



Education for 11-16 Year Olds Committee

Corrected oral evidence: Education for 11-16 year olds

Thursday 22 June 2023

11 am

[Watch the meeting](#)

Members present: Lord Mair (In the Chair); Lord Aberdare; Lord Baker of Dorking; Baroness Garden of Frognal; Lord Johnson of Marylebone; Lord Knight of Weymouth; Lord Lexden; Lord Storey; Lord Watson of Invergowrie.

Evidence Session No. 11

Heard in Public

Questions 105 – 118

Witnesses

I: Amanda Spielman, Chief Inspector, Ofsted; Chris Russell, National Director for Education, Ofsted.

USE OF THE TRANSCRIPT

1. This is a corrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witnesses

Amanda Spielman and Chris Russell.

Q105 **The Chair:** Good morning and welcome to this evidence session of the Education for 11-16 Year Olds Committee. My name is Robert Mair, and I am standing in for our Chair, Lord Johnson, who is attending remotely. I would like to thank our witnesses for joining us today. A transcript of the meeting will be published on the committee's website, and you will have the opportunity to make corrections to that transcript where necessary. Would you like to start by introducing yourselves?

Amanda Spielman: Since this is a formal session, I will say that I am His Majesty's chief inspector of education, children's services and skills.

Chris Russell: Good morning. I am the national director for education at Ofsted.

Q106 **The Chair:** I will kick off with the first question. To what extent are Ofsted judgments about the quality of the school's education in the 11 to 16 phase based on that school's performance against the headline key stage 4 accountability measures, particularly Progress 8 and EBacc entry?

Amanda Spielman: As you are aware, inspection is a holistic process; it is not a compliance checklist with a number of points assigned to each item and you add up the score and get to the bottom. It has worked in this way for many years. We have an inspection framework that lays out four key judgments that sit underneath the overall effectiveness judgment, the most significant of which is the quality of education judgment. There is also leadership and management, behaviour and attitudes, and personal development, and the inspection time is distributed among those.

I think I am right in saying, Chris, that approximately half of inspection time goes on the quality of education judgment itself and the remaining time is distributed roughly evenly between the other key judgments, with a lot of time for feedback and keep-in-touch meetings, and so on. There is no express weighting. In a graded inspection, inspectors come to a view on the appropriate judgment for each of the four, taking into account the list of 10 or so factors laid out in the inspection framework, each of which they will have given time to in the professional dialogue with school leaders and others.

Chris Russell: Would it be useful to explain how we use that data on inspection? I would say that there are two ways in which inspectors use that. First, they set up the inspection. Although we have a framework and a handbook and we want consistency, we also want to adapt our approach to the particular circumstances of the school's situation. When we set the inspection up with the headteacher, part of what we feed in is what we have seen in our data report. That does not mean that we make our judgments at that point, but it might highlight areas that it would be good to look at, such as particular subject areas that have improved

recently, which are often a good choice for a deep dive, or weaknesses where it is good to see what the school has been doing about them.

We use the range of data in setting up the inspection, and it is one of the sources of impact in the quality of education judgment. We look at the curriculum, how it is taught, et cetera, and its impact. Clearly, one of those impacts, and an important one for a young person, is the results they get at 16, but, as Amanda has said, it is not an algorithm. We do not make a judgment just on that; we would never make that judgment. We factor that into the other evidence that we collect, and the focus of inspection is very much to collect that first-hand evidence based on our discussions and what we see in the school.

Amanda Spielman: Part of your question was about measures. In the context of secondary schools, Progress 8 is the measure that clearly carries the most weight among all the measures. It is the headline measure that the Government use. It is the most widely considered in schools. Everything else in discussion comes some way behind Progress 8, but it is very important for us that we do not become overreliant on a quantitative measure.

We all know how much assessment has been disrupted in the last three years. We did not even get the school results for 2020 or 2021. Those were completely suppressed by government and were neither published nor given to us for inspection. For the first 15 months when we were back to routine inspection, from September 2021, we were, in fact, inspecting with no recent results at all; the 2019 results were the only information we had.

From December 2022, we had the 2022 results, so inspectors now have a data report, but the DfE published those results with a heavy caveat on the top. I cannot remember the exact wording, but that assessment was still somewhat disrupted, and the results, to put it colloquially, should be taken with a pinch of salt. We are therefore correspondingly careful not to place more weight on them than we should at this stage.

Chris Russell: Inspectors are also very cognisant of the fact that the data they are looking at represents the students who have gone beyond 16, who have moved on. By definition, they are historical. They reflect the experience of those students over the five years when they are coming through. So clearly things can change over time; they can get better or worse. Inspectors are also very aware of that. By definition, they are historical when an inspector looks at them.

Amanda Spielman: What is happening in years 7, 8, 9, 10 now is also very important. It is not just about last year's departed year 11.

Q107 **Lord Knight of Weymouth:** First, I should say, for clarity and transparency, that I have an interest to declare. I am working for the National Education Union in leading an inquiry into the future of school inspection.

Amanda, it is interesting to note that the inspection handbook contains

plenty of references to EBacc, but very little indeed on Progress 8. That slightly jars with what you just said, but it is fine. I completely understand what you are saying about Progress 8.

Amanda Spielman: I am only aware of one reference to Ebacc—there may be others—but it is essentially that the Government have set a national expectation of 90%. We do not translate that into an expectation for schools, because it is not a value-added measure. There is no basis on which we could link a national ambition of 90% to an appropriate aspiration for an individual school. To the extent that it comes up, it is in the context of a school offering a broad and balanced curriculum to all pupils to age 16, not as a thing in itself.

Lord Knight of Weymouth: Would there be any impact in removing that reference to the national ambition from the framework?

Amanda Spielman: It is part of looking at that broad and balanced curriculum. It is one way that government has established. Under the 2006 Act, I think I have an obligation to have regard to government policy. I cannot remember whether you were Schools Minister at the time, Jim.

Lord Knight of Weymouth: I had regard to it. Obviously, as a non-ministerial government department, it does not mean that you are slave to it.

Amanda Spielman: We are certainly not slaves to it, but the wider principle of a good curriculum is very important. When we were consulting on this framework, there was widespread recognition that sometimes the curriculum was narrowed prematurely and not in students' interests, and that it was important to get underneath headline outcome measures to look at whether children were getting an education with substance where choices were made with integrity. That is our ultimate aim: to ask whether what is happening is the right thing for children.

Lord Knight of Weymouth: With your independence from the department, was the 2019 framework, with its new emphasis on curriculum, in response to a perception that you and Ofsted may have had that the overemphasis on the accountability measures and test scores were skewing the experience of schooling for children, that they were being prevented from having the broad and balanced curriculum that we all want, and that, through inspection, you were able to rebalance back in the right direction?

Amanda Spielman: There were concerns that the previous inspection framework was heavily founded on results. One of the four key judgments at that stage was on outcome. That was not narrowly just the Progress 8, or five plus before that; it was broader than that. But there was a strong sense right through the sector that there was too much emphasis on results and not enough on how they were achieved and whether the right things and the right conversations were happening. Inspection was intensifying the results pressure rather than

complementing the way in which performance tables act in the system, so we gave explicit thought to how to make sure that the wider set of regulatory levers added up to as constructive a set of incentives as it could.

Lord Knight of Weymouth: Since 2019, we have had the disruption of the pandemic, so it is quite early days to make judgments on how well the framework is working in practice. The personal development element of the framework is also a significant change. Was that a reflection in your consideration of a sense that we have an overly academic curriculum and that there was a danger for children's wider development that the personal development of children was being ignored and therefore that you needed to insert that into the framework to compensate for an overly academic emphasis?

Amanda Spielman: No, I do not think that is quite right. Previously, personal development was wrapped up with behaviour and welfare in a single key judgment, and four key judgments underneath an overall judgment makes for a manageable system. Releasing the one that had previously been outcomes and building that into quality of education left us with the space to unpack the slightly unwieldy personal development, behaviour and welfare into separate behaviour, attitudes and personal development. The breadth of education matters. Getting wider experience matters.

Have we not all seen through Covid quite how much the wider experience of school, as well as success in the core academic programme, contribute to children's well-being? I worry when I hear people talking as though well-being and academic education are alternatives. It is important to understand that well-being is an outcome of getting education right, of doing well in all the things that all children know are the foundations of success in life, including the wider experience, the breadth of participation in sport, cultural activities, having friends, having good relationships with adults. Well-being is what comes out of all that. It is not a thing that you do at 9.15 on a Friday morning.

Lord Knight of Weymouth: I have a lot of questions left. The first flows out of that. As I have said, it is early days for judging the framework, but you are in schools every day seeing what is going on in children's and teachers' lives, and we can see real problems in retaining teachers, in persistent absence, in a rise in mental health challenges among children. Are we seeing a picture post pandemic?

This inquiry has been instigated in part because all the reports, particularly from employers, have said that the output from our education system as a whole is not meeting the labour market needs of our economy and is not equipping children well for the green, digital future that we see coming at us very quickly. Do you have any reflections on where we are and whether, in particular, the curriculum that you are inspecting so assiduously is serving us well?

Amanda Spielman: There is a lot rolled up in what you have just said. First, there is no question that the last few years have been hugely disruptive for children. At the Education Committee in April 2020, I started talking about the potential impact of the closure of schools on many fronts, and I have talked about that throughout. We are now seeing the impact, partly in lost education, but also, as you say, in mental health problems. For the vast majority of children, the return to school, the restoration of normal life, is gradually having the desired effect and is helping to focus the limited resource of CAMHS services on the children who really need it, for whom re-establishing all the structures, routines and interactions that help to give them psychological strength will sort things out, but it is a difficult time.

I have also talked a lot about the disruption to the social contract. Regular attendance over a sustained period is important to make sure that the vast majority of children get the full benefit of schooling. It is not something that you can dip in and out of and expect to get the same benefits, but unfortunately it is very clear that for many families the default presumption is now, "If in doubt, keep the child at home. Let them stay at home if they don't want to be at school". We have a huge rise nationally in the proportion of children missing a significant amount of school. As far as I can see, schools are working extremely hard on that. It probably took more than a century to establish the cultural norm that you do not take your child out of school whenever you feel like it, and it will take time to reset that.

Lord Knight of Weymouth: Is the curriculum failing to engage children and deliver what they need?

Amanda Spielman: I do not think the curriculum is failing to engage children. What engages children is the sense that they are really learning, and when they feel that they are doing things that do not have value, when it feels sterile and performative, it is very unsatisfying. When they have a sense of accomplishment and feel that they are learning new things, that they can do things that they did not even know were possible to do a few months ago, the satisfaction comes and the horizons start to open. You mentioned digital skills and the green economy. That is a tremendous example. The green economy is a profoundly technological one, and it builds on the foundations of mathematics, science, design and technology.

Lord Knight of Weymouth: Engineering and technology are both subjects in decline.

Amanda Spielman: I have talked repeatedly about the long-term decline in design and technology. Maths and science in schools seem to be in fairly healthy shape, subject to the teacher recruitment that you have talked about. Design and technology seems to have been in decline for almost 25 years. If you trace through GCSE entries, you can see a steady decline going way back. People assume that a lot of it relates to EBacc, but if you look at the long-term trajectory you can see that at

least half of that decline is pre 2010. It has just carried on declining since then.

I do not think that anybody fully understands why, but, again, if you look at the landscape of qualifications taken, the children who might have been taking design and technology are most likely to be doing things like BTECs in personal finance, sports studies, et cetera. Somehow the technology piece seems to be hard. In a world where we attach great importance to individual choice, I am concerned that not enough children are choosing the paths that would appear to put them on the best track for strong technological education post 16.

Q108 Lord Knight of Weymouth: I share that concern, but I am not going to get distracted by it. I am stretching the patience of the committee, so let me ask my final question.

The inspection framework has four elements, which all feel important to me, and I am sure they feel important to you, otherwise they would not be there. If single-word judgment was no longer part of the way the department manages the school system by re-brokering schools into academies and other MATs, why would we not get parents to read the outcomes of all four elements of the framework, rather than have a single-word judgment?

Amanda Spielman: I have constantly stressed the importance of the key judgments and encouraged people to look further. I have encouraged Ministers in DfE to do so in the context of their decision-making, stressing the importance of the leadership and management judgment when deciding on interventions. If a school has an RI judgment overall but has been graded good for leadership and management, that says that the team in charge is doing the right things and has the capacity to do what is needed.

Lord Knight of Weymouth: Yet a school that is good in leadership and management but is RI overall will still get re-brokered if that is its second RI, because that is what the system says.

Amanda Spielman: That is a question for people in other places. The inspectorate model is very long-standing. We have a very similar set of judgments to those used by the CQC and in prisons and the probation service. There is a default inspectorate standard. I have been worried by some of the discussion I have heard in recent months. There are people who would not be happy if you said that there were significant failings in their local hospital but that that should be kept secret and the public should not be allowed to know, but that is the logic that seems to be applied sometimes to inspection: that we should not report or make judgments as it is not fair to do so. There is a national framework of inspection that goes far beyond schools. There is an established model throughout government, which means that public services are scrutinised in this way. You are right, though. There needs to be a balance between individual key judgments and overall judgment.

We also know from all our surveys, in which we track parent views fairly regularly, that parents value the simplicity and clarity of the overall judgment. Of course, there are perspectives from the school sector, but what often gets lost in the narrative is that inspection in the modern era—over the last 30 years, at any rate—was set up primarily in the public interest and to inform and assure parents, and secondly to give Governments and all the controllers of schools at various levels the information and assurance they want in order to provide legitimacy for interventions of various kinds when they decide to make them.

I have done everything I can in that policy structure to make the process as useful and rewarding as it can be at the receiving end. An explicit premise of the current inspection framework is to maximise the space for real professional dialogue with leaders. We are doing a formal evaluation programme, but the feedback so far is that the framework, and the balance, emphasis and dialogue that it promotes, is very welcome to the sector. It is seen as a significant step forward.

Lord Knight of Weymouth: I am resisting the temptation to come back any more on that matter.

Chris Russell: I would like to add a small point that I think came up in the previous question. As you say, clearly we need to evaluate the EIF, which was disrupted because of the pandemic. We can certainly say that it focuses on strength across the breadth of subjects, and we have seen it having an impact on what schools are doing across the range of subjects to ensure that they have strength in all those subject areas. Clearly, that is a real positive.

Lord Knight of Weymouth: I cannot help but ask whether you notice any trend in the amount of time that is devoted particularly to creative subjects in the timetable and the quality that is being delivered.

Amanda Spielman: I can say a little about that from some of the work we have done scrutinising GCSE entries. Very broadly, art is enduringly popular and seems to sustain itself. Going around almost any school, you will see activity and creativity in full flow. There has been a significant shift in the nature of activity in music and performance. The conservatoires, for example, feel that there are far fewer people coming through with music GCSEs and the kind of music education that prepares students for that path. On the other hand, there are far more people doing a BTEC in music technology or performance arts, so there has been a shift in mix and emphasis. The real drop-off can be seen in the technology subjects.

Lord Knight of Weymouth: Going beyond the data from exam entries to what your inspectors see, is the richness at that end there?

Amanda Spielman: We have published a science report, and we have history and maths reports coming out next month. From September onwards, we will be publishing reports on every national curriculum subject apart from citizenship, which is picked up in the personal

development report. We are aiming to get a full set of subject reports that will give that perspective on each subject.

- Q109 **Lord Baker of Dorking:** To achieve a good or outstanding grade, you say that pupils must be “ready for the next stage of education, employment or training” and “gain qualifications that allow them to go on to destinations that meet their interests, aspirations, and the intention of their course of study”. Those are your words. How are these expectations balanced with the requirement that a school should “have the EBacc at the heart of its curriculum”, rather than promoting more creative, technical or vocational and cultural qualifications?

Amanda Spielman: You are setting up as alternatives things that I do not think are alternatives. At key stage 4, children typically take nine or 10 subjects. That leaves ample space for a humanities subject and a language, alongside design and technology, computer science, a BTEC in engineering—whatever that child may decide to pursue. There is an unhelpful tendency to present them as mutually exclusive.

We have a slightly confusing system, because essentially we have a three-phase secondary education—11 to 14, 14 to 16 and 16 to 19—when most countries have two, so there is an ambiguity about how we see 14 to 16. However, in the French Brevet taken at the same age, there is an expectation that everybody will do history and geography as well as a foreign language.

In practice, a very large proportion of pupils do study a humanities subject to age 16, but only a minority of pupils are taking a language to GCSE. Ever since it ceased to be a national requirement for key stage 4, the proportion of children taking a language, which is perceived as hard, has dropped off. Well under 50% of children are taking a language GCSE. Over 85% of schools are currently graded good or outstanding, but we recognise the reality that we are a long way short of having everybody in the country take a language to age 16.

Lord Baker of Dorking: May I say that your reply reinforces the fact that the inspectorate under you has become the main buttress of EBacc—there is no question about that. There has been a big drop in design and technology, because people do not want to do technology. With great respect, Amanda, what you say is rubbish. The UTCs are full of students—around 20,000 of them, unless you are going to turn them all away—who want to do technology.

Similarly, with vocational and/or cultural subjects, their numbers too have dropped. You mentioned that music is just hanging on, but you know perfectly well that drama, performing arts and dance have fallen away just when there is a huge demand from those industries for skilled people. You have been the major supporter of EBacc since you have been the inspector of schools, and I do not think it is meeting the real needs of schools and children, particularly students, today.

Amanda Spielman: I am a big supporter of breadth and balance. As I just said, we see tremendous amounts of activity in the creative subjects, but people often look just at the set of GCSE results, which are very easy to see, and do not look alongside those at the equivalent qualifications, which have become extremely popular in schools.

Lord Baker of Dorking: With great respect, Amanda, you know perfectly well that the Government are defunding a whole series of BTECs, one after the other, and that these are not going to be available. Once again, the whole emphasis is on EBacc and these eight subjects, which no other country of any significance in the world follows, quite frankly. They are certainly not covered by Germany, Austria, Switzerland or Denmark, and only partially in France.

Amanda Spielman: I do not think that is a fair reflection. First, we look at the whole breadth. We have a national curriculum. I cannot set it aside and say that it should be ignored. I have repeatedly and publicly commented on my concerns about the decline in technology in particular. It distresses me when I go around schools and see splendid facilities lying empty for no very obvious reason. I am told by schools that they do not have many students taking those options.

It is excellent that children are arriving at UTCs, but we are unusual in this country in being so permissive in allowing children to make such life-changing decisions at such an early age. Many countries simply do not give children the opportunities to select themselves out of things at age 13 or 14 in the way we do. Almost every child in this country can select themselves out of many GCSE subjects, or many other curriculum subjects, at age 13 or 14. That is a key policy choice, which is not for me to make. If we want more children taking technology subjects throughout the system, removing some of the flexibility and freedom of choice at that age is the only sensible way of achieving that.

Lord Baker of Dorking: I say to you, Amanda, that it is not only technical subjects; it is computing. Only 13% of children study computing from 11 to 16; the rest do not. In fact, computing in schools has dropped by 45% since 2016. We live in the AI age, and this is not covered in our schools today. You just mentioned the green agenda, which is hardly covered in any of the curriculum today in our schools.

The Chair: We will cover computing in a later question.

Q110 **Lord Watson of Invergowrie:** You mentioned the fact that a language is no longer compulsory at key stage 4. Do you regret that? In other English-speaking countries such as Australia and the US, there is the teaching but much less examination of languages. How do you feel about the fact that it is no longer compulsory at key stage 4?

Amanda Spielman: We are on an awful razor's edge. On the one hand, there is clearly an intrinsic but also cultural and economic value to children in learning a language. Having a range of language speakers is immensely important. Equally, a long-standing challenge for all English-

speaking countries, at an individual level, has been having children recognise the clear value of learning a particular language in their own lives. We have struggled with that for decades, as do Australia and America. In the large English-speaking countries, particularly those that are more distant from neighbours, it is very hard to convince young people of the value. I recognise the pragmatic choices that are made about this in schools. There is nowhere near the cadre of teachers needed to make language teaching universal, so any change could only be made slowly and progressively over time.

- Q111 Baroness Garden of Frognal:** Following on from the lack of languages, as a former linguist I bemoan the fact that we do not do this more. Also following on from Lord Baker on the things that Ofsted is or is not inspecting in school, my daughter was a primary teacher at a school where they had an Ofsted inspection. They were quite excited. Her classroom was abuzz. All the teachers were highly motivated, and they were really looking forward to telling the Ofsted people all the exciting things they did. In the event, the Ofsted inspectors arrived but did not talk to any of the teachers or pupils, and they did not look at any of the classrooms. They spent the whole time talking to the head teacher and the senior staff, and gave the school an appalling rating because its paperwork on safeguarding, or something like that, was not up to scratch. Those teachers were all left totally demoralised. They were really upset about it. If that can happen in a primary school, presumably that can also happen in a secondary school.

It comes back to the question: what is Ofsted actually there to inspect? If you are not going to talk to the teachers, or give credit for the brilliant teaching they are doing, what are you there to inspect?

Amanda Spielman: There are several things here. First, can I correct something you said? No school is judged inadequate by reason only of problems with paperwork on safeguarding.

Baroness Garden of Frognal: Theirs was.

Amanda Spielman: I am sorry, but I cannot discuss individual inspections. I do not know what it was, but it simply will not be the case. We can pick that up with you separately. We recently reviewed every school that has been found inadequate only by reason of concerns about safeguarding, and in every one there have been substantive concerns, not merely paperwork problems.

Secondly, and more generally, inspection is a highly constrained activity, as a matter of public policy. Again, going back nearly 20 years to the kinds of inspection that we used to do where we went with a large team and reviewed all aspects, spent time with every teacher in every classroom, we simply cannot do those now because, as a matter of policy, inspection is constrained to doing a much more limited review. It is centred on conversations with the senior team and involves a certain amount of cross-referencing across various aspects to make sure that what senior leaders tell us stacks up with what is seen in the school.

Inspectors will see a sample of what is happening in the school, but they do not, and could not, spend time with every teacher.

Baroness Garden of Frognal: In this particular case, they did not talk to any teacher or look at any classroom. All the teachers were left really demoralised.

Amanda Spielman: I am really sorry, but I cannot discuss an individual inspection in this committee. I do not know what the purpose and nature of it was. If it was a Section 8 inspection, it may have been of a particular aspect of the school. I simply cannot go any further on that.

Q112 **Lord Johnson of Marylebone:** I want to probe a little more into the impact of accountability on curriculum and subject choice. One point I think I heard you make to Lord Baker just a second ago was that children were taking nine or 10 subjects on average at key stage 4. The evidence we have received as a committee is that, although pupils are theoretically able to take more than eight subjects, in practice there is very little incentive for schools to encourage them to do so, as only a pupil's top eight scores are included in Attainment 8 and Progress 8 calculations. In practice, the number of subjects that pupils are taking at key stage 4 is dropping and is now at 7.78 subjects on average, down from 8.09 five years ago. I wondered if you had any comment on that.

Amanda Spielman: A lot has happened in the last five years, but any performance measure drives behaviour, and over time what schools do will converge on what is perceived to maximise the measures on their headline performance. We saw that previously with five-plus. We saw some significant changes in schools' behaviour when five-plus was superseded by Progress 8, largely for the better, I would say, as five-plus tended to squeeze things further down. Therefore, looking back over a longer period might be instructive.

However, the point I made earlier is that the principle of choice is deeply embedded in the system. We cannot inspect what is not there. We look at what schools are doing in the context of what they are teaching, but we cannot judge them in the context of a system that allows children to decide which GCSEs they want to take. We cannot judge them adversely if children decide not to do a language or computer science.

We recognise that schools do not have total control of the children's curriculum through to age 16. That is something that people do not like talking about: that an element of this comes down to the individual, and often sitting behind that is family choice. We are unusual in that many countries do not give children the freedom and choice that we give them before age 16. Those who have looked at issues such as how many girls take up subjects like physics recognise that there is a strand that is down to individual choice. Making it attractive to girls to opt for triple science rather than double science without taking away the permission that is a deeply ingrained property of our system is a real conundrum.

We are also unusually flexible post 16. In many other countries, there are quite a constrained set of post-16 pathways. In A-levels, for example, you might have six, eight or 10 permissible subject conversations that put you on certain tracks beyond school. We give people almost entirely free choice. That is constrained by admission requirements for things like medicine, but the choice factor is marbled all the way through the system. That makes it hard to unpack the extent to which it is about individuals and the extent to which it is about institutions not doing enough to encourage children into the pathways and tracks that have long-term value. It is genuinely difficult to get underneath this.

Lord Knight of Weymouth: Can I just challenge your narrative on choice? Clearly, learner choice is a part of it, but it is also about what schools are able to offer, and that is influenced in part by the accountability measure. We have heard from witnesses about the impact of Progress 8 on subjects such as music, drama, and design and technology, which are all in the fourth bucket, and their incentive to offer it. Some are quite expensive to offer post 16. Some of the BTECs you have referenced are already being defunded in order to push people towards T-levels, which are proving challenging to roll out. It is not as straightforward as just learner choice, is it?

Amanda Spielman: I did not say that it was all learner choice. To return to Lord Johnson's point, if taking eight subjects—including English, maths, double science, one of history or geography—is fairly typical, and recognising that most children are not taking a language at key stage 4, that still leaves three slots in a standard eight-subject curriculum, about which there is a tremendous amount of freedom in the current model. From the school's point of view, the Progress 8 structure will be satisfied by any combination in those remaining three slots, so there is a lot of flexibility at the moment. I do not accept that anything that we are doing is removing the opportunity to pursue some other subject.

Lord Knight of Weymouth: I was not necessarily implying that it was anything that Ofsted was doing, but you are in schools every day, so you observe the reality of what is going on. Chris, do you see in the timetable that schools are offering that full range of choice, or are you concerned that there is a constriction at the creative end of the curriculum?

Chris Russell: As Amanda said, we will be able to say more about this when we do our subject reports over the next six months, when we will be able to get underneath all this in a much more thorough way than we can on a routine inspection. We are certainly seeing the impact of the current inspection framework, which at key stage 3 is towards greater depth across the range of subjects. The hope is that this will strengthen some subjects like design and technology as they move through into key stage 4, but on some of that it is too early to say, and of course we must also consider the impact of the pandemic, et cetera.

Amanda Spielman: I am pleased that a number of schools that shortened key stage 3 to two years to extend the GCSE teaching period a few years ago have now reversed that decision. Two years is a very short

time for children to discover whether they are really interested in pursuing a lot of the things they are exposed to for the first time in secondary school. Take the example of computing: much of the technology that children can be taught in key stage 3 is quite time-consuming, and it can be hard to get from first base to a real understanding and feeling of achievement that can motivate a young person to say, "I want to take this further". Allowing key stage 3 the full three years is probably helpful for increasing the range of choices that children will make at that point. Exposure to the full breadth of opportunity through that phase of education is incredibly important.

Chris Russell: We produced a report, *Key Stage 3: The Wasted Years?*, about 10 years ago now. It was fairly bleak reading. While no one is suggesting that things are perfect now, we can certainly see some features of a better system by this point.

Q113 **Lord Aberdare:** Let me ask my question, and then I will put a bit of a personal spin on it. We are covering quite a lot of ground that we have already talked about. The committee has heard that school leaders can feel "captured" by the current key stage 4 performance measures, particularly in relation to the curriculum they can offer. How could Ofsted support schools to feel more enabled to offer the curriculum most appropriate for their pupils in the 11 to 16 phase?

In last week's evidence session, Andy Burnham talked about the current system, which seems to work well for the 36% more academic pupils with an aspiration to go to university, and not at all well for the other 64% who might want to go on to more job-related or technical areas. There is a bit of a vicious circle here in that the whole system is geared to that 36% and the 64% do not get adequately covered.

It struck me that, as you said, inspection is a hugely constrained activity—you are operating within a certain remit—and I appreciate the other points you made about not enough children choosing the right path. Neither they nor the parents, it seems to me, are motivated to make those decisions, if they have to make them at that point, and the schools are not motivated to help them. They are forced down a certain route. How significant an accountability measure are outputs such as work readiness and the numbers going into apprenticeships and T-levels? I understand that it is because of your remit, but those things do not seem to be covered. We talk about parity of esteem, but it is the lack of equal status for those other routes that means that they are not working for so many young people.

Amanda Spielman: There are a number of points rolled up there. As Baroness Wolf once said, English and maths GCSEs are the most valuable vocational qualifications we have. It is very important not to come to the idea that, in the school context, one set of things are academic and another set vocational, and never the twain shall meet.

Lord Knight has just left us, but, in the context of the green economy, climate science is founded on physics, chemistry, geography, all the foundational knowledge that children get. It is that very same knowledge,

alongside the practical technological skills, that will equip them for the more specialised core courses such as engineering. There is a continuum, not a dichotomy. It is really important that there is a range of practical courses.

I agree with you that the greatest difficulties are at the lower end of the attainment range. At the upper end, there is very rarely a tension between what is best for the individual and the best performance-table outcomes for the school. At the lower end of the attainment range, there is often, as you say, less understanding on the part of the individual and their family of what may put them on the best track for a satisfying future life. There is also a greater likelihood that the school is steering them in the direction of where they are most likely to achieve qualifications, irrespective of whether those will actually set them on the right track. That is precisely why a key driver of change to the inspection framework was emphasising substance and integrity, integrity being the choices that are made and the ways in which children are steered towards the things that have most value to them and that put them on a good track. It is a really important point.

Lord Aberdare: At the moment, they are clearly not. Your answer was focused very much on knowledge. I was luckily in the top percentage there, so my knowledge was fine but I came out with no useful practical skills, so it goes both ways. It is not just that people with practical skills are crucial, but that people for whom the academic bit is easy also need those skills.

Amanda Spielman: That is what I have talked about.

Lord Aberdare: Employers complain that a huge number of the young people who come to them do not have English and maths skills, and certainly do not have work readiness skills, and that seems to me a fundamental failing of the system. I understand that your part of it is to do what you are required to do.

Amanda Spielman: I think there is a misunderstanding. I have talked a great deal over many years about my concerns at the loss of practical skills, particularly in the design and technology suite. The single biggest gap in the system is in design and technology. We do not have a national understanding of why that is when there are such obvious career opportunities beyond. There is ample space in every school's curriculum and in current progress measures for larger numbers to pursue those directions than do at the moment. However, do not forget that there are practical skills and practical applications of the kinds of knowledge that people get in science lessons, as well as in technology lessons. The divide between knowledge and skills is not total. Every subject in the curriculum gives children a mixture of knowledge and skills.

Lord Aberdare: How do you measure work experience? We have not talked at all about that.

Amanda Spielman: That is extraordinarily hard to measure.

Lord Aberdare: It is extraordinarily important for the children that it is done.

Amanda Spielman: It is very important. Under the expanded provider access legislation you can do a compliance check to make sure that children are getting it, but judging the quality and impact that it has on children's lives is much harder. I do not think anybody is suggesting funding inspection teams to go into every workplace that is offering work experience to see whether it is high value.

Lord Baker of Dorking: You said that children at 13 or 14 really cannot be trusted to assess their own interests. The middle-class children in the leafy suburbs know that, but the rest, the 64%, do not. We have found that in the UTC movement youngsters of 13 or 14 know very well what they want to do. They want to be taught things that will lead somehow to a job, because the purpose of schooling, ever since schools started in the 14th and 15th centuries, is to train people to get a job. They feel that what they are learning in their schools in those disadvantaged areas does not achieve that at all at the moment. That is what we have discovered. The Government are simply not recognising this, and I do not believe that you recognise it, and I do not accept at all that the children do not know what they want. They do know what they want, very clearly. Go to a UTC and talk to the children and ask them why they attend it at 14, and you will get a lot of disadvantaged working-class children explaining to you, quite explicitly, what is wrong with the present system.

Amanda Spielman: I have visited at least one UTC—I think more—and talked to many students, and I am delighted by how well many UTCs are now doing under our review after a wobbly start. I am finding it tremendously encouraging, but I do not think that is a representative sample of all young people of that age in the population.

I am delighted that you are attracting a cohort that recognises that, but I do not think it is a universal solution to every problem in education. There are many things that you are interested in and would like to do that would require a fundamental reorganisation of the school system into an American high school model, starting at 14 with much more specialist education for a much larger proportion of school. I have to look at and judge people in the context of the existing school structure. I cannot penalise schools for operating in the current physical structure and policy environment. It is tremendously interesting to have pilot models like UTCs of alternative futures, but we must look at and report on what we have at the moment.

The Chair: Lord Watson, your question has been partially covered. Would you like to add anything?

Q114 **Lord Watson of Invergowrie:** Yes. Amanda, as chief inspector, to whom are you ultimately accountable?

Amanda Spielman: Parliament.

Lord Watson of Invergowrie: That is a bit general, is it not? I do not

wish to be unkind, but you had to submit yourself to the Education Committee before being appointed, and they decided not to recommend your appointment. Without trying to be flattering, the evidence has shown that that was the wrong decision. How does that accountability work? Other than you giving the Education Committee your annual reports, is that you officially answering for what you have done in the last 12 months?

Amanda Spielman: There is the written piece, and they call me for accountability hearings whenever they wish. There are many.

We are constituted as a non-ministerial department, of which there are 20 or so in government, all performing functions where the independence from the linked department Minister's direction is considered to be important to preserve the integrity of the function. Although we obviously work closely with the Department for Education, I do not report to the Secretary of State. There are also enormous numbers of controls and reporting lines exerted on all government departments—including Ofsted, the Cabinet Office, Treasury, and other mechanisms—but the formal accounting for my work is to Parliament, and, you are right, primarily through the Education Committee.

Q115 Lord Watson of Invergowrie: Thank you. As the Chair mentioned, you touched on the point I wanted to cover to some extent. It is to do with key stage 3, how long it should last, and its ability to provide the rich and broad curriculum. In my research, I dug out a quote by you from 2017. I know people do not like to have their words quoted back to them, but this was on the DfE website so it must be true. You were talking about how your inspectors had found the recent curriculum changes led to some schools aiming to prepare pupils for GCSEs rather earlier than key stage 4. You said, "It is hard to see how taking longer than two years,"—that is, to prepare for GCSEs—"could expose pupils to more knowledge and not more test preparation". That is an important point, because with the breadth of the curriculum in key stage 3, if children are pulled away from some subjects to concentrate on GCSEs, they might never come back to them.

Amanda Spielman: Indeed.

Lord Watson of Invergowrie: Chris, in 2020, your immediate predecessor said that the inspectorate does not have a "preferred length" of key stage 3 and would not automatically mark schools down for shortening it. Is that still your position as national director for education?

Chris Russell: We must be careful about having our own prescription of how the school should arrange the curriculum that is not set by government, et cetera. In recent years, if a school is following that model—as Amanda said, many fewer schools follow that model now—we would look very closely at whether that was in the students' interest. We would also look at what they were doing in year 9 to ensure that the students maintained the breadth of the curriculum even if they were starting their key stage 4 programmes early.

Lord Watson of Invergowrie: How would you ensure that schools were doing just that?

Chris Russell: That is exactly it. If that was happening in a school, it would definitely be the focus of part of the inspection. To begin with, inspectors would discuss with the head why that is the model and why it is in those students' best interest. They would be looking at whether that curriculum is maintaining its breadth through key stage 3, and whether it means that the students are not getting that entitlement to the full curriculum by dropping some of the subjects they would be expected to study in key stage 3.

Q116 **Lord Lexden:** Do the leaders of Ofsted feel that they have sufficient freedom to promote the changes in the system with their deep knowledge of the way the system is working? Do you have sufficient freedom to promote the changes that you believe to be desirable?

Amanda Spielman: We have no freedom at all to promote improvement.

Lord Lexden: In the sense of promoting in the public debate.

Amanda Spielman: Our statutory responsibility is to inspect and report. There is a very clear distinction in current government policy that has been there since 2010: Ofsted should have no role in any kind of improvement work. We previously did, and many inspectorates do, but between 2010 and 2015 all the pieces that we once had, and all the funding for them, were removed. The view I expressed is that, in principle, the distinction between inspecting and improvement is important. There are places where the border has been drawn in slightly the wrong place, and if I was Secretary of State I would adjust it, but, broadly, it is an important distinction.

Impartiality is also important, because if we go with the perception that every school should be giving every child 10 hours a week of computer science—I am picking something at random—and start inspecting against that, we are inserting ourselves as policymaker and not being impartial. Nothing gets the system angrier about inspection faster than when something we do is seen as making policy, which is where we would be exceeding our role; we are not democratically elected.

Of course, you cannot inspect and form judgments without a concept of what constitutes education quality. For the current inspection framework, we published an evidence review on the research on education to summarise what we believe are the most important pieces and conclusions to ground the main framework. We have since repeated that exercise with a set of curriculum research reviews covering nearly all the national curriculum subjects to make explicit the concept of what is likely to constitute a good-quality education.

It does not prescribe; it very clearly draws a line which says in effect that these are features that a high-quality education in that subject may have, but it helps to expose and make explicit, and creates the opportunity for

everybody in that sector to discuss and debate. It also provides a platform from which to iterate when future evidence and research shows that the prevailing conclusion about the balance of evidence at one point has moved on. It makes us transparent—and, I hope, flexible—in the right way to make it visible to us, as well as to others, when the world has moved on and the underlying construct, but there is an important difference with regard to grounding the definition of quality as clearly as we can. We cannot set a definition of quality that cuts directly across government policy, because I have an obligation to have regard to government policy.

If we set a definition that sort of intentionally thwarted government policy, it would put us in a difficult place. We act as independently as we can within that framework.

Q117 Lord Lexden: That was a detour. I am terribly sorry. Can I turn to the question on the list? Perhaps I could also point out that the great and powerful Lord Knight had to leave, because he is leading the Committee stage for the Labour Party on the Online Safety Bill, which is about to begin.

Amanda Spielman: I bumped into him outside and he told me why he had to leave.

Lord Lexden: Could computing, which you have touched on a bit, now be the main theme of the final part of our very useful discussion this morning? The national curriculum sets out requirements for the teaching of computing up to age 16. How does Ofsted assess whether these requirements have been met, particularly for those who do not take computing qualifications at key stage 4, and how could it support schools in developing pupils' digital skills more generally?

Amanda Spielman: This is where the changes that we have made with the EIF are important. Inspection models pre-EIF looked very little at the subject teaching that sits underneath the schools' published results, so what happened at key stage 3, for example, got relatively little attention. We now ground the judgment of quality of education in a sample of subject reviews. We call them deep dives, which is horrible jargon, but nobody has managed to come up with a better phrase. In a typical secondary school inspection, we will select a sample of subjects, which might include computing. That sample is determined in the inspector's initial phone call with the school the day before the inspection starts.

With the inspection model that existed between 2005 and 2019, there was very little likelihood of any inspection review outside the core of English, maths and science. For the first time in at least 15 years, there is now the possibility that any subject may be selected for a deep dive in any inspection. Computing is picked as one of those subjects in a little under 10% of secondary inspections, but any school might be inspected on its computer science provision. No one can assume that anything that is required by the national curriculum will not get looked at. That in itself

has provided a mechanism to join the national curriculum expectation to the delivery wheels in schools that was missing for many years.

Chris Russell: As Amanda said, we are doing a deep dive into computing in a proportion of schools. We have to recognise that our time is limited on inspection, so we can do only a sample of subjects.

Your question was about what role we can play in helping schools to strengthen their provision in this area. We are doing that through professional dialogue with the head, which is an important part of the inspection, but also with the subject leader for computing in that situation. In those individual inspections, our inspection should play a strong part in helping the school to move forward in that area more widely, because we recognise the limitations of what we can do in routine inspection on that.

Our research review in computing and the upcoming subject review will be very helpful. Schools are saying that the research review was very helpful to them. That will come out over the next few months. That is where we can do a little more to share what we are seeing to help schools to develop their provision.

Lord Lexden: Is the scope for progress seriously inhibited by the difficulty of recruiting the teachers needed in this hugely important subject?

Amanda Spielman: There is always a chicken and egg. We touched on making languages non-compulsory at key stage 4, for example. That led to a rapid fall off in children taking languages to GCSEs, which led to a reduction in the number of language teachers the system recruited, which led to reductions in training. To rebuild in that subject, for example, would take a significant amount of time. A change in demand takes time to feed through into the qualified teachers able to meet demand. That is why big-bang curriculum changes have struggled in various systems. Getting that capacity to translate the policy intention into practice on the ground in a meaningful way always takes time and has to be built.

Q118 **Lord Watson of Invergowrie:** Another thing impacts on something you said right at the very start when you described your job title, the last of which is skills. Lord Baker has touched on it, and of course he is the author of the famous Baker clause. Could you say a little about the extent to which your inspectors take account of whether, and if so to what extent, a school is meaningfully engaging its pupils with those who give careers and technical advice that may or may not be for those with the academic aim of going to university? We hear anecdotal evidence that some head teachers are not keen on getting that sort of input. What is the Ofsted view on that, please?

Amanda Spielman: The Baker clause, as was—the name is not in the new legislation—has had a significant impact on schools. It is something we look at in some depth in every graded inspection, and we touch on it in our smaller, ungraded inspections. It is an important policy strand. It

has more protection and legislation than most other aspects of requirements for schools. It is extremely important, given the disconnect between education pre 16 and post 16 for most children.

This committee looks at 11 to 16, but the skills in my title also refer to all the work we do inspecting FE colleges, apprenticeship providers, adult education, teacher training. There is a whole series of strands of work. I have just been looking at work we have been doing internally on apprenticeships—I am speaking at an apprenticeship event next week—and that join-up of pre-16 to post-16 education and how it is made to work well is fundamental in our system.

The Chair: Thank you very much. This has been an extremely informative session. We are very grateful to both of you for giving such useful and very comprehensive evidence.