

Education Committee

Oral evidence: [Accountability hearings](#), HC 341

Wednesday 21 March 2018

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Members present: Robert Halfon (Chair); Lucy Allan; Michelle Donelan; Marion Fellows; James Frith; Emma Hardy; Trudy Harrison; Ian Mearns; Lucy Powell; Thelma Walker; Mr William Wragg.

Questions 719 - 800

Witnesses

[I](#): Rt Hon Damian Hinds MP, Secretary of State for Education

Examination of witnesses

Witness: Rt Hon Damian Hinds MP

Q719 **Chair:** Good morning and welcome, Secretary of State. I think this is your first appearance to our Select Committee as Secretary of State. Can I just start off by saying congratulations on your new position?

Damian Hinds: Thank you, Chair.

Chair: For the benefit of the tape, could you introduce yourself and state your position, please?

Damian Hinds: I am Damian Hinds. I am Secretary of State for Education.

Q720 **Chair:** Thank you. Just 15% of children from the poorest third of families currently attend a primary school rated as outstanding and a child in one of England's most deprived areas is 10 times more likely to go to a requires improvement or inadequate secondary school than a child in one of the least deprived areas. We know that pupils designated children in need are more likely to attend a school requiring improvement than an outstanding school. Could I just ask you to comment on that and what the Department is doing about it?

Damian Hinds: Statistics like the ones that you have read out should trouble us all. They should also motivate us all. That is what brought me into politics. It is what made me want to do this job that I am doing now and it is what makes me so passionate about doing this job. For your Committee members, it is probably also one of the things that primarily attracted them to joining this Committee, with all the good work that it can do.

There are a lot more children now attending good and outstanding schools than was the case seven or eight years ago and we have also seen the gap narrowing quite substantially. The gap between disadvantaged students and their peers is down by 10% both at primary and at secondary phase, but there is an awful lot still to do. There are—

Q721 **Chair:** Can I just give you another? Overall the rate of free school meal uptake at the top 500 comprehensives is below half the national average, 7.5% compared to 16.5%. There are solutions that the Government could do that do not cost a lot of money and are relatively simple. Are you aware that the Office of the Schools Adjudicator has said, "Many schools in England still appear to be selecting pupils by the backdoor using unnecessarily complex admission arrangements"?

Damian Hinds: We need to make sure that admissions are fair. School choice is at the heart of our system. That predates the change of Government in 2010. It is important that parents are able to exercise choice for their children, but we have to—

Q722 **Ian Mearns:** Sorry, Secretary of State, they have a right to express a



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preference. They do not have choice. The choice becomes the school, quite often.

Damian Hinds: Mr Mearns, the way the system works is that when you are expressing your preference in terms of the one, two, three choice, obviously some schools will fill up, so you are quite right that there is not absolute choice in that sense. But schools have to have objective criteria, published criteria, for how admissions are done in the event of oversubscription and those have to be fair and transparent.

Q723 **Chair:** Just to give you another example, *The Times Educational Supplement* found that it can take almost a year for looked-after children to be accepted by mainstream schools, almost a 10th of applications for in-year school admissions are not accepted within the statutory framework of 20 working days and applications to non-maintained schools are half as likely to be accepted within the deadline as those to maintained schools. Why are some schools deliberately blocking access to education for some of our most vulnerable pupils and what will the Department do to clamp down on this?

Damian Hinds: You are right to identify the particular position of looked-after children. For that group of children we owe, as a society, our very best efforts to give them the best possible shot at education. They have typically had a difficult start in life, more difficult than other children, so it is important to give extra help to make up or to try to start to make up for some of those disadvantages. That is why we have had reform like the virtual school heads approach, and the designated teacher and that is why we have pupil premium plus. We were just talking about admissions criteria. It is why in admission criteria looked-after children are so high up the list and so on. Have we cracked this? No, absolutely not. The educational outcomes for looked-after children are very poor compared to the average. It does not just stop there, it does not just stop with your GCSEs. If we look at—

Chair: The manifesto—

Damian Hinds: Hang on, if you just let me finish, Chairman. If you look at the employment outcomes for care leavers and so on, an awful lot more work needs to be done there. We need to look at these young people all the way through their youth and onwards at every point of contact and try to do something positive to help them on their way. Apologies for interrupting.

Q724 **Chair:** Not at all. The 2017 manifesto set out a proposal to conduct a review into school admissions. Where are we with that?

Damian Hinds: We constantly need to be considering school admissions. We have just obviously been talking about it and when people bring concerns then we will look at them. You mentioned the Office of the Schools Adjudicator and that is an important part of the architecture as well.



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Q725 Chair: Could I just suggest a couple of proposals to you, given that we have highlighted this social injustice? Would not changing the admissions code from a permissive code that allows any admissions criteria that have not been proven to be unfair to a restrictive code, only allowing schools to choose from a menu of admissions criteria proven to be fair, strengthening the Office of the Schools Adjudicator to clamp down on unfair practices, and ensuring that parents can make more informed choices, not make a difference in ensuring that the most vulnerable, the most disadvantaged, get to the schools that are good or outstanding?

Damian Hinds: We will take very seriously any proposals made by this Committee and the reports that you make. Obviously the Department will respond and will come forward with a full response. We will take it very seriously. I would mention there are already the rules that say that school admissions have to be fair; they have to be transparent; they have to be—

Chair: Yes, but they are not working.

Damian Hinds: They have to be published, and we have the Office of the Schools Adjudicator.

Q726 Ian Mearns: But when local education authorities were the admissions authority for the vast majority of schools, a lot of local education authorities had looked-after children at the top of the admission criteria for all schools. Now, since many more schools have become their own admissions authority, that priority has been eradicated for an awful lot of schools, unfortunately. It means that the position of looked-after children in particular has become worse over the last few years because of that burgeoning of different admissions authorities in particular areas.

Damian Hinds: I am keen for looked-after children to be very high up the list of priorities in the event of oversubscription. We have seen some improvements in outcomes with looked-after children, but there is always a great deal more to be done.

Q727 Lucy Powell: Just a tiny follow-up on that. One of the things that we have asked Ofsted to look at through the course of this Committee is not just about admissions, but about exclusions. Would you look at having inclusivity as one of the things against which a school is measured, so that those that are lucky enough to get in can be kept?

Chair: Or some kind of auto-enrolment to ensure that the most disadvantaged can get to the best schools.

Damian Hinds: Let me deal with both of those. We do want the most disadvantaged to be able to get into the best schools. I do not think there is a single policy lever that achieves that. It is something we have to constantly work at through multiple routes.

On the exclusions question that Ms Powell asked about, we have just started a review of exclusions, exclusions practice, looking at why there are some of the differences that there are. We know that there were



differences between some ethnic groups in the instance of exclusion, differences by special educational need in terms of your likelihood of being excluded. The reason for doing this is to be able to find the best practice to be able to identify the support that can be given school to school, area to area, because I do not think teachers and heads want to be excluding children at all, but particularly those from the most disadvantaged backgrounds. Those are the children who, in my experience, heads and teachers want to be giving the maximum help to. Looking again at exclusions practice and where best practice that avoids exclusion exists can help in that.

Q728 Chair: We are asking these questions is because our Committee is very keen on addressing social injustice through the education system.

Just to move on to a different subject, in terms of childcare, how can it be right that an MP with children can get free childcare for the 30 hours and yet a single parent who is not working cannot?

Damian Hinds: There are five different elements to the Government's childcare support. You have identified one of them, which is the increase from the 15 hours to 30 hours for working parents and that is the purpose of it. There is a 15-hour universal entitlement for all three and four-year-olds; there is also the entitlement for disadvantaged two-year-olds at 15 hours; there is also tax-free childcare and so on. All of these offers are bigger offers than they were eight years ago. Everybody gets the universal 15 hours for three and four-year-olds. The additional 15 hours for three and four-year-olds is for families where all the parents, whether that is one or two, are in work—

Chair: That is my point.

Damian Hinds: And it enables them to go to work. There is—

Q729 Chair: Sorry, I just need to come in on this, because a child who has been in high-quality preschool for two to three years before school starts is eight months ahead of a child—you will know this.

Damian Hinds: I do.

Chair: It just seems to be completely wrong that a couple or particularly a single parent who may not be working does not have access to that extra 15 hours, yet somebody who is working does. I am not asking for extra resources, because there is money: if you reduced the threshold where you get the 30 hours from £100,000, you could fund a lot more parents who are not working to get those additional 15 hours.

Damian Hinds: I would say two things on that. First of all, you are absolutely right about high-quality early years education and its role in school readiness, access to the curriculum and child development and progress all the way through school. That is why we have the 15-hour universal entitlements and that is exactly what it is there to achieve.



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It is also why for disadvantaged children we go further, and we say that at age two it is also possible to access the 15 hours of early years care and the take up of that two-year-old offer has increased quite substantially. The additional 15 hours is there primarily to help people to work and work is a good thing. Parental work is helpful to family budgets and it is helpful to the general progress for that family and we want to make it more possible for more people to go out to work. We already have record employment levels, but there is more that can be done.

We could also have talked about the extra childcare support available in Universal Credit, for example. There is a higher reimbursement rate than was ever available under tax credits at 85%, which again will help people to go to work. You can claim it for a month even before you start work so that you can get into the rhythm of work while your child gets settled, which is obviously very important for people as they are going through periods of change.

Chair: I would ask you just to look at that, because if you reduced the threshold for the well-off then you would be able to redistribute those funds to help those who are not working, which would make a huge difference to their child in terms of the extra hours, but I understand all the extra things that you have set out that the Government are doing.

Q730 Ian Mearns: It is about educational benefits for the child; that is the important thing. Why should children of unemployed people not have the educational benefit of that early years' provision?

Damian Hinds: I do not think anybody is saying that in those terms. If I take you back a number of years, in the current form, none of these things existed. I do not think you would have said at that time the sentence you have just said would have applied to the then Government's policy. What we have been able to do is to extend childcare entitlement and availability much more broadly. We spend a lot more money on childcare and early years than ever in the past, with an extra £1 billion going into these various programmes. There is 15 hours of universal entitlement. It used to be 12 and a half, as you will all remember. It is now 15, but then there is this extra 15 hours, which will enable people who then want to go out to work to be able to do so.

Q731 Michelle Donelan: We do not all agree in the Select Committee on this topic. I think that you are right, it is incentivising people to get into work and also enabling them to. The view being propelled here is about changing our education system by reducing the age. However, do you not think that there is an argument for reducing that £100,000 threshold? If you are on £100,000, let's face it, you are very well-off and you can afford your own childcare. Should the state be funding that and could that money be used elsewhere for other means? Additionally, because you add the mother and the father's income, who could be on a very substantial wage, which is a lot more than we are earning.



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Damian Hinds: Can you make that argument? Yes, you can make that argument. In fact, I remember I was working at the Treasury at the time when some of these criteria were put in place. You can make an argument for different levels.

The point of this extra 15 hours entitlement was effectively to be subject to a relatively modest or moderate number of hours of work or amount of work that people would be doing and people who were in work should be able to get this extra childcare, but there was a cap on it at a certain level, which was set—as you rightly say—at the level it was. Can you make an argument for why that should be a different number? Yes, of course you can, but that is the—

Q732 **Michelle Donelan:** Are you making that—

Damian Hinds: No, I am not. I do not have the numbers in front of me, by the way, of the income distribution, but I would caution the Committee on the maths, of saying that if you move that threshold by a certain amount you are going to suddenly free up an awful lot of money. One would need to study that analysis in detail.

Q733 **Lucy Powell:** I do have the numbers, but of the upwards of £1.5 billion a year extra that is going into early education, 75% of that extra expenditure is going on the top 50% of earners. In this world of inequality in the early years, is that justifiable?

Damian Hinds: I am sitting here without the spreadsheets that you have in front of you, but the 50 percentile point does not get you very close to the income level that Ms Donelan was talking about.

Lucy Powell: But you could argue distribution is not—

Damian Hinds: The only point I am making is that you can always have a debate about exactly where any cut-off on these programmes should be. The point of the extra 15 hours was that essentially for the great bulk of the population, if people want to go out to work, that support is there for them. Of course in other aspects of education, including universal primary and secondary education, we do not set any limit. It is a universal entitlement widely recognised as—

Q734 **Emma Hardy:** A quick question. Yesterday I met with Save the Children and one of things they pointed out to me is in the changes to Universal Credit, people will be expected to pay for childcare costs upfront before being able to claim Universal Credit, which could obviously act as something that deters them from going into work. Is this something that your Department is going to look at?

Damian Hinds: It is not something my Department will look at. It is something that DWP has looked at and I recognise the issue with cash flow. There is a thing called the Flexible Support Fund that operates in DWP. If somebody is looking to return to work or start work for the first time and needs help, financial help, in the short term with covering



upfront childcare costs—and many other things as well—it is possible to access that through the flexible scheme.

Q735 **Emma Hardy:** Offering hours to parents who do not work would be a solution to that problem.

Damian Hinds: But if they were going into work they would be entitled to it.

Q736 **Chair:** Just two before I pass over to Marion. The Sutton Trust did a survey of 1,400 teachers and 30% of them said that funds specifically for the most disadvantaged students were being used to fill budget deficits. Could I just ask how robust the evidence is regarding the impact that the pupil premium has on disadvantaged pupils and how do you measure it? Where you have had the narrowing of the attainment gap can causality be attributed to the pupil premium?

Damian Hinds: The pupil premium has been a huge structural reform, a change in the way that we go about funding schools in this country. I think it is right that the extra money should follow those pupils who have most requirement for additional support. We also have school autonomy. The approach that is taken, which I think is the right one, is that schools should have access to information about what pupil premium monies can be spent on most usefully. It is also right that in the inspection process that Ofsted go through, of course they are going to want to look at the progress of children at all different ability levels and different groups and so on.

We might talk later about Progress 8s and the improvement that is in the way of tracking these things. We do not have a prescriptive system that says, “You should spend your pupil premium money on X” because we think a head teacher or teachers in a particular school are most likely to know what is right for those kids for that place. It can be quite a big range of things that pupil premium money is used on.

Q737 **Chair:** You announced your review of exclusions, which was welcome. One part of it—unless I missed it—it did not have anything on whether or not schools should be accountable for the children from the schools that they had been excluded from. Do you think that should be the case, that schools should be accountable even when the child has been excluded?

Damian Hinds: What we are doing at the moment—and it has just started, so we need to have some time for it to progress—is reviewing and looking again at the practice on exclusions, trying to understand some of the differences school to school and area to area, because they are quite substantial, those differences, and also trying to understand how different groups of children are affected and to then be able to share the knowledge on behaviour management, on how you can avoid exclusions, because in my experience schools in general do not want to be excluding children, so we need to try to help them.

Q738 **Chair:** Would you accept there is a problem in the fact that you have a



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classroom-plus that is virtually excluded every day in our country—35 children a day excluded from schools?

Damian Hinds: Let me be totally clear, I would like there to be fewer children excluded. It is not a totally new thing. We used to call it something different, but it is not a new thing. I would like that number to come—

Q739 **Chair:** It has gone up.

Damian Hinds: I want that number to come down, absolutely.

Q740 **Chair:** Would one way be to make schools accountable in terms of results and so on when the child is at the alternate provision?

Damian Hinds: There may be a number of different levers. What I want to do in this review is to first understand what is possible. It is clearly possible to have a lower level of exclusions than we do now because we know there are individual schools and there were wider areas where there is a lower level. I think our first priority should be spreading the information, spreading the knowledge on how those that do it best do it.

Q741 **Marion Fellows:** I sometimes feel a bit adrift in this Committee. I am the international observer and so I—

Chair: You are the OECD representative. Go on.

Marion Fellows: Yes. Because English education can be so different from what I am used to and what my grandchildren are going through at present. In Scotland, the First Minister has said, “Judge me on how I deal with the attainment gap” and that is going to be what she does in the lifetime of the Scottish Parliament. They have introduced many different things, from the Baby Box right through to increased nursery hours, getting it right for every child—lots of policy areas.

Research shows that preschool is so important because young children who start school coming from a low income family are immediately at a disadvantage. I was very interested by the previous discussion about how children of parents who earn what we would consider a reasonable salary get extra funding hours for nurseries, which seems almost counterproductive. However, I understand that there have been cuts to Sure Start in England and to programmes that involve parental involvement. Can you tell me what your thinking is on these lines? I think we would all agree, no matter where we live, that getting the best for our children means that we get the best for our country.

Damian Hinds: Gosh, Marion, there is a lot in what you have just said for me to respond to. Starting with the general point that you make about the importance of the earliest years, I could not agree more. We know from the various academic studies that what happens between the ages of zero and five is a huge point of leverage on a child’s development and their educational outcomes and indeed then what they will go on to earn in life and that whole range of outcomes, so it is incredibly



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important. I think we have learned a lot as a country—and indeed, as a world—in the last generation or two about what good-quality, most effective early years development looks like and we need to carry on developing that.

In terms of children's centres, different local authorities will work in different ways. There are still plenty of bricks and mortar establishments out there, but there are other ways also of working with families, various outreach programmes and so on. For children in the most difficult circumstances, we have the Innovation Fund, for example, working with children's services departments across the country, looking at different ways of working. On the overall question of investment in childcare and early years, this Government are spending more than any previous Government in Britain on early years and childcare, an extra £1 billion.

Q742 Marion Fellows: Do you hope to continue with that? You do agree that in fact it is the most vital part of education because it is the foundation on what happens to children for the rest of their school life and beyond education?

Damian Hinds: Yes. I have to be careful in my job not to identify one particular phase of education as being more vital than any other because they are all very important. It is certainly true that the earliest years are the foundation where everything else is built. It is the point of greatest leverage. If you talk about social mobility and so on, it is the point of greatest leverage for what will happen later in life.

Q743 Lucy Allan: Secretary of State, I warmly welcome you to your new position. You have made a fantastic start and I do wish you every success. It is a very extensive brief and the one area that I am particularly keen that you focus on is children's services, children and young people services, which includes child protection and children in care. I am delighted by your commitment already this morning to children in care.

Following recent events in my constituency in Telford, I would like to ask you about children's services and child sexual exploitation and to comment on something that was said by the former chief prosecutor, Nazir Afzal, who successfully prosecuted sex grooming gang cases in Telford. He said, "Where there are vulnerable young girls in so many parts of this country it seems nobody cares about them much. These men are taking advantage of the dysfunctional nature of children's services that has existed now for some time and is getting worse". Do you think he is right?

Damian Hinds: Lucy, it is quite difficult for any of us to take in what happened in your constituency and in other parts of the country as well on a shocking scale and for a shockingly extended period of time. To say that lessons must be learned is an understatement, but it is also true. We have to think throughout the public sector, throughout the public



services, what can be learned from the things that went wrong and how we can make sure those things do not happen again.

Children's services is obviously at the frontline of many of these issues. I think our social workers and the folks who work in children's services do an amazing job and often without the sort of visibility to the public of other outstanding public service roles, but their role is absolutely no less valuable and important than those others. We need to continue to build up the profession. We need to make sure that they are fully supported. In terms of the institutional failings, we need to make sure that not just at a local level but at a national level that we take those learnings and we apply them across the country to make sure these terrible things cannot happen again.

Q744 Lucy Allan: Do you think that sometimes complacency can slip in when so often we hear councils pointing to Ofsted reports that say improving, or other forms of review that have taken place? Are they therefore complacent that these things are no longer happening on their patch? Is that a danger that you would see?

Damian Hinds: Lucy, I hope not now, because I hope to God that if one thing has come out of these terrible events in Telford, in Rotherham, in Oxford and elsewhere, it must be to shake any complacency that people had and to re-examine what they do. The Ofsted inspection process has become more stringent and I think that is right. It does mean that only about a third of authorities are currently rated good or outstanding in this area and we need that to come up. There are a number of different programmes and improvement approaches in place to make that happen. I think you are right, that ultimately it is down to everybody working in the sector—and indeed in other sectors as well, because these matters touch more broadly—to think very carefully, to re-examine what we do and to make sure that these things cannot happen again.

Q745 Lucy Allan: I just wanted one more question on another area. In fact, Marion picked up on it. I have a report in front of me and I will not try to spring numbers on you, but I wanted to ask about spend on looked-after children and child protection services, ie at the crisis end of the spectrum. Year on year we have seen significant increases in the spend on looked-after children and on child safeguarding, then we have seen a commensurate cut in family support services, services for young people. I wanted to ask you, what is the long-term plan? Are you going to go on increasing spend at the crisis end, with more and more children being put into care and simultaneously cutting at the preventative early intervention end? Clearly that is not a sustainable model and that is what has been going on over many years. I would just like your views on where you would like to see that trend going.

Damian Hinds: You are right, Lucy, about the increase in spend, but also the increase in caseloads. It is a very difficult situation. It is always the right answer to say early intervention is better than later. If it was obvious how to do that, not just in the important area you talked about,



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but lots of other aspects of what this Committee looks at, the same logic would apply. We need to work harder at working out how to do it. For example, the Innovation Fund that I mentioned just briefly earlier is there partly to do that, to look at different approaches. I was recently in North East Lincs in Grimsby looking at the approach they are taking with children in social care. In fact, they are doing exactly what you are saying, trying to take a much longer term, much broader approach, bringing all the agencies together, working together to try to reduce what would eventually be the caseload. We need to do more of that.

Q746 Lucy Allan: Will you be focusing on strengthening families and providing families with support rather than relying on statutory intervention? I think that is the—

Damian Hinds: I think all of us want to do that.

Lucy Allan: Because Ed Timpson was brilliant on that and he had lots of projects and schemes for stopping crises happening and needing statutory interventions and that would be good.

Chair: It is very good that you have chosen him to conduct—

Lucy Allan: Yes, brilliant. We love that.

Chair: He was very happy.

Q747 Ian Mearns: I want to come on in a moment, Secretary of State, to talk about opportunity areas, as you might have guessed I would, but before I do that, in terms of your review on exclusions will you also look within that review at the burgeoning of elective home education? There has been a huge growth in children being electively home-educated, having been off-rolled by schools. In my own area, the north-east of England, the BBC have done a recent study and we think the numbers have doubled in the last three years. We had evidence from witnesses from Essex, Peterborough and Barnsley. In Barnsley, the figure had risen by 400% in three years. It is quite clear that an awful lot of schools are suggesting to parents that their son or daughter might be better placed somewhere else to avoid a permanent exclusion. Could we therefore look at some mechanism where the school, before they off-roll a child who is going to be electively home-educated, are confident that the parent can deliver an effective home education before they off-roll a pupil?

Damian Hinds: Mr Mearns, thank you very much for bringing up this important topic. Let me say at the outset that when we talk about home education, home schooling, there is a variety of different circumstances, different types of children that we are talking about. I first want to just pay tribute to parents who give so selflessly of their time, their effort and their resources to educate children at home, sometimes who have had a very bad time at school for all sorts of different reasons. They deserve our appreciation and our support.

When we say “home schooling” statistically it does not tell you anything in terms of the schooling that is going on. You mentioned a growth in



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numbers and the survey from the ADCS, the Association of Directors of Children's Services, suggested that the numbers of children home schooled in England was about 37,500 in spring 2016 and 18 months later about 45,500. These are estimates, but that is quite substantial growth. There are going to be different aspects and types of schooling going on within that. It would be wrong to ascribe it entirely to some of the—I am not saying you are. That could be one aspect, but there are other aspects as well. There are rules about what schools may and may not do in terms of—

Ian Mearns: Off-rolling.

Damian Hinds: They should not be doing that. Parents of course have a right—

Q748 **Chair:** Can I just very gently ask if you could just be slightly more concise, because inevitably we have so much to get through?

Damian Hinds: I will try to. This is a multi-layered issue, but my apologies. Parents do have a right to school their children at home, but we do not want schools to be pushing for that to happen.

Q749 **Ian Mearns:** I am just asking, Secretary of State, would you include that burgeoning in off-rolling and elective home education as part of your review of exclusions, because it is a way and a mechanism for some schools—not all schools, but for some schools—to avoid a permanent exclusion for some pupils?

Damian Hinds: I do not want to prejudge what the review will look at, but I will take your point and pass it on.

Q750 **Ian Mearns:** You inherited the opportunities programme for 12 areas from your predecessors. How will you build on the work that your predecessors have begun, and how many times will we have to raise the fact that there are no opportunity areas in a small geographical area called the north-east of England with Ministers from your Department before you do something about it?

Damian Hinds: No, I will come back to that. There are 12 opportunity areas. They are in different parts of the country. They are there to do two things. First, to directly do different things or do things differently to the benefit of children growing up in those areas. Secondly, they are also there to develop intelligence, a repository of knowledge, about the things that have been effective in areas like that, which then can be translated to any other area with similar characteristics, including areas in the north-east.

What is important about the opportunity areas is that they are locally led, so there is a plan for each area. They are run by partnership boards, which brings together schools, businesses, community leaders and so on and they decide what is it that maybe holding kids back, what we can do differently.



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Q751 **Chair:** How do they interact with the sub-regional improvement boards, Strategic School Improvement Fund, the Teaching Leadership Fund, the National Collaborative Outreach Programme and the Northern Powerhouse Schools Strategy? There is a lot of overlay here.

Damian Hinds: I do not think there has ever been a shortage of programmes in the public sector.

Q752 **Chair:** Are you at risk of duplicating what is already there?

Damian Hinds: No, because the opportunities areas can get a share of some of those funds. They can draw on the expertise and tailor it for those particular areas. Sometimes the things the opportunity areas are doing are not particularly about money in some cases.

Q753 **Chair:** How do they differ from the sub-regional improvement boards, for example?

Damian Hinds: There is quite a complex architecture, I totally grant you that. When we talk about the regional schools commissioners sometimes interacting with local authorities and the role of Ofsted and the head teacher boards and all this, I grant you that sometimes it cannot be immediately apparently to everybody at first sight exactly how—

Ian Mearns: There are lot of people's tanks parked on a lot of lawns.

Damian Hinds: How everything works together. I have said that I will make a statement, just making sure that there is total clarity about how some of those things worked with the interaction of the regional schools commissioners, the role and remits as against Ofsted. The opportunity areas are quite tightly geographically defined, small enough that you can get the people together who can make a difference into a room to make decisions. Sometimes that is about drawing down on funding streams, but sometimes it is not. I have been recently in Stoke, in Blackpool, in Fenland talking to some of the folks who are driving it and, for example, putting careers fairs in front of junior school children is a good way of raising aspiration. What that is about is harnessing the power and the enthusiasm of business in those areas to come together with the schools. Of course there are other things that do involve spending money.

Q754 **Ian Mearns:** You do not have a plan at the moment to increase the opportunity areas to the north-east of England?

Damian Hinds: On the north-east, Ian, I would love to get your own counsel on this as well and I know you will not be backward in coming forwards. In the north-east, if you look across the different phases of education, it is particularly strong in primary school and indeed in early years and in the secondary phase there are many outstanding schools, where I have recently had the honour of presenting the Lord Glenamara Prize to outstanding youngsters from the north-east, inspirational young people from brilliant schools.



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Overall, if we look at the secondary phase in the north-east, and I think you and I have talked about this before, we need to see more improvement in that area. As with the opportunity areas and elsewhere, there are other things we can do to join up the system more and so on. I accept and acknowledge the challenge. The opportunity areas are one programme. That does not mean that there are not a lot of things that are available to the north-east and some of the programmes that the Chairman was just listing out, they are available to schools in the north-east.

Ian Mearns: The opportunity areas do allow schools and the partnerships in those areas to draw down funds from different bodies that are not available to schools and partnerships that are not within opportunity areas. That is important for an area like the north-east of England. In the north-east of England I think one of the big problems is that the secondary school results have started to tail off or not improve at the same rate in line with the economic prospects for the region compared to the national economy.

Q755 Chair: I think he has the message about the opportunity areas. If I could just pose one challenge about opportunity areas, apart from the complication and the duplication, which you have acknowledged, there is a complex architecture out there. Education Datalab suggests that 27% of pupils in the lowest quintile of attainment are found in the bottom performing quintile of local authority districts. Is there a risk with the opportunity areas that just by concentrating on specific places the Department is missing the majority of low-performing pupils? What is the right balance between place and focusing directly on the low-performing individuals?

Damian Hinds: The pupil premium does that. The pupil premium is about money following individuals and making sure that schools that have a lot of pupils from disadvantaged backgrounds can have that additional resource. We have the EEF, the Education Endowment Foundation, which is there to be the repository of the What Works knowledge to share with schools and that goes right across the country. Before the opportunity areas existed, people like me and you argued that there were areas where there are particular deep pockets of low social mobility. In addition to what was happening on pupil premium and so on, there could be advantage to bringing people together in those areas to work out in a localised, very tailored way what more could be done. That is what the opportunity areas do, but it is not only about those 12 areas. It is also about developing learning points that can be applied more broadly.

Chair: We are going to move on to skills.

Q756 Trudy Harrison: Can I just let the Committee know of my business interests as apprenticeship ambassador and co-chair of the Apprenticeship Delivery board?

Apprenticeships are widely regarded as being a transformational ladder of



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opportunity, enabling young people to earn while they learn and adults to upskill, great for industry. Industry loves apprenticeships and it is helping us to meet the skills gap. We have some way to go to meet the skills gap in terms of level 4 and 5 qualifications and we have a relatively small number of degree level apprenticeships. What do you feel needs to be done to improve upon that?

Damian Hinds: Trudy, we are embarked upon a big bold programme of reform and improvement in vocational and technical education and training. Apprenticeships is one big part of that. There is another big part, which is the introduction of T levels. Apprenticeships are very largely work-based with additional off-the-job learning and then there is T levels, which is classroom learning with added work placement at a bigger level, more hours, more substantial work placements than we have had before.

On the apprenticeships—and I commend you for what you do as an apprenticeship ambassador—there are a number of different things happening in that reform programme. We are obviously emphasising the apprenticeship routes more and more as a good alternative for young people. We have the Institute for Apprenticeships, which has started. We are moving from frameworks to standards to make sure that the quality is there and it is designed by business to make sure there is the proper substantial off-the-job training of 20% to make sure the length is at least a year. In the higher-level apprenticeships, which you specifically ask about, we are seeing the greatest growth in higher-level apprenticeships. I do not have the number in front of me; I think for the first quarter of the year it is about 25% or 27% up on the previous year.

Q757 Trudy Harrison: Standards still seem to be an issue for industry. We are waiting for 44 to be developed with degree apprenticeships and 19 are still in development with Master's apprenticeships. What more can be done to ensure they are rolled out because they are holding back industry?

Damian Hinds: Yes, I do want to see that programme continue and continue at pace. The Institute for Apprenticeships is there as the quality guarantor and I think that role is important. On the move from frameworks to standards, it is important for the confidence in the programme, and the confidence in the quality of outcome along with the end point assessment, and they need to carry on working through those. In the change from frameworks to standards, that has been going at pace, but yes, you are right, there are more that need to be worked through.

Q758 Trudy Harrison: If I could just ask one question specifically on autistic adults in work, which according to the National Autism Society is only 16%, what more could be done to ensure that autistic young people are able to join apprenticeships?

Damian Hinds: You make a very good point. On the level of employment among autistic adults, I remember at our party conference—



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you may have attended the same thing—talking to the National Autistic Society about the rates of employment. We need to work an awful lot harder on that to get those levels up. There are various incentive schemes in place on the apprenticeship programme to encourage employers to take on different groups of people and we can always look to see if there is more that we can do in that regard.

Q759 Ian Mearns: What is the significant difference between the T levels and the diplomas that were scrapped by your predecessor, Mr Gove? Is there a significant difference?

Damian Hinds: T levels are being developed at an appropriate pace, and 2020 is when we plan to have the first three in place, which would be in digital, in construction and in education and childcare. A key factor is the involvement of business to ensure that what is being learned is right for industry and is right for the future of our economy. We looked around the world to benchmark outstanding technical education and obviously Germany and Switzerland, these are countries that one looks to; there are others as well. There are going to be a lot more learning hours, about a 50% increase—about 600 to 900 is the change in learning hours on T levels—but also with a more substantial work placement, of 45 days. This is a big ask of business. Do not get me wrong, I am not saying this is a trivial thing to take on. It is a big thing to take on. It is a big thing for education, for colleges, but it is also a big thing for business and we are going to need to do it together because we have a shared objective in raising the skill level of the country and getting up the productivity that we know we need to do.

Q760 James Frith: I refer members to my register of interest. Good morning, Secretary of State. Thank you for coming. I am going to continue the theme of T levels. Employer engagement has, for a very long time, been an area of underwhelming achievement for successive Governments with the diploma, the success of some UTCs, the dip in apprenticeship take-up, the rollout of the levy and the impact that that has had on it, and now T levels. On the 45 days that you talk about placements, in year 1, how many employers do we need for T level launch to be a success?

Damian Hinds: It will depend on whether they are large or small—I do not mean that to be a flippant answer—and, clearly, on how many branches you have around the country and how many placements you can make. I was saying in the previous short exchange it is a big thing to take on. It is a big challenge. I am not going to sit here and say we have all that sorted and we can move on to something else. This is a big thing we need to go through with business. Business, the Department for Education, and colleges have to be working together and we need to make sure that what we are doing is fulfilling business aims. It will go above and beyond the normal amounts or the historic amounts of work experience, work placements, the range of placements that firms have had within them in this country. It will go beyond that, so we are going to need to work harder.



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In the first year, which you asked about specifically, it would be the three subjects and in a limited number of colleges. Ian was asking about what is different this time and that is a very reasonable and correct question to ask, but we need to make sure we do it at the right pace.

Q761 James Frith: We do not yet have a number of how many employers we need. How many learners do we hope will start in 2020?

Damian Hinds: I cannot give you that exact number, but to give a sense of scale I have given the three subject areas and somewhere between 30 to 50 colleges.

Q762 James Frith: My concern would be that the Government talked down the value of work experience for some years when it came to power and it was then removed from a statutory obligation—

Damian Hinds: Really? I do not remember that.

James Frith: It was removed from important—

Damian Hinds: That is a different matter.

Q763 James Frith: Okay. Perhaps I will ask a question, then you can answer it. My concern from an apprenticeship point of view is that for business there is a real value in an apprentice being onsite because they are another member of the team. How do we ensure that the 45-day work placement is not just an extension of a work experience placement that fell under value?

Damian Hinds: First, I am assuming you are talking about the 2010-2015 Parliament. I do not recall the Government ever underplaying the value of work experience. The experience of work is the single most important thing to getting a job. My previous role was Minister for Employment and if you ask job coaches or indeed the individuals themselves, "What is the thing that is most holding you back from getting work?" the answer is, "Not having had work," because it is that experience of the routine and dealing with customers, dealing with workmates, working in a team and so on. That is what employers want to see.

James, we are in a design phase at this point and you are right to raise some of these questions. They are questions that have to be addressed, but they are going to be addressed in the design of it to make sure that we have meaningful quality work placements.

Q764 James Frith: Does the design need reassessment, the 45 days? Is it being designed to fail from the start?

Damian Hinds: No, I do not believe so. When you are in a design phase you always keep studying how things are and the feedback that you are getting and so on, but having looked across the world, benchmarked leading technical education systems, we have come to a proposal or design that has more learning hours and there is more substantial work



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placement and we think that is a very important part of the overall programme.

Q765 Emma Hardy: The teaching and learning funding allocation for adult education has been reduced by 8% in cash terms since 2010, 14% in real terms. The total expenditure on 16-to-19 education has been reduced by 9.3% in cash terms since 2010 and 17.5% in real terms. Spending per fulltime pupil in FE has fallen from £6,046 in 2010 to £5,639, 55% of FE colleges reported a deficit in 2015-16 and 32 FE colleges have been issued with a financial notice to improve. The college in my constituency, Hull College, has just announced job losses of 231 fulltime equivalents. Clearly there is a problem with funding for FE. On Monday your Department announced a review of FE funding. What are the timescales for this and how will it feed into the ongoing post-2018 review?

Damian Hinds: We have stabilised the per learner base amount to 2020. There are additional amounts available for disadvantaged learners. We now have for young people studying maths to an advanced level after GCSE the additional funding for that. Colleges of course get quite a substantial proportion of funding from apprenticeships and the total spend on apprenticeships at the end of the decade will be double what it was at the start of the decade because of the apprenticeship levy. With T levels, that is going to be an additional £500 million investment into the sector. We have also had the area-based reviews, as you know, and being sure of the resilience of the sector is incredibly important because our FE colleges do an absolutely vital job.

Q766 Emma Hardy: You have not answered my question, with respect, on what the timescales for the review that you announced on Monday were into FE funding.

Damian Hinds: I did not announce a review on Monday.

Emma Hardy: It was announced during education questions.

Damian Hinds: We said, quite rightly, that we always need to be looking at the resilience of different parts of the education system, including FE colleges, understanding what the cost base is, and what it takes to run a college. The comprehensive spending review will come when it comes and that will be 2019, but we do know already, as I say, that with the growth in the apprenticeships funding through the levy colleges get a substantial proportion of that. T levels is a big increase in investment into colleges.

You also mentioned adult education. Of course there is provision for, for example, ESOL learning, but with the national retraining scheme that will be coming in, I had the chance to meet with the CBI and the TUC recently in the national retraining partnership. There will be investment going into that as well.

Q767 Emma Hardy: It appears there is not a plan to review FE funding. Continuing with FE colleges, 17% of students in FE have a learning difficulty or a disability and 17% of 16 to 18-year-olds in FE claimed free



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school meals at the age of 15. The Association of Colleges told me that the fact there is no pupil premium at 16 means that colleges can only carve out targeted support by making savings elsewhere in the budget. As I think I have already highlighted, there are no savings elsewhere in the budget to be made. I see this unfairness as a burning injustice. Since education is compulsory to 18, does your Department have any plans to also make giving pupil premium money to FE colleges compulsory?

Damian Hinds: I do totally recognise the role that FE colleges play in a number of different respects, including working with young people from disadvantaged backgrounds, young people who have special needs, additional needs and so on. Of course we did extend free school meals to the colleges and I think that was a good thing to do. I am not denying at all, Emma, that managing these budgets is challenging, but there is the money from the apprenticeship levy and, as I say, T levels will be a further substantial boost into the sector.

Q768 **Chair:** You mentioned the apprenticeship levy. The Government said that by 2020 we will be spending £2.5 billion on apprenticeships, almost double. If that money is not all raised from the levy, will that money be guaranteed by the Treasury, that £2.5 billion?

Damian Hinds: The money comes from the levy.

Chair: But it may not—

Damian Hinds: It is ring-fenced money, in a sense, that the levy funds.

Q769 **Chair:** But if the levy does not raise as much money as we hope it will, will the Treasury guarantee the shortfall?

Damian Hinds: As you know very well, Chair, there are two different sets of companies and two different sets of funding. There is the levy funding and the non-levy funding. The non-levy funding by definition obviously does not depend on the levy and that is from general funding. For the levy, it is a relatively predictable source because, as you know, it is levied on the payroll bill over the threshold level. I think there is a good degree of confidence in the—

Q770 **Chair:** We are definitely going to have £2.5 billion spent on apprenticeships by 2020?

Damian Hinds: Just to be clear, I am not saying I know of an additional source of guarantee beyond the levy, but what I am saying is the way the levy is structured, the way it is levied, the fact that it is over the two-year period, the fact that it is known in advance what the payroll threshold is and we know how many people are employed in the economy and so on, it is a fairly predictable situation.

Q771 **Chair:** The reason why I am asking the question is because the Government said that they would spend £2.5 billion on apprenticeships by 2020. I just wanted to know if that was still going to be the case.



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Damian Hinds: That is our projection, but I have no reason to not have confidence in the projection.

Q772 **Emma Hardy:** Continuing with FE, young people in post-16 are taught for around 15 hours a week compared to more than 25 in many OECD countries. Hull College in my constituency has just announced it is dropping the contact time for students studying degrees from 15 hours to nine hours a week, which is causing extreme distress for both students and parents. It appears that you are not now doing a review into FE funding, but my question was to ask you if you were to ever consider doing a review into FE funding, could you also look at the number of hours that students should be entitled to and ensure that FE colleges have enough money to deliver the curriculum that the young people deserve?

Damian Hinds: That is, in essence, what we have done with the design of T levels. You mention the benchmarking of the number of hours in FE colleges in Britain and in your constituency against the OECD average. What we did with T levels was look across leading jurisdictions on technical education and look at a range of things, including the number of contact hours and indeed, as you identify, concluded that the number of hours should be greater. That is why the number in T levels is going up to the 900 and with funding to go with it.

Q773 **Emma Hardy:** With respect, Minister, the reason the number of hours is so low is because, as I have pointed out previously, the funding for FE colleges has been hit so dramatically since 2010. If you seriously want to address the problem with the number of children requiring additional help in FE, the number of hours that they are taught, then you have to address the funding. Does your Department have any plans to address this huge problem in FE colleges?

Damian Hinds: We do have a number of plans.

Q774 **Emma Hardy:** To deal with funding?

Damian Hinds: T levels involve £500 million more going into technical education.

Q775 **Chair:** Just before we move on to school funding, the manifesto talks about a UCAS for FE and also transport costs going to apprentices to help apprentices with travel. Where are we with those two things?

Damian Hinds: On transport costs for apprentices I do not have a new announcement to make at the present time.

On UCAS for FE, I think it is possible to look at a range of different things. I am trying to think about how students make choices. I think we need to go right back to that level. How are they presented with the range of different opportunities, not just going down one path? How that happens at different ages is something we need to think about, not just at the point of application.



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Q776 **Chair:** Are you going to set out a plan because it was in the manifesto? On the transport costs, when we asked your predecessor she also said she was not able to tell us yet. Is it something that is going to happen or has it just been put on the shelf?

Damian Hinds: As I say, I do not have any announcement to make at the present time on that. On the UCAS information and application system, the world of education technology is changing quite rapidly and I think there may be different possibilities both earlier on and also coming up to the point of application. There may be new possibilities and I am keen to look at the whole range of them.

Q777 **Chair:** Can I get your views very quickly on UTCs? Although they have had a mixed reputation, they still have a very positive destination: 97% of students leaving UTCs have stayed in education or begun an apprenticeship or started a job; 46% of UTC leavers went to university compared to 51% nationally. Do you support UTCs and do you think there should be more of them?

Damian Hinds: I support a diverse school system and I think UTCs play an important part in that. They are unusual, of course, in the system because of the age range. That does create challenges, but as I say, I believe in diversity and I think for—

Q778 **Chair:** Are there any plans to open any more?

Damian Hinds: There are a couple in the consideration, analysis and evaluation phase, but the single most important thing is for the UTC estate that there is to drive forward its recruitment and to be as successful as possible for the sake of those young people.

Q779 **Chair:** Have you visited a UTC yet or are you going to go to one?

Damian Hinds: I have not yet visited a UTC. I have visited quite a lot of different places and schools, colleges, nurseries—

Q780 **Chair:** Will you go to a UTC?

Damian Hinds: I will, absolutely. It is just a matter of working through my list.

Chair: Yes, I have seen it. It is very impressive, all the places you have been on Twitter.

Q781 **James Frith:** You gave very clear answers about the hundreds of thousands of pounds for colleges in prep for T levels. On what criteria is the funding determined for the preparation area for T levels when we do not yet know how many students, according to earlier answers, or indeed how many employees we need? It is not a trick question. What is the rationale for funding a system in preparation for T levels?

Damian Hinds: Colleges apply to us. Colleges make an expression of interest, which by the way has already happened. We have a lot of colleges expressing interest in being in the earliest phase or the earliest



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wave of T levels and then the capacity-building programme obviously works to those colleges.

Chair: Thelma has been waiting very patiently.

Q782 **Thelma Walker:** Good morning, Secretary of State, and congratulations on your new role.

Damian Hinds: Thank you.

Thelma Walker: I want to focus further on school funding and the school funding gap and the pressure particularly on head teachers in schools. Currently, many of my colleagues are conducting a survey in schools, including myself, and some of those questions focus on funding. I have also spoken to many head teachers in my own constituency of Colne Valley and asked them what their key worries or concerns or pressures are. Number one for every single head teacher I have spoken to has been a concern about budget cuts.

If we look at the Institute for Fiscal Studies' report, they say there is a real terms cut of 4.6% to school budgets; the Association of Directors of Children's Services says a £2 billion funding shortfall. The pressures and the choices that head teachers have to make at the moment are leading, we suspect, to some heads using some pupil premium funds to stop that gap because they are under so much pressure. I speak as a former head teacher, so obviously lots of empathy there with them. Could you say that you will be making a strong case for closing the funding gap for schools in any future spending review?

Damian Hinds: I recognise the point about cost pressures that the IFS makes. Between 2015 and 2017 in particular there were cost pressures added to the baseline. We are now over the next two financial years holding per pupil real terms funding constant. The total core schools budget will be going up from just under £42 billion to £43.5 billion.

Q783 **Thelma Walker:** The here and now for many head teachers is making a choice about dipping into people premium and laying off staff—there are proposed redundancies—when in reality those head teachers should be focusing on the teaching, learning and safeguarding of those pupils in their schools. Is it a commitment from yourself that in any future spending review you will make a strong case that education and school funding is at the forefront of any funding? I would like a commitment from you for that.

Damian Hinds: Of course in the spending review, as in any spending review, I will be making the case for education and for the schools in the country. There are a number of different aspects to that. We talked about the national retraining scheme a bit earlier, we talked about T levels as well. As I say, I recognise what you say about cost pressures. There are things that we can do to try to help schools bear down on some of the cost pressures they have been facing, but overall, as I say, there is more money going into schools. By historic standards, and I think it was also



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covered in the IFS report, schools have a lot more money than they used to per pupil. We try to do more, and quite rightly we try to do more.

Q784 Thelma Walker: What would you say to this head teacher in Colne Valley where they are set to lose £654,856? This school has had 38% of its children receiving free school meals and it has seen a rise in pupils of 272 between 2014 and 2015. It will lose roughly £562 per pupil. What would you say to that head teacher?

Damian Hinds: Going to every local authority, there is going to be more money go into the local authority in respect of every pupil in every school. I accept that there have been significant cost pressures and there is more that we can do to try to help bear down on cost pressures. There is a range of things that applies to. For example, on the non-staff costs there is quite a wide variety in the costs that schools incur in that proportion of costs that is not about paying teachers and other staff.

Q785 Thelma Walker: Your predecessor, Justine Greening, talked about efficiency savings. Is that what you are talking about?

Damian Hinds: It depends how you would define that term, but I am talking about the costs that you pay for things.

Q786 Thelma Walker: I am saying that things have been pared back to such an extent that there is no more efficiency savings to be made.

Damian Hinds: If you look at what different schools are paying for different things—and I am not talking about staff here—for non-staff costs, there is quite some variety and so that we why we are putting more emphasis on help with purchasing programmes, giving advice on that. We are piloting these regional hubs, working on a framework on supply agencies, which is quite a substantial cost and has been quite a substantial cost for a number of schools, working on a recruitment facility that would save costs for schools, but also make recruitment a more straightforward process.

Thelma Walker: Recruitment and retention is another question.

Q787 Michelle Donelan: I just want to move on to the pupil premium, which we have touched on. This is such an important area of school funding and it can assist with social mobility, which is why I bang on about it myself. We have heard some of the potential issues around where the money is spent and the fact that some schools use it more effectively and efficiently than others. There is also the problem around the stigma of people going for free school meals and the link with the free school meals. There is no auto-enrolment scheme that is linked with HMRC to be eligible for pupil premium, which particularly affects areas like mine in Wiltshire, where parents are less inclined to be nominating their children for those free school meals, which is regularly coming from teachers; it is not me saying it, it is the head teacher saying it. It is also quite limited in scope, so it just factors in financial deprivation and not other forms of deprivation in a child's life, which can severely impact upon educational



attainment.

I appreciate we are never going to get a funding model that is robust and perfect, but given the fact that it has been in for a number of years, there are a number of criticisms, there are a number of concerns and we want to make sure that this money is used as effectively as possible, do you not think it is now time for a proper full-scale review of this area of funding to ensure that we can maximise it to its full potential?

Damian Hinds: Yes. It is right of course always to be thinking about whether we do the targeting of extra help for deprivation, whether that is working as well as it could do. Yes, I think we should continue to look at that. We have the Ever 6 approach at the moment, which itself was an evolution from a previous approach. On the general points about free school meals, we have just brought in the secondary legislation to extend the eligibility of free school meals to another 50,000 children. Of course the eligibility had already been extended on a universal basis at infant school, and as I was saying in my response to Emma earlier, in colleges. There have been quite some extensions.

There is also the encouragement to maximise the claiming of them. In infant schools in particular, because of the universal nature there is an additional reason for schools to need to encourage that. But in terms of the auto-ness proposal, they are different systems and there would be difficulties with trying to link them together. There are technological questions, but there are also data/privacy questions as well. I strongly encourage young people who are eligible to apply and I know the schools do that.

Q788 Michelle Donelan: On that, just quickly—I know we are short of time—do you not think a review could highlight how we could do that? I know it is difficult, but it is an important thing to consider if children out there are not getting the funding that they should be getting. We can encourage parents to do it as much as we can, but you cannot lead a horse to water, so do you not think it is time that we seriously—

Damian Hinds: I absolutely do not rule out looking at that again. It is right that we are constantly re-examining how we do all of these things and we make sure that if children need extra help it is going to them. Part of that is about how the finances work. There are other aspects to it as well. I think it is absolutely vital that we keep those things under close watch.

Q789 Lucy Powell: Thank you very much, Secretary of State. You are being very open and honest about some of the challenges. I hope you will extend that to the next area that I am going to raise with you, which I am sure in your prep you could have predicted. It is about the oversight and accountability particularly of multi-academy trusts and some of the problems that we have seen there. Successive Committees have raised this with your predecessors and recently the Chair wrote to Lord Agnew about it. Do you have any plans to look at how we can make sure the



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system of oversight is more robust and transparent, particularly in relation to Ofsted having the powers to inspect multi-academy trusts independently of the schools?

Damian Hinds: Ofsted and the regional schools commissioners have different and distinct roles. We work very closely with Ofsted, but it operates independently of the Department for Education and inspects all schools and many other settings as well, social care and so on.

Lucy Powell: We know the role, I am just asking if they can inspect multi-academy trusts.

Damian Hinds: Whereas the regional schools commissioners act on behalf of the Secretary of State—at the moment me—in acting on various triggers, including an Ofsted inadequate rating, then there is also the Education and Skills Funding Agency, who act on financial concerns. Multi-academy trusts, there are a number of accountability and transparency requirements upon them. There is the financial handbook, there is the requirement to publish—

Q790 **Lucy Powell:** I am sorry, there is lots to get through so I am just going to press you on this. We are aware of what the different roles and responsibilities are. This Committee felt very strongly, as did the predecessor Committees, that there was not sufficient joining up of those to see problems where they arise, particularly in the case of WCAT, Collective Spirit, problems in Whitehaven, where one arm of Government perhaps spotted something and it was not passed to another. That is why we think that Ofsted having the powers to inspect multi-academy trusts directly would be one way of addressing that lack of joining up.

Damian Hinds: I was partway through explaining what the different transparency and accountability measures and considerations are. They are important, including having audited accounts and complying with the criteria. I very much regret obviously when we have a situation that leads to uncertainty and upheaval, which can be unsettling for the children, for the parents concerned. You mentioned a couple of the high-profile cases. I am pleased that in the case of Wakefield City Academies Trust that there is now substantial progress on what is called re-brokering the schools. Seventeen out of 21 now have new trusts confirmed.

Also in the case of Bright Tribe and Whitehaven, which are in Trudy's constituency, it is really important that when these issues occur that progress is made as quickly as possible, that the due diligence is done and that the new partner that is found has the capacity, the capability and the right quality to support those schools in the way that they need.

Q791 **Lucy Powell:** Sorry to keep intervening, but obviously we have looked at these issues quite carefully and we are not talking about how one handles it once that challenge has arisen, it is about how we can avoid those problems from happening in the first place. For example, in the case of WCAT, it became clear when we had the RSCs and David Carter here that problems were identified well in advance of parents and staff and



everybody else knowing about them. In that intervening period, lots of money was transferred from schools to that trust even though everyone knew there were challenges. In the case of Whitehaven and Collective Spirit in Greater Manchester, staff, parents and pupils knew there were serious problems, but they had no voice that they could go to with that. I ask again, in the spirit of openness and honesty about the challenges, will you look at a more joined up, robust oversight regime and ensure that staff, parents and pupils have a much clearer route to giving those warning signs and having their voice heard?

Damian Hinds: It is possible for the system to act when there are concerns. There is the "Schools Causing Concern" guidance and when there are concerns about a multi-academy trust it is also possible to become involved. Lord Agnew corresponded with the Committee specifically on WCAT.

Lucy Powell: He did, yes. He did not say very much.

Damian Hinds: In the accounts for WCAT, they were unqualified accounts. Not everything is always going to be apparent in all its detail, unfortunately, but it is important that when things do go wrong—and of course we want them to not go wrong, that goes without saying—we need to make sure that if that is the case there are good processes in place to effect transfer of this re-brokering bit to a good quality sponsor, a match, who has the capacity, the capability to do what is needed by those schools.

Q792 **Lucy Powell:** Okay. It sounds as if you are probably not going to do a great deal on that.

My final question on accountability: you will be aware that the accountability regime is one of the key issues that comes through in relation to teacher workload and workforce. I believe strong accountability is a good mechanism to deliver school improvement. Would you recognise—and I think you did in your recent ASCL speech—that the extent of change in curriculum, exams, assessments, Progress 8, all those different measures has just added the most ludicrous and overbearing workload on teachers, having to rip up lesson plans and assessment regimes?

Damian Hinds: Progress 8 is a really important reform, which means that the progress of every child, whatever their background—

Lucy Powell: It is a good thing, yes.

Damian Hinds: And prior attainment is considered in the same way. I made this speech at ASCL a couple of weeks ago now and I said that workload is a problem. I am not getting away from this at all. It is a problem and we need to bear down on it. People have tried before and there is some good work underway—and has been underway for some time—trying to bear down on workload. However, it is a complex subject. I said in that speech and elsewhere that we do now need and we will benefit from a period of greater stability. The reforms that happened are



important and valuable, but it is also important that there is now a period of some greater stability.

However, there are other aspects as well. You mentioned the accountability regime. There are some broad misunderstandings about, for example, what Ofsted require to see in a school, which Ofsted says very clearly, "We do not require to see". It is complex. The school system—21,500 schools—is a complex thing, but we do need to make sure that those messages are getting down there.

Chair: We have just over 10 minutes.

Q793 **Mr Wragg:** Good morning, Secretary of State. I am going to rattle through a couple of things to do with illegal schools and extremism, on which, credit to you, you have been quite robust in early statements that you have made on the topic. How is your Department assisting Ofsted in its work on illegal schools and indeed collaborating with local authorities and others to tackle the problem?

Damian Hinds: We give Ofsted resource and funding to fund people to do extra work in searching out and looking at unregistered schools. Of course, local authorities help to identify them—

Q794 **Chair:** Apologies for interrupting, but Ofsted says that its powers to investigate unregistered schools are not sufficient, that under current legislation, inspectors are not allowed to seize and remove material that would be crucial to any potential prosecution. They also say that it takes far too long to close down a school that it has recognised is failing.

Damian Hinds: There were 50 schools in the unregistered category that Ofsted looked at. There had been estimates previously that were higher than that.

Q795 **Chair:** In their figures, they say, "Of 138 progress-monitoring inspections this year, only 78 schools have now improved to meet their standards".

Damian Hinds: There is a distinction to be made between unregistered schools, independent schools and so on. Sometimes the terminology is not that illuminating. When we talk about independent schools, most people think about private schools in the way that you would normally think about them and of course those schools exist as well, but there are also many much smaller independent schools, often of a religious character. That is different from the unregistered schools.

Q796 **Mr Wragg:** What are we doing about those rag, tag and bobtail schools, the ones that are being taught out of sheds and so forth, not the country's great independent schools?

Damian Hinds: There are standards that apply to independent schools. They do get inspected by Ofsted, quite rightly, and those standards are applied. We are also now consulting on the guidance about what independent schools need to do to meet the standards that are set out in regulation and also consulting on the enforcement policy to make sure



that everyone is absolutely clear on this, that Ofsted inspects, they can then give time to the school to improve in various practices, and if that is not complied with, either restrict entry to the school or require it to cease operation.

Q797 Mr Wragg: A final point on this before we go on to the important topic James is going to bring up. You mentioned that guidance and I have a copy of the guidance in front of me. With regard to illegal schools, do you think that legislation is sufficiently robust for successful prosecutions? If I am right, there have only been two successful prosecutions under those criteria.

Chair: To add to this, the BBC has investigated a loophole because unregistered schools can say that they are legal if they only provide religious education. I reiterate, Ofsted said its powers are not enough to deal with this problem.

Damian Hinds: We need to keep this whole area under control. Again, it is a complex system and set-up. We have just published the integration strategy, and as part of that there are a number of things to do with schools. There are more powers sometimes than is supposed and we do need to make sure that local authorities and other agencies are clear about those and we are working to do that. We are also working with specific local areas, funding co-ordinators employed by the local authorities but funded by us, to bring together those different agencies, all of whom can have a role to play in looking at unregistered settings, everything from the Fire Service to the Charity Commission to the health and safety people and so on, making sure that it is more broadly known, what powers do exist, if there are concerns about how children are being educated. We already provide resourcing to Ofsted to make sure that those unregistered settings can be looked at and of course there is the wider Prevent strategy and the people who are there to be community co-ordinators from the Home Office.

Chair: Thank you. We will spend the last seven minutes on special needs. James.

Q798 James Frith: I consulted schools in Bury, 29 of which replied to me. The first question I asked was had they had to cut spending on any of the following since 2015 and 54% had had to cut SEN provision in their school. When asked did they anticipate further cuts, a further 52% said SEN provision would be likely to be in consideration. As a Committee member, but also as a constituency MP—and I am sure you are the same—I have been contacted by parents who are very concerned about the delay in transferring their child in mainstream education on to an EHC plan. I am hugely concerned that we are creating—inadvertently, I am sure—a sort of apartheid system, a two-tier system for mainstream schools, in some cases through their own will, but also through the unintended consequences of an inspection regime and budgets, as I mentioned. Is it your view that we should do as much as we possibly can to keep children with special educational needs and disability of a certain



level in mainstream schooling?

Damian Hinds: I do not think it would be right to generalise. It has to be the right setting for the individual child and for that family. The EHCPs—education, health and care plans—are a really important move forward in the shift and as we carry on evolving this, we need to make sure they are properly joined up.

Q799 **Chair:** The National Autistic Society says that 50% of their parents have to wait up to a year or more for an EHCP. There is something going wrong here.

Damian Hinds: Chairman, I am not being complacent about this. We do need to carry on improving it, but the overall programme I think is right, the focus from zero to 25 and so on; all these things are important. As it happens, my own constituency was one of the pathfinder/trailblazer areas. We have had EHCPs somewhat longer and I do think it has had a positive effect. I am not saying that problems all go away, of course, but there is improvement.

On the pace of transfers, the speed of transfers, I do not have an exact number, but I believe around 90% of the transfers are now done. It has been a big programme, of course, but it is important that we get it right. I believe the progress is now about 90%.

Q800 **James Frith:** What do you put the explosion of numbers down to in off-rolling, out of borough provision, where 77% of those children have special education needs and disability? Is that just a natural state of affairs or are schools overplaying their parts in that explosion of alternative provision?

Damian Hinds: I could not comment on that without you telling me a lot more about the premise first. However, I pay tribute to the work schools do. In this generation, compared to a generation or two ago, there is much more understanding of the different special educational needs, much more understanding in schools and through the system of how to help support those children and we need to keep working on that.

On exclusions, and you mentioned alternative provision, I am concerned that children with special education needs are excluded at a higher rate than others. Of course I am concerned about that. That is something that no doubt the review of exclusions practice that is going to be taking place will be looking at.

Q801 **James Frith:** Do you hope that mainstream schools can do more to keep children with special education needs and disability within them as opposed to off-rolling or sending them to alternative provision?

Damian Hinds: Yes. I said in answer to an earlier question on exclusions in general, rather than specifically for children with special educational needs, that yes, I would like to see those numbers lower. I also said when we having that earlier conversation—and this is even more true, I



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think, when we talk about SEN—that a really important role here is to spread knowledge and best practice from the schools that do it particularly well to the others.

Chair: We thank you very much for this morning. You have covered a huge range of issues. I am very encouraged by what you say about your attitude to exclusions and the Committee would be too. We are very grateful for your very honest and open answers.

Damian Hinds: Thank you for the opportunity to be able to discuss some of these important issues. I look forward, I hope, to being invited again. Thank you.