

Supplementary guidance:

listening to learners on
inspection

Autumn 2019

The purpose of Estyn is to inspect quality and standards in education and training in Wales. Estyn is responsible for inspecting:

- ▲ nursery schools and settings that are maintained by, or receive funding from, local authorities
- ▲ primary schools
- ▲ secondary schools
- ▲ all-age schools
- ▲ special schools
- ▲ pupil referral units
- ▲ independent schools
- ▲ further education
- ▲ independent specialist colleges
- ▲ adult community learning
- ▲ local authority education services for children and young people
- ▲ teacher education and training
- ▲ Welsh for adults
- ▲ work-based learning
- ▲ learning in the justice sector

Estyn also:

- ▲ provides advice on quality and standards in education and training in Wales to the National Assembly for Wales and others
- ▲ makes public good practice based on inspection evidence

Every possible care has been taken to ensure that the information in this document is accurate at the time of going to press. Any enquiries or comments regarding this document/publication should be addressed to:

Publication Section

Estyn

Anchor Court

Keen Road

Cardiff

CF24 5JW or by email to publications@estyn.gov.wales

This and other Estyn publications are available on our website: www.estyn.gov.wales

This document has been translated by Trosol (English to Welsh).

© Crown Copyright 2019: This report may be re-used free of charge in any format or medium provided that it is re-used accurately and not used in a misleading context. The material must be acknowledged as Crown copyright and the title of the document/publication specified.

What is the purpose?

This provides further guidance for inspectors to use alongside the sector guidance for inspection

For whom is it intended?

Maintained and independent schools, non-maintained settings and Post 16/FE

From when should the guidance be used?

September 2019

Contents Page

Supplementary guidance	1
1 Introduction	2
2 Effective communication	2
3 Overcoming barriers to communication	3
4 Asking questions	4
5 Effective listening	6
6 Matching the style of communication to learners' needs	6
7 Discussing sensitive issues	11
8 Communicating with vulnerable learners	11
9 Risk awareness for inspectors	13

Supplementary guidance

The key Estyn documents that guide inspection activity are the inspection guidance handbooks for each sector. However, we also produce supplementary guidance to help inspectors to consider specific aspects of education and training further.

The supplementary guidance documents set out some key principles, considerations and resources for inspectors. They relate to all sectors that Estyn inspects, unless they state that they are for a specific sector. They expand on certain aspects of education/training (e.g. the inspection of literacy) or on ways of conducting inspections (e.g. the use of learning walks) or specific inspection arrangements (e.g. guidance on inspecting church schools).

The supplementary guidance documents do not aim to be comprehensive. Inspectors are not required to work through them exhaustively when covering any specific aspect on an inspection. However, inspectors may find them useful when responding to specific emerging questions that arise during inspections or when they wish to reflect or investigate further.

The supplementary guidance documents may help providers gain an understanding of Estyn's inspection arrangements. They may also be helpful to providers in evaluating specific aspects of their own provision.

Our inspection work is based on the following principles:

- Inspectors will approach inspection with a positive mindset to ensure it is the best possible professional learning experience for the staff in each provider
- Inspectors will take a learner-focused approach to inspection
- Inspectors will always focus strongly on the quality of teaching and learning
- Inspectors will seek out well-considered innovative practice
- Inspectors will tailor the inspection activities according to the circumstances in each provider as far as possible
- Inspectors will be agile and responsive to emerging findings and will use the increased range of inspection tools and approaches available
- Inspectors will consider everything in the inspection framework, but will only report on the key strengths and weaknesses within each provider

1 Introduction

The purpose of the guidance is to help inspectors to communicate effectively with learners in order to gain their views as part of the inspection process.

In addition, the guidance may help providers to gather the views of learners as part of the process of their self-evaluation.

Children have the right to have their views taken into account in decisions that affect them, as set out in the United Nations Convention on the Rights of the Child. It is good practice for learners of all ages to have their views taken into account in decisions that affect them. Estyn will give every learner the opportunity to share their views during an inspection, either through a survey or direct contact with inspectors.

The views of learners are a key source of evidence of achievement, attitudes and wellbeing. Learners' views can also influence the questions we ask the provider.

By listening to learners, inspectors will give learners the opportunity to show their knowledge and understanding of their work, how they are doing and what they need to do to improve. It will also give them an opportunity to share whether they feel supported, and to what extent the provider contributes to their wellbeing.

The learners that are to be interviewed should be selected carefully to provide a valid and reliable source of evidence. There are no set questions for inspectors to ask because the questions will be determined by the emerging questions inspectors have after reviewing the provider's self-evaluation and supporting evidence.

Learners will also be able to express their views through surveys that will be carried out before an inspection.

This guidance offers further assistance to inspectors in listening to learners of all ages. It places specific emphasis on listening to learners who may represent particularly vulnerable groups. It describes some of the ways in which inspectors may include these learners and ensure that their views contribute effectively to the process of inspection. However, inspectors should take a balanced account of the views of all learners, as well as of the evidence gained from direct observations and scrutiny of work when forming judgements.

2 Effective communication

The following principles underpin effective communication:

- a good relationship with the learner must be established and maintained
- the emphasis should be on enabling the learner to talk and then listening carefully to the learner's point of view
- the style of communication must be suitable for the age, ability and language of the learner

Establishing a relationship, particularly in a short interview requires the interviewer to show respect and empathy towards the interviewee(s). It also involves recognising and overcoming barriers to communication.

Respect is demonstrated by behaviour that makes others feel that they are important, worthwhile and special in some way.

Genuineness is shown by behaviour that conveys the message that you are human, trustworthy and have nothing to hide.

Empathy is implicit in behaviour that shows that you try to understand the other person's world as they are experiencing it. In other words, you make an effort to 'see it their way'.

Such behaviour includes:

- introducing yourself and remembering the other person's name
- explaining the purpose of the meeting
- asking questions tactfully and clearly
- showing you are listening and asking questions to clarify and check understanding
- not interrupting or talking over the person
- being aware of your own and others body language and the emotions that it conveys
- responding naturally and as honestly as you can
- avoiding being defensive

3 Overcoming barriers to communication

Learners may be reluctant to talk for a number of reasons, for example they may not be used to giving their opinions or they may lack in confidence. Learners may have a specific difficulty which acts as a barrier to communication or they may fear the consequences of expressing negative views.

In order to minimise these barriers, inspectors should:

- use language that the learners understand by avoiding jargon and being prepared to explain things clearly
- be aware of any health issues, sensory impairments or of any communication aids the learners may use
- be aware of any specific difficulties which may impede concentration
- consider involving a familiar adult who can support the pupils
- explain the importance and purpose of listening to the learners' views as part of the overall inspection
- say what they would like to discuss and why
- stress that participation is voluntary and that the learner(s) may leave at any time if they do not wish to continue in the meeting

- tell learners that they should not mention individual members of staff by name in the discussion
- explain that their views will be kept confidential (unless they tell the inspector anything that might mean that they are not safe)
- stress that what they tell inspectors will not have any effect on their results in exams or assessments
- reassure them that they will not be named or identified as individuals when the inspectors report their findings
- explain how the inspectors will report on their comments and how they can obtain the final report

When working with a group of learners, it is important to establish the ground rules at the outset so that everyone in the group is able to express their views.

The ground rules may include:

- listening to each other without interruption
- all contributions are voluntary
- asking for an explanation if something is not understood
- that confidentiality must be respected by everyone.

4 Asking questions

The way in which questions are asked can result in a range of different responses from learners. Listed below are some strategies which could be used when asking questions.

- ask one question at a time
- allow time for the learners to respond
- use strategies such as `think, pair, share` to encourage thinking time
- make sure everyone in the group has a chance to make a contribution
- use visual aids or symbols to support understanding of your question
- choose questions carefully, bearing in mind that different types of questions have different outcomes (see table below)

Question type	Example	Useful for	Not useful for
Open	How well are you doing here? How can you improve...? What happens when...?	Most openings/starting points Exploring issues and gathering information	Learner with communication difficulty unless support is available
Closed	How many times a week do you have collective worship? Who do you talk to if you have problems?	Getting specific factual answers. Short time available for discussion Learner who finds it difficult to talk	Getting broad based information
Probing	Does anyone get treated unfairly? How have you been helped when things are difficult? What happens if you are unable to get here?	Establishing and checking details of events already known or arising from open question answers	Exploring emotionally charged topics
Hypothetical	What would you do if...? If you could change one thing about the provider what would it be? If you were in charge of the provider what would you do to make life better for everyone?	Encouraging wider thinking, about an area they are unfamiliar with	If the situation is outside the learners' experience
Multiple	A string of questions or statements.	Never useful	Never useful
Comparison	Do you prefer A or B?	Exploration of needs and values. Provides a starting point for discussion	Where alternatives are unrealistic, or where alternatives provide too great a guide to the direction of answer

Inspectors should ask a range of questions that take account of the different aspects of the inspection guidance and the type of provision made for the learners.

5 Effective listening

Inspectors should demonstrate by their manner and use of language that they are listening to learners carefully and attentively.

The following statements and questions might be helpful in checking and clarifying the learner's meaning:

- **It sounds as though you are saying that...happens here. Am I right about that?**
- **You seem to be feeling... about that situation. Have I got the right impression?**
- **I'm not sure I fully understand you. Are you saying...? Is that what you mean?**

Also, some simple prompts can help a reluctant speaker to continue:

- **That sounds interesting. Tell me more**
- **Tell me about another time when...happens**
- **Go on – this is really interesting**

These are often better phrased as imperatives rather than as questions, to avoid the answer 'No, I can't' to the 'Can you ...?' type of question.

It is important to take care not to paraphrase the learners' statements in a way that 'leads the witness'.

6 Matching the style of communication to the learners' needs

It is important to take account of the fact that the developmental age of some learners may not match their chronological age and phase of education. This is most likely to occur in learners with special educational needs, those who require extra support or those who have recently returned to learning. It is important in these cases that questions are still age appropriate. The way they are presented should be differentiated, for example, avoiding the use of jargon, and the use of visual symbols can be helpful in recording preferences and making choices. The use of smiley or sad faces, Makaton symbols¹, traffic light symbols, ticks and crosses, access to IT or the support of the individuals chosen support worker can all support listening to learners.

Some learners will be able to communicate their own views once they have had thinking time. Planned formative discussion can build in time for forming and expressing their views. For identified learners, plenty of advance warning and time to prepare will help them to contribute meaningfully. For others, the involvement of their preferred communicator may be required. A distraction free environment, with

¹ Makaton is a method of communication using signs and symbols and is often used as a communication process for those with learning difficulties.

questions asked over a number of short sessions would be of benefit in some circumstances.

The following table indicates how the context and style of communication can be adapted to match the learners' age and stage of development.

Phase	Settings	Methods	Age related characteristics
Foundation Phase (under 5s)	Familiar setting including indoors, outdoors, at snack time and at lunchtime.	<ul style="list-style-type: none"> • talk, taking care to draw in the quieter children and to match vocabulary to understanding • observation of how children behave • draw pictures • share a book • join in with children's play 	<p>Usually happy with visiting adults in familiar setting. Limited vocabulary so interpret behaviour as well.</p> <p>Will only just be learning how to express their feelings verbally.</p> <p>May respond to questions with what they think you want to hear.</p> <p>May talk about current or most recent experiences when asked 'What do you like doing best?'</p>
Foundation Phase (5 to 7-year-olds)	In the classroom both indoors and outdoors, the playground or at lunchtime.	<ul style="list-style-type: none"> • talk, taking care to draw in the quieter children and to match vocabulary to understanding • share books and hear readers • talk to individuals whilst looking at their work in class • join circle time 	<p>Usually happy to talk to visitors in provider.</p> <p>May understand that inspection is important to the provider and to their teacher.</p>
KS2	In the classroom, the playground or at lunchtime. Small groups could meet in the library or in a quiet meeting room.	<ul style="list-style-type: none"> • scenarios, such as: 'design an ideal school. Is this one like it?' • structured discussion on a range of topics drawn from the inspection framework • talk to individuals whilst looking at work in class and hearing readers • observe in class and at playtime • join at lunchtime 	<p>Likely to understand importance of inspection.</p> <p>Might be worried about expressing negative views.</p> <p>Likely to be comfortable and more forthcoming in small group out of classroom.</p>

Phase	Settings	Methods	Age related characteristics
KS3 and KS4	In classrooms. Small groups could meet in the provider library or in a meeting room. Provider council/Eco schools/focus group meeting.	<ul style="list-style-type: none"> • structured discussion on a range of topics drawn from the lines of enquiry • talk to individuals whilst looking at work in class • read minutes of provider council/eco committee/focus groups etc • talk to provider council/focus group representatives and ask how they consult with peers and what their impact on the provider has been • the input the learners have had into self-evaluation report 	<p>Will understand importance of inspection.</p> <p>A few may lack confidence and be reluctant to talk in a large group.</p> <p>Many will be confident at being consulted and may need to be encouraged to listen to the views of others.</p> <p>Likely to be comfortable and more forthcoming in small group out of classroom.</p>
16 to 19-year-olds and adults	Usual work place, student common rooms, youth clubs, youth projects, meeting rooms, students union, community learning centre.	<ul style="list-style-type: none"> • structured discussion on a range of topics drawn from the lines of enquiry • use simple questions that deal with one issue at a time • talk to individuals whilst looking at work, either in the work-based learning setting or in class • read minutes of student union /eco committee/focus groups / adult learners council, etc • talk to students union reps/focus group representatives and ask how they consult with peers and what impact they have seen, and what issues emerge • analyse student perception questionnaires in FE institutions, work-based learning, careers 	<p>Learners may not always be confident to speak in a large group and a few learners may need help in structuring their replies.</p> <p>Vulnerable groups and those who have returned to learning after a long gap may need more support, otherwise communication at the chronological age of the learners will be effective.</p>

Supplementary guidance: listening to learners
September 2017

Phase	Settings	Methods	Age related characteristics
		<p>companies, and local authority youth and adult provision</p> <ul style="list-style-type: none">• ask learners about the feedback they have had from questionnaires• talk about the input the learners have had into the self-evaluation report• ask if any changes have taken place as a result of their views being heard	

7 Discussing sensitive issues

Some learners, particularly those who are vulnerable, may experience distress or become angry when sensitive issues are discussed.

At all times inspectors must act in the best interests of the safety and wellbeing of learners.

It is important to remember that the inspector is there to follow the emerging questions and lines of inquiry of the inspection, and not in the position of counsellor or to provide support.

When discussing sensitive issues, such as those relating to wellbeing, attendance, or to support provided by the provider, inspectors should do all they can to prevent difficulties arising. If any learners do become angry or upset, the inspector should try to reassure them and should remind them that they can leave the meeting at any time they wish. If they do leave in an angry or distressed state, then the inspector should ensure that they go to a safe place of their choice, or ask for help from another person.

All such incidents must be reported at the first opportunity to the Reporting Inspector and to a senior member of staff and must be recorded in writing by the inspector.

If a learner wants to make a disclosure, the inspector must follow Estyn's Policy and Procedures for Safeguarding.

8 Communicating with vulnerable learners

It is essential to ensure that the views of vulnerable learners, namely those whose needs and views may be different from those of the majority of their peers, are included. In order to find out how these groups of learners experience their education or training, it is often useful to talk to them in private in small groups with about three to four learners.

Vulnerable learners include the following groups:

Very young children can struggle to have views of their own, and lack the means of expressing their views. They will probably find it more comfortable to talk to an inspector as part of a small group in their usual setting and are likely to need a familiar adult with them. This will be helpful where children have limited expressive language or are shy of strangers.

Learners with special educational needs or those who require extra support may be more likely to have difficulty in using verbal language to communicate their views and may have to rely on others to mediate their responses. For some, their actual age will not match their developmental age. Those who have social, emotional or mental health needs are likely to lack the trust and confidence in other people that is essential for effective communication.

For learners with additional or different communication needs, inspectors will need to enlist specialist help from those who can use the appropriate mode of communication. This may be, for example, one of the sign languages or picture systems, ICT equipment or Braille.

Learners with physical health difficulties who are dependent on others for their care and wellbeing, who may have to put medical care before learning as a priority and who are likely to experience interruptions to their education or training programmes.

Children excluded from school who have no voice in the exclusion process and may experience considerable interruption to their education, both before and after the exclusion. They are likely to drop out of education and training, but may reappear in the mental health or criminal justice systems.

Looked-after children and children on the at-risk register for whom the educational, social, health and career outcomes are known to be much poorer than those of their peers. They are more likely to have additional learning, social or emotional needs and to discontinue education or training early. They are also likely to drop out of education and training and to reappear in the mental health or criminal justice systems.

Children and young people in residential educational provision who are likely to have additional learning needs. It is likely that some of these children and young people are also looked-after children. They may be some distance from home and require particular attention to their care, welfare and protection from harm.

Members of minority ethnic and faith groups who may find cultural, religious and linguistic barriers to communicating their views as learners and who may experience racism. They may lack trust and confidence that their views matter.

Learners for whom English is an additional language may need support in order to communicate with inspectors.

Travellers' educational experiences are often very different from the majority of their peers and they are more likely to experience social exclusion. They may lack trust and confidence that their views matter.

Refugees and asylum seekers may find cultural, religious and linguistic barriers to communicating their views as learners and may experience racism. They will have had very different educational experiences from those of their peers and may have experienced trauma.

Many of these learners may need support in order to communicate with inspectors.

9 Risk awareness for inspectors

Inspectors should be aware of the risks that may arise from interviews with learners. These include:

- accusations of inappropriate behaviour or conversation
- distress in the learner being attributed to the inspector's manner or questioning, particularly when discussing sensitive topics
- accident or injury occurring during the meeting

In order to minimise the likelihood of occurrence of these risks, inspectors should:

- adhere to the code of conduct for inspectors
- meet groups of learners rather than individuals whenever possible
- hold meetings in rooms which are readily accessible and visible within the provider
- ensure that interviewees can leave the room easily if they so wish
- arrange to work with another adult nearby
- report to the Reporting Inspector and record in writing the details of any incident that gives cause for concern