



## Education Committee

Oral evidence: [Multi-academy trusts](#), HC 204

Wednesday 15 June 2016

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Written evidence from witnesses:

- Ofsted ([MAT0044](#))
- Department for Education ([MAT0022](#))

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Members present: Neil Carmichael (Chair), Lucy Allan, Ian Austin, Michelle Donelan, Suella Fernandes, Lucy Frazer, Catherine McKinnell, Ian Mearns, Stephen Timms.

### Questions 1 – 127

*Witnesses:* **Sir Michael Wilshaw**, Her Majesty's Chief Inspector of Education, Children's Services and Skills, Ofsted, and **Sir David Carter**, National Schools Commissioner, Department for Education, gave evidence.

**Q1 Chair:** It is good to see the two knights in education, Sir Michael Wilshaw and Sir David Carter. Welcome to you both. We are going to have about two hours of questions and discourse about your respective roles: how you see Ofsted or the regional schools commissioners' roles unfold; what impact that has on multi-academy trusts; the question of some of the wider roles that the National Schools Commissioner will have vis-à-vis MATs but also in connection with Ofsted; and we are going to talk a little bit towards the end about unregistered schools because we think that is an important angle to pursue. The purpose, essentially, is to find out your views about multi-academy trusts as they are emerging now and where you expect them to be in a few years' time.

Could you say who you are and what you represent, for the purposes of the audience?

**Sir Michael Wilshaw:** I am Michael Wilshaw. I am the Chief Inspector at Ofsted.

**Sir David Carter:** I am David Carter. I am the National Schools Commissioner.

**Q2 Chair:** David, should Ofsted have the power to inspect MATs, multi-academy trusts?

**Sir David Carter:** The first answer I will give you to that is that what currently happens works, and I think we need to see this current model work through. What I mean by what currently works is that Ofsted will do what is called batched inspections of schools within multi-academy trusts. The reason why I feel that works is that, having run a multi-academy trust, if you want to see the best example of where trusts are having a benefit for young people, look at the schools, not necessarily what happens in the back offices of them, although I think that is an important part of it as well. If we want to see where the most effective multi-academy trusts are having an impact, look at the outcomes in the schools, how they are challenging and supporting their schools, and how they are building strong links between the collaborative partners in the trust.

In the letter that the Secretary of State wrote to Sir Michael, in January 2015, she gave an indication about I think it was a minimum of five schools, and asked that he look at a range of strong and weak schools, canvass the opinion of the other head teachers in the trust, and look at where the MAT adds value. That is giving us evidence at that moment that chimes with what I see of the work that I did as a regional schools commissioner and what the others do as well.

The other point I would make—just to close off this first question—is that we have 973 functioning multi-academy trusts at the moment, of which I think I am right in saying that only seven so far have been part of that batched inspection, and rightly so and understandably. Some of those are trusts that both Ofsted and the regional schools commissioners had concerns about. I welcome Sir Michael’s decision to look at multi-academy trusts that we think are stronger, to put a more balanced perspective on how multi-academy trusts are performing in the system.

**Q3 Chair:** Michael, what is your response to that?

**Sir Michael Wilshaw:** As David said, we have conducted a number of batched inspections and we have produced a report on each of the multi-academy trusts or the academies within the multi-academy trusts that we have been into. The issue of concern to me is: what happens when we find things are going wrong across a number of academies within a trust? What happens then if we want to do more exploration as to why things are going wrong across a number of schools? How much money is being spent on the children and on other issues? Is the quality of monitoring good enough in the trust? The issue is: what happens if we find things are going wrong and we need to do much more exploration as to why? If that happens, I think we need a framework for inspecting the central services of that trust to establish what is going wrong in the way that we have a framework for the inspection of local authorities when things are going badly wrong in a local authority.

**Q4 Chair:** Is there not a case, David, that having some sort of mechanism to check out MATs as a whole would give more reassurance to parents and other observers of the education system that the system is transparent and being properly held to account?

**Sir David Carter:** I think we already have knowledge in the system of what the most effective multi-academy trusts do and I don’t think a framework would add to that. It might make inspection easier and more transparent, and I am certainly not going to paint a

picture or build a case for lack of transparency, quite the opposite. We do need to be very clear about transparency in multi-academy trusts. The 973 I have already talked about is going to grow, and I am sure we will talk about my plans for that this morning. We are going to need to be even better at letting parents and the wider public know about what best practice looks like in that area. But I think I am fairly clear with the regional schools commissioners about what we regard as good and weak practice. I think we need to be realistic that it is an embryonic and emerging form of structural leadership in the system, and it is going to develop quickly over the next six years, that we do know why it fails and where it fails but we also know where it works.

When we talk about the seven groups that were already part of the batched inspections—and Michael is right, when you see a number of academies that are not performing well enough that is a concern—in all of those cases, regional schools commissioners knew about those schools and were already working with them. I value the feedback from those batched inspections, as I do with any inspection. When Ofsted visits an academy and says it is not yet good enough, that is really helpful, but it is one part of the equation. It is not the only part of the equation. There are other factors that we would be looking at to determine whether a multi-academy trust was failing or not. Standards are absolutely No. 1 because children get one chance. Of course that is right. But there will be some subtle things beneath the surface that RSCs and I are looking very closely at to make sure that we intervene before it becomes chaotic and a major problem.

**Q5 Stephen Timms:** Sir David, you said the current system is working perfectly well, but there are quite a number of multi-academy trusts where standards seem to have been poor for quite a long time. Shouldn't there have been some intervention to address that? I am not sure what you mean when you say that it is working well at the moment.

**Sir David Carter:** The answer I gave was to the question about: does the current way of looking at MATs through the batched inspection process work? For the moment I think it does, but yours is a different question about that and I would like to answer that one, if I may. Yes, there are multi-academy trusts that go back maybe even 10 years or so who have not improved their schools quickly enough. In some cases there are academies that are performing either no better or minimally better than they were before, yet the commitment that the sponsors made was to improve those schools rapidly. That is the space in which the regional schools commissioners do their best work. It may well be that you want to ask me later on about the difference between RSCs and Ofsted—and maybe I will leave it until then—but I think that is part of my answer to your question: to recognise that the role of the regional schools commissioners starts when the inspection has finished, not to reinspect the school but to build up that longer-term relationship with the regional schools commissioners where we work with that trust and that school, on an ongoing basis quite frequently, and spend time in that school. It is a different form of relationship and dialogue between the MAT and the RSCs and me than it is with Ofsted. To answer your question, I was referring to the batched inspections that I think work for the moment, but I am not complacent about the fact that some of those trusts are not improving quickly enough.

**Q6 Stephen Timms:** It certainly appears that the regional schools commissioner interventions are not succeeding at the moment. Isn't there the possibility that inspection might help us to understand better what is going wrong in those multi-academy trusts?

**Sir David Carter:** Inspection is absolutely one of the key triggers in understanding what the challenge is in the school, but when a school, or indeed a whole multi-academy trust, gets itself into difficulties I think the RSCs have three questions that they have to ask straight away, ideally the same day or the day after the inspection outcome is published. No.1 is: can this trust improve this school quickly enough? That is the first question. The second one is: do the leaders in that trust know what they are doing and do they have a plan? The third one, which I think is really important, is: is the board skilled enough to hold those leaders to account and deliver that plan?

I wouldn't agree that the RSCs are not being effective in intervention. We have seen only one full set of exam results since the RSCs came into being. The second of those will be issued this summer. I know that the volume of interventions in my own region in the south-west, let alone across the whole range, meant that we have been putting pressure, support and challenge into the schools that we are most concerned about and I think we will see long-term improvement. I am not interested in quick-fix solutions just to make the school look better in the performance tables. I want to put them on a trajectory of improvement for the next 10 years.

**Q7 Ian Mearns:** I am afraid from my perspective, Sir David, your answers to the questions are promoting in my mind a whole range of lots of other questions about the inherent paradoxes or differences within the existing system. If a maintained school was not to improve within the timeframe that you have talked about, it would be forced into academisation. What would a regional schools commissioner do to dramatically improve the performance of a school that is already an academy in the same timeframe within which we would be expecting a maintained school to be improved?

The other thing is that Ofsted has already identified a number of weak and underperforming local authorities, in terms of their oversight of school improvement and the overall state of schools within their areas. Within those weaker local authorities, the view would be that eventually all of the schools would become academies to solve that particular problem. Where we have weaker, underperforming multi-academy trusts, what can the regional schools commissioners, or you as National Schools Commissioner, do to improve the performance of those multi-academy trusts in the same way as we would be using academisation to improve the performance of schools within a failing local authority?

**Sir David Carter:** That is a very fair question and I am pleased you have asked it because I think it cuts to the heart of what this work should be about. As I am sure you will be aware, my background is teaching and headship. I have been in this role for 18 months, so the bloodline of school improvement at the school level runs deep as far as I am concerned. While your question is rightly framed around academies or local authority maintained schools, the message that I want to communicate to the system is that we are talking about one education system and we are talking about children's life chances in school. I won't disrespect your question but I want to give you my answer in a much broader sense, which is: we have to treat academies exactly the same as local authority maintained schools.

I am going to give you two answers, if I may. I am going to give real illustrations of two projects that I hope will reassure you that we responded quickly to a similar example. The example I am going to give is in the south-west in Poole, St Aldhelm's Academy. It has had at least three life chances as a school. I was music adviser in Dorset in the 1990s and it was called something else then. It became something else and then it became St Aldhelm's. When I became regional schools commissioner, in September 2014, the school went into special measures within a fortnight of me starting my role. When I visited the school I was shocked at what I saw: the complete breakdown in the quality of teaching, the morale of staff, the behaviour of the students, and all of the commitments that had been made that were going to make that school a beacon in its community were not true. By October half term I had found a new sponsor who would take the school on. I had appointed the CEO of that sponsor to be the interim head and he used members of his trust to come in and create a new leadership team. By Christmas, we had appointed two vice-principals from within the teaching school alliance that they were part of. By the Easter of 2015 the school had rebranded itself, and I don't mean uniforms and walls and buildings. It had branded itself around, "This is what we stand for". The curriculum was changed; the way the teachers were working together, the collaborative CPD they were getting was completely different to what they had had before. The 2015 outcomes came too soon and the school did not see a huge improvement to what it had seen in 2014, but when Ofsted inspected the school in February this year it was judged to be a good school and it had been in special measures in different guises for about 20 years.

We did that in the space of an academic year, and it is one example because I wanted to give you a real illustration. It is not the only example in that respect. The rebrokerage solution, which that was, is an important tool in the RSC toolkit. I think I am right in saying that, since September, we have done 119 of them in total, 68 from one multi-academy trust to another multi-academy trust, 51 from a single trust to a multi-academy trust. I don't think we should assume that that is the only tool that we have because, while rebrokerage in that case and in others has been truly effective, it is disruptive and expensive, it challenges and the children in that school during that period are going to have disrupted learning, but sometimes you have to do it and 119 times we have taken that view.

If I take your second question—and you made a comparison between local authorities and multi-academy trusts—I absolutely agree with you there. We have multi-academy trusts that were born in a different era, where the notion in some cases was that the same level of autonomy was given to the weakest schools as it was to the strongest schools. We have other examples where there was no cohesive school improvement plan at the MAT level. It was left to individual schools, as it would have been before. We also know that in some of the larger cases the schools were spread too geographically far and wide. A lot of the work that we have done, including some of the MATs that Sir Michael and his team have inspected, is about trying to consolidate that and think about whether they have the right schools in the right locations.

Where a multi-academy trust completely fails, you are talking about either failure at the school level or at the trust level. When I talk at the trust level, failure is usually one of three things: a real lack of oversight from the board; they are far too willingly persuaded that what they are being told is true and they are not rigorous enough in challenging that, usually around data and predictions; and a sense that it will get better if we keep working

hard. The best trusts don't do that. They are much more strategic about it. If we are in a position where a multi-academy trust completely fails, we will rebroker the trust and we have done. What that means is that we leave the trust intact and we bring in a new board of directors and a new CEO; that is one solution. The other is to break the trust up to sponsors in the community in the area that we think are better placed, who were not there five or six years ago, who can do that. In some cases, what we will look to do is actively bring in strong schools to support those schools that are weak. The notion that multi-academy trusts are left untouched by failure from the regional schools commissioner point of view is not true.

**Chair:** Thank you very much. A very full answer there that will give you something to dwell on until you next go into action.

**Q8 Suella Fernandes:** I have quite a direct question. You have talked about some of the features of failing MATs but you have identified some excellent MATs who have made some remarkable progress. What would you say are the key features that have made them achieve that kind of result?

**Sir David Carter:** It is not that many things. It is about five or six things that they do really well every day. I don't think this is a hierarchical answer to your question, but what they do is that they are absolutely committed to everything that they do being around standards. They don't fall into the trap of saying, "We will collaborate because collaboration is good for you". They collaborate for impact, "The reason we bring these English teachers together or these reception teachers together is because we want to look at pulling together the best practice and then delivering that in the classroom". They move way beyond the idea that this is about just bringing people together and having a broader conversation about professional development. What they want to do is really precise. That would be my number one. The second one—

**Chair:** David, we have 14 questions or themes to get through in two hours.

**Sir David Carter:** Would you like me to be a bit shorter?

**Chair:** Yes.

**Sir David Carter:** I thought that was where you were going. Okay. It is a very good question and I get excited by good questions.

**Chair:** It is a great question and I would expect nothing less from this Committee, but we have to have shorter answers.

**Sir David Carter:** There is your first one. The second one is the board understands accountability and holds the executive to account. The third one is that they have a clear remit for the line management relationships between the chief executive and the head teachers of the schools.

**Q9 Chair:** Thank you. Reach2 has said that RSCs rate all MATs. Are we going to get sight of those ratings?

**Sir David Carter:** I am conscious you want short answers and I will do that as best I can. Some of these may need a little bit more detail, but I will let you come back and ask it if I have not given it to you.

First of all, I have made a comment this morning already that transparency is very important to this. The White Paper made a commitment that we would publish and produce performance tables of how multi-academy trusts are performing. That piece of work is ongoing. It is with Ministers. When we are ready to share that, we will share that with you, and I think that will be really helpful. For me, it needs to be around a progress measure: how do the children in a multi-academy trust make progress compared with other trusts? I think that is the right way to do that. The second brief point will be the regional schools commissioners have a view of their strongest MATs. We are looking to grow our strongest MATs. We are not looking to grow the ones that we are worried about and we are intervening with those.

**Q10 Chair:** Thank you. Michael, Oasis Trust has castigated Ofsted for not necessarily having the right skills to focus on MATs and penetrate some of the issues and structures around MATs. What is your response to that criticism?

**Sir Michael Wilshaw:** It is nonsense.

**Q11 Chair:** Do you have anything that you could say to disabuse that?

**Sir Michael Wilshaw:** We inspect local authorities. We look at what local authorities do to improve their schools and how they monitor and evaluate their schools. We look at their levels of intervention in schools, and we talk to the head teachers of those schools about their perception of the school improvement services in those local authorities. We want to do the same in multi-academy trusts. In the seven failing multi-academy trusts that we inspected—as you have probably seen from the letter I wrote to the Secretary of State—it was something like £110 million in those seven trusts that was not being spent on the children. They were spending £10 million per year on consultancies. We would want to know why those failing multi-academy trusts were not spending money on the children.

**Q12 Ian Mearns:** Sir David, you recently said that in some respects the all-encompassing role of the regional schools commissioners is a more significant one than the HMI. Are you in competition?

**Sir David Carter:** No, I don't believe that we are. I think the system needs coherence. I don't think a debate about the competition between RSCs and Ofsted is helpful. I think we are on the side of school improvement and the side of children, but our roles are different.

**Q13 Ian Mearns:** If the Chief Inspector of Schools said to the Secretary of State, "I think it would be much better if Ofsted were to conduct in-depth inspections of multi-academy trusts in the way we do with local authorities", would you have a problem with that?

**Sir David Carter:** I think that would be a matter for the Secretary of State and I think in your previous question—

**Ian Mearns:** I am asking your opinion, Sir David.

**Sir David Carter:** My opinion is that, as I mentioned earlier, from what we know about multi-academy trusts from the RSCs and the batched inspections so far, we have enough evidence to say where we need to intervene and what we need to do.

**Q14 Ian Mearns:** In terms of multi-academy trusts that are not known to be having a problem, is it a matter of laissez-faire and let them get on with it?

**Sir David Carter:** Not at all, no. In the south-west last summer, over August and September, I met with 117 trusts, good, bad and indifferent, some of the best and some of the weakest. I met with the chief executives and the chairs of the boards. That practice has now been modelled by the other RSCs across the regions. You are right, I think you need to understand that even the trust that you regard as doing well today you can't assume is going to be fine in five years' time. Things change. You need to understand the capacity it has to improve. Our remit for intervening in schools is the right one and we should only be working in depth with schools that are not yet good enough, and you understand the remit we have as RSCs. Looking at the broader picture of multi-academy trusts, we should understand all of them because we will be asking some of those multi-academy trusts to take on some failing schools and we need to understand that they are ready to do it.

**Q15 Ian Mearns:** Within the White Paper "Educational Excellence Everywhere" there was a model of how it would look if a failing MAT had its schools taken over by a more successful MAT. Part of the problem with the model that is identified within that is the successful MAT had seven schools and there were six schools within the poorly performing MAT or something like that, those sorts of numbers. Surely the well-performing MAT had a structure and a number of schools it was managing with. I would guess that a good-performing MAT would be managed by sane people. Why would sane and rational people then take the risk of taking on six or seven failing schools from a failing multi-academy trust and putting their own integrity in jeopardy on that scale? You are adding almost as many schools again to their trust model.

**Sir David Carter:** I agree with that. When I said before about a multi-academy trust being rebrokered en masse, while I think there are examples where it could work, where it is a significantly big MAT it is, for sure, questionable whether you could do it with that. The second part of your question talks about the appetite to grow from multi-academy trusts that are strong and there is considerable appetite for that, for the right reasons. One of the things that we do as regional schools commissioners is to try to be very clear that, if you have six failing schools joining another MAT, to get a better balance of strong and weak schools will be a challenge. That is why you might have an argument that a MAT that was failing would not all go to the same sponsor to give them the opportunity and the time to focus their resource on the ones they need to.

**Q16 Ian Mearns:** In order to ensure success, surely the model of growth for multi-academy trusts should be more organic than taking on big lumps of failing schools.

**Sir David Carter:** Yes, it is. Chair, I wanted to talk about that model later. You may want me to do that later. I will come back to it.

**Q17 Ian Mearns:** To what extent do you think your respective visions for how the expansion of MATs should be monitored and managed conflict with each other?

**Sir David Carter:** I might need to address that with some of the priorities I have right now, if that is okay. One of the messages that I have been communicating with the system is about growing the system with care. That is the phrase I have been using. I spent yesterday doing two roadshows in Leeds with over 250 MATs talking exactly about this. I will keep this very brief because I could talk for England about this or for Wales, certainly.

**Chair:** If you feel you can write to us with more detail, it would be really helpful.

**Sir David Carter:** In essence, I want to answer the question. I think it is helpful, as National Schools Commissioner, that I conceptualise for people in the system what I think it might look like. I have talked openly about there being four types of trusts: starters, established, regional and system trusts, and I can write to you with the detail on this. The bulk of our schools at the moment, 85% of our current MATs are in the first two, 85% represent six schools or fewer. That is why it is an emerging landscape. It is not a landscape that is full of trusts of 40 or 50 schools. There are only 10 trusts that have 30 schools in them at the moment.

I am conscious that, when the regional schools commissioners are going to approve trusts to grow, they need to understand and be reassured that they are ready to do it. I am going to introduce a health check on five key areas. The five tests will be standards and track record, people and leadership, governance capacity, financial sustainability and management of risk. If we are satisfied that through their audit process the trust has addressed those issues, has a good strong track record that children are doing well in those schools, we will approve them to grow. That is a very quick exposition of that, but I want you to be reassured that we are not going to grow MATs for fun. We are going to do it when we know they are ready to do it and get that right.

**Q18 Lucy Frazer:** That sounds extremely sensible, but I share your concern. I think if a new starter trust takes on five schools, that is hundreds, if not thousands, of students. If it does not have the capacity to take on five schools in one go, that is a lot of children's education taking place over a long period of time before you remedy the problem. Do you think taking on five in one go or in a short period of time is too many?

**Sir David Carter:** I think it is probably the top end of what you could do to begin with. For me, the starter trusts that I just referred to probably go up to four or five schools. I am always talking about the numbers of children as well as schools. Five schools in rural Cornwall might be 300 children; in inner city London it might be over 1,000. We need to juxtapose the number of schools and students when we are having that conversation. I think you could grow to five to begin with because you need some capacity to have schools working together. In my own experience, in 2007 when I set up the trust in Bristol that I ran, we started with two schools and moved to three schools within two years and we stayed at that level for another two years before we added later on. I think it depends on the challenge. If they are five very good schools working together, I think you can do that.

**Q19 Lucy Frazer:** I know of a number of situations where trusts are taking on not only existing schools but are simultaneously setting up free schools. How does that work? How many free schools can you set up while turning around failing schools?

**Sir David Carter:** That is a very good question. I am surprised and heartened by the massive increase in free school applications that we have seen in the last wave. There is a real appetite in the system and more and more of those are coming through multi-academy trusts, so you are right about that. The people who I think are best placed to grow new free schools and understand the challenge of starting a school from scratch and all the challenges of standards, governance, engagement with parents, are probably people who have been doing it. I am a supporter of multi-academy trusts growing free school capacity, particularly where perhaps they are free schools that are alternative provision to look at the wider community resource that is needed.

**Q20 Chair:** David, I am going to give you a rest now by asking Michael a question. How do you see the relationship between yourself as Chief Inspector and the National Schools Commissioner? Is it a kind of sparring partner situation or creative tension or gamekeeper and poacher? How would you describe it?

**Sir Michael Wilshaw:** It is a good relationship.

**Chair:** I am sure that the relationship is good, personally, but I am talking about the role that Ofsted has and will emerge into, given how the regional schools commissioner structure is going.

**Sir Michael Wilshaw:** We inspect schools. We inspect academies, free schools and local authority schools. Some of those academies and free schools will be part of multi-academy trusts and where we see a trend developing, where we see a number of schools within a trust not doing particularly well, we will embark upon a batched inspection of those academies and make a judgment about how well they are being challenged and supported by the leaders of those trusts. Where we see weaknesses in the leadership, we would like to go in and find out a bit more about what is happening in terms of the leadership. At the moment, we do not have the powers to do that. For example, when we looked at the seven failing ones, they had a philosophy that was what I describe as a Walmart philosophy or, “Pile them high, sell them cheap. Let’s empire build rather than have the capacity to improve these schools”.

**Q21 Chair:** On that sort of theme but focusing on something that Ofsted has just come up with, which is your report on the East Midlands and your concerns about performance of virtually all schools—I say “virtually” deliberately—what do you expect Ofsted to be able to do to help turn things around there?

**Sir Michael Wilshaw:** You are quite right to draw everyone’s attention to our report on the East Midlands and the shocking standards in the East Midlands in places like Nottingham, Leicester and Derby. 80% of the secondary schools there are academies and they are not doing particularly well. It is Ofsted’s job to shine a spotlight on what is going wrong. We have written to the chief executives of the multi-academy trusts, the regional schools commissioners in that area and the local authority leads, as well as to David and the Department with our concerns about the East Midlands. In terms of improving those schools, we will monitor over a period of time the ones that are less than good. As you

know, one of the key issues in the “requires improvement” judgment is that they have a limited time in which to improve—four years—and we monitor them over that period, so they know that there is a deadline to reach. HMI will report back to the head teachers of those schools and governing bodies about how well they are progressing and those reports, if they are an academy, go to the regional schools commissioners.

**Q22 Lucy Allan:** In my constituency I have a failing MAT chain where four schools went into special measures and, you are absolutely right, there was very quick action, intervention straight away and a subsequent turnaround, so I fully endorse what you were saying about that.

Clearly the purpose of MATs is to raise standards. What is the evidence that that is happening? Is there sufficient evidence to support what has just been said about the expansion of MATs?

**Sir David Carter:** I do think there is evidence to say that multi-academy trusts are working but I go back to what I said earlier on, that this is an evolution. They are new beasts on the block, 973 since about 2007, 2008. That in itself is quite rapid. The evidence for me will always be about where the standards are rising so significantly that children’s life chances are changing. We can talk about all the things around that, but the best multi-academy trusts do their best work with children, particularly vulnerable children. The obvious ones that people will have heard about are Harris and Ark. While they are no longer the new kids on the block, they are still two of the most outstanding trusts in the country. Outwood Grange Academies Trust does stunning work in the north.

**Q23 Lucy Allan:** Can I pick you up on that? I completely agree about Ark but not all academy chains are performing to that standard. It is quite easy to forget that and just point to the examples of success.

**Sir David Carter:** Yes. The point I want to make about that is that there is a bar that we need to lift everybody else up to. The second part of the question I wanted to answer was: do we know what good multi-academy trusts do? Yes, we do. I referred to that in a previous answer. What we need to do is try to systemise what we think our best practice looks like so that more multi-academy trusts replicate that. The challenge of multi-academy trusts is that some of them are high on moral purpose, which is hard to argue with, but are less impressive about executing that moral purpose on standards. The job that I have with RSCs is to make sure that they do that.

**Q24 Ian Austin:** When you think about the major factors behind this failure to transform education in Britain—too few really good head teachers, the crisis in recruitment and retention, the geographical factors, as Sir Michael has just talked about, the priority the community and the country in general places on education—where would you put structural change on the list of things that can drive up standards and do you share my frustration? I think there are good academies and poor academies, good maintained schools and poor maintained schools, and I think the structure is pretty much irrelevant but I am frustrated by the amount of debate in education at the moment and the priority from the Government on structural change.

**Sir Michael Wilshaw:** We are spending too much time on structure, and I speak as an ex-principal of an academy and an ex-head teacher of a local authority school. I think I have said to this Committee before that the biggest change to my life came about in 1992 when I got my own budget, and most head teachers will say the same thing. I became an autonomous leader at that point. I felt I was very much master of my own destiny at that point. I bought into the local authority's HR services, payroll services and some of their legal advice, but in all other aspects I was master of my own destiny. When I became an academy head not far away, my life did not change whatsoever. I got a bit more money but I had to use that money to buy in payroll services, HR services and so on. The big issue for our system, if it is going to improve, is in an increasingly autonomous system—sorry, I will bore you silly with this. Do we have enough teachers in our system and are they good enough? Do we have enough leaders in our system and are they good enough? Do we have enough leaders who can run a number of schools well? That is a big challenge.

**Q25 Chair:** What is your answer to some of those questions? Do you think we do have enough?

**Sir Michael Wilshaw:** The first thing is to recalibrate the debate and start focusing on that. Secondly, we must make sure we have leadership programmes in our country that bring people through to leadership positions. We need leadership programmes that are about systemic leadership and not just the leadership of one institution. We have to make sure that we have enough teachers in those parts of the country that are languishing badly at the moment. We are not going to get to a first-class education system unless significant parts of our country improve.

**Q26 Suella Fernandes:** You talked about autonomy on the front line. Could you say a bit more about that and what the connection is between autonomy and improving standards?

**Sir Michael Wilshaw:** People on the front line, head teachers and teachers, know how to improve standards, so the funding I got in 1992 gave me the power to determine my own priorities. It gave me the power to decide whether I was going to spend more money on staff, how much I was going to pay them, how much money I was going to spend on resources and capital works and so on. The decisions from that point onwards were left to me and to my governing board, and if I tracked the improvement of the school I was running at the time, from that moment onwards it went up, the trajectory was up from that point on. The decision made 25 years ago to give schools much greater autonomy worked. We have one of the most autonomous systems in the world. Do we have enough good leaders to handle that autonomy? I suspect we have not and that is the big issue for our country.

**Q27 Chair:** Thank you very much. David, you have an idea for a four-tier system. What is the principal purpose of that system?

**Sir David Carter:** The purpose of the four-tier system is to bring some coherence to it so that people understand the progression that they are likely to go through. It is not a coincidence that it has landed in the way that I have described: starter, established, regional and system trusts. The growth that is implied at those points is thresholds where you have to do something different as a multi-academy trust. Going back to your question about five schools, if you have five schools and you want to grow to 15, that single

executive head will not be an executive head over 15. Your governance will need to flex. You will need to be sure that you have capacity to support the new schools. It is not a finger in the wind sense. It is where we are right now in that the majority of our schools are starter and established and we are going to need to support those trusts to grow to become regional leaders and system leaders. The thinking about how the system evolves, and the feedback I am getting from MAT leaders on these roadshows that I am doing around the country at the moment, is that having a sensible strategy for growth that protects them, protects the children they already have, is being welcomed.

**Q28 Chair:** This question of growth that one or two of my colleagues have touched upon already is an important one. If you take Ark, for example, which is large, is that going to be as big as it gets?

**Sir David Carter:** I want to make a point about size, if I can; because I think what has happened in the past is that we have equated too quickly the size of the organisation being the root cause of failure. It is one of them, but I think, as I said in the answer I gave earlier, some of those trusts that set up in the very early days had groups of schools that gave too much autonomy to schools that did not know what to do with it, they were geographically too widespread and they did not have a cohesive school improvement plan. I can't conceive—other than perhaps with some dioceses where you might end up with significantly large numbers of trusts—that any trust that had a sensible growth strategy would be talking about going into the 70s and 80s. At the same time, I don't want to say that a trust of 50 or 60 couldn't work. If you think that Reach2, for example, will be approaching that level, I am really confident—because I work very closely with them—that the way they are going to set that up will work. But 60 schools all around the country run from one central office in London? No, I don't think that does work.

**Q29 Chair:** That gives us some idea of your thinking on structure and size in the long term. How did you come about your nine characteristics of what a good MAT look like, in terms of consultation and so on?

**Sir David Carter:** The characteristics that you are referring to are a tool that I introduced in the south-west when I was RSC there. It was born out of the need in September 2014 to have some sense of what the best multi-academy trust did. I brought my own experience of being a CEO and I brought the experience of looking at the trusts in the south-west. While I absolutely never want it to be the only one in the model—in fact I would like people to stop using it quite soon and use their own—nevertheless, I felt at the time that trusts were looking for something that they could look at. I referred earlier to the 117 trusts that we met last year and we asked them to use it as a self-assessment tool to give us a sense of where they thought they were on that journey. Against the nine characteristics, I wrote a descriptor about what it would look like if they were beginning, developing, embedding or leading on that structure and used that as a framework to say, “This is how we think your trust is performing and then talk to us about what you can do about the areas that are not yet secure, the ones that are still beginning that need to be improved”. I think where we have got to today is an understanding that, in the absence of anything else, that particular informal document—that is not a document that sits in statute anywhere, it is a tool for the system to use—has been very much welcomed.

**Q30 Chair:** Michael, do you have a list of characteristics that you think a good MAT would have?

**Sir Michael Wilshaw:** I was director of education for Ark before I came into Ofsted and that is a good trust. It has a good chief executive, and that is important, who is perceptive of strengths and weaknesses.

**Chair:** That is the leadership bit, isn't it?

**Sir Michael Wilshaw:** Yes. The trust itself is populated by sponsors who are absolutely passionate about the performance of their own individual schools and collectively. They were good enough to put some money in as well, which helped. We monitored the schools—and that was my job—very well, in depth and regularly. When we saw decline starting, we stepped in very quickly, even if that meant removing the head teacher. The thing about the seven trusts that we failed was that it was quite clear to inspectors that they didn't know what was going on and were not stepping in quickly enough. In other words, the monitoring, the evaluation was not very good. Overall, it was an academy trust that had huge ambitions and did not tolerate underperformance.

**Q31 Lucy Frazer:** About the roles of your two organisations, I see the regional schools commissioners as facilitators, encouragers, people who are going to improve the system. Sir Michael, how do you see the role of Ofsted? Are you, as you described your role in Ark, a monitor or are you somebody who is meant to be supporting the schools as well so that they improve their standards, or are you just marking them?

**Sir Michael Wilshaw:** We are an inspectorate first and foremost and our job, as defined by statute, is to inspect schools, judge their performance and write reports on their performance. The school improvement exercise is done by regional schools commissioners and others. Having said that, Her Majesty's Inspectors have a very clear instruction from me on this one, which is that they are duty bound to try to help as much as possible. When a school is underperforming, as I say, we monitor those schools over a three or four-year period. We give those schools key indicators of how well they are progressing and key issues to be addressed. If you talk to head teachers up and down the country who are running those schools that are underperforming, they value the work of Ofsted in helping them to improve.

**Q32 Catherine McKinnell:** I would be interested to hear both of your views on this question. Do you think that MATs have been allowed to expand too rapidly across too wide a geographical area?

**Sir David Carter:** Yes, I do, and I think in some cases that has been a factor in underperformance—not in every one. As I said before, I think we need to be careful that we do not equate size and rapid growth with failure. I think there are examples where you can do that. It is one of the reasons why, given the scale of the expansion we are about to go through over the next six years, I want to propose a structure that enables us to do that sensibly and proportionately so that we manage the risk of that. It would also enable the boards and the chief executives to make decisions on the basis of understanding where they are at that moment in time when they want to grow. But in the past we probably did, yes.

**Sir Michael Wilshaw:** Some multi-academy trusts, such as the ones that I have already mentioned, have been allowed to grow far too quickly without the capacity to improve their individual schools. There was a lot of empire building going on and executive head teachers wanted to show how many schools they had rather than whether they were any good or not.

**Q33 Catherine McKinnell:** Academies Enterprise Trust told the Committee that the current multi-academy trust landscape is more to do with opportunity than planning, and that would seem to concur with the views that you are expressing now. How do you think that that growth can be managed going forward? Sir David, you mentioned that we are going to look at significant increased expansion. One of the concerns is that so far it has largely been in the secondary sector whereas, because it is the Government's intention, I think we are going to see big expansion within the primary sector. What factors are you taking into consideration for both?

**Sir David Carter:** One of the reasons why those early trusts grew so quickly was there were not that many trusts yet. The introduction of sponsored academies in the last Labour Government made it very clear they needed homes to go to. That was one of the reasons why there were failing schools and sponsors were found for them. One of the mitigations today is we have more sponsors—973, as I mentioned earlier—that are currently up and running. It is also about making sure that the match is right. For example, if I am sitting where I live in Stroud and my school fails, and I talk to the MP about it, I would have had one option in 2007. We might have 20 now. The notion that we go to the only provider has changed in that landscape. I think that is an important part. There is choice for RSCs in making sure that the sponsor matches the right one.

The other thing is—and it talks to your question about primary, you are absolutely right about that—we know that almost three-quarters of secondaries are already academies. I think it is 76% of our current primaries are in MATs today. The argument about MAT as a vehicle is not one that we have to work really hard at in primaries. We just need to make sure that they are right. I remain a real fan and a believer that the closer geographical mix is the best one. Sometimes you can make it work if you create a regional hub over here and another one over here. Fundamentally, you want staff to be able to train together; you want your best teachers and leaders in a multi-academy trust to work between the schools to improve practice in the schools. If you are a one-form entry primary school and your year 4 teacher is weak and you are on your own, where do you go to for help? The answer is the strong year 4 teacher over the road. That really helps and works for me in that respect. In terms of our growth of primary schools, we will be working very closely with strong primary schools to build those MAT collaborations to make that work.

My preference will always be in an education community, a town, a city, a group of villages, where possible, to ensure that the whole nought to 19 provision is represented there. Understanding the learning journey of the pre-school child to the pre-university child seems to me to be a very important development we need to get right in the system. But certainly all secondaries and all primary MATs are in existence and are doing well, and that is part of my plan.

**Q34 Catherine McKinnell:** Isn't there potentially a contradiction here? Sir Michael mentioned autonomy as a key driver to improving success and the Government clearly talk about autonomy. However, isn't there a risk here that parental choice is being eroded, in the sense that in an entire local area, effectively, you have schools being led by one organisation and that limits parental choice? That may be well and good if it is a good MAT, but if it is not a good MAT then all of the parents in an entire local area will have effectively no choice of primary school.

**Sir David Carter:** I absolutely understand that and I worry about monopoly provision, particularly in smaller communities where that would happen. The RSCs and I are always keen to ensure there is an element of choice for parents. Where we have a town with one predominant multi-academy trust, we would look to create another one because parents, for all sorts of reasons, may not want their child to be educated in that trust. If there is not a plan B, then they have nowhere else to go. That is one of the things that is changing very rapidly. In the past we have had such a slow emergence of multi-academy trusts that sometimes the option was not there. It is there now because of the capacity that is growing, but that notion of not creating monopolies is something that I take very seriously.

**Q35 Catherine McKinnell:** I would appreciate a bit of clarification on where the thinking is about faith schools in that sense. It is an important key part in the primary sector and it may be that one faith organisation looks to take over a whole variety of local schools, which some local parents may feel compromises their choice, or an entire group of faith schools in an entire city may choose to come together and form one MAT. How do you see it working with that autonomy and competition as well?

**Sir David Carter:** The role of the dioceses right now is an important one and probably runs right through the heart of everything I have been saying to you this morning, particularly because so many of those dioceses run very small rural primary schools across the whole country. My view is that you treat a diocesan multi-academy trust in exactly the same way as you treat anybody else. The answer to your question about five being a good starting point, while a diocese might want to run faster at that we need to be really sure that they can do that, that they have the capacity to do it with that growth. You are right, in some areas that could be hundreds of schools.

I agree with everything that Sir Michael said about the relationship between structures and standards, but when you have a diocesan organisation with over 200 schools, structure does matter. If you are going to put them under one banner of 250 schools, that is a real challenge. We don't have any trusts anywhere near that size. The largest is about 20% of that size. Understanding what that looks like in terms of regional organisation of dioceses into smaller hubs that make that coherence is important.

The third and final part of the answer goes back to the work that the DfE has been doing with both the Catholic Church and the Church of England on creating a memorandum of understanding. There are many things in it but the bit that is pertinent to this is the mixed MATs concept where a community school that is not a faith school could join a Church of England diocese or a Catholic diocese, or the other way around. I think the memorandum of understanding has been very helpful in promoting a debate about that. I have examples where I am working with dioceses where the mixed MAT is in the heart of their vision, because they recognise they are going to need to do that, and then in some areas it is very

clear that the diocese wants to look after and maintain its own schools and will not let them go outside of that. We are going to have to engage and work very closely with that agenda.

**Q36 Catherine McKinnell:** Sir Michael, do you have anything to add to this? My concern is that many of these schools that we are talking about are outstanding. They are entirely focused now on organising a MAT structure rather than focusing on delivering what are already outstanding standards.

**Sir Michael Wilshaw:** To repeat what I said, the educational discourse should focus on what makes schools work, and I have already said enough on that one. I think we should focus on early intervention, in terms of what makes schools work and what would make a local authority system work and what would make a multi-academy trust system work. Early intervention is absolutely critical in an individual school and in a group of schools. I mentioned to you last time we met that if there is a disagreement between Ofsted and some of the regional schools it is about early intervention. All my regional directors at Ofsted have written letters to the regional schools commissioners about our concerns about “requires improvement” academies, coasting academies, which will fall into special measures unless intervention takes place quickly. That is the big concern that I have about the work of the RSCs, whether they are being proactive enough, not just in special measures schools and rebrokering special measures schools but in coasting schools where if nothing happens they will—

**Q37 Chair:** Can I extend the line of questioning that Catherine was pursuing with David on the question of faith schools? What is Ofsted’s view on faith schools as a whole in the context of multi-academy trusts, or do you take a neutral position?

**Sir Michael Wilshaw:** Our position is entirely to do with standards. The only issue that we are concerned about is that they are doing well within a faith multi-academy trust or as part of a local authority or a diocesan multi-academy trust.

**Q38 Suella Fernandes:** On this point about expansion of MATs, faith schools were talked about but it has also been mooted that local authorities or teams or individuals within local authorities may have the opportunity to acquire MAT status. I want to get your view on that prospect for increasing diversity within the school market.

**Sir Michael Wilshaw:** If a local authority is doing well and its schools are doing well and all the head teachers—I was in Lancashire, for example, the other month talking to secondary heads there. Lancashire is doing well, the secondary schools are doing well; practically all of them are still within the local authority. Very few are academies, but there are exceptional heads running very good schools. If the decision was to turn that local authority, with good people supporting those schools, into a trust I am sure those head teachers would support it. The same in Hackney where there is the support.

**Q39 Chair:** That is straight to point. David, could you answer that question?

**Sir David Carter:** It goes to the heart of what I said before about let’s create one education system, not have a war between local authority maintained and academy dogma. That is at the heart of that. I am in a very similar space to Michael on this. If you have a group of

schools in the maintained sector working with local authorities at the moment, which is providing truly effective support that is valued and moving the schools forward, why would we get in the way of that? Why would we damage that relationship? There are clearly examples of good and less good local authorities, as there are with good and less good MATs. I don't think at the moment, if we are going to create the world class system that we talk about, that we can afford to turn our backs on anybody in the system who is doing a good job, and that would include people in local authorities.

**Q40 Stephen Timms:** I would like to explore Sir David's point about growing the system with care a little bit further. When the Secretary of State came to see us we talked to her about the Sutton Trust analysis of achievement among disadvantaged pupils and, as we have already discussed, its conclusion was that a small number of multi-academy trusts are doing extremely well but most are not. I think that the level of achievement among disadvantaged pupils across MATs as a whole is less than the achievement across the whole secondary system. It said a big factor in that disappointing conclusion is that a number of trusts have expanded too fast. From what both of you have said, I think you probably agree with that analysis of the position that we are in at the moment. Is that right?

**Sir Michael Wilshaw:** Yes.

**Sir David Carter:** Yes, and I think the Sutton Trust report was a brilliant piece of work that shone light on a very crucial development in the system.

**Q41 Stephen Timms:** In commenting on that, the Secretary of State told us that trusts should not be allowed to expand unless they have a strong record of school improvement. Sir David, I think you were outlining earlier the sort of tests that you would like to see applied. Can you tell us a little bit more about those tests and how that fits? Are those tests about whether the MAT has a strong record of school improvement?

**Sir David Carter:** Absolutely it does, and I think the narrative goes something like this. If a multi-academy trust was to come to me with eight schools of which five were not performing anywhere near where they should have been, in fact they might even be performing worse than they were before, why would we give them any more schools? I think it has to be rigorous around that. That could be counterintuitive because what we need that trust to do is to take that group of six schools there, but if they don't have a track record of improving it, or at the moment they are not moving quickly enough, I think there would be a huge risk to doing that.

I won't do all five of my health checks, but number one—and it is deliberately number one—is standards and track record. That track record looks at three things for me. Number one, exactly what you said in your question about the Sutton Trust: to what extent does your multi-academy trust perform well with disadvantaged young people and how much do you close that gap? I use the words “close the gap” deliberately, because closing the gap could be about improving the disadvantaged children but deflating able children. The gap might just remain the same but lift but, nevertheless, a priority for the performance of disadvantaged children is number one of those. The second one is about the way in which as a MAT you know exactly how strong your great schools are and how weak your weakest ones are. One of the risks about looking at a MAT performance in the round is it could mask that. The overall headline figure might look quite acceptable but it might not

show you that one particular academy is doing really badly. For me, the standards and track record part of my health check needs to look at schools as well as the overall MAT performance.

The third one is about: how does that multi-academy trust cope with failure, if a school on its watch sees a decline in exam results or goes into “requiring improvement” from “good”? I am not in the camp that says we should automatically stop that trust growing but we need to understand what its plan is to improve that school. The solution could be the school down the road to help that school, and if we say we are going to put that trust on pause it denies that opportunity to happen. So that bit of work, in the way that I am conceiving the health check, is not going to be a desktop exercise, although that would be part of it. I want the people that will work with those trusts to go and visit the trusts, talk to the chief executives, talk to the principals, talk to a newly-qualified teacher about what it is like to be an NQT in that trust and get a handle about how standards are being managed.

**Sir Michael Wilshaw:** Can I say that you are right to raise the issue of poor children and their achievement levels, because it is miserably poor in this country and it is particularly miserably poor in the secondary sector. The 28 percentage point gap between FSM pupils and non-FSM pupils has been the case now for over 10 years in the secondary sector. Two-thirds of our secondary schools are academies so the big challenge for our academy system is to close that gap. In the academy schools that we fail, or say are underperforming, there are two big reasons why we are saying a lot of them are not doing well: because they are not closing that gap and they are not doing particularly well for bright children from poor backgrounds. That is a big challenge for our system and a big challenge for the emerging academy programme.

**Q42 Stephen Timms:** Would you agree with the Secretary of State’s point that trusts should not be allowed to expand unless they have a strong record of school improvement?

**Sir Michael Wilshaw:** Particularly for poor children; showing that progress for poor children is at least in line with national expectations, and in my view above that.

**Q43 Stephen Timms:** Would you expect Ofsted to be involved in that judgment?

**Sir Michael Wilshaw:** Yes. When we make the judgment on a particular school or a particular academy that is one of the key components.

**Q44 Stephen Timms:** My question is more about when MATs are up, potentially, for expanding, would you expect Ofsted to have a say about whether that MAT has a strong record of—

**Sir Michael Wilshaw:** I make the assumption that David and his regional school commissioners would look at our reports and the judgments we have made.

**Q45 Stephen Timms:** You would not expect explicitly to pass comment on a particular trust?

**Sir Michael Wilshaw:** Not unless we are asked.

**Q46 Stephen Timms:** Coming back to Sir David and those three issues you have just explained to us as part of your health check. Is your proposition that you would need to be satisfied about all the issues before a trust was allowed to expand; or that you would look at all the issues and take a judgment based on the balance of performance?

**Sir David Carter:** There does need to be a balanced view to it because if we turn this into something that feels inspectorial it will start to confuse the system. It needs to be something that is done by using people from the system. I am determined that they will be people who have already been on this growth journey who will work with me on this. We have already been consulting with chief executives around what that might look like.

I am also interested in the recognition that a trust might have that it is not there yet but knows it needs to get there soon; it has a plan for it. If we take the view that those 970 MATs have to be perfection at this stage, then we will not get the capacity to grow the system. The last two words of my phrase, “with care”, is about that balanced due diligence that RSCs must do about making that right call and that is important.

**Q47 Stephen Timms:** The Secretary of State said to us that trusts should not be allowed to expand unless they have a strong record of school improvement. It sounds a bit as if you are saying that if they have a plan to get stronger—

**Sir David Carter:** I answered your question in the sense that I am unequivocal about all five in school improvements. If the record of improving standards in that trust is not proven, it should not grow.

**Q48 Stephen Timms:** The first point in your health check was about performance among disadvantaged pupils. You are saying there would have to be a clear track record of improvement before a trust was allowed to expand.

**Sir David Carter:** I would certainly expect that within the trust, if not across the whole trust, there was enough talent and knowledge about how you improve the performance of disadvantaged children so that you had at least a couple of the schools that could lead that and probably already are leading that.

**Q49 Stephen Timms:** There is a difference between having a record of achievement or appearing to have the potential for achievement, and I am not sure which one—

**Sir David Carter:** I mean record. I am not making decisions on potential. I am talking about in a multi-academy trust of five secondary schools for the sake of argument, three of them have demonstrably proved that they are successful at improving the life chances and outcomes for disadvantaged children; yet the figure across the trust looks deflated because two of the schools have not yet made that journey. I would be looking at the fact that there is expertise in the multi-academy trust in that area as a lever to work with another school that might join it as part of a growth plan to share that expertise. If none of the schools are good at it, then we are going to have a problem because there is no evidence. The only possible exception could be where a school that joined the trust was coming in because it already did know how to do that and the trust needed that support and help.

**Q50 Stephen Timms:** You are saying that if there was a multi-academy trust with five schools, three of them were doing well, two were not, that could count as a strong track record of school improvement.

**Sir David Carter:** It would count as evidence that the trust had a school improvement plan, unless it happened by accident. I think your question, which was phrased the right way, referenced the Secretary of State's comment about a successful track record of school improvement. Of course disadvantaged students' performance is an integral part of school improvement but it is not the only part. I would not want to look at just one particular part of it but recognising the way you phrased your question I am not disagreeing with that; it is an important part of our journey.

**Q51 Stephen Timms:** Do you both envisage Ofsted and the regional commissioners working together to improve or remove longstanding underperforming trusts? What are your respective roles in doing that?

**Sir David Carter:** We have talked about the relationship between the organisations and between the two leaders of those organisations. There is another relationship in Ofsted, which is at RSC and regional director level. On the whole it is a pretty good one. When I was thinking that you might ask me a question about the relationship with the RDs I worked out what the four things are that form the agenda for a meeting. When I was in the south-west with the regional director there we had a standard four things we looked at. One of those was: what is the state of this region? What are we seeing collectively in our different roles that tells us where we think the strengths and weaknesses are? The second one is: what does the performance of those vulnerable-student groups look like from the inspection process, the RSC process? The third is about what interventions are working. The fourth is how we are going to develop this region.

**Q52 Chair:** David, would you mind dropping us a line clarifying your answers to Stephen's point? They are central to this issue about MATs and are they going to be the vehicle for improvement, and how you judge what is happening in a MAT before you allow or encourage it to expand. There are five good points you are talking about there but the central one is the scale of school improvement, how you value and assess it.

**Sir David Carter:** Yes, that is fine.

**Chair:** That would be very helpful.

**Q53 Ian Mearns:** The answers that you have given about the example of the five-school MAT: that could be that you have three individual schools with strong leadership and two individual schools with weak leadership, which are not getting improvement, and the MAT is having no impact whatsoever but, under the criteria you talked about, you would allow that MAT to grow because there are three strong schools within the MAT.

**Sir David Carter:** That is fair but—just so I am really clear—the question I answered to here was specifically around the performance of disadvantaged students. If you had three schools that were doing well and two requiring improvement, absolutely not. I would not grow that trust because it has not proved it can improve those two.

**Ian Mearns:** We do need to drill down into what you will be doing to analyse the performance of the MAT in relation to that overall picture. I think that is really important.

**Chair:** Can you help us with that? That would be helpful.

Suella, we have touched on the relationship between RSCs and Ofsted inspections. Do you have any further questions to ask?

**Q54 Suella Fernandes:** As of May the RSC has issued 94 formal notices around the country on intervention and needing school improvement action. What do you say about RSC intervention and the ability to improve? What is it and why is it?

**Sir David Carter:** That question gets to the heart of the difference between the two organisations. The regional schools commissioner role is to be a presence in the schools; to build up that medium to long term relationship as it improves.

Interventions are varied. I can walk you through what that might look like. If I take the example, because it feels relevant to this conversation—

**Chair:** We do not want too long a walk.

**Sir David Carter:** No. I will do a very quick stroll.

**Suella Fernandes:** Although it is an important walk.

**Sir David Carter:** I will combine importance with pace. What the RSCs would need to do is to understand what the triggers were for intervention; whether it was an Ofsted judgment or it was failing in standards, or both. I would expect the RSC to visit the school. I would expect the RSC to talk to the school about their plan. I would expect them to hold them to account for delivering that plan. I would expect the RSC to commission and broker support to help the plan accelerate. I would expect them to hold the governance to account for the standards they are committed to.

**Chair:** Thank you. We are now going to move on to the rebrokering of schools within MATs.

**Q55 Lucy Frazer:** Sir David, you said a few words that caused me a little concern there—there is an “embryonic structure”; there is an “evolution”—and you both said that the MATs are growing a bit too quickly. Do you think we need greater clarity before this path continues?

**Sir David Carter:** Can I be clear about what you mean about greater clarity?

**Lucy Frazer:** We are at the beginning of a process and both of you said in response to an earlier question that the MATs are growing too quickly. Is there a pause for thought? Do we carry on progressing down the path we are going down? Do we slow down the process? What is the speed of travel that we should be taking?

**Sir David Carter:** I want to be clear; I did not say I thought MATs were growing too quickly. I thought they had in the past; I don’t think that is true today. I think we have a more intelligence process of approvals through the regional schools commissioners that guarantees that does not happen in those circumstances. I think the answer I gave to the chair’s question, about the growth strategy that I am thinking of bringing in to look at this whole structure will enable us to grow those trusts proportionally to their capacity to

deliver school improvement. In the past we have seen trusts growing too quickly for the reasons we discussed this morning. I am very keen that, while we recognise that with the right structure some trusts could grow to that level, it should not become the default position.

**Lucy Frazer:** Sir Michael, do you have anything to add to that?

**Sir Michael Wilshaw:** Yes. Where we see large-scale academy failure and underperformance in a particular city or area, like the East Midlands—I have jotted down some cities that we are very concerned about, where most of the schools are academies; Doncaster, Blackpool, Northampton, Darlington, Wakefield, Cambridgeshire, Swindon—on top of the issue of dealing with particular MATs in those areas, and the regional schools commissioners getting involved in that and David is getting involved in it, I think that local politicians should also take a hand about what is happening in those MATs. I know that is a difficult thing to say but where you have real underperformance in particular parts of the country, which cover a particular city or county, local politicians should weigh in as well, to find out

**Q56 Lucy Frazer:** To do what?

**Sir Michael Wilshaw:** Intervene with the regional schools commissioners and the schools commissioners, to say, “What on earth is happening here?” I have said this in a number of interventions, in speeches that I have made. You cannot just abandon particular cities to abject failure. Doncaster: all the secondary schools there are academies. Now all those kids are getting a really bad deal because they are all either in special measures or requiring improvement. Local politicians responsible to the constituents should have a part to play in that, saying, “What on earth is happening here?”

**Q57 Lucy Frazer:** Moving on to brokerage: how established are the processes by which underperforming schools can be brokered into alternative MATs?

**Sir David Carter:** Very well established. There have been 119 of them since the RSCs came into their roles. There is a process around it, which gives you the transparency and consistency, which is important to MATs so the schools and trusts are treated equally across the country. What is important is that the process of how that is managed on the ground is done really well. The example I gave you about St Aldhelm’s earlier on was an example of managing that change really well—with the parents particularly. Brokerage affects parents; it affects children; it affects teachers; it affects governance. It cannot just be a process that results in one school moving from one trust to another.

**Q58 Lucy Frazer:** Do we have enough good and outstanding schools and MATs in order to take on these rebrokered schools?

**Sir David Carter:** That is one of our challenges. Sir Michael’s point about whether we have enough great teachers and leaders is absolutely to the point around that. I think we have enough really strong leaders who will step into the role of leading more than one school. I think the evidence is already there that that is happening.

In terms of the volume of schools in the system that are strong enough to do that, I absolutely think that.

I think there is a challenging conversation for the outstanding primary school in the maintain context about why they should lead or become a sponsored MAT, but I am very confident that we have people in the schools who can do that. Our challenge, however—this is perfectly illustrated by Michael’s previous point about the areas that he listed, which we are concerned about as well—is that they are not equally spread out around the country. If our failing schools and our strong schools were just disproportionately shared out, it would be a lot easier. They are not. There are cold spots; there are hot spots. Our challenge is to get the strong trusts in one part of the country to have an impact in an area where we do not have that.

**Q59 Chair:** Michael, you talked about getting the right teachers into the right places, about head teachers in the right places. Presumably, that is in part because you are slightly less confident about the number of head teachers and good teachers out and about.

**Sir Michael Wilshaw:** Yes. We were struggling. We were doing a survey on good, well-performing, multi-academy trusts—that will come out at the end of the summer—and we were struggling to find them, quite honestly. We have established half a dozen good ones, but there are some very mediocre trusts and the more rebrokering that is taking place the more David will find it difficult to find the really good trusts that can take them on.

**Q60 Chair:** Can I tease that out in one other way? Are you inclined to think that where necessary—you have mentioned Doncaster for example—you would want to, say, move good teachers and head teachers to Doncaster? Who do you think would be doing that deployment?

**Sir Michael Wilshaw:** If we had a good national college of school leadership and teaching, which we don’t, they would be the organisation that should be doing that; working with the schools commissioners and the regional schools commissioners.

**Q61 Suella Fernandes:** On this point of teachers and leaders: Sir Michael, you will know that many teachers do cite pressure from Ofsted inspections as one of the causes for leaving the profession, for low morale and for demoralisation, and often moving from middle management to leadership involves extra paperwork. For example, I was in a free school that I helped to set up and the self-evaluation form—I admire anyone who can prepare and fulfil a self-evaluation form—it looks like a tome of paperwork and that is the tip of the iceberg involved in Ofsted inspections. What do you say to that?

**Sir Michael Wilshaw:** Have you joined an Ofsted inspection? Can I ask?

**Suella Fernandes:** Have I joined one?

**Sir Michael Wilshaw:** Have you shadowed one?

**Suella Fernandes:** No, I have not.

**Sir Michael Wilshaw:** Can I send an invitation to you tomorrow?

**Suella Fernandes:** I would love that.

**Chair:** Okay. That is enough. Move on.

**Sir Michael Wilshaw:** Because all that bureaucracy and stuff is a nonsense. Shadow an inspection, Suella.

**Chair:** Suella, we look forward to hearing how you got on. Do you have more questions, Lucy? All right. One more question from Lucy.

**Q62 Lucy Frazer:** I have two. The Department for Education has said regional schools commissioners should be able to wind up underperforming MATs altogether. Do you agree with that?

**Sir David Carter:** Yes.

**Q63 Lucy Frazer:** Is that a legal process? What is the structure? How does that happen?

**Sir David Carter:** There is a process around it; of course there is. There are examples already of MATs that we have closed down and rebrokered to other trusts, or we have brought in new leadership, and there are examples of a new board of members and directors to run the trust. It is part of the rebrokerage process.

**Q64 Lucy Frazer:** My final question is about parents. I think you said that we have to be better at letting parents know what best practice is. What powers do parents have to raise concerns about poorly performing MATs? What processes should they go through?

**Sir David Carter:** Parental engagement is vitally important in this system. I know that the Secretary of State has committed to look at parental engagement in her work.

When parents have a concern about the education of their child their first port of call in a single-academy trust should be the school; of course it should be to the school. If they do not get satisfaction there they should talk to the multi-academy trust as well. We also know that through the gov.uk website there is a process parents are using to raise those concerns. Those are then shared around the regional schools commissioners' office, if that is appropriate.

I can think of two examples quite recently in the south-west before I moved into this job, where I met with groups of parents about concerns in their schools. The root cause of both those particular issues was that the school had not responded adequately to the parents and they were even more frustrated. If the schools had responded well at the first instance the meeting with me would not have been necessary. So, it is not a question of passing parents back down the line; it is about making schools and trusts step up to fulfil their responsibilities.

**Q65 Ian Austin:** Before we get on to Ofsted, I want to pick up on the point about local politicians holding schools to account at a local level. What more do you think Ofsted could do to enable MPs and councillors to do that? For example, could there be local area annual reports? Could MPs be routinely notified about inspections and outcomes? I meet Lorna Fitzjohn in the Midlands pretty regularly, but ought there to be an annual meeting between MPs and the regional director, not at a regional level but at a much more local level,

perhaps with the director of children's services or the lead member for children's services? If you want us to be doing more, how can we do that?

**Sir Michael Wilshaw:** Let's take the report we have just issued on poor performance in the East Midlands. My regional director will have sent copies of those letters to everyone concerned in education in the East Midlands, as well as to the local MPs and local councillors in those cities and towns, and we would meet with MPs and councillors who were concerned about educational performance.

Your question is a good one because I think, as an inspection organisation, it would be wise for us to meet, say, once a year or once every six months with all the key stakeholders in a particular area to give an overview of what is happening in that area and region. It would cover the whole country. It would mean a lot more time and a lot more effort to do that but we only make these interventions when we see things going badly wrong, as we did in the East Midlands and we did last year in Norfolk, for example. I think your suggestion is a good one and if it became a routine it would be a good idea for Ofsted to do.

**Q66 Ian Austin:** It is not just about crisis; it is about persistent mediocrity generally, is it not?

**Sir Michael Wilshaw:** Yes. It is. But I think the engagement of local politicians is absolutely crucial to this. I am not suggesting we go back to local authority days and the micro-managing of schools by local authorities, but I think local politicians are accountable to their electorate and if things are going badly wrong they should weigh in.

**Q67 Chair:** To clarify that, because of course local politicians do have a responsibility to see what is going on and react to circumstances in their constituencies, and certainly the interests of the constituents, but surely it would be probably wiser for local politicians to spot problems and refer them to the regional school commissioners or indeed Ofsted and say, "I am really concerned about this. We need some action".

**Sir Michael Wilshaw:** It is a two-way process. We would hope local politicians would do that and write to us and write to David's team. We also have a responsibility to alert MPs, local officers and local politicians, about our concerns.

**Q68 Chair:** For example, your report on East Midlands, is that your alert system or are you going to send that directly to Members of Parliament in the East Midlands?

**Sir Michael Wilshaw:** It has already gone. All those letters have gone to local MPs and councillors.

**Q69 Chair:** Will you be chasing those up for further action? Or will you be telling the regional schools commissioners?

**Sir Michael Wilshaw:** We would hope that those local politicians would want to meet with us to find out what is happening.

**Q70 Ian Austin:** I think that is the point, though. If you are an MP, MPs are interested in lots of things but if you are interested in education you will read the report; you

will get to grips with it. If you really want local politicians, we need a bit more, because not everybody is going to be thinking, “Here is an interesting document from Ofsted; I had better read it and find the key points and then go and hold people to account”.

**Sir Michael Wilshaw:** Local politicians must demonstrate that they know what is happening in their area and their constituency and in their area’s schools.

**Ian Austin:** I know, I know.

**Sir Michael Wilshaw:** One would hope that they would do that and contact Ofsted and contact the commissioners to express concerns.

**Ian Austin:** I will confess to not knowing everything about everything that is happening.

**Chair:** A very brave confession to make, Ian.

**Q71 Ian Austin:** Obviously your successor has been announced. How is this going to affect the final six months of your tenure?

**Sir Michael Wilshaw:** I have a lot to do between now and December. I intend to carry on as I have been doing over the last four and half years, focusing inspection on those parts of the service that need it.

**Q72 Ian Austin:** How have things changed over the last four and half years? How has Ofsted’s role changed? Do you think there will be further changes over the next year or so?

**Sir Michael Wilshaw:** I don’t know. I think a number of things have changed. We have regionalised Ofsted, so standards in areas like the East Midlands can be focused on. We have appointed regional directors. I think the lines of accountability at Ofsted are now much better than they were before. We have brought all inspection in-house and not outsourced inspection, as we used to do at the organisation. That has improved the quality of inspection enormously. Most inspections are led now by Her Majesty’s Inspectors rather than additional inspectors; so the quality of inspection has certainly improved immensely. We have made Ofsted a high-profile organisation and focused on what needs to be done in our system.

Is our system good? I suppose that is the heart of your question. No, it isn’t. It is still mediocre. It is still poor in secondary. That is where our debate should be focusing. What can we do to get to a situation where we can compete with the best jurisdictions in the world? We have autonomised the system; we now need good leaders and good teachers who can make it work.

**Q73 Ian Austin:** You came to this as a career teacher; a hugely successful head; a really strong track record in secondary education; a lifetime’s experience. What did you feel ill-prepared for when you became the chief inspector?

**Sir Michael Wilshaw:** For most things at Ofsted, actually. I had been subject to a number of Ofsted inspections; that is all I knew about the organisation. But of course we inspect seven remits and my knowledge of social care or prison education or early-years education

was pretty minimal, so it was a rapid learning process in that first year that I was at Ofsted. We were a very big organisation that not only covered seven remits but got involved in all sorts of other issues, like safeguarding, for example, and now radicalisation.

We are a very important and large organisation and whoever does the chief inspector's job occupies one of the most important positions in the land. In the 20 years that we have been in existence, my view is that Ofsted has enormously improved it.

Yes, as I have just said, we are not with the best nations in the world; we have a lot to do. But my goodness me, are we better than we were 20 years ago? Absolutely, and that is partly because of Ofsted and greater accountability.

**Chair:** Thank you very much. What we want to do is get back on to multi-academy trusts but that is a very good little discourse. Thank you for that.

Stephen, what we would like to probe now is the expanding role of regional schools commissioners.

**Q74 Stephen Timms:** Yes. Sir David, how do you see the role of the regional commissioners developing over the next year or so as more schools become academies?

**Sir David Carter:** The role and the remit will stay the same, around the three things that were in place when we started, which were: intervening in schools not yet good enough, approving academies and approving sponsored multi-academy trusts. What will be different will be the scale of it because clearly—as we have discussed all morning—whether it is the growth or the need to improve our weaker schools quickly, those are the challenges that remain and become the core priorities of the RSC. I am very clear that we should not add to the RSC remit, recognising that we need to be really good at the things we are asked to do in an expanding environment.

**Q75 Stephen Timms:** What is the expansion we are talking about over the next year in terms of staffing—

**Sir David Carter:** Do you mean in terms of the RSCs' capacity?

**Stephen Timms:** Yes. We talked about the expanding role. What is that expansion going to look like? How many more people will be working in the RSC, for example?

**Sir David Carter:** In the review that your Committee did when you were talking about the RSC role earlier in the year, I think you raised the concern about whether we would have enough resource to do this. That has been acted upon and we have increased the size of the offices, partly by creating new opportunities for people who have been working in the DfE to work in the regional teams. We have just completed recruitment at external deputy-director level from the system, which I very much welcome. The more people we have working with the regional schools commissioners that see the world through the lens of a headship the better. That capacity will certainly be in place by 1 September and some of those colleagues will start over the summer. We are growing the regional teams to ensure that the RSCs can move quickly in an expanding and more complex landscape.

**Q76 Stephen Timms:** Can you tell us how many people are working in the regional teams and what you would expect that to be in a year's time, roughly?

**Sir David Carter:** If I talk about the south-west, when I started in September 2014 I think we had nine people. When I left the south-west two months ago we were up to about 15 or 16. I would have to come back to you if you want more precise figures.

**Q77 Chair:** Would you mind sending us an organisational diagram of a typical regional schools commission as it looks now?

**Sir David Carter:** I have people behind me who are licking their lips at the prospect of doing that for you immediately.

**Chair:** That would be fabulous, David. We look forward to it. Thank you.

**Q78 Stephen Timms:** Some parents have told us that they have had concerns about their academy. They wrote to their academy and did not get anywhere. They raised it with the trust and did not get anywhere. They wrote to the regional schools commissioner and did not get a reply. Presumably they should have had a reply, should they?

**Sir David Carter:** Absolutely.

**Q79 Stephen Timms:** If they do not get a reply, what should they do? What recourse do they have?

**Sir David Carter:** While I want to hesitate to say that they should write to me, because I can imagine that will fill my inbox very quickly, I absolutely recognise that we have a responsibility to parents who want to talk to us about what is happening. It saddens me that the school and the trust did not respond. It frustrates me that the RSC office did not reply. When I know about those examples my team and I will follow that through. We cannot hide from parental concern and, in a system we know is not good enough yet, engaging parents is an important part of that.

**Q80 Stephen Timms:** If they write to you they will definitely get a reply?

**Sir David Carter:** Yes. Of course they will.

**Chair:** As it should be.

**Q81 Stephen Timms:** You mentioned the appointment of the deputy directors. Somebody has looked at those appointments and the salaries involved and reckons that they will be spending over £1 million a year on the salaries of those deputy directors. How would you justify spending on that scale for those posts?

**Sir David Carter:** The deputy director posts in the system were on average commanding a salary of £95,000. I wanted to ensure that we attracted people from the system who were working either as experienced heads, or chief executives or had had a very broad and varied career pathway, which would enable us to address the issues that we are now being asked to deliver and I was really pleased with the quality of the field we had and the volume of the field we had.

It is worth saying that the deputy director recruitment is one of things I am seeing changing. We are in the process of recruiting a regional schools commissioner for the West Midlands and we received 22 applications for that post, which is a significant shift from where we were two years ago. The notion of high calibre people wanting to work in the regional teams is something I have seen growing very quickly. I am very confident that, in spite of the cost, as you have outlined, we are going to get some quality people who will move this agenda forward quickly.

**Q82 Stephen Timms:** Having a role as the deputy of a team of 15 or 16 people, with a salary of £95,000 sounds a pretty attractive proposition. Tell us a bit more about the justification for it.

**Sir David Carter:** I thought when I said the words “deputy director” you might come back with that question. Deputy Director is a level of a pay grade in the civil service. I am very clear; I do not want deputy RSCs. I do not want to create a big government model in the regions. These people are not stand-in deputies for the RSCs. They will have specific core responsibilities in the team.

For example, in the south-west—it is the one I know best—what we have done is not appoint one full-time deputy director; we have seconded for a year two primary chief executives for three days a week each. That seems to me to be quite an intelligent solution, to get somebody from the south end of the region and the north end of the region to work together on that. Their role will be to shine the light on the areas in the south-west that we are worried about. For example, Poole and Swindon are areas I am concerned about. I would see them spending a significant proportion of their time working with those academies in those areas, doing what we have described as a deep dive around those core issues, which one RSC would not be able to do. If in terms of value for money we see standards in Swindon or Poole improve, I think it will be justified.

**Q83 Stephen Timms:** You have agreed to send us a note on the organisation. Will you also give us an indication of how many people you would expect to be in those offices in 12 months’ time?

**Sir David Carter:** Of course. Yes.

**Q84 Ian Mearns:** The answers you have given to Stephen in terms of the hierarchy of where correspondence should go, I would hope that your letterbox would never be full because, surely, your regional directors should be answering those letters effectively.

**Sir David Carter:** Correct.

**Ian Mearns:** Would you welcome the instigation of a schools ombudsman in order to take up those sorts of problems; someone who can have oversight of the management of a complaint?

**Sir David Carter:** I have not thought about that. If the outcome of that was that we improved communication with people who were concerned about it and improved standards in schools, then it would be worth considering.

**Q85 Ian Mearns:** At the moment with a maintained school if a parent has a problem they can write to the head teacher or they can write to the local authority. If there has been any malpractice or there is any sort of mismanagement or the policy has not been properly enacted, they can then refer to the local government ombudsman. With an academy school they would not have that recourse. Do you think that would be something—

**Sir David Carter:** The recourse does exist there in terms of the relationship with the EFA with those kinds of issue. It would not be accurate to say there is no parallel. There is absolutely a parallel, and the role of the EFA in terms of looking at issues around financial mismanagement or fraud or governance incapability is a very close relationship with the RSCs. So it is not quite the same but it would be wrong to say there is not a parallel.

**Q86 Ian Mearns:** The DfE was unable to provide us with data on some of the existing regional schools commissioners' KPIs—key performance indicators. How can we take seriously the claim that you are holding the regional schools commissioners to account for their performance if we do not have the data?

**Sir David Carter:** The KPIs that I was governed by in my role are effectively my KPIs as National Schools Commissioner, in terms of the national accumulation of that. They underpin the way that I am now holding the regional schools commissioners to account. I would be happy to talk to you about how I am doing that currently, if that would help to put some information in.

**Q87 Ian Mearns:** Is it your intention in that case to publish that data?

**Sir David Carter:** The KPIs will be published in the “Academies Annual Review” in the late summer, yes.

**Q88 Ian Mearns:** The KPIs will be published and the performance against those KPIs will be published also?

**Sir David Carter:** In the spirit of transparency, I don't see why we would not do that but that would be a decision Ministers would need to take.

**Q89 Ian Mearns:** In January the Department told the Committee that it had carried out a Year 1 review of the regional schools commissioners' KPIs. When will the revised set of KPIs be confirmed? Is that at the same time?

**Sir David Carter:** The Year 2 KPIs that I am working with now are the same as the ones that you would have seen in Year 1. You will remember that there was a debate that my predecessor probably contributed to. That was around whether there should be a KPI about the percentage of schools that were academies. I think there was a discussion about that. I think the introduction and publication of the White Paper, and the direction of travel that was set there, meant that was now a justified KPI. I think there was a concern that regional schools commissioners were incentivised to convert more academies. We are now in a position where we are trying to academise the system, so it feels logical that that one will be there and that is why it is there.

**Q90 Ian Mearns:** You will publish an annual report on the performance of the regional schools commissioners?

**Sir David Carter:** Yes, there will be one. The “Academies Annual Report” will stand for this year as well. I have been talking to Ministers about whether, as the National Schools Commissioner, I should have a section in that talking about the work of the regional schools commissioners in that, yes, very much in the way that Sir Michael publishes within his annual report the work of the regional directors in their regions.

**Q91 Ian Mearns:** The gentleman sitting next to you recently told us that parents cannot identify with faceless regional schools commissioners. How aware of the role of regional schools commissioners do you think parents are?

**Sir David Carter:** Yes, I read that with interest. It would be an interesting test: how many of Sir Michael’s team’s parents also know anyone other than him and possibly me?

**Ian Mearns:** Two wrongs don’t make a right. Come on.

**Sir David Carter:** Not always, no. Sorry, would you ask the question again?

**Ian Mearns:** How aware of the role of regional schools commissioners do you think parents are?

**Sir David Carter:** Probably not very. I am not that worried about that because I think the role of regional schools commissioners is in school improvement and school intervention. If you ask me about the parents in some of the academies that I have been directly involved, yes, they know exactly who I am because I have stood up in those meetings and addressed them. But if you are talking to me about other schools, they will know other people far better than I will. There is something about recognising that the remit of the regional schools commissioners is about holding trusts, heads and governors to account and being accessible to parents, but the fact that parents may not think my team and I are visible does not make us faceless bureaucrats.

**Q92 Ian Mearns:** As with Stephen’s letter going into the black hole of a regional schools commissioner and not coming out again, do you think parents should have the right, if they know who the regional schools commissioner is, to call them and make an inquiry or a complaint?

**Sir David Carter:** And they do.

**Q93 Ian Mearns:** They do. So, their numbers are readily available?

**Sir David Carter:** I don’t know. But answering your first question: when parents have been really concerned about something they have managed to get a message to me very quickly, yes.

**Q94 Ian Mearns:** In terms of openness and transparency, would it be your view that those numbers should be readily published by the DfE website or whatever?

**Sir David Carter:** I certainly think we should be working really hard around parental engagement and that is one of those issues I would want to look at, yes.

**Q95 Ian Mearns:** Last, from my perspective, it is a bit going back to where we were before. You have said that you think the optimum size of an academy chain would be 10 to 20 schools. I think those were the words you used: “optimum size”. That implies a landscape of about 1,500 academy trusts. That sounds a bit cluttered by comparison with what we have in terms of local authorities at the moment.

**Sir David Carter:** We already have 973.

**Ian Mearns:** So it could be a lot more than that?

**Sir David Carter:** It is going to grow, without a doubt. I am not convinced—in fact I don’t need to be convinced, it is a fact—if we were to place all the remaining maintained schools into our existing multi-academy trusts, the average size would probably be bigger than you describe and that does not sound sensible to me. We also need to remember that while this is looking at multi-academy trusts there is still a place in the system for strong standalone schools, both those that already are standalones and those that may choose to convert to that. I recognise that and I value the role that those schools will play. But the proportion of schools that are strong or weak are not equally spread around the country, so for me it is not about this being a top-down, imposed, model about size and scale and location; it will be about existing trusts proving they have the capacity to grow themselves to take on more schools that they can improve. That is the only issue I am interested in: is the school that is going to join your multi-academy trust going to be in a better place with you than where it is now?

**Q96 Chair:** Can I ask one question about data? This is going on from the KPI point but it is a more general question. How often do your organisations—and you two in particular—compare and contrast your understanding of performance of schools in regions and in areas?

**Sir Michael Wilshaw:** The data is common to both and shared between the regional schools commissioners and us.

**Chair:** But interpreting it?

**Sir Michael Wilshaw:** The RAISEonline is the bible of school performance. The RAISEonline data that comes out on individual school performance, which looks at things like outcomes, progress levels, attendances, that is shared between the two of us.

**Q97 Chair:** My question is not so much what the data is but how often do you compare and contrast it in your own organisations and between each other?

**Sir Michael Wilshaw:** We look at it within our own organisation all the time. Every time we inspect a school the lead inspector will have all that data and draw up what is called a pre-inspection briefing before the inspection takes place. We have that data at Ofsted. It is open and it is public and David’s team would have it as well.

**Q98 Chair:** Yes. What I am really getting at is you both have the data, you both understand the data, but how often do you exchange views about the data?

**Sir David Carter:** Let me see if I can help you with that. The first answer to your question is that the RSCs meet every month. I have called the first item on the agenda “the data

download” and that is exactly what we do. We compare region performance with the regional schools commissioners in the room and shine the light on the areas where it is not strong enough.

The second part: one of things that you will be aware of, although we have not talked about it explicitly this morning, is that I oversee the nine largest national sponsor groups in the country—now they are one point of contact with me—and helpfully Sean Harford, the National Director of Education in Michael’s team, and I both look at the same trusts. We share data together in that respect.

It would also be true to say that for the regional schools commissioners collectively, when I meet with them and I am leading them, we are not looking at individual school performance necessarily; we are comparing MAT performance and performance region by region. So the answer to your question, because I know you like quick answers, is the regional schools commissioners look at that comparative data every month.

**Chair:** Thank you.

**Q99 Suella Fernandes:** Ian, my colleague, asked you about the number of MATs and you said there was a forecast for it to increase. Could you say a bit about the dynamic of competition that is generated by having more providers in a geographic area, from your experience of looking at standards? What does it mean and what effect does it have?

**Sir David Carter:** To answer that question, I would probably need to go back to when I was a chief executive myself to illustrate that. The juxtaposition of competition and collaboration is a very interesting one, and I think it is naive for people to think that in a multi-academy trust, which is high on collaboration, it is not also competitive. That is not your question. You are talking about competition between schools and between MATs.

**Suella Fernandes:** Yes.

**Sir David Carter:** Take Bristol, for example. When I moved into Bristol as a head in 2003 the performance of Bristol’s secondary schools put them third from bottom of the entire local authority league table. A year ago, on 2015 data, I think Bristol was just outside the top 20, so a significant improvement in the city. I think that is a success story but of course there is still more to be done. One of the reasons why I think that was successful was that in the Bristol secondary community there were three multi-academy trusts: Cabot Learning Federation, which I led, the Merchant Venturers in the south of the city, and there were three Oasis Community Academy Trusts in Bristol. While we were very competitive together, we also sat down every term and compared what we were doing and sharing some of our strategies. By the end we were beginning to share staff, share governors and have some joint sessions together with leadership teams.

I think you can have collaboration and competition co-existing alongside each other, and while that is not the only reason why Bristol standards rose, I think it was an integral one that that group of leaders, those three CEOs, those three boards, recognised that we were educating a city. One of the challenges I see in other big cities around the country is that the heads talk about educating a city but they do not really mean it. In Bristol, it really happened.

**Q100 Catherine McKinnell:** Headteacher Boards make decisions about the conversion of maintained schools. Why can't headteachers of maintained schools stand for election to the Headteacher Board or vote in those elections?

**Sir David Carter:** Let me just bring one slight point of clarity. You might think this is being a bit pedantic. They do not make decisions. The RSCs make the decisions and are advised by the Headteacher Board. I think that is quite an important distinction. The remit of the Headteacher Boards when they were conceived was when RSCs only had a remit within the academy and free school environment. At that point in 2014 we were not working with maintained schools, other than where a directive academy order had been issued to become an academy. The landscape that we have now is changing but, you are right, it is still predominantly academy heads who are taking part in those boards.

Membership of the boards is interesting, though, because while we stay loyal to the principle of calling it a Headteacher Board, members of Headteacher Boards are not current headteachers, they are directors of diocesan and education groups. There are two non-executive directors from business who are on boards who have been appointed to bring that level of capacity to it. The reason and the answer to your question is that when it was set up—and the remit has not been changed—it was for academies to elect academy heads to serve on the Headteacher Board.

**Q101 Catherine McKinnell:** But there are no former headteachers of maintained schools that are allowed to stand for election or to vote in the elections. It strikes me that while the Government talk about increased autonomy into a school, and particularly high-performing schools, this is an example of where headteachers who choose not to convert to academy status, therefore, are precluded from taking part in decisions that will have a huge impact on their local area. It seems that it is potentially missing out on some of that expertise and insight.

**Sir David Carter:** I have done what I have tried to do all morning, which is to answer the question you put to me. I will tell you what happens in addition to that. The Headteacher Boards bring that local intelligence to the board decision-making process and they work in their communities with local authority maintained heads. There are regular dialogues between the Headteacher Board members who are in the academy world with local authority maintained schools. In fact, in quite a few of the examples in my last one to ones with the RSC, Headteacher Board members were setting up meetings in their trusts for maintained schools to come and find out about what it is to be in a multi-academy trust. It is not as black and white as my answer to your first question is. There is a good dialogue with the maintained sector but, as you rightly point out, the decision-making at the Headteacher Board level is still from people from the academy world or beyond that.

**Q102 Catherine McKinnell:** Presumably, those decisions affect schools within the maintained sector as much as those schools within the academy sector?

**Sir David Carter:** But those decisions are not taken in isolation just in board meetings. When a regional schools commissioner is talking about a particular multi-academy trust that a maintained school would join that conversation with the head teacher will have happened: that conversation about the implications of that, the conversation about what the

school feels about that sponsor match is taken into account. It is just not taken into account in the Headteacher Board meeting.

**Sir Michael Wilshaw:** I think those Headteacher Boards are important. I presume they are made up of good and outstanding leaders of academy schools. One of the concerns my regional directors have is that they are not being used as extensively as they should be in supporting schools that are declining. I have already said at this hearing that my major concern is that, if intervention is not quick enough, then we will have a larger number of academies going into special measures. It is absolutely vital that these Headteacher Boards support schools, lead professional development and training, and help schools to improve. One regional schools commissioner obviously cannot do that or a deputy cannot do it. You need a number of good headteachers to be able to weigh in and support headteachers.

**Sir David Carter:** For the record, just so that it is accurately notated, Headteacher Boards do do this. They do work with individual schools and they report back to the Headteacher Board what is happening.

**Q103 Catherine McKinnell:** I will ask one more question on that. One aspect that I think is being forgotten, in terms of the future landscape, is the number of primaries that are currently within the maintained sector that are going to be affected by the rollout of academisation, which seems to be inevitable given it is the Government's agenda. Do the regional school commissioners, therefore, risk missing out on the expertise of good and outstanding headteachers from primary schools that are excluded from the Headteacher Board process or Headteacher Board voting and elections? They may be consulted, but that is a different role.

**Sir David Carter:** Yes, I understand that. My honest answer is I don't think they are excluded from that. I am sure there will be people around the country who will turn around and say, "That is not happening in my region", but I know that the conversations that we have with outstanding heads of maintained schools is about the contribution we need them to make to the system, through the academy world and ideally through becoming sponsors and setting up their own multi-academy trusts. In some areas that has been successful, in other areas it has been difficult, but the notion that they are excluded from the conversation in the round is not true. I know you are not saying that.

**Q104 Catherine McKinnell:** I have not said they are excluded from the conversation. You say they do not make decisions, but they ultimately do take decisions as a board that then inform the school commissioners on what decisions they take. It is obviously important in terms of their role, and I think to allow conversations with maintained school headteachers but not actual decision-making seems to be a missed opportunity.

**Sir David Carter:** No, I understand that. The point I am making here is that primary maintained schools come to the academy world through two routes. They come through the route where they choose to convert and, therefore, they have made that choice. What they want the Headteacher Board to do is to approve their decision. Or they come through it because the school has failed and they are becoming a sponsored academy. Therefore, the Headteacher Board has to get that sponsor match right. It is a multi-complicated decision process, but for me it is really simple. There are two routes to a maintained school becoming an academy and those really good schools, which you have described,

choose to make that process with us. They choose to come and engage about becoming an academy.

**Q105 Chair:** Can I clarify this about the Headteacher Board? You did say before that they were advisory and then we have just heard that they have decisions to make about whether or not—

**Sir David Carter:** They hold the regional schools commissioner to account. The RSC is the agent of the Secretary of State in the regions. Therefore, the RSC is making the decision. The Headteacher Board is there to hold that RSC to account for the decision and make sure it is done well and robustly.

**Q106 Chair:** I think the confusion arises from the word “board”. Normally, it means a decision-making structure with formal minutes and all of the rest, whereas our understanding—certainly when we did the RSC report ourselves—was that it was more of an advisory operation. Perhaps it should be renamed to reflect that.

**Sir David Carter:** If it would help the Committee, I will write to you and give you a very clear outline of the remit of the Headteacher Board, which I think will address your question about the membership of it.

**Chair:** Are you happy with that, Catherine? Yes. Right, unregistered schools, Lucy, and I suspect Sir Michael is going to be answering some of these questions.

**Q107 Lucy Allan:** Sir Michael, I have in front of me your letter to the Secretary of State of 15 May talking about suspected illegal schools. Certainly, I found the tone of it quite alarming. Could I ask you: of the suspected illegal schools identified, how many cause concern due to potential extremism and radicalisation, or what proportion if that helps? I don’t know what the number is.

**Sir Michael Wilshaw:** We found nearly 150 illegal schools.

**Lucy Allan:** But radicalisation and extremism specifically? Because in your letter, just to help—

**Sir Michael Wilshaw:** In some of those illegal schools we have found inflammatory literature. We have found teachers and support workers who have not been vetted and there are obvious dangers there. Have we found children that have been proactively radicalised? No, we haven’t, but they are obviously vulnerable in a setting that is unregulated and unregistered.

**Q108 Lucy Allan:** Of those suspected of being illegal for other reasons—that is, not related to extremism, radicalisation, leaflets, and so on, potentially some of the health and safety reasons that you talk about in your letter—does Ofsted also consider the service that these organisations provide to local communities? The idea of criminalising an organisation because of fire hazards and hygiene seemed rather alarming to me.

**Sir Michael Wilshaw:** We are talking about large numbers of children in these institutions. These are not one or two youngsters being educated at home. They are being educated in warehouses, the tops of offices, factories, and so on. I outlined some of the unhygienic

conditions in which these children were found, so they are at risk. Just going back to your issue of—

**Q109 Lucy Allan:** At risk of what? Not radicalisation in this particular case?

**Sir Michael Wilshaw:** If you were somebody who wanted to radicalise children, then you would not go into a mainstream school where there are the necessary checks and balances and vetting that we insist upon. You would go to some of these places and try to do your work there. That is what we are bringing to the attention of the public and to the Secretary of State that large numbers of these institutions are growing up and down the country.

**Q110 Lucy Allan:** But not necessarily institutions that are in any way related to extremism or radicalisation?

**Sir Michael Wilshaw:** No, not necessarily so, no, but we have found in some of these institutions literature that is inflammatory literature, that is homophobic literature, and which would not be allowed in a mainstream school.

**Q111 Lucy Allan:** Do any of these organisations provide a positive benefit to the community in terms of providing, for example, after-school training for children that might want to have additional help outside of the mainstream setting?

**Sir Michael Wilshaw:** These are schools that are running for the course of the day. They are running for more than 20 hours a week. These are not supplementary schools. These are not madrassas or Sunday schools. These are alternative schools that are being set up by parents who want to associate with each other to set up these institutions because they want to opt out of mainstream provision. We are worried about that because they are not regulated. They are not registered. We are finding these sorts of things in these places, and we know that one or two of the proprietors have had links with extremism.

**Q112 Michelle Donelan:** Blending on from that theme, Sir Michael, in January you suggested that Ofsted inspectors could inspect Sunday schools, which was contrary to the Prime Minister's statement on the matter. You said that where a young person attends a religious setting this setting has to be registered and then can potentially be subject to inspection. Do you still stand by that comment?

**Sir Michael Wilshaw:** No, I do not stand by that comment. It was something I said on a radio programme. It seemed to me that if there was a concern about supplementary schools and after-school settings, then one could not identify one particular religious group for that. It is an issue for the nation as to how you deal with this in an even-handed and fair way.

**Q113 Michelle Donelan:** The consultation suggested that over six to eight hours would be the benchmark. Do you agree with that then?

**Sir Michael Wilshaw:** I certainly do and these illegal schools that are operating are operating for much longer than that. It is an issue for the Government. We will do what the Government want us to do, but if the Government want us to inspect supplementary schools, then the criteria for that inspection needs to be very clearly laid out.

**Q114 Michelle Donelan:** From your position of knowledge and expertise and the experience that you have had, do you not recognise that this would open not only a can of worms but a great deal of problems in terms of cost and manpower of inspectors, the potential for a lot of call-ins from people that are concerned, people that do not quite understand? You would have to be training inspectors to have a detailed understanding of each religion, because each religion has an element that from outside could be viewed as extremist just because of the lack of understanding. In addition, these organisations are run by volunteers, so anything that we do that deters people from volunteering to run something is—

**Sir Michael Wilshaw:** No, I understand all that and I have spoken to a number of MPs about their concerns about what Ofsted has said and what Ofsted intends to do. This is an issue for the Government. If the Government are worried about what is going on in some supplementary schools and in some unregistered schools and wants us to inspect them, they have to lay out the criteria for that.

**Q115 Michelle Donelan:** Looking ahead for, say, 10 or 20 years for your role, do you not think that your role could have morphed into something that is far too much of a big brother state that we will be inspecting practically everything eventually? Do you not see that there needs to be a full stop?

**Sir Michael Wilshaw:** We inspect enough. We do not want to inspect more. The whole point about my concern about illegal schools and unregistered schools, the reason why I have taken this up, is because local authorities are not doing their job properly. You talk about the extension of our inspection remit, but we would not have to do this if local authorities, who are responsible for safeguarding across different school structures, were doing their job properly. They would know where these children are going and they would go in and find out what is happening in these individual institutions. They are not taking their duties responsibly. They are not doing their job properly. That is why Ofsted is being given these additional powers and that is why Ofsted is being given additional resource to appoint a number of specialist inspectors to look at what is happening in areas that we are concerned about.

**Q116 Ian Austin:** On this question of unregistered schools, where children are at risk of radicalisation and where extremist or homophobic literature, or whatever it is, is being provided to the kids, specifically where are those schools? Who is running them and what have the Government done since you reported it? Have you reported those specific schools to the local authorities and what has the relevant local authority done about that?

**Sir Michael Wilshaw:** The local authority knows of our concerns. These schools are operating across the country. We found the largest number in London, but there are a significant number in the West Midlands, the East Midlands and the north. I know the Government are concerned about it and that is why they have given us additional resource. The local authorities have been alerted to these institutions and accompany inspectors when they visit to find out what is happening there. We are in the process of taking legal action against a number.

**Q117 Ian Austin:** Is that public? Have you named them publicly?

**Sir Michael Wilshaw:** No, we haven't.

**Q118 Ian Austin:** The ones that you suspect are illegal and providing kids with extremist or homophobic literature, you have said, what is the barrier to naming those specific schools?

**Sir Michael Wilshaw:** They are not schools. These are places set up by parents who want to opt out of mainstream provision.

**Q119 Ian Austin:** What is the barrier to saying where specifically it is happening?

**Sir Michael Wilshaw:** They are not given a particular name. We have identified one in the West Midlands, where we believe that proprietors are acting illegally and teaching children beyond the statutory limits. Where we find nasty stuff going on we will prosecute. We have been given the powers to gather the evidence to work with the Crown Prosecution Service to prosecute.

**Q120 Ian Austin:** I agree with that and I welcome it, but is there a barrier?

**Sir Michael Wilshaw:** I don't think there is a barrier, but the trouble is these places do not have names.

**Ian Austin:** We do not even know where. You just said the West Midlands. It could be anywhere. That could be from Stoke-on-Trent to London.

**Chair:** Ian, I think if there are prosecutions and things in action, then we do not want to probe further than we just have.

**Sir Michael Wilshaw:** The point I want to make is we have taken this up. We do not particularly want to have an additional burden or additional—

**Ian Austin:** I am not criticising you for taking it up. I am asking for more—

**Sir Michael Wilshaw:** No, but we are doing this because local authorities are not being proactive in this area where we have major concerns.

**Chair:** We have noted that and it is a very strong and good point. Lucy, home education, which is not too far away from this either.

**Q121 Lucy Frazer:** Yes. Would you have a register for home-educated children to help reduce the number of unregistered schools?

**Sir Michael Wilshaw:** The local authority hold that register. We do not hold that register.

**Q122 Lucy Frazer:** There is one?

**Chair:** They do not hold the register? Should they?

**Sir Michael Wilshaw:** They should have and part of our inspection of local authorities' children's services social care inspections would want to look at the number of children that are educated outside mainstream provision.

**Q123 Lucy Frazer:** With a view to what exactly?

**Sir Michael Wilshaw:** Sorry?

**Lucy Frazer:** What would be the purpose?

**Sir Michael Wilshaw:** To see how many children there are and whether the local authority does visit the home to find out what is happening.

**Q124 Lucy Frazer:** A number of members have talked about whether you should be focusing in on those who are causing significant harm. You mentioned just now you are prosecuting one person, and you said that there were one or two schools or learning establishments with extremism materials. Would it be better to crack down and focus your energies on those who are behaving unscrupulously rather than imposing a burden on everybody who might be doing legitimate stuff?

**Sir Michael Wilshaw:** When you say “legitimate stuff”, what do you mean?

**Lucy Frazer:** I mean teaching children the right things.

**Sir Michael Wilshaw:** Then they should register with the Department for Education. That is the issue. If they want to run a school, if they want to run an independent school, then they should register with the local authority and register with the Department for Education, which is the registration authority. The local authority should know about it and Ofsted would know about it and we would inspect. These people are operating in the shadows.

**Q125 Lucy Frazer:** Are you talking here about children who are doing this as an alternative to mainstream school, not just the Sunday schools but the supplemental education that children get?

**Sir Michael Wilshaw:** A significant number of parents do not want their children to attend mainstream school for a variety of different reasons but particularly religious reasons where they do not want them exposed to equality issues, they do not want them exposed to a wider curriculum, music, drama and so on, and they have decided to opt out and have gathered together with other parents to set up these places.

**Chair:** Okay, thank you. Stephen, one last question about regions.

**Q126 Stephen Timms:** Yes. It seems a bit odd that the Ofsted regions are different to the regions that the school commissioners look after. Would it be more sensible if the regions for both were the same?

**Sir David Carter:** My experience from the last 18 months is that the regions are working. There is an overlap. In fact, the only one I think that is the same is the south-west, so it was not such a difficult challenge for me in that area. I welcome the fact that, for example, in the London area the three RSCs who have parts of London in their remit had the opportunity to take some of the strong London practice out into the other parts of their region, towards Medway or towards Lowestoft. I think there is something about: if the Ofsted and the RSC regions were exactly the same we might be falling into the trap of the big Government issue of all the big players looking in the same area. I think it is helpful that we have some cross boundaries.

**Q127 Stephen Timms:** It seems very strange that there are two important organisations responsible for education and they are working on different regional boundaries. Sir Michael, would Ofsted find it more difficult?

**Sir Michael Wilshaw:** I think I responded to a question on this at one of your earlier hearings. We would like it coterminous between what we do and what the regional schools commissioners do.

**Chair:** Okay. Thank you both very much indeed. We are looking forward to the organisational charts, David.

**Sir David Carter:** I can tell.

**Chair:** Indeed, and also more detail about this issue of what constitutes adequate school improvement within a MAT for it to expand, because that is a big area that we are looking into. I would like to thank you both very much for coming along. We hope to continue this dialogue in this forum or in others, because it has gone extraordinarily well. Thank you very much indeed.