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## Ofsted: a case of official negligence?

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Ruth Perry took her own life on 8 January 2023. She was the headteacher of Caversham Primary School in Reading, England, and, six weeks earlier, her school had been inspected by the Office for Standards in Education, Children's Services and Skills (Ofsted). The previous assessment, which had graded the school as "outstanding," was downgraded to "Inadequate,"<sup>1</sup> and Perry's family believes that the associated stress led to her suicide.<sup>2</sup> Whenever events at someone's work seem to be linked to their suicide, it is reasonable to expect that everyone involved will want to find out what happened and how a similar event can be prevented from happening again. Yet, even though the link between adverse working conditions and suicide is well established, regulations requiring reporting of work related deaths to the Health and Safety Executive in Great Britain specifically exclude suicides.<sup>3</sup> This is different from many other countries.<sup>4</sup> In France, for example, if there is even a suggestion of a link between suicide and working conditions, the burden of proof falls on the employer to show otherwise.<sup>5</sup> In the UK we do not even know with certainty how many teachers have killed themselves in circumstances linked to Ofsted inspections, but we are aware of at least eight others.<sup>6-13</sup>

Ruth Perry's death led to an outpouring of anger from teachers. This is a group that faces immense pressure at work. The Teacher Wellbeing Index, a regular survey conducted by an educational charity showed how, in 2022, 78% of those 3,082 surveyed reported mental health symptoms that they attributed to their work while 59% have considered leaving teaching because of threats to their mental health and wellbeing.<sup>14</sup> Another survey, looking at the impact of the pandemic, reported that one in four teachers had sought professional help because of poor mental health during it.<sup>15</sup>

Although the high level of mental health problems has many causes, concerns about Ofsted clearly play a significant part. A recent online survey of teachers' experiences of being inspected contains many harrowing tales of denigration and abuse by inspectors, in some cases leaving teachers and children severely traumatised.<sup>16</sup> Confidence has also been damaged by criticisms by expert bodies of a series of Ofsted subject reviews, alleging selective and miscited evidence.<sup>17</sup> These concerns are reflected in a YouGov survey, conducted in April 2023, which found that 90% of teachers have an unfavourable view of Ofsted, including 67% whose view is "very unfavourable."<sup>18</sup>

In April 2023 the National Education Union said that Ofsted was "causing significant harm to our members," placing "toxic" pressures on teachers' mental health, and called for it to be replaced by a new system that is "supportive and collaborative."<sup>19</sup>

They and the other teaching unions<sup>20 21</sup> have called for a pause in inspections, with the Association of School and College Leaders saying that "Ofsted has completely lost the confidence of leaders and teachers."<sup>22</sup> Amanda Spielman, who as His Majesty's Chief Inspector heads Ofsted, rejected this call, arguing that it is in children's best interests that they continue.<sup>23</sup> Yet, even assuming that Ofsted inspections improve the quality of education, an argument that has scant evidence to support it,<sup>24</sup> teachers have interests too.

While the almost complete loss of confidence in Ofsted is a matter for those in the education sector to address, the health community has a duty to demand action to tackle the burden of mental ill health associated with the way it operates. We argue that three bodies need to act now.

The first is Ofsted itself. It should publicly accept that it has a duty of care to teachers (and to its inspectors, some of whom are also traumatised by the events we have described). We believe that it has such a duty, with failure to uphold it amounting to negligence. While Ofsted inspections place great emphasis on safeguarding by school staff, we have struggled to find evidence that Ofsted has reflected in detail on its own safeguarding responsibilities. It should also concede that it has lost the confidence of teachers and work with them to rebuild it.

Second, the Health and Safety Executive must investigate every work-related suicide, in whichever sector they occur and ensure that work-related suicides are subject to the same requirements for reporting and prevention as other occupational deaths. It should also launch an immediate inquiry into work related stress in the education sector.

Finally, as Ofsted says that it reports to "Parliament, parents, carers, and commissioners,"<sup>25</sup> the Commons education select committee should conduct an urgent inquiry into its impact on the welfare of teaching staff. When one of its members, Flick Drummond MP, raised concerns that staff and parents in primary and infant schools were "demoralised and embittered" by Ofsted's current regime, Spielman dismissively claimed that "we have had no representations made on behalf of this group."<sup>26</sup> This view no longer seems tenable.

Society asks a great deal of those who teach our children. It seems reasonable that we should listen when they tell us, in different ways, that enough is enough.

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Competing interests: MM is president of the BMA but writes in a personal capacity.

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