

Education Committee

Oral evidence: Pre-appointment hearing for His Majesty's Chief Inspector of Education, Children's Services and Skills, HC 1800

Tuesday 5 September 2023

Ordered by the House of Commons to be published on 5 September 2023.

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Members present: Mr Robin Walker (Chair); Caroline Ansell; Miriam Cates; Mrs Flick Drummond; Anna Firth; Kim Johnson; Andrew Lewer; Ian Mearns; Mohammad Yasin.

Questions 1 - 46

Witness

I: Sir Martyn Oliver, Government's preferred candidate.

Written evidence from witness:

– [Add names of witnesses and hyperlink to submissions]

Examination of witness

Witness: Sir Martyn Oliver.

Q1 Chair: Welcome to today's session, which is a pre-appointment hearing for His Majesty's Chief Inspector of Education, Children's Services and Skills, where we will be taking oral evidence from Sir Martyn Oliver, the Government's preferred candidate. Welcome. I will start by opening the questioning, but I will say first, for the record, that members of the Committee have been offered the opportunity to take their jackets off due to the extreme and rising heat. Our witness has also been offered that opportunity, but has chosen not to.

Can you first of all explain to us why you want to become His Majesty's Chief Inspector and what you think the main qualities are that you would bring to the job?

Sir Martyn Oliver: Thank you, Chair, and thank you to the Committee. I am delighted to be here today. I have spent the last 28 years—nearly three decades—in education. I have worked in schools, predominantly in economically challenged areas, including schools facing the greatest level of disadvantage. In my 28 years I have built up a lot of experience. I have worked for 14 years, as of yesterday, in maintained schools and 14 years in a multi-academy trust that was predominantly set up to work with the most disadvantaged schools in the north of England. I have gained a lot of experience working in those schools and have also had the benefit of working with tremendous school leaders and stakeholder partners in local services and children's services.

I think that now, at this moment in time, as we are coming out of the disaster that was covid—disaster recovery is always the hardest aspect of a disaster—and the fact that we are facing such challenges as a country, I want to now bring my experience to lead Ofsted through this period. This is a moment in time where schools are facing significant challenges, especially for vulnerable and disadvantaged children. I have a lot of skills and experience as the leader of a very large organisation with lots of schools, lots of staff and a large budget. I have the skills to work with outstanding leaders—and I am delighted that His Majesty's Deputy Chief Inspector, Matthew Coffey, is sitting behind me today—to work with the experts in the team and lead Ofsted forward positively to be a force for good for all children, especially the most vulnerable and disadvantaged.

Q2 Chair: Thank you. I note from your questionnaire response that you said it would be premature to be specific about priorities, but what do you see as the main short-term and long-term priorities in this role? You have talked about the disaster of covid and the importance of disaster recovery. What priorities do you need to bring forward in order to address that?

Sir Martyn Oliver: I will outline a few here, but if I may be so bold as to give this caveat: as an experienced leader of a large organisation, I know



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that until you get the job and start the job, and have the pressures of managing the budget and meeting targets and deadlines, things can change. Good leaders should always listen to their team and be adaptable. I also think that it is arrogant and wrong of a single HMCI to appear every five years—or in this case, seven—and think, “This is how I now want to lead the education system”. It is just unnecessary. I think the last thing that the system needs right now is a revolution; it just needs an evolving picture.

There are some things that I do want to work on and achieve. In summary, first up is a big listen. We need to listen. Ofsted need to be empathetic. In the past people would talk about Ofsted being combative or cold. We need to be empathetic to the challenges that the system is facing. We need to listen to all the services that Ofsted inspects in the very large and complex system, so a big listen is my first priority.

My second priority is that I want Ofsted to be a force for good, which is an inspection of the system by the system, and that is getting more leaders. If I can be as bold as to say—if this is being televised, Chair, this is the start of my plea—if I am recommended and appointed, I want to make a direct plea to all the professional bodies, the trade unions, the headteachers and leaders in all the services, the heads of services, and ask, “How we can involve you in far greater aspects as the Ofsted inspectors and His Majesty’s inspectors in the future?” so that the inspection of the system is by the system for the benefit of children and parents, which is the ultimate aim of Ofsted. That is my second priority.

Thirdly—and this is the one I am perhaps the most keen on, and which I have already been talking to Matthew Coffey and others about—is how we can look at all the aspects of education. Quite rightly, His Majesty’s Chief Inspector reports to you in an annual report, where we look at individual areas so that you can assess value for money and whether Ofsted is meeting its targets and objectives against the Education Act 2006. It is very difficult to turn around and say, “How are the 152 local authorities performing in all their aspects?”—not the local authorities as in what their role is in children’s services, but what are the primary and secondary schools like in that local authority? How many unregistered alternative provision, registered alternative provision, pupil referral units, special schools and hospital schools are there? When you look holistically, if you are a parent of a child in Camden or Rotherham or Blackpool, what is it like to have a child in that area and see all those services? How can I better present information back to Parliament and policymakers and say, “Let’s look holistically at how we support especially the disadvantaged and most vulnerable children and bring all these services together”?

If I can have a few more seconds to say this: I was delighted that during the pandemic—although it is hard to say that anything good came out of such a disaster—one thing that changed at last was that the seeming divide between multi-academy trusts and local authorities broke down. I was talking to DCSs all the time and they were communicating with our



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schools. It mattered not a jot to them whether it was a maintained school, standalone academy, special school or part of a multi-academy trust. The information was just flowing from one to the other. I think we have to build upon that now and we need to get all agents and actors working for all children, especially the most vulnerable. I want to report in a different way as well as give you sectional headings against those services as they are right now.

Those are my three big targets to start with, but there is more that I should be looking at.

Q3 Chair: There is a lot to unpack in that. You talked about listening and the importance of empathy. Do you think there is a challenge with the level of compassion and interest in people that Ofsted has been seen to take in the past? Do you think that is something you can bring any cultural change to?

Sir Martyn Oliver: If you are the regulator of some services and the inspector of all those services, it is difficult to think a regulator or inspector will ever be loved by the system. One could perhaps aspire to that, but perhaps question whether you are doing your job if you are not holding people to account to a certain level and degree, because ultimately this is about reporting to Parliament and to parents for the education of their children.

In terms of empathy, my skillset is that I have worked in the most difficult schools: the worst-attaining schools, the worst-progress schools, some of the worst buildings, some with the greatest challenges in pupil numbers and some schools in double special measures—the schools that no one wants. People will know that I have the experience. I have walked the walk. I praise the current chief inspector for her focus on the substance of education and the chief inspector before that for being the headteacher of an outstanding school, but I have taken 11 schools to outstanding. I have taken 25 schools out of special measures to good or outstanding. There is a series of expertise and experience there that I can bring to the system and say, “I know what it is like to do this. I can talk to you with empathy. You know I understand”. I have great contacts in the system, not just in schools, that I can play upon in this role.

Q4 Kim Johnson: Good morning, Martyn. You were a commissioner on the Commission on Race and Ethnic Disparities and have been quite outspoken about the outcomes of that report, particularly its denial of the existence of structural racism. Can you tell us how you intend to use your role to safeguard the experiences of black children in educational care settings? What are the major challenges in this area and how will you tackle them?

Sir Martyn Oliver: Thank you. I was a public servant when I was asked to serve on the commission and I think the duty of public servants is to fulfil the wishes of those who ask them to undertake such serious activities. I chaired the education section on the commission and I have



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to say that the report did not deny institutional racism. In fact, it reaffirmed the Macpherson review and recommended additional powers for the EHRC to tackle institutional racism, which does exist in some areas of the country. Some public service leaders have come out and said that just in the last year alone.

If I look at the recommendations from the education section, we talked about research and putting best practice into each area. For example, you talk about ethnic minority outcomes, and the support that they get in different settings. I think Ofsted can get involved far better in thematic research. Where is the very best practice taking place? Rather than writing about it, can Ofsted not invite those practitioners and Ofsted becomes a repository of that knowledge?

One of the things that I think people find difficult when they are undertaking professional development is that sometimes it can be very academic. You take it back into your organisation and you think, "I just want to know how to do it. I just want to know what practice you delivered, which I can bring back to my institution and make my institution better." I think Ofsted could be a part of capturing that knowledge, where we find the very best practice, and shining it back, so that we think, "Research best practice".

I then talked about investing in proven and targeted interventions, where we have the best interventions to support people. I said that more targeted investment in those proven interventions was necessary, always using evidence. I have declared my interest as part of my application, for example, using the Education Endowment Foundation experience in getting strong evidence to say, "This works. That is what we should be passing back to people". I talked about giving enrichment for and the importance of cultural capital, which I think is very important, especially in a post-covid era, where we are looking at some of the societal issues and the breakdown in trust between some groups in society. Getting people involved in that sense of cultural capital is massively important.

Careers education is hugely important. It is something I have targeted in my trust, but I won't spend long on that. No doubt we will come back to careers education at some point. There is the powers of apprenticeships and of families review, which again goes to my idea of being holistic in Ofsted, looking across.

Ofsted is unique. To my knowledge, it is the only organisation in this country that looks at every area of a vulnerable child's life. It is the power of that that I want to bring forward and to show back and to give you information on so that you can see where the best practice is taking place and also where the worst practice is, which is unacceptable.

Lastly, I talked about having an inclusive curriculum. For example, I know that currently the history curriculum is being looked at as a recommendation for an inclusive curriculum, so it is not just a month but is part of a built-in experience that children receive all the time.



Q5 Kim Johnson: Thank you for all that, Martyn, but you didn't answer my question, which was about safeguarding. There has been criticism for high levels of exclusions and suspensions. Given that Ofsted is about safeguarding children and that exclusion from school often leads to the school-to-prison pipeline—with children being groomed and coerced into serious organised crime—can you say more about what you would do, as an Ofsted inspector, to deal with some of those issues, particularly in relation to black young people?

Sir Martyn Oliver: In Outwood, there are schools that you would recognise as fairly average and prior attainment is average, but there are also some of the most difficult and broken schools in the system. As I alluded to earlier, some of these schools are schools that no one has wanted. It is important we consider for a second the charge of suspensions and exclusions.

With the last two schools that I took on, both local authorities had schools that went into special measures and no one sponsored them. After two and half years, Ofsted came back and inspected them again—special measures still. Those children had been failed for three years or even longer, because they had only been required improvement schools, so it was quite a significant time that they had not been not providing a good education. The local authority and then the regional director said, "Look, only Outwood". That is the phrase they used to me, "Only Outwood now. Can you please come and sponsor this school?"

You walk into a school where staff and trade unions are taking ballot action about striking over behaviour. Children tell me that they are not safe, that the school is such a chaotic experience for them that they are not attending. You have some of the most vulnerable children—schools with different ethnic minority groups, Gypsy, Roma and Traveller children—and children saying, "This is not a place for me. I am not welcome here". I can describe some of the experiences that we find when we go into a school like that. You work with them and after just one year you double their results. These are disadvantaged children and you are giving them a much greater chance of succeeding in their lives and you are safeguarding them by that very nature.

Suspensions in Outwood are very short—on average, they are a day and a half long—and the numbers of children subjected to one day falls dramatically, significantly, when it becomes two days, three days or four days. Often they are not being suspended for the same offence again because they are learning from their mistakes. You have to understand these are some of most challenging schools in England that we are talking about. It is giving those children a broad and balanced education, making sure that they are in school and that we are following up on the first-day response. It is making sure that if, ultimately, we have to take the final decision, sadly, to permanently exclude—and our figures for permanent exclusion are lower than most in the areas in which we work—we are getting those children in from other schools because we are part



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of the fair access panels, so we are getting directed offsite, which become managed moves, if successful. We are taking hundreds of children in from schools who are facing that same sense.

There is a very different part about children missing education and that is where I come back to joining up services. It troubles me greatly when you get children taking elective home education for the wrong reasons. Some parents will electively educate their children at home for the right reasons. but there are also some wrong reasons. Off-rolling is happening and it is known that off-rolling is happening in the system. It is gross misconduct for any of my headteachers to be involved in off-rolling. It is a sackable offence. It is an area where Ofsted can shine a light. It troubles me that there are children who could be bouncing from one local authority to another, from one service provider to another.

Children are going to unregistered alternative provision. Ofsted is going into unregistered alternative provisions and finding they are keeping children there full-time, which is illegal. We are hearing about some unregistered alternative provisions creating a second company so that children can be in one organisation for one day, then in the other organisation for another day. I can deal with these sorts of things because I have the experience and because I can bring Ofsted together to look holistically at those areas to safeguard the children you are talking about.

Q6 **Kim Johnson:** One final question and a short answer, please, if possible. You talk about the importance of equality of opportunity. OGAT do not have any diverse representation in terms of its senior team or its board. I am a firm believer in actions speaking louder than words. Can you explain why there is no diversity in your organisation?

Sir Martyn Oliver: There is diversity. I have associate executive principals and headteachers from different ethnic minorities. The governing bodies of my local schools are part of that. Just a couple of weeks ago I met with a Muslim group that one of my schools predominantly serves and some of the members are governors in the governing body. I made a direct plea to them, saying we need to get diverse representation on my trust board. As part of the Commission on Race and Ethnic Disparities, I wrote a recommendation that did not make the final headline recommendations, but within the text you will see that I wrote that all schools need to get involved much more seriously in diversity.

You asked for a short answer, but I need to explain it fully. I was delighted when Outwood became a founding partner in the National Institute of Teaching that I was able to partner with two very experienced multi-academy trusts dealing with very diverse ethnic minorities. We have tried to target a pipeline within initial teacher training to get more ethnic minority teachers on board who are representative of the communities in which we work. We think that is very important.



Q7 Ian Mearns: I am interested in all your answers so far and particularly interested in you saying that you understand the system whereby youngsters are being moved around by different educational institutions. I hope, therefore, that if and when you do become His Majesty's Chief Inspector, you do something tangible about that in terms of making sure that those school leaders, those institution leaderships, are held to account for their actions. In the last analysis, we are talking about the welfare and educational outcomes for children who are being moved around the system because, frankly, for too many institutions they are too hot to handle.

Sir Martyn Oliver: Thank you. I know that you and I share a passion for making sure that students in the north-east of England are getting a great education.

In the context in which we inspect, if I am appointed, there is one thing that really bothers me. We have some outstanding schools, and I look at the percentage of education, health and care plan children that they take. In some cases, the numbers are exactly as you would expect; they are high—some of the highest in the area. In the admissions process, a child with an education, health and care plan will come to the top. They can choose any school anywhere and go straight to the top of the admissions pile for that school if it is not selective, but is part of a local authority admissions process.

And then there are other schools. I have one school, for example, in very difficult circumstances in a dreadful building, but working very hard on it. It has seven times the number of EHCP students than other schools around it. One in six children in Outwood has special educational needs; one in three is in receipt of free school meals. If I include within the term "disadvantaged" children in need and looked-after or previously looked-after children, the percentage is even higher. I say let's look at the EHCP percentage when we are inspecting and see if there is a reason for it.

There is a reason in one of my local authorities. Ofsted found that the local authority was not issuing EHCPs soon enough or offering them well enough. You can say we have an issue here. Is the school managing to serve these children appropriately? It has too many who are identified by the school as SEN K code, but they do not have the EHC plan, which means that the level of statutory responsibility for working with the parents and the funding that comes with that is not the same, but the school still has the same challenge.

Can we join all of this up once and for all in this country? When you look at suspensions, exclusions, EHCP outcomes and outcomes for the disadvantaged, let's stop just saying, "It's the school" or, "It's the local authority" because there are some great people working in all these institutions. Can we just not, for once, say systematically if there are failures— For example, I think that around 40% of the 152 local authorities are not delivering a good or outstanding provision in children's services or SEND. If we said that was 40% of the 22,000 schools, there



would be an uproar, but we do not say that. There are some brilliant and committed people doing great work in children's services in those local authorities, but doing a very difficult job—for instance, as a social worker calling that level of risk for some of the cases they find.

We are dealing with some potentially systemic issues here that need to be brought to this Committee, shown in the annual report and shown back to the system, to allow policymakers to make very informed decisions utilising the whole power of Ofsted in the way it works across its entire remit. That is how we try our best to solve the difference. In five years' time, if someone looks back—if you appoint me—that is what I would want them to say that I did.

Q8 Ian Mearns: You have talked about the length of your experience in the schools and the areas you have been working in, but what experience do you have of early years education, primary and secondary education and post-16 provision? It is a broad remit and goes beyond to special educational needs and special schools as well.

Sir Martyn Oliver: No one can be experienced as HMCI until they get the job because there is only one of them nationally. I recognise that. What leaders need to do is organise and surround themselves with the best people in the system, which is why I have already started today with my public plea to get those best people working within Ofsted and for Ofsted to manage and work with them flexibly.

I have nurseries; I have early years provision; I have primary schools; I have a junior school; I have secondary schools; I have post-16 schools. I have even created my own—without being in the high-needs block—independent alternative provision, for which the management budget comes entirely from my own schools' budget. I have experience in all these areas. I am also very much blessed with my knowledge of the system and my work with other system leaders. I know people working in prison schools, secure schools and special schools and they are some of my closest colleagues. Some of my closest colleagues are in faith-based schools. I have that level of experience.

You can look at the remit of some areas where I will rely upon the experience of others. I was saying to Matthew Coffey that if were appointed, I would be the fifth HMCI that he has managed to see through into the post. There is a lot of experience in the existing team.

I did something that I thought was very important. Before I was interviewed, I spoke to my DCS colleagues because until now I have only ever been a stakeholder user of their services. I visited one that is recognised to be one of the best in the country, Camden, an outstanding local authority, as rated by Ofsted. I met with a recently retired brilliant DCS, the leader in that area, a chap called Martin Pratt. He was very gracious. He gathered all his heads of service together and I spent the whole day with them. I promised myself that if I could not have an intelligent conversation with them, then I would not go through the



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interview process, but I was delighted to find that a good question is a good question, no matter what service you are talking about, and that is what I will bring.

- Q9 Ian Mearns:** In contrast to many previous HMCIs, you have spent much of your career in the north of England, albeit the southern part of the north of England. What benefit do you hope to derive from that experience in the north when informing inspections across the country?

Sir Martyn Oliver: Thank you. It is a very important question for an inspector of all the areas of England. Eight regions were created and I would like to look at how we ensure that the eight are as strong as they can be. I want to make sure that I visit all eight regions regularly and that the scheme of delegation from the Ofsted board to me through the Education Act to Matthew Coffey and the team to deliver to those areas is appropriate.

You are right. One of the things that I have asked for in the terms and conditions, if appointed, is whether the base for His Majesty's Chief Inspector can be in the north of England, and the board has already intimated that is something that it will consider seriously. I think that sends a very important message to the system. I could spend as much time as I need to here in London and around the regions, but my day-to-day provision could be in the north of England, in the north regional office, making sure that the schools that we all say have issues and are disadvantaged are represented and talked about all the time.

- Q10 Ian Mearns:** That is going to be a new competition across the north: where are we going to put the HMCI in the north of England?

Sir Martyn Oliver: There are two regional offices, one in York and one in Manchester.

Ian Mearns: What is wrong with Doncaster or even Gateshead?

Sir Martyn Oliver: I have three great schools in Doncaster so I would be delighted if it was there.

Ian Mearns: As someone who travels on the east coast main line, I always like to get through Doncaster because it is halfway home.

- Q11 Caroline Ansell:** I represent one of the most southerly constituencies in the country so that is rather awkward because of course one of our concerns is around inequalities and achievement levels in coastal communities. I would be very keen to hear you speak to that.

But I want to ask a rather more focused question about the relationship between Ofsted and teachers. I think you have previously described the relationship as cold and you understand that it is seen as a negative thing by others, whereas you want it to be a force for good. I understand you saying that you are not looking to be loved, but I think being respected and valued—all of those things—are surely important, as well as a



recognition that teachers are a force for good for children and that they have their children's best interests at heart. How will Ofsted change this dynamic under your leadership?

Sir Martyn Oliver: First, as a headteacher across 41 institutions I know that you are only as good as the quality of the lesson that is taking place right now, so we are probably in period 2 across all of my schools. That is the knowledge that you need. It is ultimately about the frontline, first-wave delivery of services to a child, whether that be in the school, the primary school, the childminders, children's services or the social services. The frontline service is the bit that matters most.

You are absolutely right that there are some challenging sets of data. In a recent Teacher Tapp survey—a respected survey of teachers on the ground—81% of respondents said their last inspection was fair. But you can contrast that with 90% of teachers having an unfavourable view of Ofsted. The picture is very complex.

Despite His Majesty's Chief Inspector's constant message to the system, right now there will be inset days up and down the length and breadth of the country still. It will be the first day in some schools and inset days in many others. Unfortunately, and despite best intentions, schools will no doubt be talking about what Ofsted wants because, "We are in the Ofsted inspection window" and that will become the focus of their inspection. That is a concern. I have to say that when we do subject research we can end up with some unfortunate headlines. For example, there was one not long ago when Ofsted produced some research into art. The headline in the trade press was, "This is how Ofsted thinks you should teach art". We are now bound to be in a situation where art teachers are talking about Ofsted when they should be talking about the substance of education. That is what His Majesty's Chief Inspector is trying to get across: talk about the substance of education; talk about understanding and developing a well-sequenced curriculum where knowledge is thought upon.

Q12 **Caroline Ansell:** How will you change that dynamic? How will you change the narrative?

Sir Martyn Oliver: First, by recognising where the work is coming from. Secondly, looking at thematic responses. Thirdly, when we are going in and inspecting, understanding that if a school cannot—despite best intentions—deliver a subject, we need to ask what is happening there. Right now there are 50% too few secondary teachers against the target and at the top of the list of subjects are modern languages and physics—subjects that are difficult to recruit to. Schools are having to make difficult decisions.

Ultimately, I think it is about giving heads and the teachers a very simple message. Ofsted's predominant role is to make sure that children are safe and receiving a high standard of education. They are the two most important things that need to happen. We can ask if leaders and teachers



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know the issues and the challenges facing them. Are they taking effective action? Is it having an impact? That is the conversation we need to have with professionals rather than getting them confused. That is the level of empathy and the level of challenge.

You are right about the coastal schools. It is hard: 50% is the coast. If you cannot recruit from that area, it makes it much more difficult. There are ways we can look at that and it is an area that I would be interested in talking to others about.

Q13 Caroline Ansell: Can I jump a little in the order of my questions, just on the back of something you said? You made a case there for context, for individual schools and their unique challenges and all those things. Do you think therefore you can do justice to either the experience of inspection or the publication for parents in a single-word summary judgment?

Sir Martyn Oliver: While there is effectively a single-word summary judgment overall, there are four areas in most cases, but five if you have early years or five if you have a post-16, and six if you run all the way through with a post-16 and early years.

Q14 Caroline Ansell: To what extent do you think parents in the wider community read into the wider report and the subsequent references and appendices? That summary judgment is what you will see blazoned across certain schools and you described your success in those terms. I think you talked about the number of schools you had brought from special measures. This is the currency. That single word has powerful currency and yet you are describing quite a complex sort of organisation and lots of very important relationships to be managed.

Sir Martyn Oliver: That is the challenge. I apologise to you and the Chair because it is difficult to do this in a one-word answer. It is trying to show empathy and understand the context in which you are inspecting while making sure that there is one common inspection framework holding all to account. That is the moment and the point we have to deal within, but it has to be done. If you were a headteacher, as I was, of a school that was good to outstanding before the pandemic—to be a headteacher now, you do not understand what it is like. It has changed. It is different.

Caroline Ansell: So we need change, but I think you are on record as saying we need consistency.

Sir Martyn Oliver: We do.

Q15 Caroline Ansell: What changes might you be looking at by way of reform, most particularly around appeal? I think that was one point of contention. In a case that made it all the way to court, a judge said it is neither rational nor fair if a substantive challenge cannot be made. A school that is put into special measures, for example, cannot challenge that status under the current regulations and framework.



Sir Martyn Oliver: I am delighted to see that Ofsted is going through a moment of consultation in the complaints area. I will be very interested to see the outcomes of that consultation and how His Majesty's Chief Inspector—and if appointed, that is me—can take that forward. No doubt this Committee's inquiry is also looking at some of these areas and will be making recommendations. It will be interesting to see the response to the consultation. I would like not to prejudge because consultation generally means listening to others and that is part of my task. If I am appointed and that process goes through in the next few weeks, then I will have a period between now, while holding down my day job, to work towards 1 January when I can carry on listening, making sure that I can hit the ground running having had that consultation. But it's a real moment of interest. I think the single-word judgment is interesting. I think parents like to be able to describe their school simply: is it a good school or not?

- Q16 **Caroline Ansell:** Do you think though that there can be confidence in that single-word judgment when that single-word judgment can change from "inadequate" or "requires improvement" to "good" in a period of just six months? Inadequate to good in six months presupposes dramatic culture change and a serious hike in outcomes and levels of attainment.

Sir Martyn Oliver: I do not know the details of any individual inspection that you might be talking about—

Caroline Ansell: In principle—just in principle.

Sir Martyn Oliver: In principle. If we were talking about, for example, a case where a school had been inadequate in its safeguarding—that was the only area that was inadequate, but the school was good elsewhere according to the other subject indicators—and then within six months the safeguarding area was no longer inadequate, you could understand that the safeguarding issue has been resolved and the school has moved on. I think that is a positive aspect of Ofsted, but I also think it needs looking at because it can lead to whether there is a sense of trust in the system if you can move from one judgment to another and how you explain that.

I have some thoughts about it, but they are quite rightly formative at this stage and I want to talk to the experts who are delivering on the ground and have been doing it for years.

- Q17 **Caroline Ansell:** One final very quick question. You talked us through some of your experience and the breadth and depth of that experience. What has been your own experience of the inspection process and about any role you might have undertaken as an inspector yourself?

Sir Martyn Oliver: I have had 96 Ofsted inspections in my career. If you were a standalone head, you probably would have had from two to five in your career, so 96 is a fairly substantial number. I have found out though that is not the most had by anyone. A recently retired chief executive of a very large trust, very similar to mine, had over 150. They are a serious



challenge to Ofsted now. This level of challenge did not exist before. I can have five inspections in a week. I can walk into them and say, "Well, you didn't say that in this morning's inspection" or, "You didn't say that yesterday". We are bringing in a series of challenges. When you have 22,000 schools and you are doing inspections every four years, you have 5,300 inspections a year, plus 63,000 early years providers—that is 14,000 inspections, and I could go on—you are bound to have to deal with a level of some difference. The confidence interval that we can have around that difference is what we need to focus on the most.

Q18 Caroline Ansell: Have you served as an inspector?

Sir Martyn Oliver: I have never served as an inspector and that is for one good reason. I have recently managed to get two of my very best and most experienced executive principals to become Ofsted lead inspectors, because in the north they ran a pilot to fast-track them. Within one term they would train to be Ofsted inspectors and then go on to lead six inspections throughout the year. Prior to that, though, it would take too long. I have spent my entire career being too busy going behind the schools that Ofsted has placed in special measures to have the time to go on and do it myself. Now of course I am trying to be the chief inspector so it is an area that I am working hard on.

Q19 Kim Johnson: You have been labelled as a zero-tolerance head and concerns have been raised about the high numbers of pupils being sent to isolation booths in your schools. Data from *Schools Week* from 2019 showed that some of your schools had as many as 50% of pupils being sent to isolation booths. DFE data showed that Outwood Academy in Ormesby had the highest rate of fixed-term exclusions of any school in the country between 2017 and 2018. Would this approach be reflected in Ofsted's work in schools under your leadership? Please try to keep your response as concise as possible.

Sir Martyn Oliver: Again, it is important to talk about the challenges and circumstances you are facing and how suspensions are being used. It is difficult. I think that the way the press, especially the local press, portrays some of these stories, alongside some of the genuine concerns that people have, leads to some of the recruitment and retention issues. They are not in isolation; they are reflection rooms. Students are never isolated. They are working in there with experts, pastoral experts—

Kim Johnson: *Schools Week* said different though, didn't it?

Sir Martyn Oliver: Yes, and the one parent that they were referring to sent the headteacher copious thanks, a thank-you card, a bottle of gin, a bunch of flowers and spent their entire time saying, "You did everything you could for my child". No child is ever written off. Zero tolerance is a term I do not understand or recognise—that I do not believe anyone recognises. I have zero tolerance for bad behaviour that disrupts children's education. I don't have—



Q20 Kim Johnson: Do you recognise that figure of 40% of pupils being sent to isolation booths?

Sir Martyn Oliver: Sent to a reflection room—40%—but they are there to reflect on their behaviour and to work and then to get better outcomes. At that time the school had been in special measures, the local authority had asked us to go to it. A large number of pupils from key stage 2 at a pupil referral unit went straight into that mainstream school—not into a pupil referral unit at secondary, but straight into a mainstream school. We were working desperately with the local authority, which was very happy with our work, and we increased and expanded Ormesby. The local authority paid to extend that school because of its popularity with parents. I need 40 more teachers next September just to stand still because of the record numbers of parents who are choosing my schools. That is what I think is my job, to deliver for those parents.

Q21 Kim Johnson: As a leader of a multi-academy trust, how do you plan on reassuring the sector that you can avoid bias towards that model of school and do you think that Ofsted should be able to directly inspect trusts?

Sir Martyn Oliver: First, I will refer back to Ormesby. I worked so hard with the headteachers, the staff and the local authority. Before the pandemic I got that school—which had never been good, and had been in special measures and requires improvement for a long time—to good. Then the pandemic hit.

There was a BBC report not long ago about the most expensive and the cheapest housing in England. The most expensive is not far from here; the cheapest is in Ormesby. I checked last Thursday and you can buy five houses in Ormesby for £5,000 currently, right now. This is an area of real need and disadvantage. This school went into lockdown and unfortunately—another BBC report—by June 2020, 40 children in that school had suffered a loss to covid. The school had suffered greatly and the school broke. If you have worked in the toughest schools you know: if you are head and you are not in for one day, the second day you have to work on that school again. If you are not in for a year and a half, because of the constancy and consistency that had been lost in that period, the school broke all over and we had to start again.

On the day of the inspection, the night of the inspection, there was a shooting in the estate, which dramatically changed attitudes the next morning, the day of the Ofsted inspection, and the school went back into special measures—the first one I had had. I was devastated. I sat in that judgment and I think it became a moment of infamy within the Ofsted team—so I am told by Matthew—that I said, “This is down to me. I’m the leader. I’m responsible. Don’t worry. As headteachers, you have come in, you are managing the situation. I have clearly not given you the resource to manage the disruption that the school has been through. It rests on my shoulders”.



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Can I take responsibility for inspectors inspecting Outwood? Yes, I can, because I do now. There are group inspections. It is inevitable, I would hope, that we need to look at how Ofsted can inspect groups, and I do not mean just multi-academy trusts. I mean the same thing when it comes to care homes and groups that own different care homes. The landscape is changing and Ofsted must change with the landscape.

Q22 Kim Johnson: I will ask you one quick question about conflicts of interest as a policy adviser in some key educational establishments. I want to know if you believe whether, if you are appointed, you can hold those organisations to account, given that you have worked so closely with them in the past.

Sir Martyn Oliver: I think anyone who knows me would, I hope, describe me as passionate about trying to serve disadvantaged children and as a man of integrity. I would declare all my interests. Some of them will end. If I am appointed, some of them will end naturally on my resignation from Outwood because I hold a number of ex-officio appointments, but in terms of some areas of advising Government, I advise the Government of the day. Outwood was created by a Labour Government and we worked hard with that Labour Government. Outwood then worked with the coalition Government and works today with the Conservative Government. It will work with the Governments of the future, as I have done. I am a public servant and my integrity is to deliver for the Government of the day without fear or favour.

Q23 Mrs Drummond: Thank you, Sir Martyn, for coming today. In 2020 you came out in public opposition to the new Ofsted inspection framework that prioritised a focus on the broad curriculum over a focus on outcomes, and earlier this morning you said that you would do a big listen. What will you do if everyone comes back and says that they do want a broad curriculum?

Sir Martyn Oliver: It is hard to sit and have a conjecture about what might come out of a consultation and I do not want to presuppose it. My concern at the time was to make sure that the inspection framework would have a level of consistency. Again, I think His Majesty's Chief Inspector, Amanda Spielman, should be hugely congratulated for forcing the substance of education front and centre. It is, at the end of the day, as we talked about earlier, first-wave teaching—what is being taught, how it is being taught. That is the single most important moment of intervention in a school and in a child's life.

I do think that when you have 5,000 inspections that are taking place, it can be hard. I have sat in inspections where there are inspectors who have spoken about subjects to a primary leader who may not have that as their expertise and it has been a painful conversation. I question whether we have got into that level of professional development that schools and inspectors are able to have that level of judgment across 5,000 inspections a year in a consistent way.



The substance of education is important, and outcomes are. I think it is difficult to explain how some schools have had a good quality of education and some of the best outcomes in the country and it is difficult to explain how you got some of the worst outcomes in the country getting a good inspection. But the beauty of this framework—I congratulate Amanda again—is if this framework did not exist, then with this complexity that we have talked about coming out of a post-covid era, it would be hard to be in a situation where it says, “Outcomes equals Ofsted grade.” That would not do anyone any favours at the moment.

Q24 Mrs Drummond: You said in your statement that the validity of some judgments can be overcome by creating an Ofsted workforce consisting of far more current serving leaders. First, is this not slightly derogatory to the poor existing inspectors, some of whom may be ex-leaders who do not want to be in the classroom anymore but still want to be engaged in education?

Secondly, as you said yourself in the response to Caroline Ansell, schools and senior leaders are very stretched. Headteachers like yourself do not have the time, although I do get your point that you bring back a wide variety of knowledge. Can you just clarify how you see inspectors?

Sir Martyn Oliver: That is the challenge, isn't it? I alluded to the fast-track inspection, of training them within a term and then six inspections. I think we need to seriously look at that. I understand why, for example, in an ILACS, or an inspection of a local authority children's service, which might last for a fortnight, that I do not think that there are any current DCSs—which you can understand, there are only 152 of them—or any heads of service on those inspections. I think that it is just a lost opportunity. That is my first point.

People tell me when they have been through the Ofsted training to be inspectors that it is some of the best professional development they have ever had in their lives. I just think to myself that if we can say that you are getting that level of training, it is good when you go and inspect, but it is good for the school that you go back to lead, you then go out and inspect and if you go to see a school that is inadequate, you learn something good. If you go to see a school that is outstanding, you learn something good. You learn no matter what you see, and you bring that back into your own institution.

I find it strange to think that you can be a headteacher with a national professional qualification, become a national leader of education, an executive principal—I think there must be a way of joining it up, but Ofsted will have to work flexibly. It will have to consider the number of inspections it needs in a year to maintain the constancy and consistency of its judgment but not so many that it makes it impossible for them to come out. Can we allow people to shadow inspections to see that level of expertise and what happens in them? Can we find flexible working? Right now—the conversation I have had just this morning with Matthew—multi-academy trusts like mine can pool all their budgets and we can



command great salaries. Some of them right now are advertising for former HMIs to come and work in their multi-academy trusts. That means that Ofsted is then losing all this talent. Many institutions are having to look at flexible working. Does Ofsted need to embrace that? I think all these things can be tackled and answered.

Q25 Mrs Drummond: You also need experienced inspectors to carry on, so if they are just coming in and out—one inspection a year or whatever—because the school does not have the capacity to release them all, that is not going to lead to very good inspections.

Sir Martyn Oliver: Absolutely not. There is the power of the regional director and their experience, and the power of their senior HMIs—their HMIs who were the core Ofsted employees who are there full-time. They are the gatekeepers of those standards. It is the Ofsted inspectors that I am talking about, and then finding perhaps more ways of some of those HMIs working in a way where we can manage the conflicts. Can we create a conflict of interest policy with the Ofsted board, with all the experience that they carry, which will allow some of these people to work part-time in one organisation and to be an inspector and to manage those conflicts? Ofsted, of the system, by the system, for children and parents: I am determined to make that happen and to do it in a way that provides a fair judgment that people can rely upon.

Q26 Mrs Drummond: Do you have any views on how often you need schools to be inspected?

Sir Martyn Oliver: At the moment, right now, every two and a half years, within four years for good and outstanding, every two and a half years for special measures. I think that is about the right frame, but this is that moment I said at the start. Let me give a caveat: until you get the job and you have the targets. When you have a budget that is rising to £196 million next year and £200 million the year after, and you are looking at the targets that you have to meet, there comes a moment of—you can inspect as often as you have your workforce that can go out and do it and meet those targets, you can inspect more often and you can do more thematic inspections, but not without understanding the impact on the budget. It would be naive of me—and I am not a naive leader—to say that I could make those judgments here without that pressure of managing the finances.

Q27 Mrs Drummond: You mentioned the impact that curriculum-focused inspections have on the most disadvantaged pupils. When you are the chief inspector, how would you focus on improving outcomes for disadvantaged children?

Sir Martyn Oliver: It is that focus on holistic services. That is first and foremost. Right now I desperately need Ofsted to do a thematic dive into attendance, right now.

Mrs Drummond: Absolutely.



Sir Martyn Oliver: Before it is too late. It is lovely weather today; it is hot. That will affect attendance up and down the country. Some of the issues that we are reading in the news will affect attendance up and down the country. It will have an impact. We need to go out and see the best practice, but it is then not a question, I think, of producing an academic paper. What I do believe is if you look at the work of great trusts and the work of the attendance alliance, some of those policies are based upon Outwood's policies. We took those policies and people have gone from Outwood into leading these organisations, developed them further, improved on them and they are out there now leading this. They are practical steps.

We might go in and do an inspection and say, "This is an outstanding school. You have remarkable attendance in this disadvantaged area. Can we now write about that in the writing framework, which has an academic level of rigour to it, and which Ofsted can provide?" so we can say to other leaders—it might be in the south of England, on the coast—"There is a school up in Sunderland that is doing brilliant work on this and this is how it happens. These are the staff they have. These are their job descriptions, their person specs. This is how much we pay them." That is what heads need. They do not just need a bunch of airy-fairy, "This is what you could do". They ask, "How? How do I do it? How much do I pay them?" They are busy people who are stretched, as we said earlier. I think that Ofsted can give that and it can point to that very best practice that we find. All this together can be powerful, especially for the most vulnerable, but also for those who are going on to excel.

Chair: Miriam, we need to try to pick up the pace a little bit with the questioning.

Q28 **Miriam Cates:** You mentioned many of the duties of schools that Ofsted has a responsibility to inspect, but one of the duties of schools is to be politically impartial. The Education Act forbids political indoctrination and makes sure that schools and teachers do not promote partisan views. The DFE was sufficiently concerned about this issue that it issued new guidance last year about how schools should approach contentious political issues, but I do not think there is any evidence that anything has changed. Certainly research from Policy Exchange suggests that a majority of children in British schools have been taught contentious political ideas, many of them as fact with no alternative viewpoints presented. I have even heard from parents whose children have been punished for not adhering to some of these political theories. What experience do you have of working with political neutrality in school and whose responsibility do you think it is for enforcing this guidance? How would you see Ofsted's role in that?

Sir Martyn Oliver: I was invited to be a part of the committee that advised the Government on writing that guidance. I have taken political impartiality very seriously my entire life. I would challenge anyone to say that I have a political view. I think that as a teacher your job is to not



teach contested facts, but to teach secure knowledge based upon evidence and to present a balanced viewpoint to the children.

I have never seen it, I have to say. In all the schools—not just my own 41, but hundreds, possibly even thousands of schools—that I have seen in my career, I have seen some individual mistakes from some teachers, but a good headteacher, good leaders, good governing bodies, responsible bodies will look at the curriculum that is being taught, will look at who is coming into school and who is speaking, and will make sure that they have those checks.

When you have external speakers it is a moment of danger for schools and I would encourage schools to go through a sense of risk assessment, as you would if you were bringing children down to visit the Houses of Parliament. You would go through a series of risk assessments: how you are going to cross the road; what is going to happen. You should do that same level of risk assessment when you are bringing external visitors into schools to speak and you should constantly look at your curriculum. Amanda Spielman is right. It is the substance of education—what is taught and how it is taught. That is the most important thing in schools.

For anyone who comes against those areas, then there are ways to challenge. I would encourage people to challenge the responsible bodies in those organisations and then I would encourage them to challenge and to use the framework, which is to come to Ofsted and to raise those concerns.

Q29 Miriam Cates: There is a big difference between looking at the curriculum and determining that the curriculum is politically impartial and then what is said and how it is said in the classroom, isn't there? For example, there is a big difference between teaching about racism and teaching children to be tolerant, and then telling working-class kids that they have white privilege, for example. There is a big difference between telling sixth-formers that some people believe gender is on a spectrum and telling children that this girl is now a boy and you must call him "him" and he is going to use the boys' toilets. There is a big difference, isn't there, between what is written on paper and how teachers are behaving in the classroom?

Again, the research suggests that around 80% of schools now have trans-identifying children—huge safeguarding issues with that. There are headlines today after a report by Sex Matters saying that allowing boys in girls' toilets is potentially unlawful, yet we know it is happening. Parents' frustration is whose role is it to address this. I am in touch with some parents in Brighton who have a child with trauma, who had been transitioned behind their back by the school and sent to a GP by the school, but they write to Ofsted and Ofsted says, "We will keep it on file for the next inspection". That is all very well, but what about the safeguarding issues created by these ideas right now? I appreciate the Government have a role in this and we still do not have any guidance, but how can Ofsted make sure that children are safeguarded against



what is becoming indoctrination in schools?

Sir Martyn Oliver: I think it is very important that we do get the guidance and I look forward to receiving the guidance as a school leader facing these difficult conversations all the time. Schools are complex. If you take, say, 1,800 children in a secondary school, if you have a class size of 27 you are talking about hundreds of lessons a period. You are talking about 60-something thousand lessons a year that are taking place that a headteacher has to be assured of the quality of the conversation that is taking place all those times. These are huge numbers.

Having that guidance is massively important. Then I think that Ofsted will need to look and reflect upon that guidance, and to ask itself, "If this is the guidance, especially if it is statutory guidance, that schools are adhering to, then what is Ofsted's role in looking at that?" I do not want to presuppose what that guidance is, but to say that I think it is necessary. It would be welcomed by the sector and the system to provide clarity around some of those difficult topics that you raise. But on the whole I see schools treating children with respect and headteachers trying desperately to treat people with that fundamental British value of respect very carefully. I think that most people will welcome the guidance when it comes out.

Q30 **Miriam Cates:** Do you think that Ofsted has a role in making sure that schools adhere to that?

Sir Martyn Oliver: If it is statutory guidance, I think it is Ofsted's role to look at those areas. If there are safeguarding concerns because people are doing something that is not keeping a child safe, then it is the fundamental No. 1 job of any headteacher, let alone Ofsted. It is keeping children safe in education. It is your ultimate aim as a leader. You must keep children safe. Once they are safe and they are in the conditions to flourish, you must educate them to the best of your ability.

Q31 **Miriam Cates:** Okay. Moving on then to the teaching of RSHE, because that is an area of the curriculum that I do not think is particularly much inspected by Ofsted, though I understand that you will have resource constraints. We understand from Amanda Spielman that if you are going to focus on maths and English, you cannot necessarily look at every single resource used in RSHE. Again, we know that it has been in the media. I have seen many of these materials myself—highly contentious, highly inappropriate. There is an independent panel right now looking into this to make recommendations to the Secretary of State. A number of MPs and parents are highly concerned about what is being taught in these lessons, but it is not on view. As the chief inspector at Ofsted, would you start to look at some of these resources when you go into schools or is it an area that you just do not think is of concern?

Sir Martyn Oliver: I would say that I find it difficult sitting here, on the second day in September back in school, to imagine—if appointed—what I might do in January. It is hard for me to commit to anything and it



would be naive of me to commit Ofsted resource that far ahead before even starting in the role. But I do believe that thematic inspections where we think there are concerns is an important area. I am very concerned about attendance. I think that we should do a thematic inspection of all that. If we have these genuine consolidated concerns across the whole system and they are not isolated, that might well warrant a thematic inspection. I would look forward to having that conversation and looking at that evidence and seeing what needs to happen.

Q32 Chair: On social care, the current HMCI was criticised by this Committee back in 2016 for a lack of experience in children's social care. You stated in your answers to the questionnaire that you have engaged with children's services providers. Could you expand further on that and what you have done to try to prepare for that role?

Sir Martyn Oliver: Yes. I was nominated, I think, two days before the end of term and I am here two days at the beginning of term, so I have used my six weeks. I have not gone on holiday and have spent the whole six weeks in preparation for today and for this role, and that is how I want to use the rest of my term.

I work across, I think, 13 local authorities now, so that is 13 lots of great conversations. I was sat next to the head of service in Wakefield meeting with community leaders and faith leaders just a few weeks ago, having great conversations. I have spoken to the DCS in Nottinghamshire, who is very well respected, even with the troubles that Nottinghamshire has at the moment about provision. I know that I can call upon the network of expertise that I have, and I think it is important that we create and develop the reference group that Ofsted already has—national reference groups, regional reference groups, listening to the sector. This is very important: we must not allow the regulator and inspector to be captured, but we should listen. There are two very different things there and I think we can do that very carefully.

Again, I would bring my expertise. As a stakeholder user, I have hundreds and hundreds and hundreds of children who are looked after. Many of my schools have the highest number of looked-after children in the local authority. In Nottinghamshire, which I just mentioned, the DCS wrote to the school. We have 20 looked-after children in one school; not a single one of those children has been subject to a suspension. It is the highest number in the whole of the authority. I will call upon all that experience in all those areas and some of the people who I have sat and talked to.

Most important is to ensure that you have good leaders. I have spent some great time with Yvette Stanley. Her knowledge is significant in leading this area for Ofsted. It is about having great people like Yvette and then having on the Ofsted board—which I want to make full use of—the people who have that experience. There are people on Ofsted's board who have experience in CQC, the Care Quality Commission. How can I



gather the best expertise? This may be one role, but it is not one person leading this organisation.

Q33 Chair: Do you believe that Ofsted has historically inspected children's care to a sufficient standard? I was interested by something you mentioned earlier about needing to be able to look at chains in this space. I know that this Committee has previously raised concerns about some of the chains owning different care homes across the system and the fact that there has not been a systemic approach to that. How do you see that changing? How do you see that evolving?

Sir Martyn Oliver: Without naming any individual, in an area we have mentioned previously, I am aware—because obviously, quite rightly, I am not privy and should not be privy to any of the private information Ofsted holds until I am appointed, and I have not been appointed. It would be interesting to look at some of that information if I am appointed and to understand.

In my naive-ish sense of what I think is the issue, you have individual care homes and it can be hard to work out who the ultimate owner is—who the shareholder is. Now, I do not understand that because in a multi-academy trust at Companies House it very clearly states who the members are and who the board of trustees are. Because Outwood is one of the oldest, we called all our schools Outwood. Every school begins with that name, not from a sense of megalomania. We did that because back in 2009 when we were the oldest school-based sponsor, there were trusts happening around us and no one knew who was responsible for those schools. We thought that was wrong. We should be accountable to you, to parents, so we said it will be unequivocal. It is Outwood; you know who it is.

If that does not exist in care homes, I think that is a real issue. If Ofsted is not therefore able, because it is so lost in the fog, to work out how you can take the complaints of one organisation or one home, and then not be able to join it up to another, if that is a moment of, without fear or favour, saying that I think change needs to happen to allow us to make that level of inspection, then I think that is what needs to be done. Ultimately what will drive me is putting children first. If I cannot put children first and keep them safe and say that is my job and my responsibility, I will tell someone, "This is what you need to do to allow me to do my job".

Q34 Chair: In terms of doing your job, it is a very substantial job that we are talking about and that you have been recommended for. In 2011 this Committee—and Ian Mearns will remember more of this than perhaps I would—recommended splitting Ofsted into two different inspectorates: an inspectorate for education and an inspectorate for children's care. You have made quite a strong case for saying it is the only organisation that can look at the whole piece and look at the interests of children. Do you think that recommendation was wrong?



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Sir Martyn Oliver: I think that recommendation at the time and the way that Ofsted works by inspecting in silos would lead you to that conclusion, but in terms of safeguarding children I think it is wrong. You want to be able to follow them. I want to make sure that no child can slip between the gaps anywhere—so it is about knowing if a child is with a childminder, going through into primary, into secondary, going through into further education.

The Children's Commissioner has a very interesting point. They made a recommendation that rather than the unique pupil identifier that schools issue, there is, for example, the NHS number that a child has and that could be the unique identifier that stays with a child, which might allow us to then ensure that there are no children missing in education across the whole area. The other thing that the Children's Commissioner said today, which is of grave concern, is that she reported that 21% of unaccompanied asylum-seeking children are currently missing in education.

All these things matter, and if you have one organisation that is able to look at that and pull it together and present that information, that is where the power of Ofsted will be truly seen. I would like the opportunity to try to make that happen before anyone thought about whether it should be broken up.

Q35 **Chair:** Do you think that Ofsted's priorities for social care that were announced in February this year are far-reaching enough to support that sector? Are there any others you would add to the list that has been put out?

Sir Martyn Oliver: I would like to look at that and all the areas that have come out regarding the SEND review, "Stable Homes, Built on Love". I would like to look at all that and look at Ofsted's response to those areas, and to use the expertise of people like Yvette and the team and Matthew and to say, "Are we doing this in the round, not in isolation?" in the way that I have described.

Q36 **Mohammad Yasin:** We will move on to the early years. Given the issues in the sector, especially in relation to the underfunding, where would you rate early years inspection and registration in your potential list of priorities as head of Ofsted?

Sir Martyn Oliver: Nothing is more important than the early years of education that a child receives. In fact, I have been involved with the University of Oxford and an organisation called Kindred Squared to do curriculum teaching to children about the importance of the first 1,000 days of a child's life. Then moving into early years and that early reading, we know that disadvantage gets baked in from that moment. It is hugely important. The way that Ofsted has 63,000 organisations to work with, the number of inspections that we deal with directly with those who are registered with Ofsted or those who are registered through a childminding agency—I think it is of massive importance.



I can honestly say today I do not rank one area above another. It is about holistically working across all those areas. We talk about Ofsted and too often schools but, as I just said, there are 22,000 schools and 63,000 childminders. It is significant. It is the biggest part of Ofsted's inspection framework in any single year—14,000 inspections, I believe.

Q37 Mohammad Yasin: This year Ofsted announced a review into the registration process for childcare providers. Would you have any intention of also reviewing the inspection process for childminders?

Sir Martyn Oliver: I would have a review looking at anything that people say as part of a big listen is not working for children and putting them first. It is part of having that engagement and listening. I would want to understand that better before I committed to what I might do from January on that.

Q38 Mohammad Yasin: I may be able to help you on that. The 28 childminders who attended an informal roundtable with the Education Committee earlier this year gave their views on Ofsted registration and inspection. While some liked the high standard of the inspection process, criticism was raised over the subjectivity and consistency of inspections, alongside the lack of support from Ofsted and the general stress the process causes. What is your view on that?

Sir Martyn Oliver: I took your review seriously and will hopefully demonstrate the effort that I am going through to make sure that I am able to do this job. I think your recommendation about allowing childminder agencies to register part-time childminders, and considering the balance of cost between the childminder agency and Ofsted registration fees, is serious and important.

My point I made earlier is about managing also, as the accounting officer of Ofsted, the finances of the organisation. It would be wrong and naive of me and a reason to not appoint me if I was to say, "I can promise this will happen to somebody's finances". You have to understand the balance of the whole organisation: £196 million rising to £200 million; 14,000 inspections to deliver in that service. I have to make sure that the books balance as well as meeting the statutory responsibility.

If I can't, that is that moment, without fear or favour, of going back and saying, "Well, I don't think that we are putting the system and children first because Ofsted is now making it hard for them to register. They are not registering. It is taking too long—12 weeks" and so on. That is the moment where, as the chief inspector, you have to have the ability to say, "This is how the system needs to change because it is not working. We are seeing evidence". That is the important word there—not me talking anecdotally as I am at the moment, but seeing the evidence and presenting that back.

Q39 Andrew Lewer: You have talked about special educational needs within the school system already. In touching upon your experience in that



area, I wonder if you could expand further upon your experience with SEND in early years and further education in particular.

Sir Martyn Oliver: In early years and in post-16, in my areas, the first thing I did in 2016 as chief executive is I made sure that every school had not just a special educational needs co-ordinator but every region—my organisation is broken into five regions because of its size—then had a director of special needs. In the primary and in secondary to post-16 there were executive directors—experts who were giving professional development. That is important because as a headteacher you have to be experienced and to work across a whole wide range of people, but where you can develop expertise and you can get that expert to train other experts, you are clearly going to get to the heart of the subject faster.

That is the beauty of using the wider Ofsted and the structural team—having those experts who can look at those areas, go into special schools, look at the quality of provision in special schools and look at how mainstream schools are delivering that same quality of provision, maybe to a different need to a lesser extent. All these things are important. I think that Ofsted should view seriously, as it does now, the educational journey of any child, especially the most vulnerable, the ones who find it the hardest to navigate through the system.

Q40 **Andrew Lewer:** Given those challenges, do you have an early stage vision of how you would work with DFE to ensure there is more SEND experienced inspectors within the system?

Sir Martyn Oliver: That goes back to my absolute desire. Again, if people are watching the broadcast, I would love to talk to those leaders of special school groups—to the leaders serving in them. You are right, this is not to denigrate those who have had a journey in their education and then left to go on to become HMIs. That expertise is necessary, but the more serving practitioners that I can get who can become Ofsted inspectors, who can work with the HMIs, who can go into those schools, it will do two things: it will skill them up so they go back into their school; and it will mean that the school that they are inspecting can take the confidence, with empathy, that the people who are inspecting them understand and know—they understand the job that they are doing and they know the job that they are doing.

Q41 **Andrew Lewer:** Finally, on a different front, do you have any appetite or vision for work with the Independent Schools Inspectorate and some of the opportunities for best practice sharing?

Sir Martyn Oliver: Absolutely. Some of the sharing of best practice happens between HMICFRS—the constabulary and fire and rescue service—CQC and the Independent Schools Inspectorate. I think that Ofsted should work and use regulatory intelligence and should pass on regulatory intelligence and inspection intelligence across all the groups. Of course, I am delighted that Ofsted is chaired by a former independent schools chief inspector, who is renowned as an international expert in



inspection. I will be wanting to use her expertise very seriously on that topic.

Q42 Anna Firth: Thank you, Sir Martyn, for attending today. I would like to move on to alternative provision next. Ofsted's most recent annual report depicts alternative provision as a complex and diverse sector that lacks a clear purpose. More concerning, a report from Ofsted in November 2022 stated that alternative provision can sometimes be seen as a "dumping ground", where pupils with complex needs spend years waiting for a special school place. You have already given evidence in your opening about alternative provision and what you have done. The first question is: do you recognise that description? The second question is: what would you do about improving that sector if you get the job?

Sir Martyn Oliver: I would like to say that I first of all recognise that there are many brilliant alternative provision providers in the system. I am engaged with one that is outstanding, and I have them looking at and working with my trust on how we can even further develop the very sophisticated ways of managing behaviour in our schools. There are some brilliant providers out there. There are very good unregistered providers out there, who have a real desire to work with vulnerable children and to do well by them.

However, I am gravely concerned about having a holistic view by area of how many are unregistered, how many are registered and how many unregistered providers have created multiple companies so that children can spend not full-time education, which is illegal in an unregistered provider, but so many days in one and then so many days in another one to avoid. I come to this point. In some ways I am a very simple person—about trying to protect children and just raise standards, that is it. If you have a child in your school who you think is vulnerable, why would you send them to an unregistered provider who cannot meet the same standards of provision?

To register a free school, and I have done two—a free secondary school that Middlesbrough asked us to create because of the shortfall in pupil places that they had, and then the alternative provision one—they had to go through a very rigorous independent school standard check as part of their Ofsted registration process, checking on the quality and safety of the building, the provision, the types of staff, where you have everything from first aid through to proper catering facilities: everything. Why are we allowing our most vulnerable children to go to provision where they do not have that same level of check?

Now, we have to be realistic. Right now we are facing a tsunami of social breakdown and difficulties in some schools. It would be wrong and naive of me to give an impression that all these people should be shut down, but what I think is that Ofsted needs to have a view and it needs to present it back to the Committee here and to the Secretary of State to say, again without fear or favour, "This is the provision in an area". If you then look at, for example, high suspensions or high exclusions in one



area, it might be—I am not suggesting that it is the case, but from my own experience—that there is zero alternative provision in that entire area, none, or there is no registered provision. Then we might need to ask ourselves, “Is the system working?” because the mainstream school is now struggling in that isolation and it is an area of deficit for the local provision. Is this something that Ofsted can use and shine back? I think this is a real moment of opportunity for us and it is necessary.

- Q43 Ian Mearns:** In your answers to the questions across a whole range of subjects you have highlighted shortfalls in levels of provision and that might come with resource implications for Government, but I think it is interesting to note that at least you are aware of the problems that exist out there. You have stated that in the role of HMCI you would focus on skills within further education. How do you plan on achieving this, considering the learning gaps in English and mathematics and practical skills following the covid pandemic?

Sir Martyn Oliver: There is a term. It is quite right that people would use the term “autonomy”; there is autonomy in the system. I actually think that it is the wrong term, in truth. None of us is autonomous. We are, all of us—everyone, especially in this room—accountable to someone. I think that a much better term is “freedom to excel”. Leaders need the freedom to deliver for their children, and if that means that they need to flex their curriculum to allow them to deliver additional English and maths so that their children are making sure that they meet that barrier that allows them to move to their next steps, then that is important.

That is why, way before the national tutoring programme came out, Outwood has always delivered one-to-one provision. We tell our parents that we will provide private tuition for their children, the most disadvantaged children, because we manage our budget carefully. I have managed to flex our budget through sophisticated curriculum-led financial planning and all sorts of things that you won’t want me to go into now. I am able to use that budget as a responsible body well to deliver in all those areas. I think that schools need that freedom to excel and they should be celebrated for trying to put the needs of their children first, whatever those needs are.

- Q44 Ian Mearns:** How is that going to therefore be reflected in the view that you take towards further education institutions?

Sir Martyn Oliver: Further education inspections: I am delighted that so many college principals have been in touch with me, as have vice-chancellors. When it comes to, for example, degree apprenticeships and so on, Ofsted’s view should be about the journey of a child. As a school leader, my board is very passionate about this. Ultimately, they say two things to me more than anything: “Are we popular with parents?” and “Are children getting good jobs?” That is it. Get them interested in everything else—percentage passing English and maths—but if you are



not popular with parents you are not serving your community. If children are not getting jobs, then what was the point?

Careers education and moving on into skills, that is the point. That is why I talk about the power of Ofsted following a child through. We have a view in Outwood that if one school is not doing well, then no one is doing well. Ofsted should have that same view. If it is in early years, or in further education or a degree apprenticeship, or a primary or secondary, or in children's services, if some service is not doing well, Ofsted needs to say, "We are diagnosing these problems. We are not the intervenor. We are diagnosing and our job is to diagnose and to show the system there is the problem."

Q45 Ian Mearns: One of the things, certainly from this Committee's perspective, that I have asked the current HMCI to concentrate on is independent and impartial careers education, information, advice and guidance so that youngsters, when they are making that progress post-16—whether that be within the school's own sixth form or to another further education or skills provider—they are going there in the knowledge and understanding that they are going to the right place, given their own aptitude and so on. The current HMCI said that that would be lovely, but it does not have the resources to inspect that to the level that I was suggesting.

I think that youngsters going on to the next level inappropriately is massively wasteful. It is massively wasteful for the young person and it is massively wasteful for the system. It leads to dropout and youngsters not getting the opportunity to fulfil their own potential. How do you see Ofsted, under your leadership, focusing on that and making sure that youngsters are given independent, impartial careers information, education, advice and guidance?

Sir Martyn Oliver: As succinctly as I can, let me tell you my experience and what I have done in my life about this and then I will build upon that. On the commission, I wrote about the importance of getting children on to next steps that will lead to gainful and meaningful employment, where they can be successful. I made that as one of the recommendations; the commission made that as one of the recommendations.

Back in 2011-12, when I got Outwood Grange to outstanding again and I became an executive principal, the first job I did was to employ across the whole trust independent careers advisers. Across all of Outwood for over a decade now, I have had an independent company that goes in—even into a post-16 school—and if that independent adviser thinks that the next post-16 step for a child is not to attend our sixth form but to go somewhere else, I tell them to make that recommendation to that child because I believe that is the ultimate job of education. That is the whole point of it.

In terms of Ofsted's role in this, again it would be naive of me to commit to something from now through to January, but I go back to the thematic



inspection. If we are looking and saying that right now there are 794,000 16 to 24 year-olds who are NEET and, of them, predominantly there is a large proportion of boys, and Ofsted's remit is covering all this area, then I think there is a moment where Ofsted say, "That is a significant issue. Let's have a look at thematic inspection and let's look at the quality of provision that is being provided." Is there an area there where I need to be making policy recommendations and diagnosing a problem for others to consider?

Ian Mearns: That is very illuminating. Thank you very much.

Q46 **Chair:** I think that we are going to have to move into private session fairly shortly, but just before we do, this Committee, as you have referenced already, has launched an inquiry into Ofsted's work with schools. That will aim to report about the same time as you, if you are appointed, would start your role as HMCI. Which specific areas would you appreciate receiving recommendations from the Committee on? You have already mentioned appeals as an area that you would want to listen to what we find, but are there any other areas in particular?

Sir Martyn Oliver: I would hate to influence the Committee in the way that you are going about your investigation.

Ian Mearns: Go on, have a bash. Go on.

Sir Martyn Oliver: My three priorities that I want to work through with the Ofsted team are engaging in the big listen—and I have declared a conflict. I sit on the Office for Students and I was delighted that the director of fair access and participation in the Office for Students talked about creating three "ins" to the OfS. I think that it is the same three ins—I asked him if I could use this—in the sense of Ofsted. There is that sense of information. The three ins to Ofsted. The first is information. What is it that Ofsted thinks we need to know? What do we need to know from you, from the sector, about the sector? Then there is insight—ascertaining from the sectors what they think that we need to know and to hear our replies. Then there is the input—the ultimate beneficiaries, the children and the parents.

I would like to know from the Committee what those different actors think about Ofsted and the way that we work. What do parents and children think about Ofsted? What is the quality of information? How much faith do they put on the single-word judgment, for example, when you look at the report? It is amazing once you are nominated. Every time I drive around and I see those banners outside schools, I think to myself, "What will they do if it is not that one word?" I am not saying that they should not have that one word, I am asking, "What will you do? How do we then safeguard? If you have 10 words, how do we safeguard?" I could say to you that every one of my schools has a good quality of education, but not every school is good. That worries me, so I would be interested to see from parents' point of view what they think because that is ultimately the beneficiary of our work.



HOUSE OF COMMONS

Chair: Thank you very much. I will close the formal session on that.