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25 November 2016

Ms Tara Finn  
Policy Officer  
Diabetes UK  
Wells Laurence House  
126 Back Church lane  
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E1 1FH

**Sean Harford HMI**  
National Director, Education

Our ref: 369182

Dear Ms Finn

Thank you for your letter of 11 November 2016 to Her Majesty's Chief Inspector, Sir Michael Wilshaw. I have been asked to respond in my capacity as National Director, Education.

I was interested to read the results of your investigation into whether schools are complying with their duty to ensure they support children with medical conditions.

You wanted to explore how Ofsted inspection can be used, to make sure that schools are aware of the legislation with regard to pupils with medical conditions. The Department for Education is responsible for ensuring that schools are aware of their statutory responsibilities. Where these statutory responsibilities on schools relate to our inspection remits, these will be considered as part of inspection.

The extract below, from the School inspection handbook, August 2016, explains what inspectors consider during school inspections:

"Inspectors evaluate the experience of particular individuals and groups, such as pupils for whom referrals have been made to the local authority (checking how the referral was made and the thoroughness of the follow-up), pupils who have special educational needs and/or disabilities, children looked after, those with medical needs and those with mental health needs. Inspectors must look at a small sample of case studies about the experience of these pupils." <sup>1</sup>

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<sup>1</sup> See paragraph 170 - 'School inspection handbook' (150066), Ofsted, 2016;  
[www.gov.uk/government/publications/school-inspection-handbook-from-september-2015](http://www.gov.uk/government/publications/school-inspection-handbook-from-september-2015).



Our Common inspection framework requires inspectors to make four key judgements in arriving at an overall effectiveness grade for the school. As part of inspecting the effectiveness of leadership and management, safeguarding, and pupil welfare, inspectors will examine if the school complies with statutory responsibilities and will test how well the needs of pupils are met. Although inspectors will ask about support for pupils with medical needs, this kind of evidence would not necessarily be commented on in the inspection report, as these pupils may then be identifiable.

Inspection reports will identify any failure to comply with statutory requirements, where these form part of the inspection framework. However, Ofsted does not perform, nor does it have the capacity to undertake, compliance checks on all statutory requirements on schools.

There are no plans, at present, to make any changes to our inspection framework for the remainder of this academic year. We are keen, however, to meet with you and discuss your views about how the inspection process can support schools in making them aware of the legislation. I will ask a representative from our Schools Policy team to contact you to arrange a meeting.

Thank you once again for taking the time to write to Sir Michael. I hope that you find this response helpful.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Sean Harford".

**Sean Harford HMI**  
National Director, Education

