



Department
for Education

Online schools accreditation scheme

Government consultation

Launch date: 5 September 2019

Respond by: 8 November 2019

Contents

Introduction	3
Who this is for	3
Issue date	3
Enquiries	3
Additional copies	4
Consultation events	4
The response	4
About this consultation	5
Respond online	5
Other ways to respond	5
Deadline	6
Proposal: Online schools accreditation scheme	7
Background	7
Proposal and rationale	7
Technical detail of our proposal	11
Registration process	11
Standards	14
Safeguarding	16
Compliance	19
Inspections	21
Annex A: Proposed online school standards	23
Section 1: Quality of education provided (curriculum)	23
Section 2: Quality of education provided (teaching)	23
Section 3: Spiritual, moral, social and cultural development of pupils	24
Section 4: Welfare, health and safety of pupils	25
Section 5: Suitability of staff, supply staff and proprietors	25
Section 6: Provision of information	27
Section 7: Manner in which complaints are to be handled	29
Section 8: Quality of leadership in and management of schools	29
Annex B: Full list of consultation questions	30

Introduction

The Department for Education is consulting on a proposal to establish a voluntary accreditation scheme for online schools, i.e. schools which offer a full curriculum to students online and/or provide a child's only or main source of education. The proposal is to base accreditation on the standards for independent schools in England ("the ISS"¹), but adapted to take account of the online nature of such schools.

These standards are intended to ensure that all students accessing their education wholly or predominantly through the use of the internet are provided with a high quality learning experience and are safeguarded from the risks that exist when accessing the internet.

Who this is for

- online or virtual school leaders, managers and proprietors
- prospective online school proprietors
- teachers involved in online schooling
- parents or prospective parents of children for whom online schooling is the main or only source of formal education
- local authorities who use online schools' provision
- organisations involved in advising parents on education options

The scope of this consultation is:

- online school providers with learners/pupils living in England, irrespective of which country the company headquarters and/or the premises from which lessons are delivered may be in

Issue date

The consultation was issued on 5 September 2019.

Enquiries

If your enquiry is related to the policy content of the consultation you can email:

OnlineSchools.consultation@education.gov.uk

¹ As set out in the Schedule to the Education (Independent School Standards) Regulations 2014

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the DfE Ministerial and Public Communications Division by email: Consultations.Coordinator@education.gov.uk or by telephone: 0370 000 2288 or via the [DfE Contact us page](#).

Additional copies

Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](#).

Consultation events

The Department for Education intends to meet with relevant stakeholder groups within the consultation period.

The response

The results of the consultation and the Department's response will be [published on GOV.UK](#) in winter 2019/20.

About this consultation

There is a growing market of online school providers for children in England, who offer a full curriculum, and/or represent a child's main or only source of formal education.

As this type of provision is currently unregulated, the Department for Education (DfE) is looking at how the children, parents and local authorities can be assured of a quality education and appropriate safeguarding arrangements in such settings – bringing this sector into line with other parts of the education system.

To address this issue, this consultation document makes two key proposals:

- the establishment of a voluntary online schools accreditation scheme
- the establishment of non-statutory standards for online schools

Related to these proposals, we are also consulting on inspection arrangements for online settings wishing to join the accreditation scheme.

We would like to hear your views on our proposals.

Respond online

To help us analyse the responses please use the online system wherever possible. Visit: www.education.gov.uk/consultations to submit your response.

Other ways to respond

If, for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system or you do not have access to an online account, you may download a word document version of the form and email it or post it.

By email

- OnlineSchools.consultation@education.gov.uk

By post

James Moxon
Department for Education
Level 3, Bishopgate House,
Feethams, Darlington, DL1 5QE

Deadline

The consultation closes on 8 November 2019.

Proposal: Online schools accreditation scheme

Background

There is a growing market for online school providers for children in England, who offer a full curriculum, and/or represent a child's main or only source of formal education.

The sector is developing rapidly and now encompasses a wide range of providers. The number of children educated by online providers is relatively small as a proportion of the school system as a whole, but the sector is expanding and forms a major part of non-standard education provision.

Currently, this type of provision remains unregulated and DfE statutory guidance for schools makes little reference to online or virtual schooling. In effect, this leaves open the risk of a lack of formal quality assurance.

We think that oversight is necessary in order to ensure that all children receive a suitable education and are being cared for appropriately – irrespective of their educational setting. We think it is also necessary to provide parents who choose online provision for their child with assurance that adequate educational and safeguarding arrangements are in place.

Proposal and rationale

The current DfE position is that an online school cannot be registered as an independent school, even if the education is full-time and for more than five children of compulsory school age. This is because an online school which has no building where pupils are taught full-time cannot, by definition, meet *Part 5* of the ISS, which relates to premises. The DfE also considers that other standards, particularly in relation to welfare, could be difficult to inspect under existing frameworks for either maintained or independent schools.

The DfE is of the view that a separate registration and/or accreditation scheme would provide effective oversight of this emerging sector and could be delivered relatively quickly, without the need for legislation.

As such, we are proposing to establish a new accreditation scheme for online schools. The scheme will work in a voluntary manner, and is similar to other schemes in place, such as that used by British Schools Overseas, where providers are encouraged to apply and receive accreditation from the DfE when we are satisfied that standards have been met.

We intend to appoint an independent Quality Assurance Body (QAB) through an open competition. The QAB will inspect online schools against agreed standards and report

on their findings. Those who meet the standards will be accredited by the DfE. The QAB will charge a fee for this service directly to the school in question.

Why we are proposing this now

The DfE's position is that the status quo, where there is no effective oversight or quality assurance mechanism, is not a sustainable situation for an emerging market. At the same time, we recognise the sector's potential for providing much needed support for difficult to reach student groups and for those with special educational needs and disabilities (SEND). An accreditation scheme will provide vital reassurance to local authorities and parents who may choose this type of education for their children or who struggle to find good quality provision for children who are not in mainstream education.

There are several reasons why we think it is important to establish such a scheme now. These are summarised below:

- to provide local authorities and parents with the assurance that pupils are:
 - taught a broad range of subject disciplines
 - able to make good progress according to their abilities
 - properly assessed as part of a continuous process which feeds back into lessons
- to ensure that providers have appropriate safeguarding arrangements in place to keep children safe and promote their wellbeing, particularly taking into account the risks associated with online harms
- as the technologies available to support the e-learning environment improve at an accelerated rate, we expect that this sector will continue to grow over time making it important to develop an appropriate accreditation framework now, whilst the sector is still in its relative infancy

Benefits of accreditation

We think that accreditation would bring several potential benefits. These are outlined below.

For **providers**, it would:

- give inspection and published reports in a similar way to maintained and independent schools
- support improvement through external review and sharing of best practice
- distinguish high quality providers from lower quality provision

For **local authorities**, it would:

- provide reassurance about the quality of provision when placing/funding students in online schools

For **parents**, it would:

- provide reassurance about the quality of the curriculum and teaching, as well as safeguarding arrangements

Online school providers

We are aware of several online school providers, based both in England and overseas. Globally there are many providers of online schools, including some countries where they are run by the state. It is acknowledged that some providers will employ staff to engage directly with students and that the balance between online learning and 'face to face' interaction will vary from organisation to organisation.

The scope of our proposals would affect providers who:

- have learners living in England, irrespective of which country the company headquarters and/or the premises from which lessons are delivered are in
- provide full-time education for a child or children of compulsory school age, or provide the main source of a child's or children's education

We are aware of some excellent examples of alternative provision supporting those with medical needs, sometimes at their home, where online materials are used extensively. We would like to hear your views on whether our proposals should also apply to these providers.

Characteristics of children receiving an online education

Our understanding of the sector in England is that it services a number of pupil cohorts for whom a traditional educational setting is unsuitable for various reasons. In particular, we have identified the following broad groups who are strongly represented in the sector:

- home educated children
- children excluded from school
- children with education, health and care (EHC) plans
- children refusing school for a variety of emotional or learning reasons
- those pursuing elite careers in the arts or sports

Due to the complex range of issues dealt with by providers, and the vulnerable nature of some of these cohorts, it is critical for the DfE, local authorities and parents to be reassured about quality and safeguarding arrangements when placing children in online schools.

Ongoing engagement

The proposed accreditation scheme gives the DfE and providers the opportunity to engage in a meaningful and ongoing way.

This will allow the DfE to gain a more robust understanding of the sector as well as issues experienced by the parents and children who rely on its services. Ultimately, this will help us to support improvement and sharing of good practice, and help us make well informed policy decisions in future.

Questions

- 1) Do you think there is a need for a quality assurance accreditation scheme for providers of online schools, and do you broadly agree with our proposals for a registration scheme? If not, why not?
- 2) Do you think we have adopted the right scope and definition of online schools within our approach to this proposed scheme, i.e. that the scheme should be limited to those providers offering education to pupils living in England, regardless of where their organisation is based, and that the education is full-time or the main source of a child's education? If not, why not?
- 3) Should there be a minimum number of pupils for accreditation? i.e. should a school be providing education for five or more pupils, or one or more with an EHC plan or who is looked after in order to register, or is it sufficient if there is only one learner, given that numbers can fluctuate rapidly?
- 4) Should this scheme apply to alternative providers who are extensively using online materials to educate pupils for medical reasons, such as hospital education?
- 5) Will the proposed voluntary scheme work in capturing all providers of full-time online education?
 - a. What do you think would prevent certain providers from participating in a voluntary scheme?
 - b. How would you characterise providers within this diverse sector, and what arrangements would be most effective for capturing all providers?
- 6) What would be the incentives and disincentives for some providers to choose to sign up to the proposed voluntary scheme?
- 7) How should DfE communicate with the sector and how should the scheme be promoted?
- 8) Keeping in mind that the proposal is for a voluntary scheme, what, if any, consequences should there be for providers who fail to register?

Technical detail of our proposal

Registration process

Overview

The scheme proposed is designed to encourage participation and, especially in the early stages of implementation, the appointed QAB and the DfE should support schools in understanding the requirements and how to meet them. The aim should be to incentivise virtual schools to meet high standards of education and care for their students and, by public reporting, to share the most effective practice around the sector.

In developing our proposals for a registration and accreditation scheme, we have sought to understand the primary concerns of providers, in particular around the burden and cost of a new scheme. Our thinking is therefore based around the following principles:

- the scheme should be voluntary rather than seeking to proceed with a statutory approach immediately
- providers should not be unduly burdened by bureaucracy
- the scheme should be accessible and low cost, with fees charged to be proportionate to the actual costs of providing the inspection service
- the standards which will form the basis of accreditation must be suitable and flexible for different types of settings
- the scheme should be designed to improve over time, informed by ongoing engagement with providers, proprietors, sector representatives, parents, students and other stakeholders

Process of registration and accreditation

Accreditation for online schools will be based on a voluntary application process. As part of this process:

- providers will be required to submit relevant information online, which is outlined below
- by applying for the scheme, providers would also need to agree to the requirements of the scheme, which will include public reporting on inspection findings (covered in more detail below) and to a process of due diligence to be carried out by the DfE on proprietors of online schools

Following the initial application process:

- providers will be scheduled for an inspection of up to two days (depending on size and nature of the respective schools' provision) – this is designed to determine compliance with the standards, and we think that most of this

inspection could take place remotely, which is covered in more detail in the *Inspections* section

- prior to the inspection, the school would pay a fee (charged by the QAB) to cover the cost of the visit and a share of the costs of the scheme's on-going operations – the fee structure will be subject to separate discussion as part of the QAB appointment process, however the DfE's view is that it must be proportionate to the actual costs incurred by the QAB and must not act as a disincentive to providers seeking to register

Following the two-day inspection:

- a public report will be prepared for the school and the DfE, with the reporting requirements detailed in the inspection framework – discussed in more detail in the *Inspections* section
- the report will be subject to quality assurance scrutiny before publication, which will include the opportunity for factual accuracy checks by the school
- the report will identify the school's strengths and any areas which require action to improve – similar to schools in other sectors, with the *Compliance* section outlining what schools will need to do where an inspection identifies shortcomings in meeting the standards
- following a successful inspection and a positive due diligence check, the DfE will notify the provider once official accreditation has been granted, and the school may begin to use the 'accredited provider' term and will be placed onto the routine schedule for a re-accreditation inspection – see the *Inspections* section below
- accredited providers will appear on the [Get information about schools](#) (GIAS) register of schools and colleges in England, hosted on GOV.UK, and be assigned a unique reference number (URN) and a DfE number

Information requirements

The following information fields will need to be populated at the online application stage:

- name of school
- address (headquarters of provider)
- headteacher/principal or the person responsible for the day to day leadership of the school
- proprietor's name, date of birth, NI number, recent employment history and a photographic likeness
- number of teachers/tutors employed by school
- names of teachers/tutors employed by school
- student age range
- gender of students
- establishment status (open/closed)

- website
- telephone
- phase of education
- number of pupils on roll
- admissions policy (eg. selective)
- religious ethos (if any)
- sixth form provision
- opening date
- number of Special Pupils under a SEN Statement/EHCP

The following information will become visible on GIAS after accreditation:

- school type (online school)
- QAB name
- QAB report
- date of last inspection

In future, the DfE may also want to consider requesting additional information from accredited online schools via a census.

Questions

- 9) **Do you agree with the principles for the new scheme? Please outline any areas where you disagree.**
- 10) **Will the proposed registration arrangements work in practice? Please outline any areas where you identify specific issues or concerns.**
- 11) **Have we identified the correct information that the DfE should ask for from proprietors in assessing their suitability to be accredited?**
 - a. **Is there additional information we should collect?**
- 12) **Do you think the pre-accreditation process (an online application form, due diligence checks and a pre-accreditation inspection) is the best way to provide quality assurance? If not, please outline alternative arrangements.**
- 13) **Do you think it's right to expect providers to pay for the costs of the inspection?**
 - a. **What do you think would be a reasonable fee for an inspection?**
- 14) **Do you have any other comments on either the principle of registration or practical issues related to registration on the basis proposed?**

Standards

In order to effectively oversee the variety of settings within the sector, we recognise that quality assurance arrangements need to be flexible and established around each provider's own aims. Our view is that the best way to deliver this is to provide schools with a set of minimum standards that must be met in order to use the term 'accredited provider'.

It would be advantageous for all school providers – both online and more traditional settings – to keep a degree of harmony between any new standards and those already in existence. We therefore propose aligning online school standards as closely as possible to the existing [ISS](#), but amended to take account of the online context.

Proposed online school standards

The following is a summary of the proposed standards. Please note that the full text of the proposed standards can be found at *Annex A*.

- **Section 1: Quality of education provided (curriculum)**
The overall purpose of this section is to ensure that a school has a curriculum which covers a broad range of subject disciplines, delivered through teaching that will enable all pupils to make good progress according to their abilities and that such progress is properly assessed as part of a continuous process which feeds back into lessons.
- **Section 2: Quality of education provided (teaching)**
Similarly to *Section 1*, the purpose of this section is to ensure that a school has a suitable teaching structure which covers a broad range of subject disciplines and will enable all pupils to make good progress according to their abilities.
- **Section 3: Spiritual, moral, social and cultural development of pupils**
The purpose of this section is to ensure that pupils' development in non-academic terms will enable them to play a confident, informed role in society, have a fully developed value system and be able to interact with other people in a positive way.
- **Section 4: Welfare, health and safety of pupils**
This section is designed to substantiate that, as far as possible, providers have plans in place to safeguard pupils, and ensure that their safety and well-being is promoted.
- **Section 5: Suitability of staff, supply staff and proprietors**
This section sets out the checks that providers have to make to ensure that staff, supply staff and proprietors or members of proprietor bodies are suitable for the posts they occupy.

- **Section 6: Provision of information**

This section sets out what information must be provided or made available to parents of pupils and parents of prospective pupils, and to certain other people or agencies. It also contains requirements about the publication of information. It is intended to encapsulate the minimum which parents and others need to form a proper picture of the school. Nothing in this section stops a school providing whatever further information it wishes to.

- **Section 7: Manner in which complaints are to be handled**

This section sets out requirements about a complaints procedure to deal with complaints from parents of pupils. A school can have a complaints process which has a wider scope or more facilities for complaint than the standards require, but to meet *Section 7* a provider must ensure that a procedure is drawn up, clear and effectively implemented.

- **Section 8: Quality of leadership in and management of schools**

This section sets out the skills, knowledge and consistent promotion of student wellbeing expected of persons with leadership and management responsibilities in schools.

Guidance

Should these proposed standards be adopted, the DfE will publish non-statutory guidance to help providers and other interested parties understand the obligations under the standards. This will be similar to the guidance published alongside the [ISS](#).

Statutory basis

As the proposed accreditation scheme is voluntary, these standards will have no statutory basis. However, the term 'accredited provider' may only be officially used by a provider that has been judged to have met the standards by the approved QAB (discussed below). This will only be available to providers who participate in the scheme.

Questions

- 15) Do you think it is a good idea to base the proposed standards, as far as possible, on the existing ISS and guidance?
- 16) Do you agree that we have identified the correct standards?
- 17) Are there any standards that you think it would be difficult or impossible for an online school to meet? If so, what are they and why?
- 18) Are there any other standards that you think we should add?

Safeguarding

The sector's support for difficult to reach student groups and for those with SEND, means that safeguarding in online schools is an area of heightened interest, particularly for local authorities and parents who struggle to find good quality provision for children who are not in mainstream education. However, all schools – online or those in traditional settings – must ensure that all pupils are properly cared for at all times.

Below, we outline our intention behind *Section 4* of the standards, and discuss each of the standards that will need to be met in order to gain accreditation.

Section 4: Welfare, health and safety of pupils

In line with other standards, the proposed safeguarding section (*Section 4*) is similar to the ISS *Part 3*, but amended to take account of the online context.

The overall intention of *Section 4* is to ensure that schools have suitable policies in place to protect the health, safety and welfare of pupils as appropriate to the online environment. To meet the standard, providers will need to ensure that these are drawn up to reflect, at the very least, the minimum requirements outlined, and that they are regularly reviewed and adjusted in the light of experience.

4.1: Effective arrangements are made to safeguard and promote the welfare of pupils at the school which have regard to any guidance issued by the Secretary of State

This is the basic 'safeguarding' provision and covers a very wide range of situations and potential issues. To meet the standard, a provider will need to:

- draw up and implement a comprehensive safeguarding policy with reference to their particular school
- have a plan in place for regular reviews of the policy, such as through an annual review by board members or governors
- ensure that staff are fully aware of its contents so that they can implement it effectively
- ensure effective oversight of safeguarding by a governing body, if one exists

Given the context of online schools, the policy should include measures for internet safety and security, including a description of the use of filters and monitoring of usage.

The requirement that safeguarding arrangements 'have regard to any guidance issued by the Secretary of State' currently relates to the following guidance:

- [Keeping children safe in education](#)
- [Working together to safeguard children](#)
- [Protecting children from radicalisation: the prevent duty](#)

4.2: Good behaviour amongst pupils is promoted by ensuring that a written behaviour policy is drawn up that, amongst other matters, sets out the sanctions to be adopted in the event of pupil misbehaviour

4.3: The behaviour policy is implemented effectively

4.4: A record is kept of the sanctions imposed upon pupils for serious misbehaviour

These parts are designed to ensure that schools have a written behaviour policy, and that it is clear, well understood by staff, parents and pupils and that it is consistently applied.

To help schools formulate an effective behaviour policy that is well implemented, the DfE has produced the following advice, although the standard will not require that advice to be followed: [Behaviour and discipline in schools](#).

A record must be kept of any serious misbehaviour; this process should be outlined in the school's behaviour policy.

4.5: Bullying at the school is prevented, in so far as reasonably practicable, by the drawing up and implementation of an effective online anti-bullying strategy

This part is designed to ensure that schools have an effective strategy for dealing with bullying. In the DfE's view, an effective written policy on bullying will need to cover cyber-bullying, which is especially relevant to the online school setting, and prejudice-based bullying because of a protected characteristic.

The DfE has produced the following advice on this issue, although the standard for online schools will not require that advice to be followed: [Preventing and tackling bullying](#).

4.6: A relevant health and safety policy is drawn up and effectively implemented

Effective implementation of a health and safety policy means being vigilant as to actual health and safety risks which may arise, and taking prompt action to deal with them in accordance with that policy.

The following advice for schools is available on this issue:

- [Health and safety: responsibilities and duties for schools](#) (DfE)
- [Frequently asked questions - Education](#) (Health and Safety Executive)

All providers are required to meet the basic legal obligations on health and safety.

4.7: Appropriate admission and attendance registers are maintained

Online schools are not currently bound by the regulations relating to the keeping of admission and attendance records by schools, however, in order to meet this standard, providers must ensure that admission and attendance registers are maintained and fit for

purpose. Commercial registration systems for use by schools are widely available, based on either manual or digital input – but a proprietor will need to assure themselves that any system they use is fit for purpose.

4.8: The welfare of pupils at the school is safeguarded and promoted by the drawing up and effective implementation of a written risk assessment policy; and appropriate action is taken to reduce risks that are identified

Schools will be expected to have proper risk assessment across the whole range of their activities affecting pupils. Risk assessment should not be an afterthought or confined to the most obvious dangers for pupils. This standard requires schools to consider risk in relation to all activities which could place pupils in serious jeopardy, and during inspections evidence will be sought that this has been done systematically in order to inform the written risk assessment policy required by this standard, and that appropriate action has been taken to reduce any risks that are identified. Some examples of matters for which schools may fail to consider risk adequately include:

- safeguarding risks posed by inadequate staffing cover
- failure to consider dangers posed by other pupils and the risk of pupil-on-pupil abuse
- the risk of exposure to inappropriate online materials

Schools will therefore be expected to consider how comprehensive their approach is to risk management, and what more needs to be done to ensure that risk is properly assessed and reduced.

Questions

- 19) Do you think we have identified standards that will adequately safeguard children?
 - a. Are there any other standards which would better ensure children are safeguarded?****
- 20) Will the proposed safeguarding arrangements work in practice?**
- 21) Are you satisfied that, through the proposed standards, safeguarding arrangements will be clear to staff, parents and children?**
- 22) Is it right that online schools should have regard to Keeping Children Safe in Education? If so, what should happen if this is disregarded?**
- 23) Do you have any other comments about the concept of a duty on the proprietors of settings to keep accurate information about children who participate in their settings and fall within scope of the registration requirement, and also about staff by maintaining a single central register?**
- 24) Do you think there are additional potential difficulties associated with an organisation and/or its tutors based overseas? How might we overcome any such challenges?**
- 25) Is there any relevant good safeguarding practice which you would like to share?**

Compliance

Following the initial inspection, a public report will be prepared for the school and the DfE. The report will identify the school's strengths as well as any areas which require action to improve – in a similar way to schools in other sectors.

Should the inspection identify issues to be addressed in order to achieve compliance with the standards, the school will be given a short time to identify how it will remedy shortcomings identified in the report. We think that four weeks is an appropriate timeframe, which would bring this sector into line with the independent schools sector. We propose that the timeframe should be the same for the initial inspection and any other routine inspection.

Action plan and follow-up monitoring

Within the four week period, schools would be required to submit an action plan to the DfE, which would outline changes to be made to meet the standards and the timeframe for completion.

The appointed QAB will provide appropriate follow-up monitoring to ensure that action agreed between the school and the DfE has been taken. A brief follow-up report confirming/re-confirming the school's accreditation will be published.

We think that inspectors could conduct follow-up monitoring remotely on some issues. More serious issues, such as those relating to safeguarding, would likely require further inspection. However, this will not be a full inspection (similar to the initial registration and accreditation inspection), as the focus will be solely on the non-compliance issues. A fee would be charged to the school by the QAB for any such follow-up inspection.

Sanctions for non-compliance

As this will remain an unregulated sector for the time being, enforcement action similar to other sectors will not be legally possible, and will be limited to non-statutory sanctions. These are likely to include:

- removal of permission to use term 'accredited provider'
- removal from GIAS register
- direct communications by the DfE with relevant stakeholders, such as local authorities. This would be reserved for exceptional circumstances, such as in the event of pupils found to be at risk

These sanctions are separate to any action that may arise from unlawful activity.

Questions

26) How long should we allow schools to put right any failings against the standards?

a. Is four weeks right to produce an action plan?

b. How long should there be between the action plan and the follow-up inspection – one month, three months or longer?

- 27) What sanctions should be imposed for non-compliance against the standards?**
- 28) Should DfE take different action for non-compliance with the welfare, health and safety of pupils standards in *Section 4* than for non-compliance with other standards?**
- 29) Do you have any comments on how we should specifically deal with sanctions to overseas-based proprietors, acknowledging the difficulties in taking action against organisations and individuals located elsewhere, but ensuring that all proprietors receive equal treatment?**

Inspections

We propose an open competition to approve a QAB to carry out inspections of online schools.

We will agree an inspection framework which will:

- outline the roles and responsibilities of the appointed QAB
- detail the expected outcomes of inspections, including subsequent published reports
- detail mechanisms for rapid response in relation to serious concerns
- outline other considerations, such as a fee structure and complaints procedures

As the sector is developing, it is advisable that any inspection system incorporates basic checks of corporate governance and financial sustainability. For example, ensuring that the virtual school publishes details of company registration and registered office, and that returns to Companies House and/or the Charity Commission are up to date. Scrutiny of accounts would check that net current assets are positive and that accounts have been audited, as required.

As discussed previously, we think it is appropriate that the appointed QAB should have the ability to charge fees to cover their inspection costs. However, these should not act as a disincentive to providers to seek to register.

Practical considerations

We are aware of practical issues that exist in relation to lesson observation and confidentiality. Unlike traditional settings, it may not always be practical for a physical inspection or visit to take place. This may be a particular issue where, for instance, a provider is based overseas and may only have a small number of learners in England.

Suitable solutions are available that would meet the typical quality assurance and operational needs of inspectors, and we think that most of the information required by inspectors could be collected remotely. Inspectors should be able to view online teaching (with appropriate permissions) and student work could be stored centrally and therefore available for scrutiny at any time. Staff and student interviews could also be conducted virtually, or in person as appropriate.

Irrespective of whether a remote or physical inspection takes place, providers would be required to:

- make key senior staff available
- make teaching sessions available
- make student work available
- make students available, where necessary

- supply all requested materials – either electronically or through some other means if an electronic solution is not available

Inspection experience suggests that a detailed advice document would be useful for schools. We will publish non-statutory guidance, similar to that issued for the ISS, to help online schools meet their obligations under the standards.

Inspection cycle

We propose that:

- the routine inspection cycle should be risk-based and should take place no less than every two years, and no more than every four years
- schools deemed to meet the standards could be subject to remote monitoring annually against key criteria, provided no significant concerns have been raised in the interim
- the appointed QAB should have in place mechanisms for rapid response in relation to serious concerns, for example safeguarding, although, as the sponsor of the scheme, the DfE will need to be the recipient of any concerns raised by parents or local authorities

Questions

- 30) Do you agree that DfE should appoint a suitably qualified QAB to inspect online schools?
- 31) Do you agree that remote inspections would work in practice?
 - a. What physical locations should QAB inspectors visit, particularly where a provider is headquartered outside of the UK?
 - b. What sort of information (relating to the standards) do you think would still require a physical inspection, if any?
- 32) How often do you think schools should be inspected against the standards once they have been accredited? 2 years / 4 years / 6 years / solely risk-based?
- 33) Do you think schools should publish their inspection reports on their websites?

Annex A: Proposed online school standards

Section 1: Quality of education provided (curriculum)

1.1	There is a written policy on the curriculum, supported by appropriate plans and schemes of work, which is drawn up and implemented effectively.
1.2	The written curriculum policy, plans and schemes of work- (i) take into account the ages, aptitudes and needs of all pupils, including those pupils with an EHC plan; and (ii) do not undermine the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.
1.3	Full-time supervised education is provided for pupils of compulsory school age (construed in accordance with section 8 of the Education Act 1996) which gives pupils experience in linguistic, mathematical, scientific, technological, human and social, physical, and aesthetic and creative education.
1.4	Pupils acquire speaking, listening, literacy and numeracy skills.
1.5	Where the principal language of instruction is a language other than English, lessons in written and spoken English.
1.6	Personal, social health and economic education which – (i) reflects the school’s aim and ethos; and (ii) encourages respect for other people, paying particular regard to the protected characteristics set out in the Equality Act 2010.
1.7	For pupils receiving secondary education, access to accurate, up-to-date careers guidance that (i) is presented in an impartial manner; (ii) enables them to make informed choices about a broad range of career options; and (iii) helps to encourage them to fulfil their potential.
1.8	Where the school has pupils above compulsory school age, a programme of activities which is appropriate to their needs.
1.9	All pupils have the opportunity to learn and make progress.
1.10	The curriculum provides effective preparation of pupils for the opportunities, responsibilities and experiences of life in British society.

Section 2: Quality of education provided (teaching)

2.1	Teaching enables pupils to acquire new knowledge and make good progress according to their ability so that they increase their understanding and develop their skills in the subjects taught.
2.2	Teaching fosters in pupils self-motivation, the application of intellectual, physical and creative effort, interest in their work and the ability to think and learn for themselves.
2.3	Teaching involves well-planned lessons and effective teaching methods, activities and management of class time.

2.4	Teaching shows a good understanding of the aptitudes, needs and prior attainments of the pupils, and ensures that these are taken into account in the planning of lessons.
2.5	Teaching demonstrates good knowledge and understanding of the subject-matter being taught.
2.6	Teaching utilises effectively resources of a good quality, quantity and range, including available technologies.
2.7	Teaching demonstrates that a framework is in place to assess pupils' work regularly and thoroughly and to use information from that assessment to plan teaching so that pupils can progress.
2.8	Teaching utilises effective strategies for managing behaviour and encouraging pupils to act responsibly.
2.9	Teaching does not undermine the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.
2.10	Teaching does not discriminate against pupils because of their protected characteristics as if the relevant provisions of Part 6 of the Equality Act 2010 applied to the school.
2.11	There is a framework in place for pupil performance to be evaluated, by reference to the school's own aims as provided to parents or national norms, or to both.

Section 3: Spiritual, moral, social and cultural development of pupils

3.1	The fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs, are actively promoted.
3.2	Pupils are enabled to develop their self-knowledge, self-esteem and self-confidence.
3.3	Pupils are encouraged to distinguish right from wrong and to respect the civil and criminal law of England.
3.4	Pupils are encouraged to accept responsibility for their behaviour, show initiative and understand how they can contribute positively to the lives of those living and working in the locality in which they live, to society more widely, and as a global citizen.
3.5	Pupils are enabled to acquire a broad general knowledge of and respect for public institutions and services in England.
3.6	Tolerance and harmony between different cultural traditions is actively promoted by enabling pupils to acquire an appreciation of and respect for their own and other cultures.
3.7	Respect for other people is encouraged, paying particular regard to the protected characteristics set out in the Equality Act 2010.
3.8	Respect for democracy and support for the participation in the democratic processes are encouraged, including respect for the basis on which the law is made and applied in England.
3.9	The promotion of partisan political views is precluded in the teaching of any subject in the school.

3.10	<p>Such steps as are reasonably practicable are taken to ensure that where political issues are brought to the attention of pupils -</p> <ul style="list-style-type: none"> (i) while they participate in lessons; (ii) while they are taking part in extra-curricular activities which are provided or organised by or on behalf of the school; or (iii) in the promotion at the school, including through the distribution of promotional material, of extra-curricular activities organised by the school or others on behalf of the school <p>they are offered a balanced presentation of opposing views.</p>
------	--

Section 4: Welfare, health and safety of pupils

4.1	Effective arrangements are made to safeguard and promote the welfare of pupils at the school which have regard to any guidance issued by the Secretary of State.
4.2	Good behaviour amongst pupils is promoted by ensuring that a written behaviour policy is drawn up that, amongst other matters, sets out the sanctions to be adopted in the event of pupil misbehaviour.
4.3	The behaviour policy is implemented effectively.
4.4	A record is kept of the sanctions imposed upon pupils for serious misbehaviour.
4.5	Bullying at the school is prevented, in so far as reasonably practicable, by the drawing up and implementation of an effective online anti-bullying strategy.
4.6	A relevant health and safety policy is drawn up and effectively implemented.
4.7	Appropriate admission and attendance registers are maintained.
4.8	The welfare of pupils at the school is safeguarded and promoted by the drawing up and effective implementation of a written risk assessment policy; and appropriate action is taken to reduce risks that are identified.
4.9	Effective action is taken to minimise the risk of pupils at the school accessing inappropriate material or sites online and pupils are supported to remain safe online.

Section 5: Suitability of staff, supply staff and proprietors

Staff means any person working at the school whether under a contract of employment, under a contract for services or otherwise than under a contract but does not include proprietors, supply staff or a volunteer	
5.1	No staff are barred from regulated activity relating to children in accordance with section 3(2) of the Safeguarding Vulnerable Groups Act 2006 where that person is or will be engaging in activity which is regulated activity within the meaning of Part 1 of Schedule 4 to that Act.
5.2	No staff carry out work, or intend to carry out work, at the school if to do so would be in contravention of a prohibition order, an interim prohibition order, or any direction made under section 128 of the 2008 Act or section 142 of the 2002 Act, or any disqualification, prohibition or restriction were those provisions to apply to staff at the school.
5.3	Appropriate identity checks are carried out in respect of all staff.
5.4	Appropriate checks of medical fitness are carried out in respect of all staff.

5.5	Appropriate checks of right to work are carried out in respect of all staff.
5.6	Appropriate checks of qualifications are carried out in respect of all staff.
5.7	Where relevant to any staff, an enhanced criminal record check is made in respect of that person and an enhanced criminal record certificate is obtained before or as soon as practicable after that person's appointment.
5.8	In the case of any person for whom, by reason of that person living or having lived outside the United Kingdom, obtaining such a certificate is not sufficient to establish the person's suitability to work in a school, such further checks are made as are considered appropriate, having regard to any guidance issued by the Secretary of State.
5.9	In the light of the information from the checks referred to in paragraphs 1-8 above the proprietor considers that the person is suitable for the position to which the person is appointed.
5.10	The checks referred to in paragraphs 1-8 above are completed before a person's appointment except that, if a new member of staff has, during a period which ended no more than three months before the person's appointment – (i) worked in a school in England and was appointed on or after 12 May 2006, or was appointed before that date to a position in a maintained school which did not bring the person regularly into contact with children or young persons; (ii) worked in an institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education or which brought the person regularly into contact with children or young persons the checks need not be carried out
Supply staff means a person offered for supply by an employment business to the school	
5.11	Supply staff only begin work when the proprietor has received written notification from the employment business that checks of identity, right to work, medical fitness and qualifications.
5.12	Where relevant to that person, an enhanced criminal record check has been made and that it or another employment business has obtained an enhanced criminal record certificate in response to such a check.
5.13	In the case of any person for whom, by reason of that person living or having lived outside the United Kingdom, obtaining such a certificate is not sufficient to establish the person's suitability to work in a school, such further checks are made as are considered appropriate, having regard to any guidance issued by the Secretary of State.
5.14	If the employment business has obtained such a certificate before the person is due to begin work at the school, whether it disclosed any matter or information.
5.15	A copy of any enhanced criminal record certificate obtained by an employment business is provided before the person is due to begin work at the school
5.16	A person offered for supply by an employment business only begins work at the school if the proprietor considers that the person is suitable for the work for which the person is supplied.
5.17	Before a person offered for supply by an employment business begins work at the school the person's identity is checked by the proprietor of the school (irrespective of any such check carried out by the employment business before the person was offered for supply)
5.18	The proprietor, in the contract or other arrangements which the proprietor makes with any employment business, requires the employment business to provide – (i) the notification of checks completed referred to in paragraph 1; and

	<p>(ii) a copy of any enhanced criminal record certificate which the employment business obtains,</p> <p>in respect of any person whom the employment business supplies to the school, except that, if a new member of supply staff has, during a period which ended no more than three months before the person's appointment –</p> <p>(i) worked in school in England and was appointed on or after 12 May 2006, or was appointed before that date to a position in a maintained school in England which did not bring the person regularly into contact with children or young persons;</p> <p>(ii) worked in an institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education or which brought the person regularly into contact with children or young persons</p> <p>the checks need not be carried out.</p>
<p>Proprietor means the individual(s), governors, trustees or directors responsible for the management of the school</p>	
5.19	Individual proprietors and members of proprietorial bodies are checked to ensure that they are not barred from regulated activity relating to children in accordance with section 3(2) of the Safeguarding Vulnerable Groups Act 2006 where that individual is or will be engaging in activity which is regulated activity within the meaning of Part 1 of Schedule 4 of that Act.
5.20	Individual proprietors and members of proprietorial bodies do not carry out work, or intend to carry out work, at the school if to do so would be in contravention of a prohibition order, an interim prohibition order, or any direction made under section 128 of the 2008 Act or section 142 of the 2002 Act or any disqualification, prohibition or restriction were those provisions to apply to staff at the school.
5.21	Individual proprietors and members of proprietorial bodies are subject to an enhanced criminal records check, and checks confirming identity and right to work in the United Kingdom where applicable.
5.22	Individual proprietors and members of proprietorial bodies living or who have lived outside the United Kingdom are subject to such further checks of suitability as are considered appropriate by the Secretary of State.
5.23	Where an enhanced criminal check is made, an enhanced criminal record certificate is provided to the Secretary of State.
<p>Single Central Register of Appointments</p>	
5.24	A comprehensive register is maintained of all staff (including the proprietor, or Chair or member of a proprietorial body), supply staff and volunteers who currently work in the school, or who have worked in the school in the past three years, showing when they commenced and ceased working in the school and the suitability and other checks which have been made, and the information obtained.

Section 6: Provision of information

6.1	The school's website includes the school's correspondence address, telephone number and the name of the headteacher or the person responsible for the day to day leadership of the school.
6.2	<p>The school's website includes either –</p> <p>(i) where the proprietor is an individual, the proprietor's full name, address for correspondence during both term-time and holidays and a telephone number or numbers on which the proprietor may be contacted, or</p>

	(ii) where the proprietor is a body of persons, the address and telephone number of its registered or principal office.
6.3	The school's website includes, where there is a governing body, the name and address for correspondence of its Chair.
6.4	The school's website includes a statement of the school's ethos (including any religious ethos) and aims.
6.5	The school's website includes a copy of the latest inspection report under the voluntary accreditation scheme.
6.6	The school's website includes the school's safeguarding policy and any supporting policies.
6.7	An annual written report of each registered pupil's progress and attainment in the main subject areas taught is provided to the parents of that registered pupil except that no report need be provided where the parent has agreed otherwise.
6.8	Where a pupil wholly or partly funded by a local authority is registered at the school, an annual account of income received and expenditure incurred by the school in respect of that pupil is provided to the local authority and, on request, to the Secretary of State.
6.9	Where a pupil with an education, health and care plan ("EHC plan") wholly or partly funded by a local authority or other body through public funds is registered at the school, such information as may reasonably be required for the purpose of the annual review of the EHC plan is provided to the responsible local authority and, on request, to the Secretary of State.
6.10	Following a quality assurance visit under the online schools accreditation scheme, a copy of the report (if it has been sent to the proprietor) is published and maintained on the school's internet website, and provided to the parents of each registered pupil, by any date specified by the body which conducted the quality assurance visit.
6.11	Any information reasonably requested in connection with a quality assurance visit under the online schools accreditation scheme which is required for the purposes of the visit is provided to the body conducting the visit.
In the following paragraphs, 'made available' means to publish on the school's website and to provide on request to a parent of a pupil or prospective pupil	
6.12	The school's policy on and arrangements for admissions, misbehaviour and exclusions are made available.
6.13	The school's policies on educational and welfare provision for pupils with EHC plans and pupils for whom English is an additional language are made available.
6.14	The school's curriculum policy is made available.
6.15	The school's policies on promotion of good behaviour and preventing bullying and health and safety are made available.
6.16	The particulars of the school's academic performance during the preceding school year, including the results of any public examinations are made available.
6.17	The school's complaints policy and the number of complaints registered under the formal procedure during the preceding school year are made available.

Section 7: Manner in which complaints are to be handled

7.1	A written complaints procedure is drawn up and effectively implemented which deals with the handling of complaints from parents of pupils.
7.2	The policy is in writing.
7.3	The policy is made available to parents of pupils.
7.4	The policy sets out clear time scales for the management of a complaint.
7.5	The policy allows for a complaint to be made and considered initially on an informal basis.
7.6	Where the parent is not satisfied with the response to the complaint made on an informal basis, the policy establishes a formal procedure for the complaint to be made in writing.
7.7	Where the parent is not satisfied with the response to the complaint made in accordance with the formal procedure, the policy makes provision for a hearing before a panel appointed by or on behalf of the school and consisting of at least three people who were not directly involved in the matters detailed in the complaint, including one who is independent of the management and running of the school.
7.8	The policy allows for a parent (or parents) to attend and be accompanied at a panel hearing if they wish.
7.9	The policy provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is – (i) provided to the complainant and, where relevant, the person complained about; and (ii) available for inspection on the school premises by the proprietor and the head teacher.
7.10	The policy provides for a written record to be kept of all complaints that are made in accordance with the formal procedure and - (i) whether they are resolved following a formal procedure, or proceed to a panel hearing; and (ii) action taken by the school as a result of those complaints (regardless of whether they are upheld).
7.11	The policy provides that correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting a quality assurance visit under the online schools accreditation scheme requests access to them.

Section 8: Quality of leadership in and management of schools

8.1	Persons with leadership and management responsibilities at the school-
8.2	(a) demonstrate good skills and knowledge appropriate to their role so that the online schools accreditation scheme standards are met consistently;
8.3	(b) fulfil their responsibilities effectively so that the [scheme] standards are met consistently; and
8.4	(c) actively promote the well-being of pupils (“well-being” means well-being within the meaning of section 10(2) of the Children Act 2004).

Annex B: Full list of consultation questions

Proposal

- 1) Do you think there is a need for a quality assurance accreditation scheme for providers of online schools, and do you broadly agree with our proposals for a registration scheme? If not, why not?
- 2) Do you think we have adopted the right scope and definition of online schools within our approach to this proposed scheme, i.e. that the scheme should be limited to those providers offering education to pupils living in England, regardless of where their organisation is based, and that the education is full-time or the main source of a child's education? If not, why not?
- 3) Should there be a minimum number of pupils for accreditation? i.e. should a school be providing education for five or more pupils, or one or more with an EHC plan or who is looked after in order to register, or is it sufficient if there is only one learner, given that numbers can fluctuate rapidly?
- 4) Should this scheme apply to alternative providers who are extensively using online materials to educate pupils for medical reasons, such as hospital education?
- 5) Will the proposed voluntary scheme work in capturing all providers of full-time online education?
 - a. What do you think would prevent certain providers from participating in a voluntary scheme?
 - b. How would you characterise providers within this diverse sector, and what arrangements would be most effective for capturing all providers?
- 6) What would be the incentives and disincentives for some providers to choose to sign up to the proposed voluntary scheme?
- 7) How should DfE communicate with the sector and how should the scheme be promoted?
- 8) Keeping in mind that the proposal is for a voluntary scheme, what, if any, consequences should there be for providers who fail to register?

Registration process

- 9) Do you agree with the principles for the new scheme? Please outline any areas where you disagree.
- 10) Will the proposed registration arrangements work in practice? Please outline any areas where you identify specific issues or concerns.
- 11) Have we identified the correct information that the DfE should ask for from proprietors in assessing their suitability to be accredited?
 - a. Is there additional information we should collect?
- 12) Do you think the pre-accreditation process (an online application form, due diligence checks and a pre-accreditation inspection) is the best way to provide quality assurance? If not, please outline alternative arrangements.
- 13) Do you think it's right to expect providers to pay for the costs of the inspection?
 - a. What do you think would be a reasonable fee for an inspection?

- 14) Do you have any other comments on either the principle of registration or practical issues related to registration on the basis proposed?

Standards

- 15) Do you think it is a good idea to base the proposed standards, as far as possible, on the existing ISS and guidance?
- 16) Do you agree that we have identified the correct standards?
- 17) Are there any standards that you think it would be difficult or impossible for an online school to meet? If so, what are they and why?
- 18) Are there any other standards that you think we should add?

Safeguarding

- 19) Do you think we have identified standards that will adequately safeguard children?
- a. Are there any other standards which would better ensure children are safeguarded?
- 20) Will the proposed safeguarding arrangements work in practice?
- 21) Are you satisfied that, through the proposed standards, safeguarding arrangements will be clear to staff, parents and children?
- 22) Is it right that online schools should have regard to Keeping Children Safe in Education? If so, what should happen if this is disregarded?
- 23) Do you have any other comments about the concept of a duty on the proprietors of settings to keep accurate information about children who participate in their settings and fall within scope of the registration requirement, and also about staff by maintaining a single central register?
- 24) Do you think there are additional potential difficulties associated with an organisation and/or its tutors based overseas?
- a. How might we overcome any such challenges?
- 25) Is there any relevant good safeguarding practice which you would like to share?

Compliance

- 26) How long should we allow schools to put right any failings against the standards?
- a. Is four weeks right to produce an action plan?
- b. How long should there be between the action plan and the follow-up inspection – one month, three months or longer?
- 27) What sanctions should be imposed for non-compliance against the standards?
- 28) Should DfE take different action for non-compliance with the welfare, health and safety of pupils standards in *Section 4* than for non-compliance with other standards?
- 29) Do you have any comments on how we should specifically deal with sanctions to overseas-based proprietors, acknowledging the difficulties in taking action against organisations and individuals located elsewhere, but ensuring that all proprietors receive equal treatment?

Inspections

- 30) Do you agree that DfE should appoint a suitably qualified QAB to inspect online schools?
- 31) Do you agree that remote inspections would work in practice?
 - a. What physical locations should QAB inspectors visit, particularly where a provider is headquartered outside of the UK?
 - b. What sort of information (relating to the standards) do you think would still require a physical inspection, if any?
- 32) How often do you think schools should be inspected against the standards once they have been accredited? 2 years / 4 years / 6 years / solely risk-based?
- 33) Do you think schools should publish their inspection reports on their websites?



Department
for Education

© Crown copyright 2019

This document/publication (not including logos) is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

To view this licence:

visit www.nationalarchives.gov.uk/doc/open-government-licence/version/3

email psi@nationalarchives.gsi.gov.uk

write to Information Policy Team, The National Archives, Kew, London, TW9 4DU

About this publication:

enquiries www.education.gov.uk/contactus

download www.gov.uk/government/consultations



Follow us on Twitter:
[@educationgovuk](https://twitter.com/educationgovuk)



Like us on Facebook:
facebook.com/educationgovuk