

**PROCEDURE FOR REVIEW OF
INSPECTIONS CARRIED OUT BY THE
DEPARTMENT OF EDUCATION
INSPECTORATE UNDER SECTION 13(9) OF
THE EDUCATION ACT 1998**

10 March 2022

Draft

Contents

1. Introduction	4
1.1 Inspection and reporting play an important role in supporting and assuring the quality of educational provision	4
1.2 The Inspectorate is committed to high standards in its work	4
1.3 Why have a <i>Procedure for Review</i>	5
1.4 Terminology used in this procedure	5
1.5 When can the <i>Procedure for Review</i> be used?	6
1.6 Who can use the review process?.....	6
1.7 Principles that guide the review process	7
1.8 On what grounds can a review be sought?.....	9
1.9 Developing and reviewing the <i>Procedure for Review</i>	10
1.10 Overview of the <i>Procedure for Review</i>	10
2. Informal review.....	11
2.1 Resolving a concern informally	11
2.2 Resolving a concern informally at setting level during an inspection	11
2.3 Resolving a concern informally with the assistant chief inspector.....	13
3. Formal review	15
3.1 Requesting a formal review	15
3.2 Chief Inspector considers the request	16
3.3 Chief Inspector initiates the review	16
3.4 Review co-ordinator.....	17
3.5 Review panel	19
3.6 Decision of the Chief Inspector	22
3.7 Internal disciplinary procedures	25
4. Administrative and other arrangements regarding formal reviews.....	26
4.1 Written communications	26
4.2 Minimising disruption to education processes.....	26
4.3 Delegation of functions	26
4.4 Schools under the auspices of an Education and Training Board.....	26
4.5 Requests for an extension of time	26
Appendix 1: Inspection review request form	28
Appendix 2: Format for report of review panel.....	32
Appendix 3: Format for Chief Inspector's decision (initial and final)	35

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1. Introduction

1.1 Inspection and reporting play an important role in supporting and assuring the quality of educational provision

Under the Education Act 1998, the Inspectorate of the Department of Education has a statutory duty to inspect and report on the quality of educational provision in recognised schools, centres for education and other education settings in accordance with procedures that are approved by the Minister, including procedures for the publication of inspection reports. The Inspectorate also has a role in inspecting and reporting on the quality of educational provision in other publicly-funded education or training facilities in accordance with memoranda of agreement between the Department of Education and relevant government Departments and agencies.

Typically, inspections identify strengths and areas for development in the work of the schools, settings and centres for education that are inspected. Inspectors use their professional judgement to affirm effective practice and to identify areas for development where relevant. Inspection reports should present fairly and accurately the advice given to the education setting, including its strengths and aspects of its work that are in need of development. The purpose of inspection and reporting is to promote improvement and to provide an evaluative account of the work of the education setting to the setting itself and its community, to the Minister and to the wider public.

1.2 The Inspectorate is committed to high standards in its work

The Inspectorate is committed to evaluating, schools, early learning and care (ELC) settings, other education and training facilities and the education system as a whole in a way that is fair, consistent and transparent. The standards to which the Inspectorate works are described in the *Code of Practice for the Inspectorate*. That Code applies to the full range of inspectors' evaluation and advisory work, including their work and conduct when evaluating and reporting on the work of schools, ELC settings, centres for education, other education settings, the work of individual education practitioners and the implementation of curricular programmes and regulations. The general principles underpinning how the Inspectorate undertakes its work are set out in the *Code of Practice for the Inspectorate*.

The Inspectorate sets out in published guides how it conducts different types of inspection in various settings. A list of the inspection models used by the Inspectorate at the time that this Procedure was finalised can be found in Appendix 4. The published guides explain how the Inspectorate carries out its work and they help to ensure consistency in the Inspectorate's practice. The guides also provide information on the specific standards that apply to the Inspectorate's work in each type of inspection. An up-to-date version of the *Code of Practice for the Inspectorate* and the various guides to inspection that the Inspectorate has published are

available on the government publication website at <https://www.gov.ie/en/collection/inspectorate-publications-evaluation-reports-guidelines/>.

1.3 Why have a *Procedure for Review*

Section 13(9) of the Education Act 1998 commits the Department of Education Inspectorate to putting a procedure for the review of inspections in place. Section 13(9) states:

‘A teacher or the board of a school may request the Chief Inspector to review any inspection carried out by an Inspector which affects the teacher or the school and the Chief Inspector shall review the inspection in accordance with such procedures as the Chief Inspector shall determine.’

The review procedures set out in this document also apply to the review of inspections carried out by the Department of Education Inspectorate in education settings other than schools. A practitioner or manager in such settings may request the Chief Inspector to review an inspection which affects the practitioner or manager.

The great majority of inspections and visits to early learning and care settings, schools and other settings are carried out successfully. However, a teacher or board of management of a school, a practitioner or owner/manager of an ELC setting, or another educational practitioner who is affected by an inspection may have a concern about an aspect of the inspection or with the inspection report. This booklet describes the procedure that can be used by a practitioner or teacher, the owner/manager of an ELC setting or the board of management of a school or other education and training facility to have an inspection reviewed. The *Procedure for Review* also provides the Inspectorate with the opportunity to learn from its inspections, to put things right if its work has not matched the standards that the Inspectorate aspires to, and to improve the way that it carries out its work.

1.4 Terminology used in this procedure

In this document, titles are used as follows:

- *Education setting* means a recognised school or centre for education; an early learning and care setting receiving public funding; any other publicly-funded

education or training facility in which the Inspectorate conducts evaluation and advisory work¹

- *Educational practitioner* means an early years educator; a teacher in a recognised school or centre for education; a teacher or tutor or instructor in any publicly-funded education or training setting in which the Inspectorate conducts evaluation and advisory work
- *Management body* means an owner/manager of a publicly-funded early learning and care setting; a board of management of a recognised school or centre for education; a formal management body or committee or board of any publicly funded education or training facility in which the Inspectorate conducts evaluation and advisory work
- *Review panel* refers to the panel of three persons, drawn from a standing panel nominated by the Secretary General of the Department of Education, to carry out formal reviews of inspections and provide a report to the Chief Inspector on the determinations of the panel in relation to each of the grounds on which a review was sought
- *Review co-ordinator* refers to the inspector nominated by the Chief Inspector who provides assistance to the panel that is carrying out a formal review of an inspection. This assistance includes the assembling of relevant documents and other records for the review, and liaising with the review requestor, the inspector(s) whose inspection is under review and the Office of the Chief Inspector where relevant.

1.5 When can the *Procedure for Review* be used?

The *Procedure for Review* provides a way in which educational practitioners and management bodies of education settings affected by an inspection can seek a review of the inspection.

1.6 Who can use the review process?

This review process may be used by:

¹ Currently, this includes recognised primary and post-primary schools funded by the Department of Education; early learning and care settings and schools based in Emergency Reception and Orientation Centres funded by the Department of Children, Equality, Disability, Integration and Youth;; Youthreach centres in which inspections are carried out on behalf of the Department of Further and Higher Education; Irish language colleges in which inspections are carried out on behalf of the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media; and agricultural colleges in which inspections are carried out on behalf of Teagasc.

- An educational practitioner in an education setting who is affected by an inspection
- The management body of an education setting that is affected by an inspection

Where the management body of an education setting seeks a review, the request is made by the owner/manager or chairperson of the management body or a representative nominated by the management body. Where an educational practitioner in an education setting seeks a review, the management body of the education setting will be advised of the request of the practitioner.

1.7 Principles that guide the review process

A number of important principles guide and inform the review process.

- (1) The Inspectorate recognises that the first priority in all inspection work is the wellbeing of the learner, the quality of the learning experience that is offered to them, and the quality of the learning outcomes that they achieve.
- (2) Making professional judgements about the quality of educational provision is at the heart of the Inspectorate's work. The Inspectorate is committed to objectivity and consistency in making judgements, to honesty and clarity in communicating findings, and to respect, openness and courtesy. These principles are set out in more detail in the Inspectorate's *Code of Practice*.
- (3) The Inspectorate is committed to fostering a positive, professional relationship with the staff, leaders and children and young people in all the education settings in which it conducts inspections and with the communities served by those settings. The Inspectorate takes all complaints about its work seriously, and it investigates all complaints thoroughly.

In accordance with the Inspectorate's *Code of Practice*, inspectors endeavour to foster mutual respect and trust between the Inspectorate and education settings. There is also an expectation that education settings and practitioners will co-operate fully with the Inspectorate during inspections². It is important that concerns are resolved in a mutually respectful and professional manner.

² The expectation that practitioners in early learning and care settings will co-operate with inspection is outlined in the *Early Childhood Care and Education Programme- General Conditions of Funding Agreement*. The co-operation of recognised primary and post-primary schools with inspection is provided for in the Education Act 1998.

- (4) Where possible, the concerns of practitioners or management bodies should be resolved informally and at an early stage. The Inspectorate recognises the need to have a formal review process to consider issues that cannot be resolved informally.
- (5) The Inspectorate is committed to ensuring that all concerns are dealt with in an objective, courteous manner, using open, fair and transparent procedures.

This means that a person who raises a concern and an inspector about whose actions a concern is raised, have access to all relevant documents, other records and information, that they have balanced opportunities to present their case fully, that all parties are updated as necessary on the progress of the review and that the outcome of the process is communicated clearly to all involved.

This also means that persons involved in a review must make available any information that is pertinent to the review at the earliest opportunity in the process; the introduction of new information at a later stage in the review process is not permitted if that information could reasonably have been provided at an earlier stage.

- (6) It is important that concerns are resolved without undue delay.

For this reason, the Procedure for Review sets out time limits for various stages of the review process. While it is recognised that there may be exceptional extenuating circumstances which can give rise to delays in the process, every effort should be made to avoid undue delays.

- (7) Each person involved in a review is expected to respect fair procedures and the right of every person to their good name and to personal privacy.

Publication of any matter pertaining to the review of an inspection either in written format or on social media or in any other format before the completion of the review may infringe fair procedures and compromise the completion of the review.

- (8) The review process should not be overly bureaucratic or legalistic.
- (9) The Inspectorate is concerned to ensure the accuracy and fairness of its inspection work. It will acknowledge errors where they occur and seek to set them right.

The Inspectorate will not, however, change its judgements where new evidence has been submitted after the inspection was completed or where recommended improvements are promised at some time in the future.

- (10) If an error or a failing occurs in the work or conduct of the Inspectorate, the actions taken by the Chief Inspector in response to this under this Review Procedure should be proportionate to the seriousness of the error or failing.

In some instances, a serious failing or error in an inspection may result in an inspection being rescinded. In other instances, where a minor failing or weakness occurs, this may not undermine the validity of the inspection findings or the resulting report, and an apology to those affected will be sufficient remedy.

- (11) If a practitioner or a management body in an education setting has a concern with the inspection or conduct of an inspection and asks for a formal review, the publication of any associated report will not take place until the review and any matters arising from it are concluded.
- (12) The Inspectorate is committed to learning from situations where a practitioner or management body has concerns about inspections and seeks to use the lessons from reviews to improve its practice and its professional development.

1.8 On what grounds can a review be sought?

The *Procedure for Review* may be used when a concern occurs regarding the work of the Inspectorate. A practitioner or management body affected by an inspection may seek a review where they or the body believes that one or more of the following circumstances can be shown to apply:

- that an inspector did not make reasonable efforts to carry out their duties in accordance with the *Code of Practice for the Inspectorate*.
- that there was a significant departure from the published procedures for the type of inspection involved
- that the written report³ arising from an inspection did not comply with the principles regarding reporting outlined in the *Code of Practice for the Inspectorate*.

³ This refers to a written report issued to the education setting for factual verification or school response and which at that point has not been published. It may also refer to a written communication to a school on the findings of an inspection that is issued to the school but not published.

- that there was a breach of the published procedures concerning the publication of inspection reports.

If a request for a review is concerned mainly with issues regarding the general behaviour of an inspector, it may be more appropriate for the person affected to use the Department's customer comments and complaints system.

1.9 Developing and reviewing the *Procedure for Review*

This *Procedure for Review* has been developed following detailed consultation with the education partners, including representatives of education settings, educational practitioners, management bodies, teachers, early years educators, parents and students, and a range of other bodies with which the Inspectorate works and co-operates.

The Chief Inspector published this *Procedure for Review* in line with section 13(9) of the Education Act 1998. This section of the Act (detailed in 1.2 above) supports the Inspectorate's commitment in ensuring that an education setting or an educational practitioner or a management body affected by an inspection may request a review of that inspection in accordance with a procedure determined by the Chief Inspector.

The *Procedure for Review* was first published by the Chief Inspector in September 2002 and revised in 2006. A revised edition of the *Procedure for Review* was published in 2015. This edition replaces the edition of 2015 and is operative for all inspections conducted by the Department of Education Inspectorate commencing on or after XXXX 2022.

The provisions of this *Procedure for Review* are kept under review by the Chief Inspector and may be updated from time to time, following consultation with the relevant stakeholders.

The provisions of this *Procedure for Review* may also be updated by the Chief Inspector in order to comply with changes in legislation.

1.10 Overview of the Procedure for Review

Where possible, the concerns of practitioners or management bodies should be resolved informally and at an early stage. The Inspectorate recognises the need to have a formal review process to consider issues that cannot be resolved informally.

Issue/Concern arises	
Informal Review	Informal review at setting level
	<ul style="list-style-type: none"> • Inspector addresses the concern during the time of the inspection, or while post-inspection feedback is underway.
Informal Review	Informal review with assistant chief inspector
	<ul style="list-style-type: none"> • Takes place when a resolution at setting level is not reached • Can also take place where the issue/concern has been raised directly with the assistant chief inspector • Or the Chief Inspector has requested this informal process
<i>If an issue/concern is not resolved at informal review stage, a formal review may be requested.</i>	
Formal Review	Request for formal review goes to Chief Inspector
	<ul style="list-style-type: none"> • Chief Inspector considers the request and may initiate formal review • Review panel is established • Review co-ordinator is appointed • The review panel prepares a report for the Chief Inspector • The Chief Inspector makes an initial decision on the actions to be taken • Parties have an opportunity to submit written observations • A final decision is made by the Chief Inspector.

2. Informal review

2.1 Resolving a concern informally

If an **educational practitioner or the management body of an education setting** has a concern about the work or actions of an inspector, the matter should be brought to the attention of the Inspectorate informally at first. The educational practitioner or owner/manager or the chairperson (acting on behalf of the management body) can do this as outlined in sections 2.2 and 2.3.

2.2 Resolving a concern informally at setting level during an inspection

Raising and resolving concerns

Concerns, complaints and misunderstandings are best resolved by those directly involved, and as quickly as possible. Inspectors are committed to carrying out their work to the highest possible standards, but the Inspectorate accepts that misunderstandings can occur and that at times, an educational practitioner or the

management body of an education setting may have a concern about the way in which an inspector or an inspection team carried out their work.

If a practitioner or a management body has a concern about the work of an inspector, the practitioner, owner/manager or the chairperson (acting on behalf of the management body) should bring the matter to the attention of the inspector during the time that the inspection work is in progress in the education setting⁴. The inspector and the person who has a concern should seek to resolve the matter informally between them.

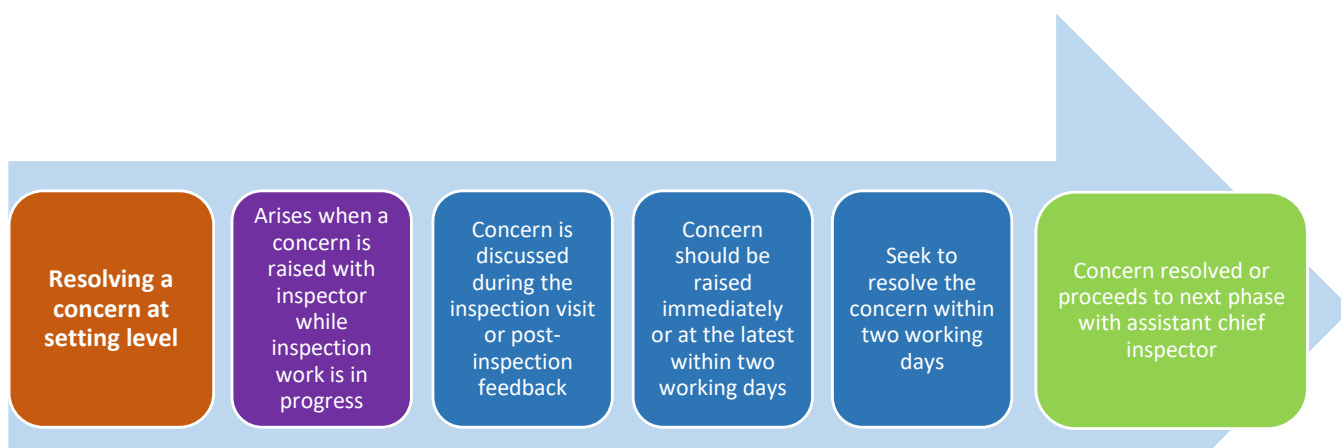
Where a concern is raised, the inspector(s) should ensure that the person affected by the inspection is given opportunities to discuss that concern while the inspection visit or the post-inspection feedback is underway in the education setting. This provides the inspector involved with an opportunity to resolve the matter in an informal way.

Time frame

A concern can be resolved most effectively if it is raised as soon as possible. For example, if an issue arises during the course of an inspection, the educational practitioner who has a concern should raise the matter with the inspector involved immediately or at the conclusion of the inspection. Similarly, a practitioner or management body which has a concern about the oral feedback presented by an inspector should raise this concern with the inspector at the conclusion of the post-inspection meeting. If it is not possible to raise the concern on the day on which it occurs, it should be raised within two working days in person, by telephone or by email **or as soon as possible thereafter.**

All inspectors are encouraged to seek to resolve the concern about the inspection on the day on which it is brought to their attention. Normally, the inspector will seek to resolve the issue within two working days of the concern being brought to their attention.

⁴ This includes the period up to and including the inspection feedback meetings, where relevant.



2.3 Resolving a concern informally with the assistant chief inspector

Raising and resolving concerns

If the concern regarding an inspection, whether related to the work of an inspector or the procedures followed is unresolved at the education setting level or when the concern relates to the content of the inspection report, the practitioner or owner/manager or the chairperson (acting on behalf of the management body) should contact the relevant assistant chief inspector⁵ or oci@education.gov.ie to discuss the concern.

The assistant chief inspector who is responsible for the inspection of that education setting **or a divisional/senior inspector acting on their behalf will contact the person** who raised the concern and the inspector(s) concerned with a view to resolving the matter.

Should the matter of concern not be resolved to the satisfaction of the person who raised the concern, the assistant chief inspector will follow the steps outlined below, having consulted with the divisional/senior inspector, if appropriate.

- The assistant chief inspector will contact the person who raised the concern and listen to the concerns. They will check what action has been taken previously to attempt to resolve the issues raised. The assistant chief inspector will engage with the person who raised the concern to ensure a

⁵ The name of the assistant chief inspector will generally be found on the notification issued to the setting in advance of notified inspections. The names of assistant chief inspectors are also available from the Inspectorate Secretariat at inspectorate@education.gov.ie.

clear understanding of the issues involved. They may also speak to others referred to by the caller so as to gather additional information.

- The assistant chief inspector will contact the inspector(s) concerned to outline the details of the concern and to gather any further information necessary to achieving a full understanding of the situation. The assistant chief inspector will listen to the responses of the inspector(s) and will check what action has been taken to attempt to resolve the issues raised. The assistant chief inspector may engage with the inspector(s) to ensure a clear understanding of the issues involved. They may speak to others referred to by the inspector(s) so as to gather additional information. They may also review the inspection file.
- Upon collation of all necessary information regarding the concern, the assistant chief inspector will make contact with the person who originated the concern to attempt to resolve the matter. If the concern cannot be resolved through this process of informal engagement and review of the issues raised, the assistant chief inspector will inform them of the option of seeking a formal review.

Time frame

Concerns should be raised by the practitioner or owner/manager or chairperson (acting on behalf of the management body) with the assistant chief inspector as soon as possible if they have not been resolved informally at education setting level. If the concern arises during an inspection that is taking place over a number of days, it should be brought to the attention of the assistant chief inspector during the time that the inspection visits are taking place. If it is not possible to bring the concern to the attention of the assistant chief inspector immediately, it should be brought to their attention no later than five working days from the date on which the concern arose or five days from the date of an unsuccessful informal resolution at education setting level.

The assistant chief inspector will make every effort to resolve the matter as quickly as possible and normally no later than five working days from the time they are contacted by the teacher or chairperson concerned.

Resolving a concern with the assistant chief inspector

Arises from non-resolution at setting level or issue with an inspection report

Should be raised as soon as possible and at the latest within five working days

Assistant chief inspector gathers further information and attempts to resolve within five working days

Concern resolved or the person who raised the concern is informed of their option to seek a formal review

3. Formal review

3.1 Requesting a formal review

In the situation where a concern regarding an inspection cannot be resolved through informal review processes, the educational practitioner or owner/manager or chairperson (acting on behalf of the management body) who has a concern about an inspection may then request the Chief Inspector to conduct a formal review of the inspection.

The Chief Inspector is requested to conduct a formal review

The request must be received by the Chief Inspector within ten working days

If an informal review has not occurred, the Chief Inspector may refer the issue back to the assistant chief inspector

If the issues fall within the scope of the *Procedure for Review*, a formal review may be initiated

Making a request

The request for the formal review should be made via e-mail to the Chief Inspector at oci@education.gov.ie by the practitioner or owner/manager, or chairperson (acting on behalf of the management body). The request should be submitted on an

Inspection Review Request Form (see Appendix 1). A word version of this form is available on request from oci@education.gov.ie.

The request for a review, and any available supporting documents, must be received by the Chief Inspector within ten working days of the issue that gave rise to the concern or within ten working days of the date of issue of the inspection report that is the subject of the review or within ten working days of an unsuccessful informal resolution at education setting level.

Grounds on which a review may be sought

The request for a review should state the grounds on which the review is sought. Details of the grounds on which a review may be sought are given in section 1.7 above.

Supporting documents

When submitting a request for a review, the practitioner or owner/manager or chairperson of the management body should enclose all available supporting documents, including, if relevant, a copy of the inspection report about which a concern is being raised.

3.2 Chief Inspector considers the request

On receiving the request for a review, the Chief Inspector will consider the concern(s) raised in the request.

- If the Chief Inspector receives a request and is not satisfied that an informal review process has been conducted, he/she may refer the request for the review back to the relevant assistant chief inspector to allow an informal review to take place.
- If the Chief Inspector considers that the issues raised fall within the scope of the *Procedure for Review*, he/she will initiate a formal review, using the process described below.
- If the Chief Inspector considers the request to be frivolous or vexatious, he/she will write to the person who submitted the request, informing them of this decision and the reason (or reasons) for it.

3.3 Chief Inspector initiates the review

If the Chief Inspector, having considered the request in accordance with the published criteria, decides to conduct a formal review, he/she will

- acknowledge the receipt of the request for a review and inform the person who submitted the request that a review will be initiated immediately
- if appropriate, inform the relevant assistant chief inspector that a review will be initiated, so that the publication of any report arising from the inspection is paused
- provide a copy of the request for a review and the supporting documents to the inspector(s) about whose actions the concern has been raised
- request the Secretary General of the Department of Education to appoint a panel of three reviewers (drawn from a standing panel nominated by the Secretary General) to carry out a review of the inspection. The Secretary General will also appoint one member of the panel as a chairperson to the review panel
- make available an inspector to act as review co-ordinator
- inform the person who requested the review and the inspector(s) involved of the appointments made.

Role of the Chief Inspector in the initiation of the review

- provides a copy of the review request to the inspector
- requests the Secretary General of the Department to appoint a panel of reviewers
- makes available an inspector to act as a review co-ordinator
- informs the relevant parties of the appointments made

3.4 Review co-ordinator

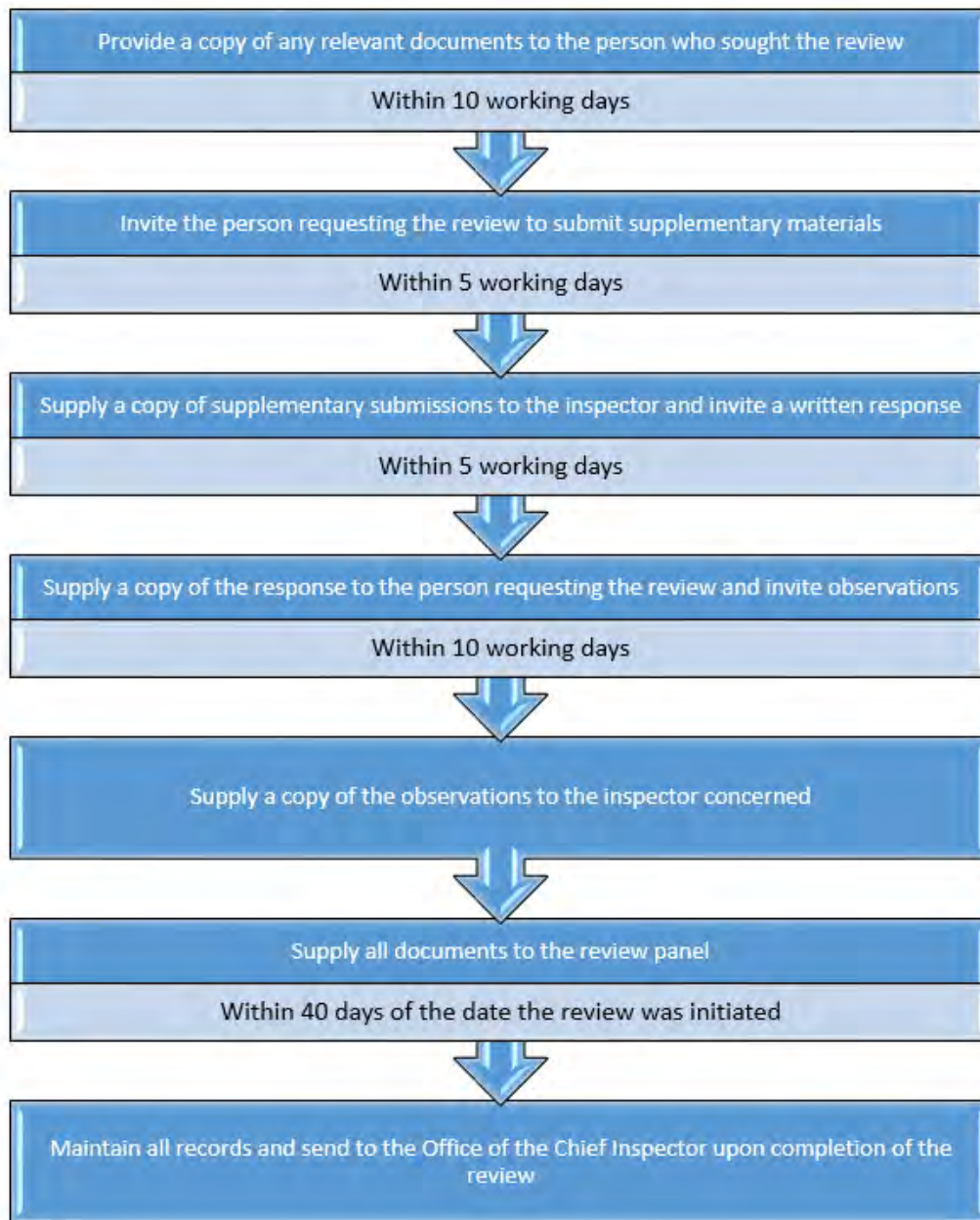
The review co-ordinator will be an inspector unconnected with the inspection. The review co-ordinator will

- provide assistance to the review panel, as required

- within **ten working days**, provide to the person who sought a review a copy of any documents or other records that the review co-ordinator deems relevant to the request for a review
- invite the person who has sought a review, to submit within five working days, any supplementary submissions in support of the request for a review
- provide a copy of the supplementary submissions, if any, to the inspector(s) about whose actions a concern has been raised
- invite the inspector(s) to make a written response (or responses) to the contents of the request and the supplementary submissions within five working days
- supply a copy of the response (or responses) of the inspector(s) to the person who has sought the review and invite them to submit any observations on the response within **ten working days**
- provide a copy of the observations of the person who has sought the review to the inspector(s) concerned
- **maintain all records relating to the review and send these to the Office of the Chief Inspector following completion of the review. All records relating to the review will be processed in accordance with the records management procedures of the Department of Education.**

The review co-ordinator will supply all the documents and other records assembled in accordance with the procedure described above to all members of **the review panel**, normally within **forty working days** of the date on which the review was initiated. **The documents and other records provided to the review panel will include copies of the Inspectorate's guides to inspection and its Code of Practice. The review co-ordinator will also forward to the members of the review panel and the parties to the review any additional documents or other records requested by the chairperson of the review panel.**

Role of the review coordinator



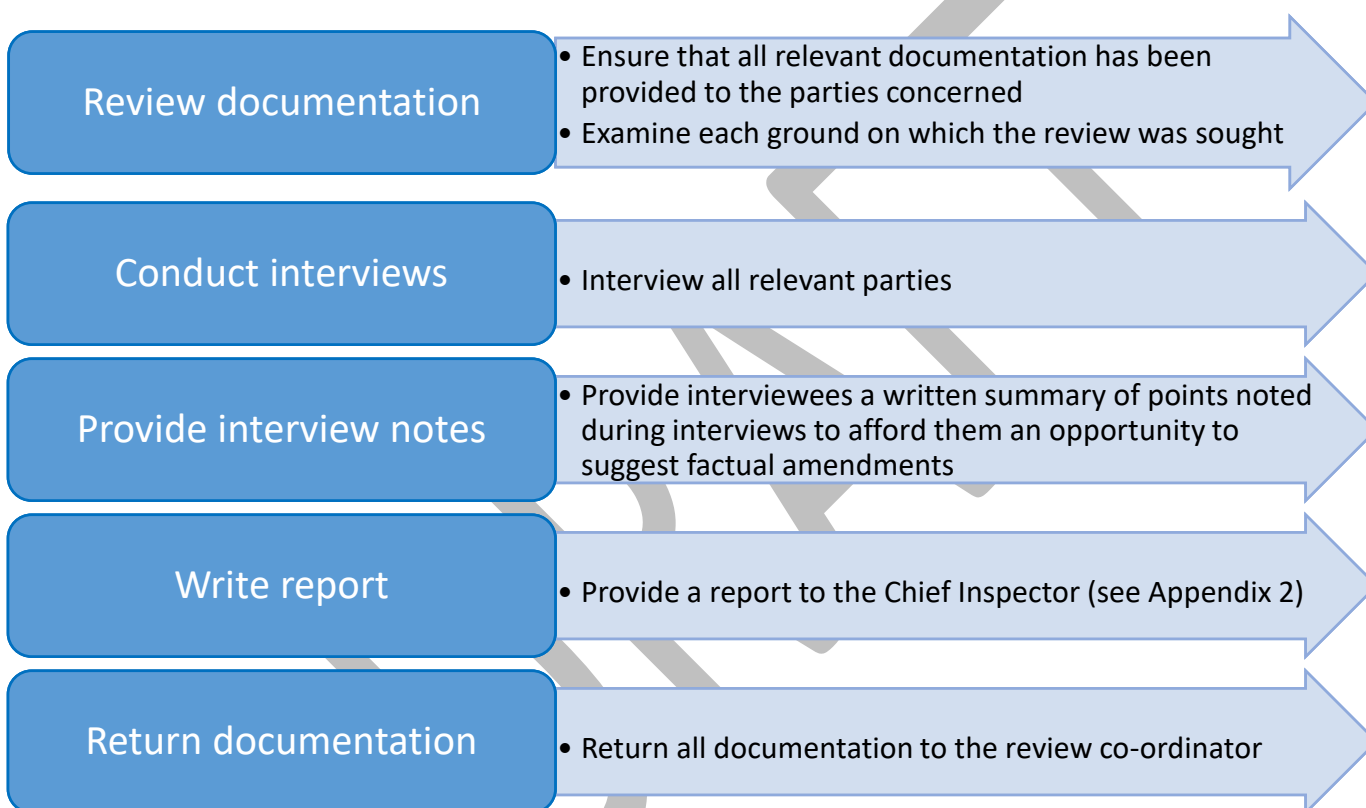
3.5 Review panel

The review panel will consist of three reviewers drawn from a standing panel nominated by the Secretary General of the Department of Education. The three person review panel will also be appointed by the Secretary General and include a chairperson who will be external to the Inspectorate. One of the members of the review panel may be an assistant chief inspector with the Department of Education who has had no connection with the inspection about which concerns have been raised. The other members of the review panel will be external to the Inspectorate. Each member of the review panel will declare any potential conflict of interest in

relation to an individual review to the Secretary General as soon as they are aware of such a conflict.

The constitution of the panel will ensure that the relevant expertise is available in relation to inspection, education and administrative procedures. Members of the panel will not have a connection with the inspection about which concerns have been raised or have a connection with the education setting seeking a review. The chairperson of the review panel will liaise with the review co-ordinator during the review. On completion of the review, the chairperson will forward the report of the panel to the Chief Inspector.

Examination of the case by the review panel



The review panel

- will examine all documents and other records and may seek additional information if necessary
- will satisfy itself that all relevant documents and other records have been provided by the review co-ordinator to the person who requested the review and the inspector(s) concerned; where the review panel is not satisfied that all relevant documents and other records have been provided to the person who requested the review and the inspector(s) concerned, the review panel may direct/request that additional documents and other records be provided

to the parties concerned and the process as outlined in section 3.4 be repeated.

- will assess and decide on the relevance of the documents and other records provided during the review
- may conduct interviews with the person who requested the review and/or the inspector(s) involved, should they deem it necessary in the context of the review⁶. Both the person who requested the review and the inspector(s) may be accompanied by a third party of their choice in such cases
- may conduct separate interviews with other persons who, in the opinion of the review panel, may be able to provide information relevant to the review
- will provide all participants in any interview with a general outline of the format/content and length of the proposed interview
- will provide a written summary of points noted during any interview to the person who is interviewed and afford that person the opportunity to suggest to the panel any amendments of fact in the summary of points noted. If issues arise during an interview with one party that need to be brought to the attention of the other party in order to afford them a right of reply, the review panel will follow up accordingly
- will consider the issues carefully, bearing in mind the principles that guide the review process (see section 1.6 above)
- will provide a report to the Chief Inspector in accordance with section 3.5.2 below
- will process records related to the review in accordance with the Department of Education records management procedures and upon completion of the review, return all documents and other records relating to the review to the review co-ordinator.

Report of the review panel

Having considered all the information provided to it, the review panel will provide a report which will be forwarded by the chair of the panel to the Chief Inspector.

The report

⁶ This interview may take place by video link or other electronic means, if necessary.

- will examine the grounds on which the review was sought and will address each ground
- will arrive at an agreed determination on each of the grounds on which the review is sought. Where there is not unanimous agreement, the Chair of the panel will have the casting determination.
- will provide a report for the consideration of the Chief Inspector of the determination on each of the grounds on which the review is sought (i.e. upheld/upheld in part/not upheld), the reason(s) for each determination and what was taken into account in arriving at each determination.

It is not the role of the review panel to identify what actions, if any, need to be taken arising from the review; that is a matter for the Chief Inspector. Neither is it the role of the review panel to provide an alternative evaluation of the education setting or to substitute its judgements regarding the effectiveness of the education setting for the views of the inspection team. An evaluation of the setting can only be provided by inspectors, having followed all the required procedures for inspection and based on the available evidence gathered through observing and evaluating practice in classrooms and other settings, through the examination of setting and practitioner documentation, and through interaction with children and young people and other relevant parties in the education setting.

The Chief Inspector will have regard to the agreed determination of the review panel on each of the grounds of the review in making a decision in relation to the inspection and in deciding what further action, if any, should be taken.

The Chief Inspector may engage with the chairperson of the review panel to seek further clarification on any matter pertaining to the review. The Chief Inspector may also refer the report of the review panel back to the panel if at any time the Chief Inspector believes that their report requires to be clarified.

A format for the report of the review panel is contained in Appendix 2. Normally, the report should be provided to the Chief Inspector within sixty working days of the date on which the review was initiated by the Chief Inspector.

3.6 Decision of the Chief Inspector

Initial decision

The Chief Inspector will consider the determination of the review panel on each of the grounds in the request for a review in deciding what further action should be taken. This may include one or more of the following:

- that the inspection activity will be upheld and the report arising from it, if any, will be processed as normal in the Inspectorate and the Department

- that the Inspectorate will acknowledge that an aspect (or aspects) of the inspection activity was not in keeping with the *Code of Practice for the Inspectorate* and, if appropriate, that an apology will be offered by the Inspectorate to those affected
- that the Inspectorate will acknowledge the occurrence of an error or failing in the implementation of the Inspectorate's published procedures regarding inspection or reporting or publication of inspection reports and, if appropriate, an apology will be offered by the Inspectorate to those affected
- that the inspection report will be amended and reissued
- that the inspection and/or the inspection report will be rescinded, in whole or in part⁷, and a further inspection or part inspection, as appropriate, may be carried out in due course by an inspector (or inspectors) unconnected with the original inspection and the review
- that the Inspectorate will undertake any other action considered appropriate by the Chief Inspector.

Issue of initial decision and request for final observations

The Chief Inspector will issue his initial decision, including the proposed action(s) and a copy of the report of the review panel to the person who submitted the request for a review and to the inspector(s) involved, normally within **seventy** working days of the date on which the review was initiated.

The Chief Inspector will invite **the person who submitted the request and the inspector(s) involved** to make final written observations **to him/her on the contents of the initial decision** within a further **ten** working days.

It should be noted that neither the person who submitted the request nor the inspector(s) involved may introduce any new information at this stage in the review process if that information could reasonably have been provided at an earlier stage. Any such information will be disregarded by the Chief Inspector.

⁷ However, the Child Protection element of the original inspection stands, unless the grounds of the inspection review cover matters that relate to the Child Protection element.

Role of the Chief Inspector in the initial decision

- considers the determination of the panel when deciding any further action(s)
- makes an initial decision on further action(s) within seventy working days of the date of initiation of the review
- invites the parties involved to submit final written observations within ten working days

Final decision

The Chief Inspector will consider any written observations made to him by the person(s) who submitted the request and the inspector(s) involved. Where, on foot of the written observations of the parties, the Chief Inspector requires further clarity on a substantive matter related to the review, he may refer that matter back to the review panel for clarification.

The Chief Inspector will make a final decision on the actions to be taken, considering the determinations of the review panel and the final written observations from the person who requested a review and the inspector(s) concerned.

The Chief Inspector will inform the person who requested the review, the inspector(s) involved and any other person, as necessary, of their decision, including the actions, if any, which will be taken. Normally, the Chief Inspector's decision(s) will be issued within twenty-five working days of the receipt of the report of the review panel. A format for the decision of the Chief Inspector is contained in Appendix 3.

Role of the Chief Inspector in the final decision

- considers the written observations and makes a final decision on possible action(s)
- informs the parties involved of this decision within twenty five working days of receipt of the review panel's report

3.7 Internal disciplinary procedures

Where relevant, an issue of concern raised during the procedure for review may be dealt with under the Civil Service Disciplinary Code.

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4. Administrative and other arrangements regarding formal reviews

4.1 Written communications

Normally, all written communication and exchanges of documents and other records between persons involved in a formal review will be conducted by email as far as possible. Persons making a request for a review may opt to conduct their business in printed or handwritten form.

4.2 Minimising disruption to education processes

In the interest of minimising disruption to education processes, any interviews that may be held as part of the review of inspection will be held as far as possible outside the practitioners' or teachers' contact time with learners.

4.3 Delegation of functions

The functions ascribed to the Chief Inspector under this *Procedure for Review* may, in exceptional circumstances, be delegated to a deputy chief inspector or other inspector.

4.4 Schools under the auspices of an Education and Training Board

In schools operating under the auspices of an education and training board, a request for a formal review shall be made by the chairperson of the board of management (or another board member nominated by the board) acting in consultation with the chief executive of the education and training board.

4.5 Requests for an extension of time

Section 1.5 of this *Procedure for Review* outlines the principles guiding the review process, including a commitment to completing a review without unnecessary delays. However, it is possible that a person requesting a formal review or an inspector against whom a review has been initiated may seek an extension of time from the chairperson of the review panel or the Chief Inspector, as appropriate. The chairperson of the review panel or the Chief Inspector will consider such requests following consultation with the review co-ordinator and/or the review panel. The person requesting the review or the inspector involved will be informed of any extensions granted.

Where a person is invited by the review panel or the Chief Inspector to provide a response during the formal review process, the failure to respond within such time as this Procedure provides or is determined by the chairperson of the review panel or Chief Inspector as appropriate, may be taken into account by the review panel or Chief Inspector in concluding the review.

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Appendix 1: Inspection review request form

This form should be used by an educational practitioner or owner/manager of an education setting or the chairperson of a management body (acting on behalf of the management body) to request a formal review of an inspection in accordance with *Procedure for Review of Inspections carried out by the Department of Education Inspectorate under Section 13 (9) of the Education Act (1998)*.

Person requesting the review

Name:	
Address:	
E-mail:	<i>If you provide an email address, it will be assumed that you wish to receive written communications by email and not by post</i>
Telephone:	<i>Home: Setting/School: Mobile:</i>
Position in the education setting:	
Date of request:	

School/Setting

Name:	
Address:	
School roll number/ TUSLA registration number/ DCEDIY reference number/ Other registration number:	

Inspection about which you wish to raise a concern

Give details of the inspection activity or the inspection report (or both) that gave rise to your concern

Type of inspection and/or Type of inspection report	<i>Give inspection type if known, for example, early years education, whole-school evaluation, curriculum evaluation, subject inspection special education inspection, incidental inspection, follow-through inspection, etc.)</i>
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Date(s) of inspection:	
Date(s) on which concern arose:	
Has an informal review been conducted?	<i>YES or NO</i>
Date of issue of inspection report	
Name of inspector about whose actions you wish to raise a concern	

Grounds for the request for a review

Describe the grounds for the concern that you wish to raise in the review. (Refer to section 1.7 of the Procedure for Review.) Select one or more of the appropriate grounds, and give details of why you believe a formal review is justified under each of these grounds with reference as relevant to the incident that gave rise to your concern.

I request a review of the inspection referred to above on the following ground(s). Please tick the grounds that apply and give details:

Note that if your request is concerned mainly with issues regarding the general behaviour of an inspector, it may be more appropriate to use the Department's customer comments and complaints system

<i>Ground</i>	<i>Indicate whether the ground applies</i>	<i>Details</i>
that an inspector did not make every reasonable effort to carry out their duties in accordance with the Code of Practice for the Inspectorate		
that there was a significant departure from the published procedures for the type of inspection involved		
that the written report arising from an inspection does not comply with the principles regarding reporting prescribed in the Code of Practice for the Inspectorate and in the published procedures for the type of evaluation involved		
that there was a breach of the published procedures concerning the publication of inspection reports		

Any other relevant information

You may give here an account of the incident that gave rise to your concern or any additional information that you feel is relevant to your request for a review.

Supporting documents

You should submit with your request for a review any documents that you feel are relevant. If you are seeking a review of an inspection report, a copy of it should be enclosed with this request. List here all documents that you are enclosing with this request.

Signature

This request must be signed by the person making the request for a review (educational practitioner or owner/manager or chairperson of a management body of an education setting (or the nominee of the owner/manager or of the management body).

If the request is made by the board of management of a school operating under the auspices of an education and training board, the request must be submitted by the chairperson of the board of management or a nominee of the board, following consultation with the chief executive of the education and training board.

Signature:	
Position:	

Date:	
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This form and all supporting documents should be submitted to the Chief Inspector at oci@education.gov.ie

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Appendix 2: Format for report of review panel

This form should be used by the review panel in reporting on their determinations on a review of an inspection in accordance with *Procedure for Review of Inspections carried out by the Department of Education Inspectorate under Section 13 (9) of the Education Act (1998)* (Department of Education and Skills, 2022).

Person requesting the review

Name:	
Address:	
E-mail:	<i>If you provide an email address, it will be assumed that you wish to receive written communications by email and not by post</i>
Telephone:	<i>Home: School/Setting: Mobile:</i>
Position in the education setting:	
Date of request:	

School/Setting

Name:	
Address:	
School roll number/ TUSLA registration number/DCEDIY reference number/ Other registration number:	

Introduction

Parties to the review	
Inspection Type	
Date of Inspection	

Contextual Factors	
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Grounds for Review

Grounds	
that an inspector did not make every reasonable effort to carry out their duties in accordance with the Code of Practice for the Inspectorate	<p>Determination of review panel (Uphold/not uphold/uphold in part)</p> <p>Reason(s) for determination</p> <p>Matters taken into account in arriving at the determination</p>
that there was a significant departure from the published procedures for the type of inspection involved	<p>Determination of the review panel (Uphold/not uphold/uphold in part)</p> <p>Reason(s) for determination</p> <p>Matters taken into account in arriving at the determination</p>
that the written report arising from an inspection does not comply with the principles regarding reporting prescribed in the Code of Practice for the Inspectorate and in the published procedures for the type of evaluation involved	<p>Determination of review panel (Uphold/not uphold/uphold in part)</p> <p>Reason(s) for determination</p> <p>Matters taken into account in arriving at the determination</p>
that there was a breach of the published procedures concerning the publication of inspection reports	<p>Determination of review panel (Uphold/not uphold/uphold in part)</p> <p>Reason(s) for determination</p> <p>Matters taken into account in arriving at the determination</p>

REVIEWER 1

Signature:	
Position:	
Date:	

REVIEWER 2

Signature:	
Position:	
Date:	

REVIEWER 3

Signature:	
Position:	
Date:	

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Appendix 3: Format for Chief Inspector's decision (initial and final)

This form should be used by the Chief Inspector in reporting on their initial and final decision on a review of an inspection in accordance with *Procedure for Review of Inspections carried by the Department of Education Inspectorate under Section 13(9) of the Education Act (1998)* (Department of Education, 2022)

Person requesting the review

Name:	
Address:	
E-mail:	
Telephone:	<i>Home:</i> <i>School:</i> <i>Mobile:</i>
Position in the education setting:	
Date of request:	

School

Name:	
Address:	
School roll number/ TUSLA registration number/DCEDIY reference number/ Other registration number:	

Introduction

Parties to the Review	
Inspection Type	

Date of Inspection	
Contextual Factors	

Initial/ Final Decision (Delete as relevant)

In arriving at their decision, the Chief Inspector considered the report of the review panel and submissions/observations of parties on the determinations of the review panel in relation to the grounds for the review.

Overall decision (and action(s), where appropriate)	
Matters taken into account in arriving at the decision	

Signature:	
Position: Chief Inspector	

Date:	
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Appendix 4: Types of inspections

The main forms of inspection that the Inspectorate conducts are:

- Whole School Evaluations in primary and post-primary schools
- Subject inspections in post-primary schools
- Early-Years Education Inspections (EYEIs) are carried out in early learning and care settings participating in the Early Childhood Care and Education (ECCE) Programme
- Early Years Education Follow Through Inspections
- Child Protection and Safeguarding Inspections
- Programme evaluations in post-primary schools
- Evaluations of centres for education
- Evaluation of Action Planning for Improvement in DEIS schools
- Whole College Evaluations in colleges offering Teagasc courses
- Inspection of Schools attached to Special Care Units and Children Detention Centres
- Specialised or thematic inspections in schools and centres for education
- Incidental (unannounced) inspections in primary and post-primary schools and in centres for education.
- Follow-Through Inspections
- Curriculum Evaluations in Primary Schools
- Evaluation of Provision for Students with Additional and Special Educational Needs in Post Primary Schools
- Evaluations of Provision for Pupils with Special Educational Needs in Primary Schools
- Inspections of Courses in Irish-language Colleges
- Supporting the Safe Provision of Schooling Inspections
- Evaluation of Remote Teaching and learning

Further information on the inspection types is available at <https://www.gov.ie/en/publication/b9e7d3-inspection-reports/>