of considering pupil data against the context of the school and then triangulate this with the additional evidence found through self-evaluation and first-hand observations. The current system does not incorporate performance data (such as for the different groupings of pupils mentioned earlier) and doesn't allow inspectors to consider the school's own data despite it being collected and evaluated with rigour - often including external analysis. When little or no account was taken of the SEF, headteachers and teachers previously complained that

inspection was too 'data-driven' with insufficient weighting given to the context of a school. The current framework (EIF) goes too far the other way. Guidance in the latest iteration of the evaluation handbook now makes explicit what schools are not expected to provide (paragraphs 14-28, revised guidance -July 2022).

A further consideration is the way some executive leaders and headteachers are trained to become inspectors and then share the latest briefing and training with their colleagues. This suggests to some that Ofsted is driving the agenda and those leaders have an advantage over those who choose not to inspect. As an aside, we believe it is wrong that those serving less than 'Good' schools find it impossible to be appointed as an inspector. The selection criteria for inspectors have been adapted, but they still favour those from existing 'Good' schools which are predominantly found in the more affluent areas. We need more inspectors with a deep understanding of leading and teaching in the most challenging schools rather than relying on those in more affluent areas.

It is our belief that Ofsted and the government do not trust teachers and senior leaders to deliver a high-quality education. This is why they instruct, proclaim and over-control education matters. We need more trust within the sector, and we need to create an inspection process that assumes effective work is being carried out. Ofsted findings suggest that the vast majority of schools are 'Good' or better, but the current system is built on weeding out the 'poor apples'. In its attempt to do this, they are bruising all of the apples in the barrel.

We recommend an inspection moratorium so that Ofsted can rebuild trust and create a new way of working with schools. This should incorporate self-evaluation and report on the accuracy of that evaluation. It is worth noting that despite the government's decision that the completion of a self-evaluation form was not necessary (nominally to reduce the inspection burden on leaders) nearly all still maintain one. This would allow the single-grade judgement to be replaced by something more nuanced. If a school is 'inadequate', fortunately, few in number, the report should state this and provide an agreed time window depending on the severity of the weaknesses for improvements to be made. Parents and staff do not want to be working in or sending children to a school that is consistently less than 'Good'. During the moratorium only schools considered to be unsatisfactory (or in the language of inspection 'requiring improvement') or inadequate should be inspected.

We should note that inspections should have a beneficial sector impact through reports which can be used to spread examples of good practice. For years schools in need of improvement have used the reports of others to identify where they can go for help and advice. Sadly, the new reports are so vague that they make this almost impossible.

All this considered, the 2019 framework has had a major impact on school workload since it forced all schools to redraft their curricula to suit Ofsted's model. In some primaries, this has taken years, and has been a huge burden for smaller schools where individuals lead on several subjects. Ofsted has effectively introduced additional 'statutory requirements', for example through their obsession that schools must define 'key knowledge' at every step. They have shifted the stress of inspection very heavily onto middle leaders. At the same time, there is little regular evidence that inspectors take their own guidance about workload and well-being seriously beyond a cursory look at whether school assessment is 'efficient'.

The effectiveness of Ofsted's complaints procedure and the extent to which Ofsted is accountable and transparent in its work.

All HMI submitting this response have dealt with answering complaints for Ofsted. We have observed first-hand the manner in which complaints are investigated and how there is a culture of

wanting to protect the reputation and initial judgements that have been made. Too often, minor faults have been granted in a complaint so that the overall judgement can be maintained. This is a default position of Ofsted. There is too little training for inspectors in dealing with complaints, many of whom have less than 3 years' experience as inspectors. The process itself is confusing since an appeal against a judgement is considered a complaint in the same way as a complaint about inspector conduct, process, management or maladministration.

The recent suggested changes to the complaints process suggest a lack of understanding of the actual way inspectors inspect. They are suggesting that the Lead Inspector should meet regularly with the Headteacher to identify and resolve any issues. This has been effective inspection practice since the first days of inspection. This does not engender confidence in those responsible for the creation and delivery of the Framework.

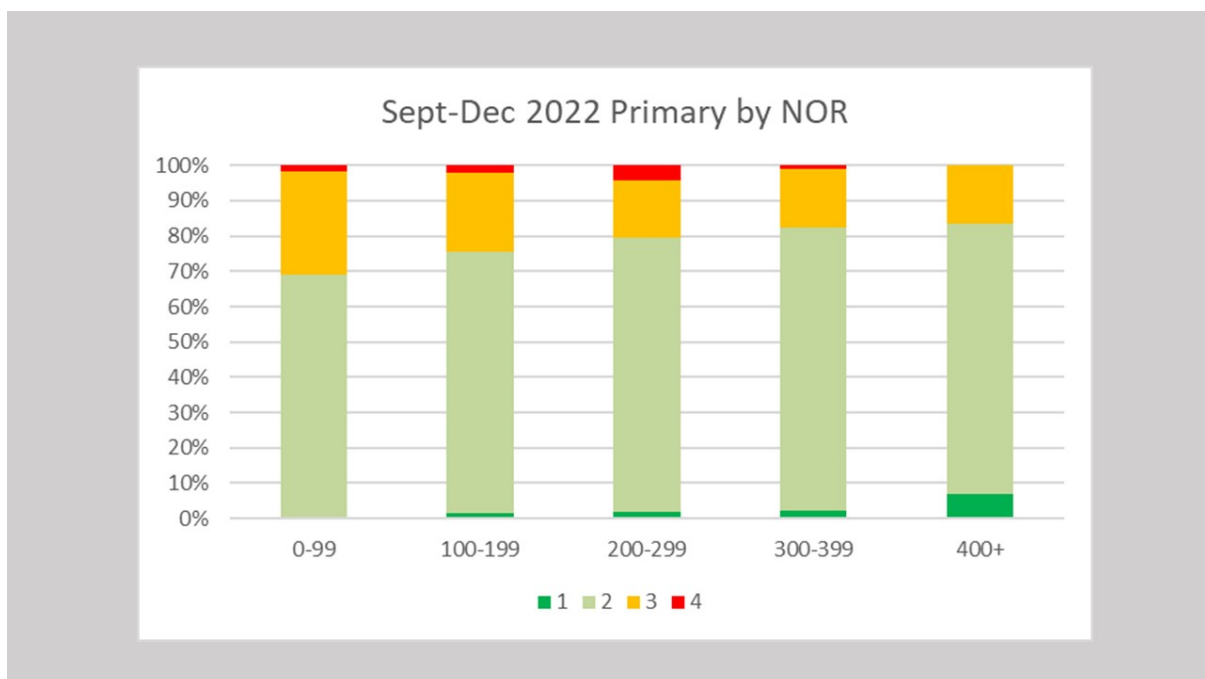
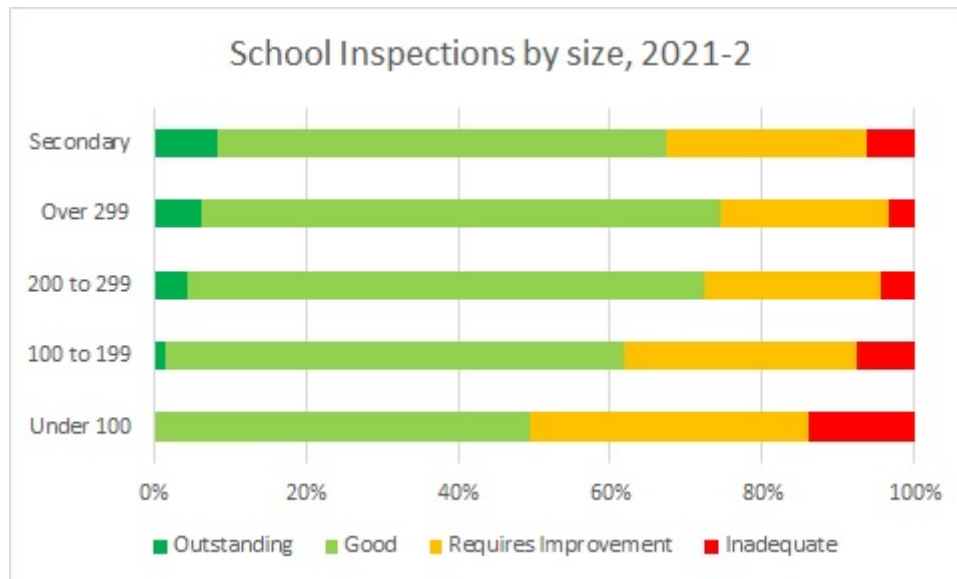
It is wrong that Ofsted using its own staff should investigate complaints against it. There are many experienced and highly skilled ex-HMI willing and able to undertake this role. While we are mentioning the role of HMI we want to point out that since Ofsted's budget has been reduced and the number of inspections expected to be completed has increased the role of HMI has been severely diminished. It was considered at one stage in our careers the pinnacle of our achievements and was a highly regarded role with much variety and influence. Now it is basically a permanent inspector role with little opportunity to undertake a wider range of duties. This has led to a fast burn out of HMI, so much so that on average HMI only stay for around three years.

Accountability means being open to scrutiny and challenge. This should involve the ability to challenge evidence that Ofsted does not permit unless protracted processes and finally legal recourse are invoked. The introduction of the EIF was accompanied by the introduction of its much heralded and greatly inefficient Electronic Evidence Gathering (EEG) process. It is the way forward, but its effectiveness is hindered by a lack of trialling and an unwillingness to accept its flaws and feedback. Suffice to report that much resource was wasted and much evidence was lost or had to be rewritten and was the cause of great stress to inspectors who had to use this system which is now under review. Better 4 years late than never.

The impact of the new Education Inspection Framework introduced in 2019.

The 2019 Framework marked a low point in the history of Ofsted. It exposed the lack of understanding of inspection in Ofsted's senior leadership, for many problems with the framework were quickly predicted by the sector – including its lack of suitability for primary schools. The predictions proved correct in reality – witness that in the first three years of the current framework only one primary school with under 100 pupils (NOR) was judged 'outstanding'.

If we take almost any period of the framework, we see that small primary schools do the worst. This is because they do not have the subject leadership capacity that larger schools can have – and so are being penalised unfairly.



For the first time, the Framework offered a preferred way for constructing a school curriculum. When Ofsted 'prefers' something, the message received is clear: this is the way it should be done. Thus the 'offer' becomes a prescription. Inspectors in practice must then inspect their own 'advice' – that is the advice of Ofsted, undermining a key tenet of inspection: not to inspect one's own advice. The inspectorate created a preferred construction that involved addressing 'intent, implementation and impact'. Now, it may be considered not to be too contentious because this is largely how most projects are implemented but Ofsted offered face to face sessions to explain what all of this meant. Not all schools either chose to attend or were invited but to stress the importance of the curriculum even before the implementation of the said curriculum made clear that this was a very important element. When inspections started, we noticed some rather bizarre situations emerging whereby schools with quite clear low progress measures were being given stronger than expected report judgements and it was clear to us that this was due to them embracing the Ofsted doctrine. This fed into a belief amongst senior leaders that inspection outcomes were being determined by how the inspectors felt about a school's approach. Ofsted's evaluation framework talks of an 'ambitious



curriculum'. However, there is no clear guidance on what this means and therefore leaves it open to interpretation (that is too much subjectivity) that too often results in the academic subjects receiving preference over the creative and expressive subjects and less importance given to the technical and vocational. Such an approach reinforces the divide given in esteem and value.

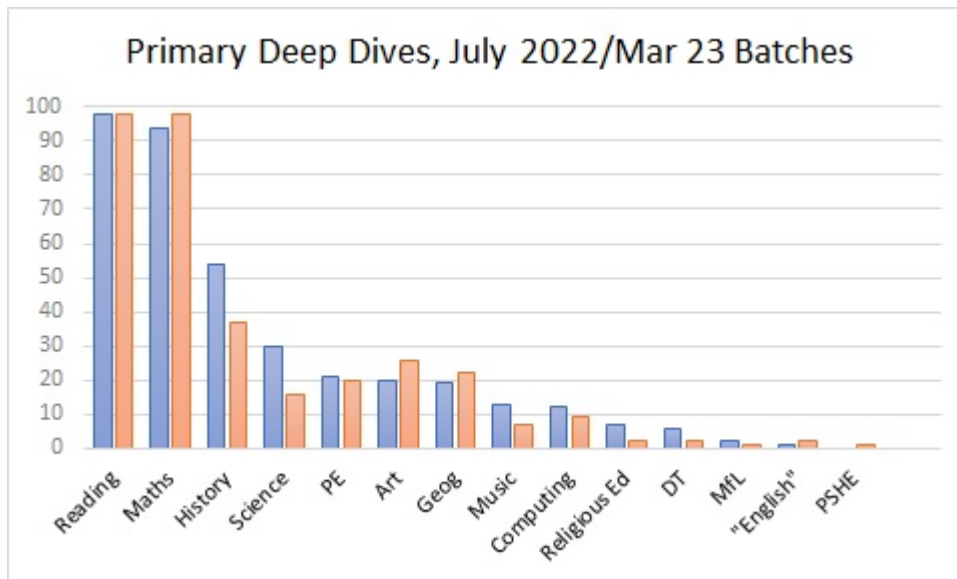
In order to focus attention on the preferred area of the Framework, namely the curriculum, inspectors were instructed not to use school-based outcomes data even if it was produced through a robust and externally validated system. This decision was wrong and continues to be wrong. Schools have a wealth of up-to-date data and they should be encouraged to share it along with their interpretation of it.

In order to appear to support schools' obligation to fulfil their and Ofsted's Public Sector Equality Duty (PSED), the framework states that: 'Inspectors will assess the extent to which the provider complies with the relevant legal duties as set out in the Equality Act 2010 including, where relevant, the Public Sector Equality Duty and the Human Rights Act 1998'. Inspectors must consider the nine protected characteristics. However, Ofsted reports (and no doubt the evidence bases) show little or no evidence of how well schools are fulfilling their duty. Information on pupils with SEND is very limited. Paragraph 214 states: 'Inspectors will focus on what our inspection experience and research show are the most important factors to consider. These are the extent to which:

- the school's curriculum:
  - is ambitious and designed to give pupils, particularly disadvantaged pupils and pupils with SEND, the knowledge they need to take advantage of opportunities, responsibilities and experiences in later life

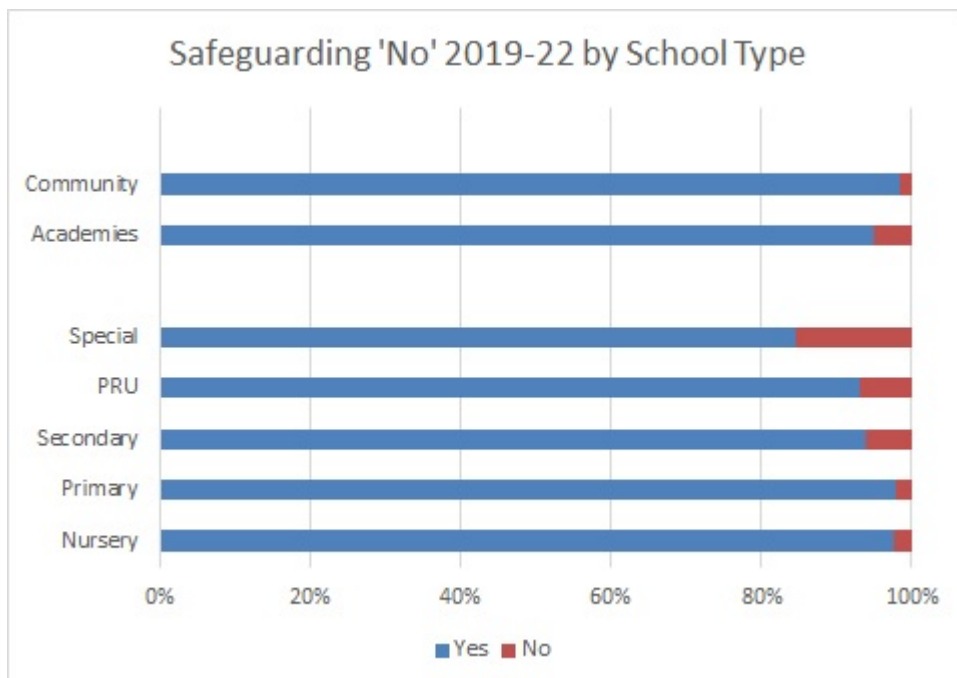
The framework's emphasis on the curriculum has also opened the door to those who support a so-called "knowledge-rich", memory-focussed curriculum, rather than one more broadly based on knowledge, skills, aptitudes, and attitudes and requiring a greater range of cognitive outcomes than memorisation of content. This approach has restricted opportunities for older students aged 14 years and above and closed areas off, that interest them. The impact on creative and expressive subjects has been dramatic with falling numbers taking them at GCSE and A Level.

The approach to 'deep dives' has also raised serious concerns. Ofsted has never been clear about the rationale for selecting these and it remains an oddity that history has received far more deep dives in primary schools than other comparable subjects – and in some periods it has been more of a focus even than Science. In contrast, subjects like Design Technology have received very few deep dives. Ofsted has the data on this, but refused to publish it after the initial periods raised concerns. We conclude that the inspections are not giving a balanced assessment of the curriculum.



Instead of stepping away from preferred practice in their Framework, Ofsted should have reported on what it found rather than what it wanted to find. This would have been helpful to government and parliament in determining how effective our schools are.

Overall, the operation of the framework has damaged some schools more than others. With safeguarding, the framework has had a disproportionate effect on special schools where issues and challenges are considerably more complex than in other schools:



And finally, after the pandemic the Chief Inspector instructed inspectors to ignore what schools had offered their communities and get back to inspecting as if the pandemic never happened. This meant that reports that should have highlighted mental health concerns, recruitment and retention issues, limited applications to senior roles, shortage of non-teaching expertise, funding problems and effectiveness of catch-up funding (or rather poor use of!). Sadly these have not been reported in Ofsted reports. Ofsted is failing in its duty to report independently, without fear or favour on government education policy: what is going well and what is not. It has been a sham and a cover-up. The most disadvantaged children and young people have suffered the most from the pandemic but also from the current Framework.

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