



Sector updates and new Bill

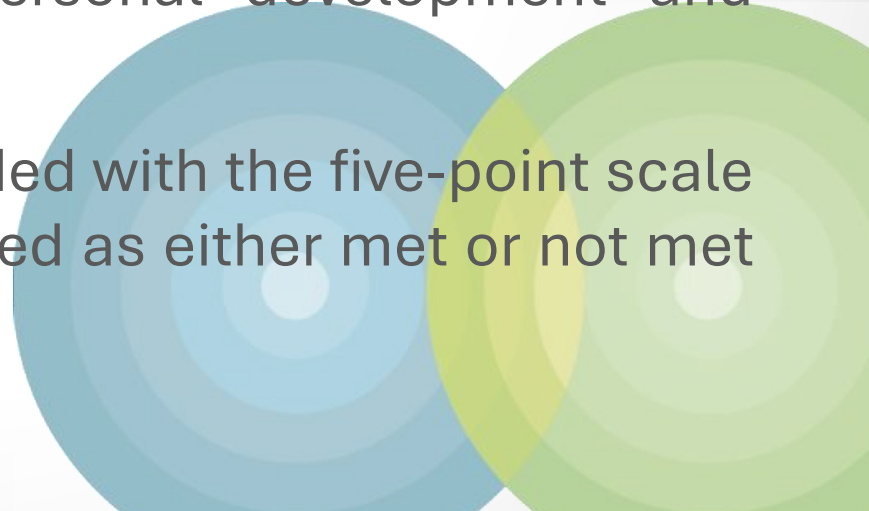
Chris Freestone.

March 2025



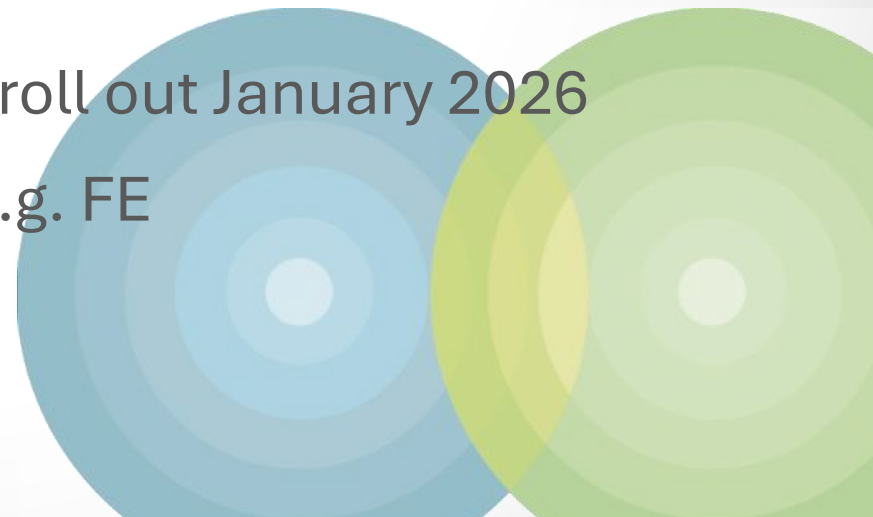
Sector updates

- Launch of consultation re. proposed changes to Ofsted inspection processes.
- Consultation from 3.2.25 to 28.4.25
- Initial reaction- a lot of criticism in terms of a “rehash” of the previous grading.
- Areas rated would include leadership and governance, curriculum, developing teaching, achievement, behaviour and attitudes, attendance, personal development and well-being, and inclusion.
- Safeguarding would not be graded with the five-point scale and instead it would be assessed as either met or not met under the plans.



Sector updates

- Evaluation areas for early years providers would include aspects such as behaviour, attitudes and establishing routine. The grade will be accompanied by short summaries of inspectors' findings in more detail. An overall effectiveness grade will not be awarded.
- Revised processes for inspecting / monitoring schools which are weak / weaker than they should be.
- Pilots to continue for autumn 1 with roll out from November 2025- mainstream.
- ITE Initial teacher education – roll out January 2026
- Other providers in sequence e.g. FE
- Social care 2026
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New format example

Our evaluation of this provider

Causing concern	Attention needed	Secure	Strong	Exemplary
	Achievement ⌵	Leadership and governance ⌵	Attendance ⌵	
		Curriculum ⌵	Behaviour and attitudes ⌵	
		Developing teaching ⌵	Inclusion ⌵	
		Personal development and well-being ⌵		
		Sixth form ⌵		

Safeguarding evaluation

Safeguarding

Met

⌵ Show

Sector updates

- Ofsted focus education :
- Spring 2 and summer term looking at the role of blended / hybrid timetables especially for young people with SEND. Looking at opportunities for learning , progress and outcomes
- Numbers of young people being home educated-again with a focus on numbers of young people with SEND.
- **YOU MAY BE CONTACTED IN RESPECT OF YOUNG PEOPLE IN THE HOME.**



Children / well being and schools' bill

- *Child protection*
- Require education and childcare providers to be included in an area's safeguarding arrangements
- Require local authorities to establish multi-agency child protection staffed by people from education, social work, health and the police
- Allow for the creation of a single unique identifier for children and introduce new duties around data sharing



Children / well being and schools' bill

- *Care leavers*
- Require all local authorities to offer Staying Close support to care leavers where, deemed necessary and to include information on procedures to ensure a supportive transition to independent living in their published local offer for care leavers



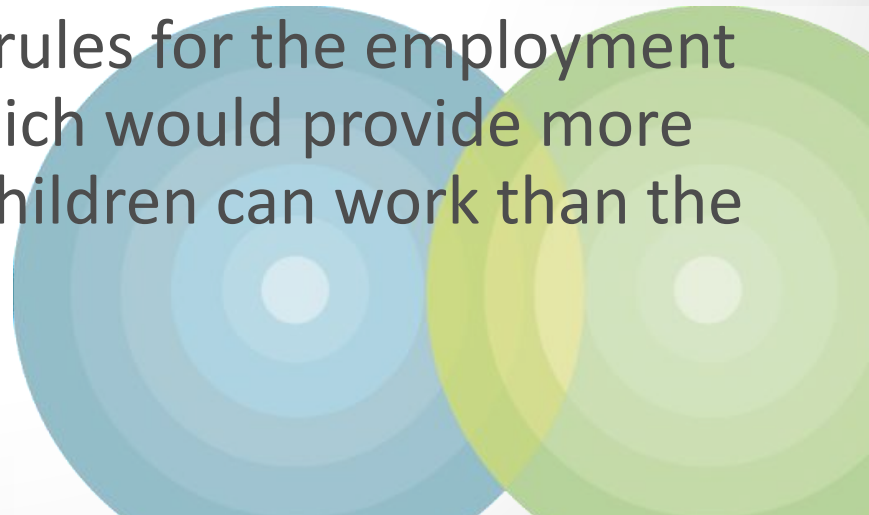
Children / well being and schools' bill

- *Accommodation for looked after children*
- Allow the Secretary of State to direct local authorities to establish regional co-operation arrangements for planning and commissioning homes for looked after children
- Provide a statutory framework for children to be deprived of their liberty in accommodation other than a secure children's home
- Increase Ofsted oversight of organisations that operate multiple children's homes or independent fostering agencies and allow Ofsted to fine unregistered children's homes
- Introduce a financial oversight scheme for designated independent fostering agencies and providers of children's homes
- Allow the Secretary of State to cap the profits of providers of children's homes and independent fostering agencies

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Children / well being and schools' bill

- *Children's social care workers*
- Allow the Secretary of State to make regulations on the use of agency workers in children's social care
- Extend legislation against ill-treatment or willful neglect to children aged 16 and 17 in certain care and detention settings
- *Employment of children*
- Introduce a new single set of rules for the employment of children across England which would provide more flexibility in the hours when children can work than the existing rules



Children / well being and schools' bill

- *Children not in school*
- Introduce a local authority consent mechanism for the withdrawal of certain children from school, including those at special schools
- Introduce a requirement for local authorities to maintain a register of children not in school, with duties for parents and related requirements for school attendance orders to be issued in some cases



Children / well being and schools' bill

- *Independent educational institutions*
- Expand the regulation of independent educational institutions that provide all or most of a child's education
- Strengthen Ofsted's powers to investigate unregistered, and therefore illegal, independent schools
- Amend Ofsted's requirements to report on independent school inspectorates, and clarify information sharing powers



Children / well being and schools' bill

- <https://www.parliament.uk/business/news/2025/january/childrens-wellbeing-and-schools-bill-call-for-evidence/>



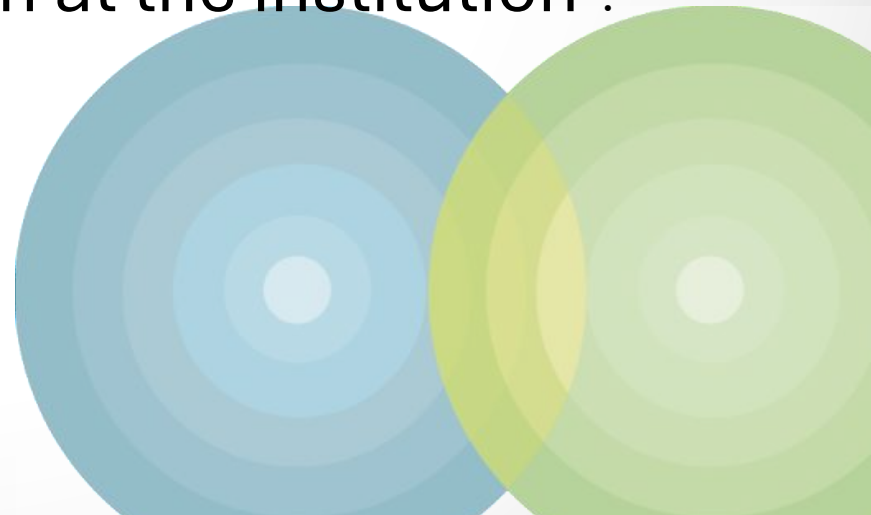
Children / well being and schools' bill

- **Flexi-schooled pupils will need to be on council registers.**
The bill will create a duty on councils to create and maintain registers of children not in school, and to support children on those registers if councils seek that support.
- It will become an offence for parents to withdraw children subject to school attendance orders, and those who breach an order can be prosecuted again if they continue to breach it without councils having to begin the process again.
- This will also require councils to “consider the home and other learning environments when deciding whether education is suitable” for children subject to child protection processes.
- Local authorities will be able to “request to see the child in their home”. Where this is refused, they can issue an attendance order.



Children / well being and schools' bill

- **New legal definition of full-time education**
- The bill sets out for the first time a legal definition of full-time education, which has been a grey area in the past.
- A full-time education will now be defined as one where a child “could be expected to receive all or a majority of their education at the institution”.



Children ,well being and schools' bill

- **Ofsted gets power to seize illegal school's evidence**
- As promised, the bill introduces a “more intrusive inspection regime” for suspected illegal schools.
- Inspectors will get the power to enter any premises either with the agreement of the occupier or under a warrant “where they have reasonable cause to believe that an offence is being or has been committed on the premises or that evidence of an offence may be found on the premises”.
- The powers will also allow inspectors to “take copies of documents, inspect any equipment, take measurements and take photographs, and make audio and video recordings on the premises”.



Children , wellbeing and schools bill

- **Teacher misconduct agency scope expanded**
- The draft law also seeks to extend the powers of the Teaching Regulation Agency to cover individuals who commit serious misconduct “when not employed as a teacher, but who have at any time carried out teaching work”.
- **QTS and national curriculum requirement for academies**
- The bill will make it a requirement for all new teachers entering the classroom to have or be working towards qualified teacher status and complete a statutory induction period.
- This is currently the law for maintained schools, but not for academies. The induction requirement will only apply to teachers employed *after* the implementation date of September 2026.



Children , wellbeing and schools bill

- Academies will also have to follow the national curriculum, but not until after the curriculum and assessment review has concluded and the government has responded.
- **New non-compliance directions for academy trusts**
- The government will also get a new power to direct academy trusts to require with legal requirements and “prevent trusts exercising their powers in an unreasonable way”. At present, academies breach their funding agreements when they fail to meet legal obligations, which may prompt a warning notice.
- But the government said where “non-compliance is minor, termination may not be a proportionate response”.
- The bill would give the government the power to issue a direction ordering trusts to “comply with specific duties or to prevent the unreasonable use of a power”. Examples given include not adhering to uniform rules or failing to deal with a parental complaint properly. In these cases, government would write to a trust to say it is “minded” to issue a direction. Where it was not satisfied with the trust’s response, a direction would be sent.

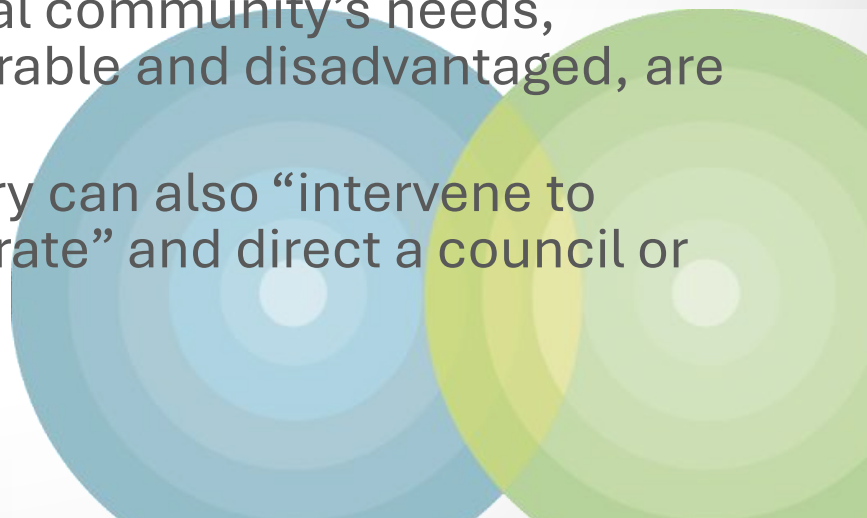
Children , well being and schools bill

- No automatic academy orders
- As revealed earlier this week, the education secretary will no longer have a duty to issue an academy order to a school “causing concern”, though she will retain it as a power.
- **Councils can open new schools (Secretary of State decision)**
- The government is also scrapping the “free school presumption”, which required councils wanting to open a school to first seek an academy.
- This will “enable proposals for all types of schools, including local authority proposals for community and community special schools, where they choose to put these forwards”.
- When the council does not put forward its own proposals to open a school, they will continue to decide which provider opens the new school. However, if a council does put forward its own plans to open a new school – the regional director will make the call on behalf of the secretary of state.

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Children , well being and schools bill

- **Legal duty to co-operate on admissions...**
- There will be new duties on mainstream state schools and councils to co-operate on admissions, and for mainstream, special and alternative provision state schools to co-operate with local authorities on place-planning.
- Examples where this would apply include over fair access protocols, councils asking schools to reduce or repurpose spare capacity or councils engaging with schools to create admission brochures for parents.
- The new duties “will send a strong message to the school system about the importance of co-operation on admissions and place planning so that the local community’s needs, especially those of the most vulnerable and disadvantaged, are met”, documents state.
- It will mean the education secretary can also “intervene to address serious failures to co-operate” and direct a council or school to comply with their duties



Children , well being and schools bill

- **Councils get power to direct academy admissions**
- Councils will also get the power to direct academies to admit a child who has been refused admission or been permanently excluded from every suitable nearby school.
- At present, they can only request that the education secretary uses her power to direct academies, which “can create a further delay in getting the child into school”.
- There is also no formal route of redress for academies that don’t agree with a direction.
- The changes would also enable academies, like maintained schools, to appeal to the schools adjudicator where they do not agree with the local authority’s decision to direct its school to admit a child.

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Children , wellbeing and schools bill

- **Councils can object to academies' capacity**
- With school rolls due to fall in the coming years, the government is also seeking to change the law around objections to school's published admission number, or PAN.
- At the moment, any body or person can object to a PAN being reduced. But the government intends to change the law so councils can object “where the admission number has been increased or maintained at the same level as the previous year”.
- This would “give local authorities a route to challenge the PAN which the admission authority has set for the school and help them to meet their sufficiency duty and manage the school estate effectively”.

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Thinking ahead

- Using AI?
 - Policy?
 - GDPR and privacy statements?
 - Not tested in law yet in respect of records etc?
 - Proof reading of docs generated using AI?
 - Consent to use?



Sector updates

- Mandatory reporting now back in the new Criminal Justice Bill- with more focus and aligned to a criminal charge if appropriate.
- Cuckooing to be made a criminal act
- Child exploitation to be made a criminal act
- (to be in the crime and policing bill)



Thinking Prevent

- Post Southport are schools/organisations aware of the mixed ideologies leading to violence which occur.
- Report this week- very useful in terms of direction of travel.
- <https://terrorismlegislationreviewer.independent.gov.uk/classification-of-extreme-violence-used-at-southport-in-july-2024/>
- <https://www.gov.uk/government/collections/independent-prevent-learning-reviews>

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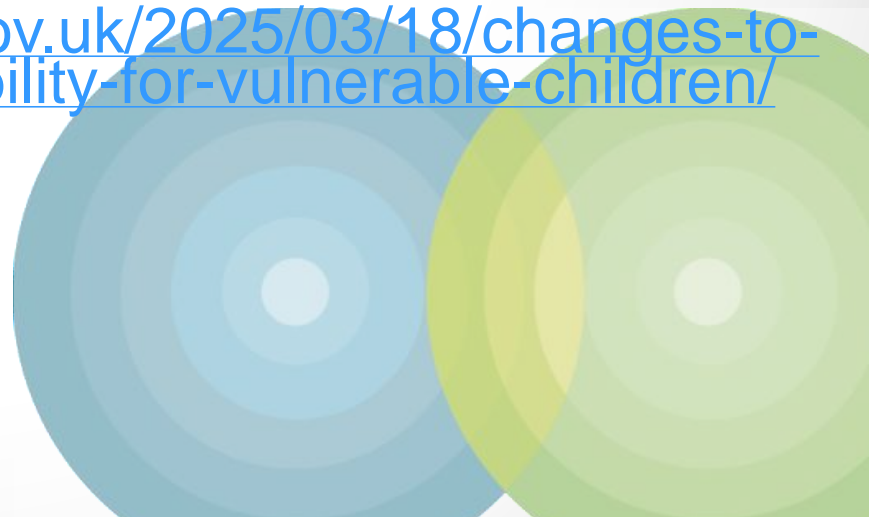
SCCIF changes- April 2025

A new post, “Changes to our SCCIF guidance to improve stability for vulnerable children” has just been published on the Ofsted: social care blog.

Next month, we will be making a small number of changes to our social care common inspection framework (SCCIF). These are mainly aimed at children’s homes and fostering agencies. The changes are intended to encourage more providers to look after
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Read the new post:

<https://socialcareinspection.blog.gov.uk/2025/03/18/changes-to-our-sccif-guidance-to-improve-stability-for-vulnerable-children/>



Sector updates

- Any thoughts or queries?

Thank you- Chris

