

CYPE(6)-14-22 – Paper to note 2

Additional information from Estyn for inquiry into peer on peer sexual harassment among learners

We have a lot of discretion about how and what we inspect. There are certain requirements set out in legislation. So for schools, the Education Act 2005 says that for an inspection carried out under section 28 (the regular cycle of inspections) then we must report on:

- a)the quality of the education provided in the school,
- (b)how far the education provided in the school meets the needs of the range of pupils at the school,
- (c)the educational standards achieved in the school,
- (d)the quality of the leadership in and management of the school, including whether the financial resources made available to the school are managed effectively,
- (e)the spiritual, moral, social and cultural development of the pupils at the school, and
- (f)the contribution made by the school to the well-being of those pupils.

So Welsh Government don't direct, but we would consult with them in developing our inspection guidance. And the guidance does evolve to reflect national priorities – so for example, we will be focusing on Curriculum for Wales and our expectations will change as implementation progresses.

We take safeguarding very seriously and we are committed to safeguarding pupils across all aspects of our work. This includes evaluating how well providers record and use data on incidents of bullying. We always consider a school's safeguarding arrangements when we inspect and if we identify any shortcomings, we will include a recommendation in our report and write to

them outlining our concern. We have further strengthened our approach to evaluating safeguarding in the providers we inspect. The changes are embedded in our new inspection framework and focus clearly on the provider's own self-evaluation, the safeguarding culture in schools and PRUs and its impact on learners, staff and visitors.

In the inspection areas for Attitudes to learning and Wellbeing inspectors evaluate to what extent pupils are developing the key attitudes and behaviours that will help them to learn throughout their lives.

Inspectors consider to what extent pupils are ready to learn at the start of lessons and whether they move between different lessons and activities in an appropriately mature and sensible fashion. They look at how well pupils are able to work in a range of ways, for example independently, in small groups and in whole-class settings.

When considering standards of behaviour, inspectors observe whether pupils are considerate and relate well to each other and adults. They consider the extent to which pupils demonstrate good standards of behaviour:

- in lessons and around the school
- during activities such as whole-school assemblies
- at lunchtime and breaks or playtimes

Where relevant, inspectors consider the extent to which pupils with a history of exclusion in their current or previous school demonstrate improved behaviour and attitudes to learning. We do not routinely report on the number of exclusions, but may decide to do so exceptionally, for example where it is notably higher than the proportion usually found.

As you know, in the 'Peer-on-Peer Sexual Harassment' we reported that in most schools, there are suitable systems and processes for staff to record bullying concerns and actions. Generally, staff use such systems regularly, and leaders respond swiftly to new information. Overall, schools use digital and online systems well to log incidences of bullying and harassment. Records generally outline the nature of the incident and a narrative of how

these issues have developed and are resolved. We would not use good record keeping to penalise schools for having a number of recorded incidents, and may actually use it to report positively on how they use that feedback to inform PSE inputs, assemblies etc. However, records may be used along with pupil and parental feedback, and the behaviours we see during the inspection, to identify where schools do not respond well to bullying incidents or manage behaviour appropriately.

Where schools operate a 'time out' or calming area, inspectors will ensure these meet requirements. In addition to core inspections, we conduct annual monitoring visits to independent schools and colleges that provide additional learning needs provision. These schools are required to comply with the Education Independent School Standards (Wales) Regulations 2003. Within these standards' compliance with safeguarding and the management of pupil behaviour are reviewed.

I've attached some more detailed information about how we look at some of these aspects on inspection which may be helpful.

In terms of doing a similar review in primary, we feel that it may be timely to look at the early impact of the new approaches to relationship and sexuality education in primary schools in response to this issue – perhaps during 2023–2024. We would need to take an age appropriate look at the issues which, unchecked, may lead to the peer on peer sexual harassment that young people in secondary school reported to us.

I hope that answers your various queries – let me know if you need more information about anything in particular.