



Education Committee

Oral evidence: [Academies and free schools](#), HC 258

Tuesday 14 October 2014

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Written evidence from witnesses:

- [NASUWT \(AFS0068\)](#)
- [National Union of Teachers \(AFS0046\)](#)
- [GMB Union \(AFS0076\)](#)

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Members present: Mr Graham Stuart (Chair); Neil Carmichael; Alex Cunningham; Bill Esterson; Siobhain McDonagh; Ian Mearns; Mr David Ward

Questions 1069-1142

Witnesses: **Avril Chambers**, National Officer for Education Staff, GMB, **Kevin Courtney**, Deputy General Secretary, NUT, **Chris Keates**, General Secretary, NASUWT, and **Jon Richards**, National Secretary, Education and Children's Services, Pensions & Health and Safety, UNISON, gave evidence.

Q1069 Chair: Good morning and welcome to the Education Select Committee as part of our academies and free schools inquiry. It is a pleasure to have the four of you with us today. Perhaps I could start by asking: given the nature of the submissions you have made to the Committee—all four of you—is such wholesale utter opposition to academies in the best interests of your members given the political landscape and the views of the main political parties?

Kevin Courtney: We support our members working in academy schools and in free schools. We do not oppose academies and free schools. We oppose the process of conversion—of academisation—but we do not oppose those schools in any way. The evidence does not support the wholesale academisation. Particularly on primary schools, there is a complete dearth of evidence. The evidence that exists—the Henry Stewart evidence—does not suggest that academisation of primary schools is leading to higher standards. We think it is important that we tell the truth about what the evidence is while supporting our members in those schools.

Q1070 Chair: Does what you have just said, Kevin, fit with what you say elsewhere? An NUT press release in May this year said, “The whole free school and academies programme really is an ill-thought-out gamble with children’s education... For the sake of education in this country we need to see an end to the folly that is the academy and free schools programme.” How do you square that with what you have just said to us?

Kevin Courtney: It absolutely fits with what I have just said to you. We support our members working in the schools, but there is no evidence base.

Q1071 Chair: You have just said you are not against academies, and then you read your press release and it is hard to see that that does not say categorically the exact opposite.

Kevin Courtney: We are not calling for the closure of academy schools; we are not calling for the closure of free schools. We are not asking for the teachers in them to be removed. We are saying we support our members working in those schools. In our manifesto, we call for the free schools programme to stop—no new free schools—we call for schools to be allowed to return to local authority status if they wish, and we call for the oversight for local authorities to extend to those schools again. That is completely consistent with what I have just said and it is completely consistent with the evidence.

Chris Keates: From our point of view, it is probably time that we have got to move beyond what schools say on the tin, whether they are academies, whether they are free schools, whether they are foundation schools or whether they are community schools. The issue for us is they are all state-funded schools and they should all be delivering entitlement for children and young people. Where we express concerns about the academy programme or the free school programme is where we feel they compromise entitlements for all children and they are not delivering that public education system right across the country.

Q1072 Chair: Can I take you back to my question about engaging with the political process as it is? Reading your submissions—I do not mean this in an insulting way—is a depressing thing. There is not the slightest recognition that I could see in any of your submissions of any benefits from the academies programme—no recognition of certain strengths or perceived strengths; just an outright, down-the-line categorisation, which is entirely proper and you are entitled to do, of any negatives. If you do not engage with the whole picture, are you not at risk of not being listened to by those in Government—either in Government now or in Government after May next year?

Chris Keates: I do not think it is fair to say that we do not engage with the process. We have engaged with the process. We have engaged in academy conversions; we have engaged with multi-academy trusts. In fact, we have got recognition agreements with the vast majority of the multi-academy trusts. What we have said is the complete focus on structural change has been a huge distraction from teaching and learning in many cases. Our opposition has been on the basis that: “If the debate is about raising standards, let us have the debate about raising standards and what the strategies will be”. There is no evidence to say that all this turmoil we have had for academisation has seen academies doing better. There are some outstanding academies; there are some failing academies. There are some outstanding foundation schools; there are some failing foundation schools.

The issue, beyond structures, is about what we are delivering for children and young people, and we have had an engagement with that political process.

Q1073 Chair: Can you point to any successes? Is there any political party that reflects your views of what should happen with academies and free schools?

Kevin Courtney: The Green Party has the same policy. The Labour Party and much of what Tristram Hunt is saying points in the right direction. It does not go as far as we would like, but there is movement in that direction.

Jon Richards: There is a difficulty for us when we are facing this, because realistically people come to us when they have issues and problems, so inevitably they are going to be the things we raise. We are against in general the academisation programme. We think that local authorities can potentially do the job that academies are doing, but some have failed. We acknowledge that some have failed and we acknowledge that there is a need for more openness and transparency. But, again, as Chris said, the reality has been we have been through huge structural issues—and we have got lots of examples of some of the problems that has caused, which perhaps we ought to get on to—and so, in a sense, you would not expect us to be raising issues that our members do not raise with us. We hear less about positives than we hear about problems, because inevitably members pay us money to deal with some of the issues we have to deal with.

Q1074 Chair: As you know, we do an inquiry, we write a report and we make recommendations to Government, so we are very much interested at the business end of what we do in how we make it better. There might be small things, but small things can make a positive difference if you identify a wrong and you right it. That is behind my—I do not know if it is a chiding of you, but anyway—challenge to you: to try to identify constructive things that whoever is in Government next May can take on board and improve the situation as we have it, rather than perhaps painting an entirely alternative picture, which is, it seems to me, unlikely to arise. Can I bring Avril in, if I may, on how you think you can best engage and influence policy for the better?

Avril Chambers: Yes. Your question was whether the anti-academy stance of the trade unions is in our members' interests. Just to replicate and repeat what all colleagues have said, of course we support our members whatever kind of school they work in, be that a free school, an academy, a maintained school, VA, etc. I do not think we are anti improving education in any way, shape or form, but to date there is no categorical proof that changing a school from a maintained school into an academy at the whim and the will of the Department or brokers is in our members' interests in many instances. At the same time as we have failing schools we have failing academies, and we also have multi-academy trusts failing in their oversight and overview of the schools that they are responsible for within their remit and portfolio. The GMB is certainly not against raising education standards in any way, shape or form, and we are not ever going to do anything that is not in our members' interests, but what we have seen to date with how some schools have been converted into academies has not been in our members' interests. We have seen job losses; we have seen pay cuts; we have seen pay freezes. That certainly is not in our members' interests, and the only reason for those job losses, pay cuts and pay freezes is the academisation.

Alex Cunningham: Can I first of all declare for the record that I am a member of UNISON?

Chair: Before you go on, Alex, does anybody else want to make a declaration? We might as well make the declarations at this point.

Siobhain McDonagh: I am a member of the GMB.

Ian Mearns: I am a member of Unite and UNISON.

Alex Cunningham: Neil, are you a member of a trade union?

Neil Carmichael: None listed here.

Bill Esterson: Just to be clear, I am a member of Unite and USDAW.

Siobhain McDonagh: I am also a member of USDAW.

Chair: This could clearly go on some time.

Neil Carmichael: Let it all spill out.

Q1075 Alex Cunningham: The trade unions have criticised the process of consultation, and Kevin mentioned that when he started talking. I am interested to know what changes you would see. We have got academies, we have got free schools and there are very likely to be many more. What could we see to improve the consultation process for converter academies? Even staff consultation or anything around those areas.

Kevin Courtney: It is very important that there is a voice for staff and a voice for parents in any conversion process. Of the primary schools that converted in September just gone, the majority were forced, and we think forcing a school against the will not only of its head teacher or governing body but against probably the will of the parents is a problem. Even in those that are voluntary, it is often against the will of the parents. At Dorothy Barley Junior School, 70% were against in a ballot; at Warren Comprehensive 85% were against in a ballot. In the Downhills case, parents were asking for evidence that primary academisation worked, and they were asking for evidence that in particular sponsorship by the Harris academy chain would work. They were not given any evidence of either of those things.

Alex Cunningham: But Harris is one of the best performing. Even I recognise that.

Siobhain McDonagh: You want to come to Mitcham. I will show you some schools that have transformed the lives of kids who got a pretty ropey education before.

Kevin Courtney: That was not the question the parents were asking. They were asking for evidence about primary conversion and evidence that academy primaries systematically do better than non-academy primaries. There is no evidence base to show that. You might have anecdotes about individual schools, but there is a point: that individual schools—

Siobhain McDonagh: Evidence about real schools.

Kevin Courtney: You need to look at the system, do you not? You need to look at what is happening across the piece. What is going on here is a wholesale academisation of the entire primary school estate—something that has not been tried in any other advanced economy—and yet there is no evidence to back it up. When Henry Stewart looks at the SATS results, he finds that forced academies in primary schools are doing less well than others despite the regression-to-the-mean effect. That is astonishing. It means that there is no evidence to justify going forward. Parents should have that systematic evidence. The fact that Downhills parents were given no evidence—no systematic, scientific evidence—is a problem.

Q1076 Alex Cunningham: So the evidence needs to be better. What about staff consultation?

Chris Keates: We need to revisit the legislation and the regulation on this, because it talks about consultation but it does not define what that is, so you get extremes. You get where a school can simply write out to parents saying, “The governors have decided that we are going to convert to academy status and this is the date we are going” or you can get examples of good practice where people say, “The governors are considering this issue. We are now going to go into a wide consultation with staff, parents, the local community and the local authority” and, if you like, do it in an open way.

Q1077 Alex Cunningham: What, Chris, could change in the regulation? You say the regulation is very wide. How do we hone that down to say, “You should do these things”?

Chris Keates: My view is you should define what the elements of that consultation are. You should put down what is required to be the consultation before the conversion process. Part of that also needs to be for the school to put forward proposals, a business plan—whatever you want to call it—to set out how they are going to use academisation to improve what they have currently got in the school. Parents have raised with us quite often that they have no knowledge of what the academy will do about special needs, for example. Basically, you should set out a format for the kind of information that needs to be given to enable people to engage in the consultation. At the moment, just saying, “You need to consult” is leading to a lot of poor practice.

Jon Richards: Two examples of that. I have got 17-year-old twins, one of whom goes to an academy and one of whom goes to a non-academy. I was written a letter by the head teacher of the academy, who basically said, “We are going to become an academy. This will be very good for you, we will get a bit more money, there will be no change, and it is going to happen at the next governors’ meeting.” That was it. I did ask a few questions, which meant it went to an additional board meeting, but nonetheless it went through.

We have had a recent case that touches on the things that Kevin talked about about forcing and failing schools. The Invenio Academy in North Lincolnshire became a standalone academy. Eighteen months ago it dropped from being outstanding to being a

failing school and has recently been taken over by the Outwood Grange Academies Trust. As soon as they expressed an interest in that happening, OGAT moved straight in and started completely changing things. They changed the staff's hours; they changed the uniforms; they changed the school website. Teaching staff tend to be a bit more involved in the process sometimes, inevitably because they are part of the leadership team, but for support staff, who are often particularly the ones subject to restructure and change, it is a real issue. There was very little consultation that went on with those. Our official went to the meeting, which was run by OGAT, and eventually the union people said, "Hold on. We want to speak to the people from the Invenio and find out what is going on," because they are still at the moment the employers and, in a sense, the OGAT people had to leave. The real issue was that our staff did not know what was happening. Some of them were promised jobs and were subsequently made redundant. A clearer level of understanding earlier on about what is likely to happen in the process, particularly in failing schools, where staff are already under pressure, would be very useful, as Chris said.

Q1078 Alex Cunningham: Avril, could you tell me if you really think that the consultation with staff in particular is up to standard?

Avril Chambers: The consultation process is inadequate in many instances. You do have variance, admittedly, but unfortunately there is far more bad practice than good practice, certainly from what I have witnessed from a national and regional level. Staff in many instances are not engaged in the process. They are certainly not engaged in the decision-making process; they are not consulted before the governing body proposes and requires to become an academy.

Q1079 Chair: Sorry to push you, Avril. How would you like it to change? Do you agree with Chris's view on a laid-out template process?

Avril Chambers: Yes. You have to have timeframes, people have to be consulted and consultation has to be defined. In many instances, people are being told rather than consulted.

Q1080 Mr Ward: Going back to the evidence question—just how fixed you believe positions are in reality—I was in a primary school yesterday in Bradford that has currently got an IEB and has a new head teacher who favours academies. It was a presentation by Dixons for taking over this school. The Secretary of State wants it and the local authority more or less wants it. Parents are against it, and they seem to be the only people against it. What the parents kept saying was, "Prove to me that this thing will be better". "We will do this; we will do that." "Yes, but prove to me. Why can the IEB that is currently in place not do that?" You cannot really prove what an IEB would do that would be better or worse; at the end of the day it is an act of faith, almost, rather than, "Let's just look at the clear evidence in this rational way and say, 'We will do that rather than that'".

Kevin Courtney: There clearly is a difference between an individual situation and statistics. Any individual conversion—any individual school—could be a huge success. It will depend on the qualities of the head teacher and the qualities of the sponsor and what they are bringing to it. But the statistics matter. The Centre for Longitudinal Studies at

the IOE in 2014 said academies have not been successful in reducing socioeconomic segregation between schools. Stephen Machin and Olmo Silva from the LSE in 2013 said the effects of academy conversion on students in the bottom 20% are close to zero “and possibly negative for later conversions”. Machin and McNally 2011 say that school choice in itself does not contribute to reducing educational inequalities. The Academies Commission says, “The evidence ... does not suggest that improvement across all academies has been strong enough to transform the life chances of children from the poorest families”. There is lots of evidence saying statistically that we have not got the evidence to justify it. In the primary case, there is such a dearth of evidence that that is a problem. Parents have to have that evidence. The NUT thinks parents should have a ballot as part of the conversion process. Staff should also be balloted, and parents should know the result of that staff ballot. That would then mean that you had to do what Chris says. Not only the parents of the existing children in the school but also parents at feeder schools and the local community need to be involved in a consultation process. It worked during the conversion to grant-maintained status. It is interesting that there is far less consultation in this process than there was then.

Q1081 Alex Cunningham: There has been lots of publicity around academy chains about potential conflicts of interest. In fact, the Committee commissioned a report on conflicts of interest. Is there a specific role that you see academy chains playing in the new school landscape, particularly in relation to staff? Are they more interventionist? Are terms and conditions collapsing for teachers? Are they improving? Are staff getting a good deal?

Chris Keates: There are a lot of questions rolled up into that one about the role of multi-academy chains. In terms of the structures of multi-academy chains, part of the problem is that we see the education service as being one of collaboration and of schools learning from each other in good practice, and in multi-academy chains the collaboration tends to be within the chain, not wider than that. In terms of staff, we have got recognition agreements now with the overwhelming majority of the academy chains. In the vast majority of academy chains there has been very little change in terms of conditions of service, but what we are seeing is some discrepancies coming in terms of pay, and the DfE’s own figures show that—lower percentages pay in terms of academy schools.

Chair: Sorry to cut you off, Chris, especially as you are answering the question exactly as given, but we are going to be dealing with this a little later, Alex.

Chris Keates: Right. Is it the conflict of interest in governance, then? You asked about that.

Alex Cunningham: Yes. I am interested in governance. I am interested in the transparency of how they operate.

Chris Keates: Quite frankly, there is not any transparency in terms of the boards and the structure that is set up with academies. Most of that—in terms of what the board structure will look like—is done at the point when the funding agreement is negotiated with the Department.

Q1082 Alex Cunningham: What recommendations need to be made?

Chris Keates: I will go back to what we are talking about. We are talking about a state-funded education system that has got to be delivering right across the country for all children and young people. That means that wherever you live, wherever your child goes to school, you should be working within a framework where people understand what that governance framework is going to be within the school. There should be an openness about what the multi-academy trust board's composition is. At the moment, it is a matter of negotiation. There is different practice in governance. For example, some multi-academy trusts leave governing bodies in individual schools; they stay there, but they are very neutered. Others take them away from individual schools and they deal with the board structure, which often does not have staff representation and does not have parent representation. There is a lack of transparency. We have certainly come across—and there is more and more evidence coming into the public domain—misuses of places on the boards. There are people with conflicts of interest; they run businesses that are educational suppliers, for example, that can get the contracts to the particular schools. People are directors in one academy trust and then they are directors of companies that do a provision in terms of school improvement. It is open to a lot of abuse, because there is no clear governance structure.

Q1083 Alex Cunningham: What recommendation can we make to Government?

Chris Keates: The recommendation should be that there should be regulations for governance that apply to all schools whatever that school is so that people know what the composition of the governing body is, what their roles and responsibilities are, and who is eligible to be on those governing bodies, so there is a proper transparency process. It is not just academies that have got a problem. There are problems in maintained schools, the more local authorities withdraw, in terms of making sure that the governance structures, even where they are governed with regulations, are being followed appropriately.

Q1084 Alex Cunningham: We have heard a number of times in the Committee about the huge contract that AET are proposing. I know that they are having some problems with the Government. Thank goodness they are having some problems with the Government. I would just like to explore the transparency of that and how that happens.

Chair: Avril, do you want to come in on that particularly?

Avril Chambers: I can come in on that, but I would just like to say, regarding accountability and transparency, that it is not just the lack of transparency, which is non-existent in many instances and inadequate, but also accountability, again. There really does not seem to be any accountability. It does need to be regulated.

Q1085 Chair: Sorry, accountability for whom?

Avril Chambers: Accountability for public money.

Chair: You mean for trustees? For governors?

Avril Chambers: Yes. One of the interesting things is the initiative behind the academisation was autonomy; it was, “Let head teachers run schools and teachers deliver teaching and learning. We will get the best heads. They know what they are doing. They know how to run the education service. Give them the autonomy.” Unfortunately, with the multi-academy trusts, the accountability and autonomy for principals and senior leaders is less. They are told who their service providers are going to be. They are told who will run their finances. The heads do not get the money until it has been top-sliced for whatever they are going to charge them for whatever particular service. Even more worrying regarding autonomy is governance. The board of governors of the local academy really is, to all intents and purposes, a talking shop, because it has not got the powers and decision-making that it used to have under the maintained system.

Jon Richards: Perhaps I can deal with AET as well, but I just want to say something about governance and boards. There seems to be a real fascination with making boards smaller and there just does not seem to be the evidence. The IOE report that was done for your Committee showed that there was an over-focus on making smaller boards. A number of times when we have had meetings of the Education Forum we have had DfE officials come to meet us and I have asked them the question, “Where is the evidence to show that this works?” There is no evidence. Good, competent boards are good, competent boards. I have sat on a quango—one that was abolished not too long ago. It was very small and it was very effective because it was very small but it had the right skills. That is the issue, not the size of the board. The sooner we move away from the focus on the board to what sort of skills are necessary the better.

There are a number of issues about AET. They are setting up a joint-venture limited liability partnership, which is pushing the boundaries of procurement regulation. It is very important that the EFA and the Secretary of State—who now, I understand, has to sign off—look at this in a lot of detail. We asked several questions around public procurement and liability in the summer and we are still waiting for the answers. It is not the officials I deal with at the Department, who are very good; they have obviously passed it on to someone else—presumably the EFA—but we still have not had answers to those. There are conflicts of interest in the AET model. As Avril said, the heads are not going to get the choice of the service provider, so there is an impact on those. The school business managers would be included under this process. School business managers, who are making huge decisions about finances, are now going to be part of a sub-group, not part of the main head teacher. You can see inevitably some problems on the ground. There will be an impact to the local community, because the new provider presumably, to make money, will need to increase the charges in the local community. When I was a kid, the local council baths were closed; a new one was built in the new school. If that transfers over to the joint venture, then presumably, to make money, they are going to increase the prices, and that will have an impact on the local community. There are two other points. They have talked about a particular sponsor—

Q1086 Chair: Sorry to interrupt, Jon; it is just again to beat the drum on our recommendations front. You do not have to give it to us right now—I will repeat this at the end—but if you have any specific thoughts about what that should look like, that would be very helpful.

Jon Richards: Absolutely. The Department needs to be clear about what joint ventures and limited liability partnerships look like. When we talk about terms and conditions, there are some very interesting things going about local government pension schemes, which theoretically ought to be clear; the Government came out with a very good statement on Fair Deal. I will come back to that later.

Chair: You have lit Neil's governance fuse.

Q1087 Neil Carmichael: First of all, can I just seek some clarification on what you said before? As I recall, you stressed the importance of skills on governing bodies. You would do that over and above the issue of stakeholder representation.

Jon Richards: Yes, absolutely. As a stakeholder, I would think stakeholder representation is very important, but it is entirely appropriate that there ought to be some skills. On all the boards I have sat on, in a sense, there has been someone taking responsibility for various aspects. It is very important. There are potential conflicts of interest. Another case I had fairly recently was of an HR consultant who was working for the trust who has now been put on the trustee board. There are issues about those sorts of things, but absolutely.

Chris Keates: Can I just add to that very quickly on the makeup of the governing body? I do not think it necessarily needs to be an either/or. A stakeholder model is a good one for a school within a community—you have got a stakeholder one. There are some real problems, though, in terms of looking at the skills base if you are looking at anything that is specific. For example, a lot of secondary schools think it is quite good to get an accountant on or to get a lawyer on. Quite honestly, it does not make a great deal of difference, simply because their ethical standards will not allow them to advise that school anyway in those particular ways. It is about training governors properly in the kind of role they have got and the massive amount of autonomy that school governing bodies have got. I would not go for an either/or. We need to build on some of the good work that was done by the last Government in the Ministerial Stakeholder Group, which looked at governance in detail. This Committee has looked at governance in detail. There are a lot of things that come through that. What it needs, really, is for politicians to grasp the nettle and say, "We do have to reform the governance structure", because that has been very much left behind while the academisation has taken on. Quite frankly, you have got a lot of well-meaning volunteers out there who are completely out of their depth in terms of the scale of the responsibilities that have been thrust on them.

Q1088 Neil Carmichael: Yes. On the issue of, say, recruiting an accountant or a lawyer, it is not actually that you want an accountant or a lawyer, but you want a person to have skills that an accountant or a lawyer might have. That is surely the point. Can I ask a question, though, of all of you? What do you think of the Ofsted inspection regime of governance and leadership of schools? Do you think it can be improved to bring a better framework of governance?

Chair: I would like to keep our focus on academies and free schools as much as I can, but, Kevin, if you can incorporate in what you wanted to say anyway an answer to that.

Kevin Courtney: Yes. I would like to make some specific points about things you could look at as recommendations about governance, which is what the previous question was, and maybe come on to the Ofsted point. Peter Clarke, in his report into the Birmingham Trojan Horse affair, says that unless there are exceptional circumstances an individual should not be a member of more than two governing bodies. We think that is something you should look at seriously, and we think in academy chains that is being blurred around the edges.

Chair: He is an expert on many things, but education policy is not necessarily one of them.

Kevin Courtney: That is certainly true. We think that if you are a member of many governing bodies it can mean that you do not have a connection with the individual school, so we think that is certainly worth looking at.

Alex Cunningham: But governing bodies are said not to be effective anyway. There is evidence that the governing body is not doing much.

Kevin Courtney: We support governing bodies on a stakeholder model. They do need expertise, but we support both of those things. We think having a professional core of people who are governors of many academies can be a problem. Beyond that, in terms of accountability within chains, each individual school should publish its accounts. Sometimes we only get to see the chain accounts, and that can lead to confusion and a lack of transparency. That is a recommendation you could make. Certainly in the report that you commissioned there were many examples of conflicts of interest. In the case of SPTA, nearly £500,000 has been spent on companies very closely related to people on the board. You should recommend that there are no related-party transactions. There should be absolute clarity on that question. A third thing on transparency—another conflict of interest—is people who are on the boards of multi-academy trusts who work also as academy brokers, or Ofsted inspectors who also work as academy brokers. There is a potential for a perceived conflict of interest there, where somebody is seen to be trying to boost the interests of their chain by their brokerage activities. There has to be clarity and an absolute separation of those roles.

Q1089 Alex Cunningham: If the Committee was to recommend, and Government were to accept, that there should be no related transactions or activity, what would that mean for the system, bearing in mind that many of these organisations have got these larger organisations outside and around them connected to the people who are sponsoring or who are trustees of—or whatever—academies? Will it just fall apart? Will they just walk away?

Kevin Courtney: It would mean there was absolute clarity that what was happening in SPTA was not somebody returning a favour. We cannot say that it was in the SPTA case, but it was £500,000 of money that was spent in related companies. Something has to be done, because otherwise the suspicion will develop that people are taking roles in these bodies for their own interests. There needs to be some sort of action. If the suggestion we are making is not the right one, there needs to be another suggestion that will deal with that and make it absolutely transparent. In the NUT, we go out to bid on contracts above a certain size, and you get some clarity from those sorts of matters, but the idea that these things are just happening on a governing body board is worrying.

Q1090 Ian Mearns: Within my own local authority area, the vast majority of governing bodies have a clerk provided by the local authority, and the clerk does the minutes and they are open and transparent from that perspective. Do you think, therefore, with academies there should be some form of independent clerking for governing bodies so that the minutes are open and are provided by somebody who is independent of the governing body and the school leadership themselves, and therefore that there is some sort of openness and transparency about the decisions that governors and head teachers make?

Chris Keates: Professional clerking would make a huge difference. You are right; there is some good practice in some local authorities that have maintained that. Many more do not provide them anymore; they cannot provide that service. It means you get a standardisation of the training; it means you get a standardisation of payment; it means the clerk acts in the interests of the governing body rather than, if they are the head teacher's PA, just doing things as an extension of what the head teacher is doing. We get governors who say to us that one of the biggest problems they have is, where there is not a proper clerk to the governing body and it is done in the school, that they will turn up at a governing body meeting and all the correspondence for the governing body is put on the table at the governing body meeting. It would make a huge difference to have proper clerking, with minutes taken and somebody independent from the school who could give advice on procedures to the governing body. We would support that.

Jon Richards: I was going to say the same as Kevin, really. There is an issue about open bidding, and that needs quite clear rules on the basics: "Above a certain amount of money, you have to show that you have had an open bid and there have been alternative bids". It makes sense.

Q1091 Bill Esterson: Both the Government and the Labour Party are proposing some kind of structure that provides oversight and involvement and a way of intervening and providing support in schools. For the current Government it is schools commissioners, who seem to now be taking a greater role. Starting with the schools commissioner model, are schools commissioners going to be in a position to address the sorts of concerns that you have all raised, whether it is about governance or about academisation or any of the other issues that you have mentioned already?

Jon Richards: It depends on what their definition of their role is and their terms of reference. The current directors are quite clearly there to promote academies. As you know, we have expressed our views on that. If you have the new DSSs or some alternative, if they are there to be independent and supportive and to try to make the system work, then that is fine, but there is a conflict of interest if one of the main roles they have got to do is to try to change the system and change the process. One of the things we need to be clear about is that role needs to be an independent role of making sure the system works. Where you have a good local authority that is delivering, that should be allowed to continue and continue to work. Where you have a local authority that is failing, then clearly there needs to be some form of intervention. There needs to be the balance, because at the moment the roles of the eight regional commissioners are clearly about driving the academies programme. They need to be far more independent and be overseeing and supportive.

Kevin Courtney: All political parties now realise there is a need for a middle tier between the Secretary of State and academy schools. From our point of view, the regional schools commissioners are a look at that, but they have nothing about localism, democracy or accountability about them. The regions that they are dealing with are so large. Tim Coulson, who I worked with when I was the NUT Secretary in Camden and he was a Camden council officer, is a very good man, but he is based in Cambridge and he is responsible for an area that stretches from Hackney out to rural Suffolk, trying to make recommendations about schools across that huge area. It is another step of nationalisation. It is national decisions being made by somebody who is based in Cambridge but without any sort of democracy or local accountability. We do not think that advances us in the direction that we want to go in. Local authorities are democratic and accountable—accountable through a surgery of a local councillor, by a deputation to the council and by election—but we recognise that many of the parties are moving away from using local authorities as their model.

Chair: What about David Blunkett's idea, then?

Kevin Courtney: The Directors of School Standards have some potential, do they not? They are a collaboration of local authorities, potentially. The question is how much local accountability they are imbued with and how open the participation of local authorities is in that. We prefer the local authority model. We can see that many local authorities are very small and there is some sense in collaborating around a bigger area than a local authority. The tri-borough arrangements in west London are a case in point. There is some need for planning of school places on a London-wide level. You can see there are arguments for going beyond a particular local authority, but we want to see democracy and local accountability. You need buy-in from parents.

Q1092 Chair: Blunkett's plan does not deliver that, does it? The whole point is there is a wafer-thin consultation with local authorities, if you want to put it one way, but it is from a central list. In truth, there are more of them so they have got a smaller area and they may have a more realistic and possibly broader brief, but they are not what you were asking for.

Kevin Courtney: They are not in Government yet and there is time to try to influence them before they get to Government and influence them when they are in Government. That is the direction we would want to push them in.

Chris Keates: The interesting part about the whole of this debate, whatever we think of the current commissioners that were put in by the former Secretary of State, is that acknowledgment that there needs to be some sort of middle tier. That is a really important debate, but for us the test will be that democratic accountability locally and the fact that they are championing schools in their area.

Q1093 Chair: Is that not the trouble, though, Chris? Those behind the academies programme would say, "Well, that is the problem". They championed schools in their area. They identified with the producer interest, if you like—your interest—rather than that of children. One of the aims of the academies thing is to try to get a separation so they could do

the role ideally you would have democratically, which is to champion families and children and to challenge schools. They do not defend schools; they do not accept mediocrity. They challenge them.

Chris Keates: What you are saying, Graham, is that what you have got to look at is the whole system. You cannot just graft people on to that; you have got to look and make sure that you have got localism in the system, that schools are at the heart of the community and that they are representing stakeholders. Local authorities will exist in some form or another in terms of being the democratic body locally. It is about making sure that you have got that accountability for looking at the education service and that provision. We should be building on the fact that there is that commonality at least appearing that there needs to be some tier, even though there are differences about what that tier might look like. That is the important debate to have.

Jon Richards: I do not think we defend mediocrity. We allow people a fair hearing. That is different.

Kevin Courtney: We see that the London Challenge—the city challenge—has the word “challenge” in it and led to the biggest improvement in standards. Unfortunately, your Secretary of State closed them down on election. They were working.

Q1094 Chair: Academies played a significant part in that.

Chris Keates: No, they did not.

Kevin Courtney: Not according to Professor Merryn Hutchings, who did the review for the DfE into them.

Chris Keates: A very tiny part.

Kevin Courtney: She said academies was a very tiny part. It is important that it was not through the language of failing schools and mediocrity that improvement came; it was by calling the schools that were in the most challenging circumstances “keys to success” and working with them, not by talking down to people and saying to failing schools, “We are going parachute in a head who is going to transform things”. It is a different way of working, and it leads to better results.

Bill Esterson: I have to say, Chairman, that every member of every union represented here today who I know works in a school puts children’s interests first. Moving on to the issue of forced academisation—the Chairman is disagreeing with me, for the record.

Chair: Every single one, yes.

Q1095 Bill Esterson: Moving on to the issue of forced academisation, I speak to academies in my constituency who are standalone academies who converted, and they tell me that whilst in theory they were not forced down that route they felt they had very little choice. Do you think that the term “forced academisation” covers the majority of academies, or do

you use it in terms of a much narrower group where you have got a school in a particular category that was given no choice?

Kevin Courtney: Of the 114 primary schools that converted in September just gone, 65 were with sponsors and probably directly forced, and 49 were conversions, but we hear the same story that you do: that academy brokers visit a school governing body and say, “Unless you volunteer, we will force you, then you will not get a choice of sponsor”. We think there are many more forced than we are seeing here. The trouble is that these things damage standards. The Ofsted report into Woodhouse Primary in January 2013 says that the conversion “placed a high demand on the energies of governors, the head teacher and other senior leaders and ... distracted them from focusing on improving the quality of teaching and learning”. The Ofsted report into Leyland Methodist in March 2013 says a “significant barrier to improvement has been the amount of time the head teacher has been involved in the discussions about transferring to an academy”. These conversions being promoted by academy brokers who often moonlight as Ofsted inspectors or work on academy boards are damaging standards. You have to say that this is a bad thing, especially when there is no evidence base for primary academies.

Avril Chambers: Particularly in primary schools, an awful lot of heads and governing bodies feel, to all intents and purposes, bullied into becoming an academy, particularly by some of the bigger sponsors and some of the bigger chains. One of the problems is initially most multi-academy trusts went for the secondary schools and the bigger schools, and now they are looking at the primary schools and they are saying, “If you want to remain a feeder school to this secondary school, you need to think about becoming an academy as part of our trust”.

Q1096 Alex Cunningham: Can you give us an example of that, Avril? Where is that happening?

Chair: If you have not got it to hand, please write to us.

Avril Chambers: Not to hand. I can supply the Committee with it. I can supply you with a number of those examples that have happened.

Alex Cunningham: Yes. That would be helpful. Thanks.

Q1097 Mr Ward: Could you draw a flow chart for what you see the position is at the moment and how that is different from what you would like? The starting point has to be: “The Secretary of State may”—not “must” or “will” but “may”—“make an Academy order in respect of a maintained school in England if—(a) the governing body of the school make an application under section 3, or (b) the school is eligible for intervention”. So, it is not “will” or “must” but “may”. At the point when that occurs, what should then be the process that leads to whatever then happens to that school?

Chris Keates: There is a process before that, though; it is when that is being enacted. Our school leader members have expressed real concerns about cold-calling by people who are saying to them, “We notice that you are not an academy. There are more academies coming in your area. You should become an academy. You might get X amount of money if you go,” down to people visiting the schools and also following on

from Ofsted inspections and people at that point being done. So, before it even gets to the point where the Secretary of State has the power to—"may"—make that order, it is: what is the process to getting people to be considering academy status? When the Academies Act came in, I remember Michael Gove standing up in Parliament and saying, "This is a completely permissive Act. This is not about us forcing people to do this. People will choose if they think academisation is the best thing for their school." That has been far from the truth, in terms of the fact that Ofsted is being used in that context; brokers are being used; and DfE officials have become evangelists for academisation. It was only when the new Secretary of State came in that we stopped having flashed up in the DfE on every floor what the latest number of academies and free schools was, like some sort of 1984 situation where you were being brainwashed every time you walked in. The whole process has been that the Secretary of State has taken that as a green light to go out there and force academisation in one way or another—bribing schools out as groups; pressurising schools out using Ofsted inspections. The process after that point needs to be the process of where that is considered, what are the reasons for it being considered, and we come back to the consultation and everything else we talked about earlier.

Q1098 Mr Ward: I am talking about forced ones, not where they are seduced into it prior to that by offers of this, that and the other. You are in measures; the Secretary of State may—but may not. At that point, what happens? Who decides? Is it the governing body? Is it the local authority? Is it the Secretary of State? Apparently not. At what point, as you are moving down—do we look at an IEB? If that fails, do we then go on to something else, or do we go to an academy before an IEB?

Kevin Courtney: Do you mean if a school really is doing badly?

Mr Ward: Yes. It is doing badly; it has failed. "For goodness' sake; we have failed for two, three, four years now." Who decides? Can the governing body just say, "We do not want it" or the staff say, "We do not want it"? Can the parents say, "We do not want it"?

Chris Keates: They do, but the fact of the matter is they are often left with no choice over it, because the Secretary of State may well put in an IEB whose whole process is to take the school forward into academisation.

Q1099 Bill Esterson: What alternative would you like? You are calling for some kind of level playing field. Describe that to us.

Kevin Courtney: First of all, you have to distinguish between schools that are genuinely doing badly and schools where there is an assertion that they are doing badly that does not really stack up, like at Roke in Croydon—now a Harris school against the will of the parents—which was rated outstanding by Ofsted in 2005 and 2009. Its results dipped in 2011; it was put into special measures the next year and its results came back up the year that it was put into special measures. The school was on track and forced. Leave that aside. If a school is in difficulties, the question is: what will do something to support that school? There are many routes for supporting schools, and academisation has not proved to be a very good one of them. London Challenge was a route to support schools that were in difficulties. Brokered support by a strong local authority. Ofsted's report into the functioning of Salford is germane to this. The Bradford Partnership we think is a good

sign. I do not know whether, as a local MP, you think it is, but the Bradford Partnership, from what we can see, is working as a way of providing support for schools that are in difficulties.

Q1100 Bill Esterson: Before you come in, Chris, we have had evidence that certainly with some of the Labour academies everything else had been tried and it was only when this new model came in that a real change came. You have told us that you think there is not evidence of improvement overall with academies. Is it just that those are individual special cases? How do you answer that piece of evidence that says it was only academisation that was able to make that improvement?

Chris Keates: Can we just go back to the beginning of the question? We are dealing with a school that is deemed to be failing. I do not think anybody would argue that either the Secretary of State or the middle tier—whatever it is—has not got a right to intervene. Somebody has got to intervene in there for the sake of the children and young people in that particular school. The issue is that when that happens the debate tends to be on who the sponsor will be for the academisation as opposed to a process that says: “How did the school get into this position? What is going to be the best solution to take this school forward?”

Labour particularly targeted schools where everything had been tried for over 10 years or whatever and used academisation. It is not academisation per se; it is often what the school improvement plan is, who the people are who are going to deliver that, what collaboration is taking place and what role the local authority is going to play in that. We should be focusing not on how you get to the point of the academisation but on what the process is when a school is deemed to be failing and the Secretary of State or the middle tier feels they have to intervene. What do we do, and what is the best solution for that school? It will not always be academisation. It can be access to external providers, for example, who are accredited for school improvement. It does not mean they have to change the status of the school. We lose sight of looking at solutions for failing schools by getting bogged down in, “Do we move it to an academy?” That is the concern I have got around the debate on failing schools.

Q1101 Chair: Have we got fewer failing schools today and fewer children being taught in inadequate schools today than we did in 2010, say?

Jon Richards: It depends on your definition of what is failing, does it not?

Chris Keates: Yes, it does.

Chair: I will accept your definition of failing. Are there fewer now than there were in 2010? Yes or no.

Chris Keates: It is very difficult to give a yes or no to that, Graham, and I think you know it is difficult, because quite often the goalposts of definition have been moved, particularly over the last four years, where every time we have got to one standardisation of what the definition is going to be Ofsted has changed those goalposts in terms of moving forward.

Q1102 Chair: It has not become less demanding over that time, has it?

Chris Keates: Less demanding in terms of?

Chair: You have talked about the goalposts—the bar, if you like. I have not read anyone suggesting that we have a less demanding regime today and yet the numbers, certainly from Ofsted, would suggest that we have fewer schools that are failing. Since the central policy of this Government in education has been around this academisation and the challenge it does to maintained schools and academies themselves, it would appear from the top level that it does not look to be a catastrophic failure.

Kevin Courtney: You politicians mess around with this so much, don't you? You change the bar and you say schools are failing or not failing.

Chair: I am asking you.

Kevin Courtney: GCSE results go up and you say it is a sign of—

Ian Mearns: Can I just make a very short point? 86% of primary schools are not academies.

Chris Keates: Exactly. I was just going to make that point. The majority of schools are not academies, and so you cannot make the links with academies and—

Chair: They can do it by themselves, Ian. Jon.

Jon Richards: I am afraid you threw me off guard there.

Kevin Courtney: There are many working class and ethnic minority children in this country that do not do as well as they could, and that is true. It is worse in this country than in some other countries, and that is true. It is also true that the general level of child poverty and inequality in this country is worse than those other countries. You know that the correlation is causation in this matter.

Q1103 Chair: Well, no. I had to reply to an NUT tweet the other day that entirely misrepresented the research, suggesting the ineffectiveness of schools because the social conditions were dictating and determining outcomes, when you have got massive differences between schools, as Siobhain will point out. Chain schools—very often Harris schools—have gone into the same area and they are not cherry-picking; they are genuinely delivering a transformed change.

Kevin Courtney: You cannot resort to this sort of statistical illiteracy. It is demeaning. We know that all the evidence on an international basis shows the correlation between the inequality in a society and the outcomes of the schools really matters.

Chair: Of course it matters. It is not utterly deterministic.

Kevin Courtney: Absolutely. I am a working class boy. Nobody says it is deterministic. Every teacher has to try with every child in their class and give them every bit of encouragement, but statistically, as a politician, you know that working class people

have worse outcomes in their health and in the National Health Service. You cannot deny that, and it is also true in schools. It was right to do something about converter academies, but the Henry Stewart evidence is regression to the mean.

Bill Esterson: The Chairman has just done exactly what he has accused David of doing and is hogging the whole thing, not for the first time.

Chair: There have got to be some privileges.

Q1104 Bill Esterson: The other factor is the best generation of teachers ever trained under a Labour Government, I have to mention. I want to give Jon the chance to answer the question that we have moved on to. Do we need a range of options of which academisation is one? That is really the point.

Jon Richards: Do we need a range of options? Yes. Is academisation one of them? The reality is it is because it is here. Would we like it? No, but the reality is it has happened. You asked about the Labour academies. One additional thing that the Labour academies had was huge amounts of additional money. There was a lot of money pumped into those academies and it is no coincidence that one of the best-performing local authorities is Tower Hamlets, which is the best funded. Everyone accepts there is a link between funding and outcomes; that is obvious. Labour was able to target money on a small area in failing schools, and that helped those schools.

Chris Keates: Can I just add on to that? We talk sometimes with a focus on academies as though there has never been diversity in the system, and there has always been diversity in the system. There have always been voluntary-aided schools; there have been community schools; there have been grant-maintained schools; there have been foundation schools.

Ian Mearns: CTCs.

Chris Keates: There have been a whole range of things. Diversity and different providers is not per se a problem; it is the framework in which those schools are working and what those schools should be delivering and about their accountability, which is the discussion we were having earlier. If you are working in a national framework, you are delivering an entitlement for all children and young people. Our concern about providers at the moment is that under the coalition there has been no real accreditation process for providers. Under Labour there was an accreditation process. We did not agree with all of the criteria, but at least there was an accreditation process. At the moment, anybody can come in and provide; it is an opaque system down at the Department about how providers are selected. If we are going to talk about diversity, we have got to talk about the framework they are working in, what they are delivering, democratic accountability, and accrediting those people in a way with transparent criteria that come in.

Q1105 Alex Cunningham: There was an interesting confrontation between the Chair and Kevin over the attainment of children from more difficult backgrounds, but school meals

are essential as far as the attainment of disadvantaged children in particular is concerned. Is there anything different happening in academies? Are they exploiting free schools meals the way they should? Are they handling it right? Are they still taking the kids with the free school meals? What are the advantages?

Avril Chambers: Unfortunately, academies that were founded between 2010 and 2014 did not have to comply with the national school food standards. That was rectified, I believe, in June this year. However, in the interim, we do have an awfully large number of academies out there that may have said that they have accepted the national school food standards voluntarily but whether they are delivering that I am not confident and I am not sure. I have to admit I have not seen any data on what proportion of academies have signed up to the standards and are complying with them. That is maybe something that the Committee would like to look at in future. I think it was Professor Terence Stephenson who talked about allowing children in academies and free schools to be exposed to unhealthy choices, unhealthy foods and unhealthy diets. There is evidence out there from the School Food Trust of the amount of academies that are catering as a commercial service to provide chocolates, fizzy drinks and even energy drinks.

Q1106 Alex Cunningham: But it is about free school meals, though. If this is the only meal of the day, you want a proper meal.

Avril Chambers: In primaries that may be happening, but unfortunately it is only infant schools that have free school meals.

Jon Richards: You have to say that the Government have done a good thing in introducing universal free school meals, and hopefully it will be extended. It was a plan of other Governments as well and there were clear movements towards that. What is important for us is what the delivery looks like and the capacity of schools. It looks as though the capacity of schools has been fairly good so far. What is really important for us is what the workforce standards will look like to deliver this, and that has been one area the Department has not necessarily been focused on. We have put up some money towards the idea of setting in place workforce standards, and it is a very useful way forward. Particularly for some primary school kids, having a free school meal when it is likely to be the only hot meal they have is very important. There is evidence to show that that works.

Kevin Courtney: I was not sure whether Alex's question was about the delivery of free school meals or about the impact on children who are entitled to free school meals.

Chair: Whether academies are any good at delivering them.

Alex Cunningham: I am keen to know that academies are delivering a quality free school meal for children who need it and who might have that as their only meal of the day.

Kevin Courtney: We support autonomy for all schools over the question of curriculum and assessment, although we do not think they are getting it, but we think there needs to be regulation around some things, and the quality of free school meals is something that deserves to have regulation that applies to all schools. The proper focus for all of your work and all of our work should be the long tail of underachievement. It is on the other point. 4.1% of the children at the Canary Wharf free school in Tower

Hamlets are entitled to a free school meal; in the borough as a whole it is 40%. Clearly, that free school is nothing to do with addressing the long tail of underachievement in our country.

Q1107 Ian Mearns: On the free school meal issue, though, Kevin, is it not a bit ironic? You would think schools would be doing everything they could possibly do to encourage the uptake of free school meals given that the entitlement to free school meals is the driver of entitlement to a pupil premium in the first place, which is an important part of a school's income these days.

Chris Keates: Some schools do everything they can to get as many parents to register as possible, like sending out forms to all parents to do that. There are schools that do that. The evidence is quite weak in terms of whether academies are doing anything with free schools that is better. What we do have evidence of, however, is selection by stealth, in terms of costs going up in academies, including of meals. I know that does not apply to the free school meals, but if you are starting to push out of your intake people who would be entitled to free school meals—

Ian Mearns: You must add “meal” to the end of “free school”, because we will get confused otherwise.

Chris Keates: Yes. Free school meals, yes.

Q1108 Mr Ward: I think we all agree with the importance of collaboration and in particular outstanding and good schools supporting weaker schools. Is there anything at all about the academies and the project towards academisation that either enhances or is detrimental to that sharing of that good practice between the best schools and those that are not so good?

Chris Keates: There is a lot of evidence that, with the competition element that comes with academisation, schools do well if they can collaborate and they can share. The Government talks about wanting schools to collaborate, but the evidence on the ground—and we see this working in multi-academy trusts—is that they may collaborate within trusts but they do not usually collaborate outside that particular trust. It is the same with academies that tend to be freestanding; it is more about them standing alone in isolation and making an offer that is more than in the other schools.

Q1109 Chair: Is there less now than there was four years ago? I do not think that is the evidence we have had.

Chris Keates: There is, because there were structured partnerships that were set up that were delivering good things, like behaviour partnerships and like 14-to-19 partnerships. Whatever kind of school it was needed to collaborate in terms of what that local offer was going to be across the piece. Certainly I know a lot of our members were very disappointed when the behaviour partnerships went, simply because they did not just enable sharing of good practice but actually became part of a mechanism for dealing with pupils who otherwise would have been excluded. There were some very great strengths to

that partnership working. There are not any partnerships as such that are those levers to get academies to collaborate wider than their own sphere.

Kevin Courtney: I read one of the other reports from this Committee and saw that people were saying there was evidence of much more collaboration. That is not what the Academies Commission found. They found that relatively few of the converter academies were collaborating, and they found that that was part of the breakdown of the local behaviour partnerships. In the Bradford Partnership, the lead councillor there, Councillor Berry, says that it is difficult to get some of the converter academies to buy into the partnership, which, according to people, is doing well. We are worried that if you focus on competition between schools, you drive the mentality that says the easiest way to improve any school is to change the background of the children who are coming to the school. That is the easiest way to get higher results. The difficult way to get school improvement is to improve teaching and learning; the easy way is to change the take-up. You drive schools in that direction, and that becomes more competitive. We discussed this in a fringe meeting at the Conservative Party conference; it does not work. The latest PISA report suggests that systems with more competition between schools show a greater correlation between socioeconomic background and poor achievement in maths, for example.

Q1110 Bill Esterson: Can I just follow that up? Do you have evidence of what have been described by some as “coasting” academies, where they are not collaborating or providing support but also they are stepping back—they have got their new status and they are quite happy with it and they are not pushing as hard as perhaps they would have been?

Kevin Courtney: I do not have evidence of that. I do not think the word “coasting”, applied to schools, works very well in general.

Q1111 Chair: Would you be able to put that together? This Committee has not been convinced; as you say, in our partnerships report we specifically said that we were not convinced that competition was driving an absence of collaboration. Despite the fact there is a tension there, from the evidence we had we were not convinced that it was having a negative impact. One can go to the OECD and find all sorts of angles on all sorts of things, but, if I remember, Andreas Schleicher has previously said that he did not think that there was a straight trade-off between the two either. We would be interested to hear, because we want to know what the truth is. Jon.

Jon Richards: The original question that was asked was, “What have academies added to it?” and the reality is that there has been more of a focus on autonomy and head leadership. I cannot deny that. There has been more responsibility empowered and more focus on leadership. I would chuck that as a positive as part of the process. Again, I am not saying it could not have been done elsewhere, but the reality is that is certainly being driven by the academy programme.

Q1112 Chair: When we were in Hull with a multi-academy trust—a group of primary schools—they were talking about the fact they were able to offer their teachers a

more interesting career because they had a deeper level of co-operation through their MAT while also working with other schools that had previously existed in the partnerships brokered by the local authority directly. Avril.

Avril Chambers: Collaboration does take place between the schools within a multi-academy trust, but what you are creating here is a marketplace. I was sat in a meeting with a relatively new and small multi-academy trust the other day—EMLC—who have it in their proposed policy that they put to the unions. One of them was “marketplace” and “how we can be effective in the marketplace”. With the greatest respect, if we end up with a marketplace whereby schools are belonging to a certain trust who then have their brand, because they all have their own uniforms, whether they are at a school in Birmingham, Brighton or Bolton, you are creating competition and you are not going to get collaboration between those trusts—between the schools within those trusts. For goodness’ sake, when was the last time Asda, Tesco and Sainsbury’s shared each other’s secrets and told them how they were achieving best practice and making the most profit? That is what we are creating here, unfortunately.

Chair: As I say, if you have got any evidence to back that up, that would be good.

Q1113 Siobhain McDonagh: We are going to look at academy trusts and primary schools. The unions suggest that academy status is not appropriate for primary schools because of their size, but the Committee has heard evidence from primary head teachers of the benefits for them and their pupils of joining a multi-academy trust, including shared support and shared responsibility. Is there any model of collaborative academy trust that could offer potential benefits to groups of primary schools?

Kevin Courtney: We are moving away from local authorities, where that collaboration already exists, giving schools autonomy and then saying they have to collaborate and putting them back into trusts. There are many models around the area you are looking at. The Co-op is promoting trust arrangements and collaboration between schools without going into academy status. There are hard and soft federations where collaboration is organised. There are many ways of doing that that do not require academy status. My union’s worry about primary academisation—we see it in the Policy Exchange report—is this drive towards a complete breakdown of all the support systems that currently exist on the hope that academy chains can provide them, with no evidence that they can on the scale that we are talking about.

Chris Keates: First of all, it is about academisation. I do not think we have said academisation is not good for primary schools per se. We have certainly raised it for some very small primary schools of less than 100; we think there needs to be a national debate about how those schools can be supported, because some of them are very tiny and they do struggle to provide the wide range of educational experience that is needed whilst keeping a school that is the heart of the community. In terms of primary schools and academisation, our view would be exactly the same as we have just been saying for others: not just per se academise the schools, but ask what it is we are trying to achieve. Most primary schools do work in some sort of collaborative structure—be it consortia that are set up by local authorities—because the vast majority of them are still maintained schools.

Q1114 Siobhain McDonagh: Should we distinguish between standalone primary schools, which may not be an appropriate model, and primary schools in multi-academy trusts?

Chris Keates: You come down to the point then of what the primary school is for. Our worry about primaries in multi-academy trusts is they are often seen as the basis for preparing children for secondary education and they are in the trust so the secondaries can say, “We have got these schools”. That is not what primary education is about. It is not about preparing children for secondary school. That is part of it; it is not the whole of it. Our concern about sweeping them up in trusts and making them satellites of secondary schools is that you can start to crush what a primary school is about. All the experience we have come across with that is that it has been about picking primary schools that are going to be the feeder schools for the secondary school, as opposed to, “This is a good educational model that we need to see” because it is going to raise standards across that area.

Q1115 Siobhain McDonagh: Please come to Mitcham. I can show you some examples.

Chris Keates: I am sure you can, but there are always examples, are there not? We can show you examples of community schools that work.

Q1116 Ian Mearns: The question, Chris, is: is it scalable? Can you take the 27 schools Harris have got? Harris do not want 4,000 secondary schools. They are not interested in doing that.

Chris Keates: No.

Jon Richards: That is the problem between the different multi-academy chains at national level, is it not? Quite clearly, those that expanded rapidly did so and it was very difficult for them. Kevin mentioned the Policy Exchange report. It was a very well-written report, very interesting and good to read, but one of the quotes that comes out is, “At the moment, it is difficult or impossible for many primary schools to judge where they would perform against these new higher standards”. It then goes on to estimate that 20% will fail these new standards, admitting it is hard to judge against them, and then says, as a result, we must therefore force all, including the other 80% that have not been, to do so. There is an interesting leap of logic as part of that report. You are absolutely right, but we have been justifying collaboration, in whatever form it is, and academies seems to be the only answer now, yet quite clearly the Academies Commission said it is not the panacea. We need to be talking about what is best for the right circumstances. As Kevin has already said, there are co-op trusts now out there. Huge swathes of the South West are now wrapped up in co-op trusts. That is an alternative model.

Kevin Courtney: I just want to so much agree with what Chris has said about the tension between primary and secondary education. In a local authority, there is still that tension. You often have a secondary heads consultative and a primary heads consultative. There is a proper tension because there is a debate between the two. I would certainly worry that primary schools in a secondary-dominated trust could lose their space and lose

their thinking about primary education. That is certainly something that needs to be considered.

Q1117 Chair: Is that a recommendation that you would like us to be making? Would you go so far as to say they should not be part of a trust led by secondaries or not? We have seen a successful multi-academy trust in Hull; they did not have any secondaries involved and they were working cooperatively and collaboratively. I am trying to tease out what it is you are saying exactly.

Chris Keates: It is not the solution. The fact of the matter is that one of the things that academies have brought in is a focus on diversity in the system. If you say primaries should be part of a multi-academy trust, you are saying they should be whether it is good for them or not.

Q1118 Chair: Just as you say they should be part of a local authority—maintained—whether it is good for them or not.

Chris Keates: What we have been saying is that you have got to come up with the solutions that are going to make sure that those schools can flourish.

Q1119 Chair: But you do say that, do you not? In your world—all four of you—they would all be part of the local authority, the democratically-elected council, regardless of whether it was good for a school or not.

Chris Keates: That is not what we have said at all. What we have said is they have got to be democratically accountable; they have got to be delivering within a public education service—

Q1120 Chair: And that is more important than delivering a good education.

Chris Keates: No, of course it is not.

Ian Mearns: It is not mutually exclusive, though, is it?

Chris Keates: The fact of the matter is in terms of delivering entitlements that does not exclude it out. Because it is democratically accountable does not mean it does not deliver a good standard. It is about a whole range of factors that come in. You are trying to get a one-size-fits-all by getting us to say—

Q1121 Chair: I am just suggesting you have one too. It appears to me that all four of you have one too. You are criticising those who are in favour of academies as a better structure by saying that it is one size fits all. It seems you are just as much one size fits all; it just seems to be an argument—

Chris Keates: We have not said that at all. We have talked about diversity in the system anyway. You have just done an analysis of what has been said this morning that is completely incorrect.

Chair: What?

Chris Keates: Saying that we have gone for one size fits all. On several occasions I have said there is already diversity in the system; it is about what those schools are delivering, not what they are called.

Q1122 Chair: So you do not wish to reverse the academisation that has gone on, then. You do not wish them all to return to local authority control whether it is good for them or not.

Chris Keates: I want to have a situation where all of the schools that are state funded are delivering an entitlement for children and young people in a proper, democratically accountable structure. You are not going to drag me into saying, “Turn back the clock and it is all going to be no academies” or whatever. That is not going to happen anyway; it is unrealistic.

Chair: That is true.

Chris Keates: What I am saying is you have got to look at what schools that are state funded are delivering and make sure they are delivering an entitlement for all children.

Jon Richards: The reality is we prefer the local authority method. We think that you can deliver all those things. The reality is we are not there, but when new schools open they are only allowed to be free schools or academies, and there are blocks put on alternative methods and structures both ways. I do not think it is that simple.

Kevin Courtney: It is standards, not structures.

Jon Richards: Yes.

Q1123 Chair: You said you wanted to return them all to local authority control.

Kevin Courtney: It is standards, not structures. You want to focus on curriculum; you want to focus on improving examinations; you want to focus on teacher training; you want to focus on CPD; you want to focus on collaboration between teachers in schools. That is the way to—

Chair: Kevin, if it is any good news to you, Ministers are often just as lacking in self-awareness.

Q1124 Siobhain McDonagh: What additional staff skills are required in primary schools after they convert to academy status?

Kevin Courtney: It depends on whether they are converting to a standalone or to a trust, does it not?

Siobhain McDonagh: I suppose by that we mean standalone, do we not?

Jon Richards: There is a real issue for our school business managers. We are the largest union that recognises school business managers. I will dig through as I find the statistics on this. We have just done various surveys. We have done one of about 14,000 members and we are able to compare and contrast academies. I have not been able to do the analysis properly because we are still doing the survey and also because most academies are secondary schools—you have to try to build that in. Some of the things they talked about particularly—someone else answer and I will find the quotes.

Chris Keates: Were you talking about staff in general?

Siobhain McDonagh: I suppose it is the additional things that they are going to take on if they become a standalone academy and all of a sudden a little primary school finds itself in that independent situation.

Chris Keates: That is one of the big challenges, but it is a challenge in most schools. What happens in terms of school leadership going from being, if you like, lead practitioners focusing on teaching and learning to being administrators and having to source a whole range of services that previously they have not had to deal with because they have bought into local authority services is becoming a big challenge right across the system at the moment.

Q1125 Siobhain McDonagh: That brings me on to my next question. Most of the evidence we have got from primary academies is that they continue to buy in from council services just as they did when they were maintained schools. Is the evidence from union members that primary schools are struggling to find local service providers that offer these services?

Chris Keates: It varies. Some local authorities have done a really good job in maintaining some of their services and schools buy in. In fact in some areas academies—be they secondary or primary academies—buy into local authority services. What we see now and certainly what our members are telling us is it is depending very much on where the cuts are falling in local authorities and what services they are able to maintain and offer. We do know from schools that do not use local authority services or are not in a position to do that that they have all sorts of problems in trying to source, for example, just something like high-quality providers of professional development. There is a huge unaccredited market out there; there are snake oil salesmen around trying to sell schools all sorts of things.

Chair: There always have been.

Chris Keates: One of our big concerns is that there is a lot of public money that is being wasted because there are no longer the economies of scale. For example, one of the things I have seen a marked change in is most letters I get from schools now are written by solicitors—often people who are specialists in conveyancing but have gone into the market of supporting education because they are the local solicitor—and the duplication of that. Where previously people would use a local authority's legal services, possibly paying something like £150 a year, they are now probably paying that for a couple of letters that come out. There is a real issue to be looked at with service provision, accreditation of providers and quality assurance on a whole range of services out there.

Kevin Courtney: Following on from that—it is a very important point—if you look in the inbox of a primary school head teacher or a secondary school head teacher, you will find it crammed with offers from tiny private sector providers such as the local firm of solicitors: “We will manage your academy conversion then we will provide you services thereafter”, and they are not accredited. There is a bit of software, BlueSky, for managing teacher appraisal. I was with a teacher last night who said that the evidence that they had provided for their head teacher to justify their pay progression came to 137 pages. Without accreditation, these things are leading to enormous workload for teachers.

Chair: And a waste of money.

Kevin Courtney: And a waste of money.

Jon Richards: I have found my bits of paper on this one. The huge challenge for school business managers is around procurement and understanding, and it really does vary depending on where you are—if you are in a city or in a rural area. There is a real challenge around procurement skills. I know there are training packages to do that, but the Government have just passed them over from the national college to another provider, which could prove challenging. Backing up what colleagues have said about local solicitors, we have just run an industrial action ballot. We know lots about industrial action ballots—the law is very tight, and so we have to know loads and loads. What was really interesting was seeing the responses from the different academies: those academies who just asked us themselves the questions—“What does this mean? What does that mean?”—and those who went and asked local solicitors, who wrote wildly inaccurate and misunderstood understandings of the industrial action regulations. Had they used their local HR for their local authority, it would have saved them a lot of time and a lot of money and they would have understood a lot more. There are real issues around HR understanding. There is some real lack of knowledge about human resource practice. We have a massive policy around the misunderstanding of TUPE and particularly TUPE regulations.

Q1126 Chair: It is the problem as to what changes could be made in the regulation that might reduce the wastage, which I do not doubt is occurring.

Jon Richards: Yes. There are recommendations about training. What the Government have tended to do is say, “We will leave it to the local schools to do something”. There need to be, quite clearly, recommendations about the levels of standards that need to be out there and the skills levels needed by school business managers and others when they are being placed in that, particularly in small local—

Chris Keates: We need accreditation and quality assurance. That is what we need.

Q1127 Ian Mearns: Is part of the problem, though, Jon, not that, like anyone, you do not know what you do not know? I have been a governor of a number of schools over the years and previously head teachers, if they did not know something, would pick up the phone and ask somebody at the civic centre and there would be somebody there who would answer

the questions. Now, as they stand alone, if they do not know what they do not know, they do not know where to go to ask the question.

Chris Keates: Yes. That is right.

Jon Richards: Often they go for legal advice. People seem to think, “Oh, I will ask a lawyer”. That is probably the worst thing to do.

Ian Mearns: Absolutely, yes.

Chair: Bad advice at the greatest possible cost.

Q1128 Ian Mearns: The commissioner for schools in England gave evidence to this Committee earlier this year, and one of the things that he said was that he could envisage a fully academised schools system within a relatively short space of time. I am just throwing that into the pot. With that in mind, what lessons, if any, should the Government learn from the rapid expansion of secondary school academies before embarking on the wholesale academisation of primary schools? To be fair, the DfE did retreat from that particular bit of evidence to a certain extent.

Kevin Courtney: That you do not have mechanisms in place to properly exercise oversight. If you move to a completely academised system, it will be more like free schools than academies because all new schools will also be in that situation. Just look at the examples of the Discovery New School, the Al-Madinah and the Kings Science Academy, where problems only came to light because of whistle-blowers, not because you had any mechanism in place. Look particularly at the Kings Science Academy, which I think you should be looking at in some detail, because even when the Government became aware of allegations of fraud, they took no real steps. They went to the fraud authority and were told, “It has not been reported to the police”, so they let it lie. It only went to the police after a whistle-blower made it public. This is a serious matter and shows a real lack of oversight. We think that you should look at that in some particular detail. A Vice Chair of the Conservative Party was supposedly the chair of governors at the school, according to the Conservative Party website and the school’s prospectus, during this period when the fraud is alleged to have happened and yet now we are told that he was not and in fact the school had not had a chair of governors for a year. There are matters here about public oversight of public money that show there are problems. Those things have to be addressed before you have a radical expansion of the academies programme, as well as having to have evidence that it will work to raise standards.

Chris Keates: You have got to be able to look at what the governance structure is. There are lessons I think the Government has learned, for example with chains like E-ACT. If the focus becomes on number-crunching—“How many academies can we get in the chain as quickly as possible?”—then you end up with the circumstances that E-ACT has found itself in, where academies have had to be taken off them because they have not looked at whether they have got the ability to support those academies or at the position of the schools they have taken over. Lessons are already out there in the system, but the Government has got to have proper oversight; it has got to leave itself levers in the system; and it has got to make sure the structures are in place to support whatever that particular chain is.

Q1129 Ian Mearns: You have both focused there on oversight and making sure that public money is being spent to the benefit of children's education within those establishments. Do you think, therefore, that Ofsted, the EFA and the DfE currently have the wherewithal to manage that oversight effectively?

Chris Keates: For a start, Ofsted is not allowed to inspect the multi-academy chains. To be fair to Ofsted—as I rarely am—they have asked to be able to inspect the multi-academy chains. There is a gap in the system already there.

Chair: We have hopes of the new Secretary of State.

Bill Esterson: She has already said she will do it.

Chair: No, she has not.

Bill Esterson: Oh, she has said she will look at it.

Chris Keates: In terms of the DfE and Ofsted and what they are looking at more generally, while the focus is on academisation, they are not looking with the scrutiny they should be, because frankly I do not think they want to be in a position where they find an academy is failing because of the political nature of what we are in, in terms of the school structures. I do not think they are being adequately looked at in that respect.

Avril Chambers: We already know the horror stories of what has happened in the academisation with no oversight, few checks and balances, etc, but to answer the question, “Could the current structures cope with the whole academisation of our school structure in this country?” it cannot cope with what it has got. The evidence is already there on the table that it cannot cope with what it has got at the moment. There has been inappropriate use of public money that should have been delivering teaching and learning, and it has been spent where it should not.

Q1130 Chair: Do we know if that is any more prevalent in academies than it is in the maintained sector?

Avril Chambers: I would say it certainly is.

Jon Richards: You would hope that the Government would know that.

Chair: Sorry, do you want to give evidence again, Ian?

Ian Mearns: Chairman, I am a governor in a maintained school. The thing is, because of the connections between the schools and the local authority in my area, the local authority's auditors are all over schools' books all the time.

Avril Chambers: Yes. Exactly. It cannot cope with what we have got at the moment. Even the AET outsourcing has shown that.

Q1131 Chair: I was just looking to try to tease out if anyone had access to evidence rather than assertion, which you specialise in with brilliant rhetoric.

Ian Mearns: I can tell you that is evidence. I am stating that as a fact.

Avril Chambers: There is evidence.

Chair: We looked at academies; we did not see it in context. It is trying to see both together, which I am not sure that I have seen authoritatively done.

Bill Esterson: The pay of the senior people within academies is an example.

Chair: We will seek to take evidence from the witnesses.

Q1132 Mr Ward: You say that you support members within the academies as well. Just what has been the impact on your members in terms of pay and terms and conditions of service? What is the evidence that you have to date?

Chris Keates: We have got the DfE's own figures, which were published, which show that in academies, primary school classroom teachers are paid about 3% less and secondary school teachers 2% less than the comparators in the maintained sector. What we are seeing is not what I think the DfE describes as negligible difference; that is quite a significant difference. If you look at the breakdown between men and women, men in primaries in the maintained sector earn on average £2,600 more per annum than women, but if you move to academies, men in primaries are earning £6,700 more than women. Our concern is, if you just look at the DfE figures, not only is there a disparity between what teachers are earning in academy schools but also we are starting to get that gap widening in terms of pay advantage for men in the academy schools. If you start to look at diversity and the BME teachers that are in employment and the profile of the profession, according to the DfE statistics, by ethnicity, at every level academies are whiter—if I can put it that way—than you would get in the maintained sector. That is in a context where those teachers anyway are underrepresented. We have got real concerns about what is happening to pay in general, but particularly in academies.

Q1133 Bill Esterson: Is the same true of non-teaching staff, Jon or Avril?

Jon Richards: We have just done a large survey, as I said. We have done two surveys. These are the initial results; they have not finished yet. Again, as I said, the academies tend to be secondary schools, so that may twist the stats, so we need to consider that. At the moment, academies appear to be employing slightly better qualified staff. We ask members, "Do you enjoy your job?" and members in academies tend to say they enjoy it less. They appear to be more stressed and appear to receive less training than their local authority colleagues. In both LAs and academies, around 60% of staff had not had a review for the last 12 months. Around one-sixth of staff in both LAs and academies have to supplement their wages with benefits. Interestingly, around one-third have taken out a loan from friends or a credit union, and around 5% from a payday loan lender such as Wonga, in the last year, which says some interesting things about the stats. We did a separate school office survey, because we particularly wanted to see that, and interestingly, while pay was the main issue in local authority schools, in academies

workload was the main issue in particular that was a thing. Again, in academies they worked particularly significant levels of unpaid overtime—higher than they did in non-academies.

Chair: Possibly tough for your members and great for the kids.

Jon Richards: Potentially, but as we have shown, the statistics show that there is no comparable difference between local authority and academy schools. For members potentially it is difficult. The real thing, though, when we looked at it, that came out of the actual quotes when we asked them, “Do you enjoy your job? What is the issue?” was the security issue. They were very worried about job security. There have been lots of restructurings and the whole issue related to changes going on and them not knowing about it. That is a real communication thing with academies. There was one particular issue with The Hawthorne’s School, which was set up as a free school and came out of two closing schools in Sefton. As a result of that, there were huge problems with us getting TUPE for our members. Two schools closed. The free school encouraged one school to close a year later and another school to go early, and the local authority agreed to do that. The new free school said the staff there were not entitled to TUPE; Sefton Council said, “We are not paying either”, so a large group of support staff were left without any money whatsoever for a couple of years while we had to row. I cannot say what we did, because we are legally bound not to say what we did.

Q1134 Chair: But you succeeded, Jon, on behalf of your members. That is what the world should hear.

Jon Richards: We did very well on behalf of our members, which is important, but it does say that there are huge problems around TUPE that need clarification, and for new academies it is very difficult if they have not got good support.

Avril Chambers: The impact on our members is what Jon has said, but also an awful lot of job losses. The amount of academies that restructure no sooner than they have become an academy—and that results in the main in support staff reductions. We know that pay in academies, certainly for senior leaders—head teachers and principals—has gone up under this process. We have got head teachers on six-figure salaries—the number of heads on those six-figure salaries has gone up 25% in two years—whereas support staff pay has either been capped, frozen or in real terms reduced. That is a lot of what Jon has said. They are working more hours but they are not getting paid additional pay.

Q1135 Mr Ward: Kevin, you can do this one, which is really: “Well then, so what?” Is there any evidence of what that will mean in terms of the recruitment of teachers and a healthy teaching profession in the future? Is there any indication of what this will mean?

Kevin Courtney: We think so. We have got tens of thousands of members working in academy schools and we want to support them so we survey them regularly. One thing to note about that is that although the selling point is that these schools will be run more by teachers, our members in academy schools say they have less autonomy than members in other schools, but they are reporting significantly higher stress and workload. We think that plays into the general question of teacher workload. We are at a time when the

economy looks like it is picking up that bit so there are more graduate jobs. We all know the DfE teacher supply model suggests that will cause stress in the system of teacher supply, and the amount of workload that is being expected of teachers in academies will lead to problems. We are seeing much higher teacher turnover reported to us in some of the academy chains than in other schools, and that is a big problem.

Q1136 Ian Mearns: We have had the very well rewarded—

Chair: Just like these guys.

Ian Mearns: Yes. The very well rewarded CEO of the Harris Federation, Dan Moynihan, gave evidence to this Committee. He told the Committee that the chain “leaves no stone unturned” in supporting pupil premium children, which is why Harris offers after-school tuition with teachers and trainee teachers, Saturday schools and half-term workshops. Is there anything to stop maintained schools taking similar initiatives?

Chris Keates: There is not anything to stop them. As you will know, Ian, there was a massive extended schools programme that was in operation, but it required investment. There is nothing to stop maintained schools doing that. I would expect the CEO to come in and say, “We do something different because it is an academy” but there is flexibility there. Schools use flexibility. What is very worrying is the information that is coming forward and, interestingly, came up at the party conferences in the fringes that we ran—all of them—of parents raising concerns about the demise of extended provision because schools can no longer afford to put in extended provision. When I am talking about extended provision, I am not talking about teachers just being asked to work a longer day or work through the holidays; I am talking about a proper programme of extended provision that could include extra classes, could include childcare and could include enrichment activities. A lot of maintained schools use flexibility within the school day. They timetable in a way that they can do some one-to-one tuition; they do enrichment activities by having people into that. There is a lot of creativity going on in there, but if you want extended provision you have got to be able to invest in it.

Q1137 Ian Mearns: Certainly we have had another head teacher of an academy saying he did not realise what freedoms he had before as a maintained head, but now he had become an academy head he was being more innovative. He was not understanding why he had not done it before, to a certain extent.

Chris Keates: Yes.

Kevin Courtney: A similar example. The Free School Norwich was promoted by the previous Secretary of State as being open 51 weeks a year and that this is some big free school freedom. I visited the Free School Norwich. It is mainly staffed by NUT members. I enjoyed my time there. What is happening is a commercial provider offers a chargeable service from 8.15 until the school opens and from the school close to five o’clock and on Saturdays and during the holidays. The school is not open any longer; the teachers are not there any longer than the schools around them. It is a good service but it is a chargeable service. Other schools could be providing that. These services have been

massively cut back. There is a degree of flummery around saying that these are things that schools do because they are academies or free schools, which is not true.

Jon Richards: They also have an impact on other things. In Leicestershire, they had an arrangement where the school model was 4 to 8, 10 to 14 and 14 to 16 age ranging, and when the academies withdrew from that they had to completely restructure the rest of the Leicester LA schools because the model was no longer able to work in Leicester. That has had a huge impact on the rest of them. When you have freedoms, there needs to be some way of working with other schools before they are just introduced willy-nilly.

Q1138 Neil Carmichael: Since we have had such a good, free and frank discussion, what I would like to know is what kind of Hippocratic Oath you would like to see. Any ideas?

Chair: It is that final-question-time question, is it not?

Jon Richards: Of our members, do you mean?

Neil Carmichael: Yes. Just give it a go. See what you can come up with. This is the flagship policy, apparently.

Chair: Kevin, the Labour Party is moving in the right direction, you said. Not far enough, but it is moving in the right direction.

Kevin Courtney: Part of the Hippocratic Oath for doctors—which they do not actually take—is, “Do no harm”. Teachers should be empowered—

Chair: Google used to say that, did they not?

Ian Mearns: They did not mean it, though.

Kevin Courtney: You have to see the unintended consequences of many things Government has done—Government of all political persuasions. Teachers have been forced, effectively, into teaching to the C/D borderline—that has changed—because of reasons that are nothing to do with the children that they teach. They want to stretch the children who are A to A*; they want to work with the children who are E to get them to D.

Neil Carmichael: That is quite a long oath.

Kevin Courtney: My point is that teachers should be empowered to say, “No, we are not doing that. If it is not for the children, we are not doing it. Never mind your accountability systems and your needs as politicians to show schools going up some standards thing that you have created in the first place. We want to teach our children; let us alone to teach them.”

Q1139 Neil Carmichael: It would be an oath of independence.

Kevin Courtney: Yes.

Chris Keates: I think it would be an oath of being able to exercise professional autonomy. Unfortunately, whatever the Hippocratic Oath would be would be dictated by the context in which they work, and at the moment they have no professional autonomy. But teachers out there are doing a fantastic job every day even with all the constraints and pressures that are on them.

Q1140 Neil Carmichael: Avril, the oath?

Avril Chambers: Only teachers are going to take it. Support staff are not.

Jon Richards: We will do our best to improve the education of our kids.

Chris Keates: All we do is say that every day.

Jon Richards: Exactly. You do not need to say it; that is the reality.

Q1141 Chair: What about the Teachers' Standards? They got redrafted.

Chris Keates: The current Teachers' Standards are awful, Graham. They need to be looked at. They are awful. They are not standards; they are a hybrid of a code of conduct and some worthy general statements, and now they have had tagged on all these British values, which in our view should be universal values anyway. Quite frankly, they are not fit for purpose at all, which is why we are getting a lot of problems in schools writing huge charts trying to work out what they mean. If the Committee wants to look at anything, have a look at the Teachers' Standards. They are awful.

Jon Richards: Now the Government are looking at teaching assistant standards, I hope that they will learn some of the lessons of both this and also the new interesting head teacher aspirational standards, which are proving controversial.

Chris Keates: Yes.

Q1142 Chair: Kevin, because—I do not know whether it is through shyness or people picking on you—you very rarely get a say, I will give you the final word.

Kevin Courtney: What Chris said about Teachers' Standards is very important. You should look at the question of what is driving teacher workload to such high levels, because we think—I think all the teacher unions—that much of the over-work that is being done is not about preparing exciting lessons or giving effective feedback; it is accountability systems that have been created outside that are creating enormous work overload. I think you should look at that. Teachers' Standards is one of them.

Chris Keates: I know you wanted Kevin to have the last word, but can I just say—

Chair: This happens to him again and again and again.

Chris Keates: If you are going to look at standards, will you look at head teachers' standards? The current ones that are being drafted are simply going to be a to-do list for teachers as opposed to the skills, knowledge, aptitude and abilities of head teachers. It is

long overdue to have a look at leadership in schools, so add on to Teachers' Standards looking at standards for head teachers as well.

Neil Carmichael: A special oath for head teachers.

Chair: Can I thank all four of you for giving evidence to us this morning in what has been a very enjoyable session? If you have any further thoughts, particularly around recommendations, even if they are small, micro things, that you think we should include in our report, then please do be in touch with us again. Thank you all very much indeed for coming.