

Public Accounts Committee

Oral evidence: Ofsted's inspection of schools, HC 1029

Monday 25 June 2018

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Members present: Meg Hillier (Chair); Sir Geoffrey Clifton-Brown; Gillian Keegan; Layla Moran; Anne Marie Morris; Gareth Snell.

Sir Amyas Morse, Comptroller and Auditor General; Adrian Jenner, Director of Parliamentary Relations, National Audit Office; Laura Brackwell, Director, National Audit Office; and Marius Gallaher, Alternate Treasury Officer of Accounts, HM Treasury, were in attendance.

Questions 1–198

Witnesses

[I](#): Mary Bousted, Joint General Secretary, National Education Union; Nick Brook, Deputy General Secretary, National Association of Head Teachers; and Matthew Shanks, Executive Principal, Education South West.

[II](#): Matthew Coffey, Chief Operations Officer, Ofsted; Julia Kinniburgh, Director of Accountability, Curriculum and Qualifications, Department for Education; Jonathan Slater, Permanent Secretary, Department for Education; and Amanda Spielman, HM Chief Inspector, Ofsted.

Report by the Comptroller and Auditor General

Ofsted's inspection of schools (HC 1004)

Examination of witnesses

Witnesses: Mary Bousted, Nick Brook and Matthew Shanks.

Q1 Chair: Good afternoon and welcome to the Public Accounts Committee on Monday 25 June 2018. We are here today to look at Ofsted's inspection of schools, focusing in particular on some important work that the National Audit Office has done looking at how Ofsted works, how effective it is at monitoring schools' effectiveness, and how it uses its information to effect better education. We are also keen to look at how it uses the data that it gathers, so there is an awful lot of stuff to get through.

We are delighted to have a pre-panel on this, with some people who are very much representing those at the coalface of education. From my left to right we have Matthew Shanks, the executive principal of Education South West—how many schools are in Education South West, Mr Shanks?

Matthew Shanks: Ten.

Q2 Chair: Ten. Anne Marie Morris was right. We guessed it was 10, but we wanted to check. Then we have Dr Mary Bousted, who is the joint general secretary of the National Education Union, and Nick Brook, who is the deputy general secretary of the National Association of Head Teachers. Later, we will have witnesses from Ofsted and the Department, who are in fact in the room right now, so you have a chance for them to hear you directly.

Thank you to those of you who have submitted evidence. You have submitted that, so you do not need to repeat all of it here in the room. We expect this part of the hearing to last about half an hour. Could I start by asking each of you to tell me very quickly what you think the best and worst thing is about Ofsted, from your perspective?

Matthew Shanks: There are a few best things about Ofsted. I think the training that has come in since it became centralised, the short inspections and the use of practitioners from the field as Ofsted inspectors are the best things about it. I think the worst thing is that there is still sometimes a feeling that there is an over-reliance on data prior to inspections taking place. I still think there is a level of inconsistency sometimes within some of the inspections. The other one is the public perception and some school leaders' perceptions of Ofsted, which I think are not fair.

Mary Bousted: The best thing about Ofsted is its survey reports. Some of those have been extremely interesting and valuable.

Q3 Chair: Could you explain that a bit more?

Mary Bousted: They take a particular issue, look at the inspection evidence and then do more general conclusions, which are sometimes very helpful for the education system. I think the worst thing about Ofsted is

that it is a key part of an accountability system that is driving teachers from the profession—52% of teachers leave within 10 years. The NAO says that Ofsted inspections cost £44 million, but we think the costs of Ofsted and the accountability system to the education system are huge, and hugely more than that.

Chair: You put a lot of detail in your evidence, so thank you for that.

Nick Brook: I think accountability systems should always be tested against their ability to improve. One of the best things about Ofsted has perhaps been the ability that it has had historically to improve its systems. If you go back to when it started, 26 years ago, Ofsted had an undeniable impact in transforming the education system in this country.

Today, I think we see much less evidence that the inspectorate is having a positive impact overall. Schools have transformed in the last 26 years—90% of schools now are “good” or better, yet fundamentally the approach to inspection has not changed that much in that period. That is why NAHT decided that we would put together an accountability commission to review those issues. We will report in September, and I have circulated details on that to the Committee.

Through that work, and having spoken to many headteachers over the past few months, I have heard much more positive than negative about the calibre of inspectors on inspection of late. There is absolutely inconsistency—that is undeniable—but not as much as we have seen in the past.

Q4 **Chair:** So that is a good thing?

Nick Brook: That is absolutely a good thing. Overall, I have heard it said more often than not that schools believe that they have had a reasonable judgment at the end of an inspection. That, however, is different from the question whether inspection is having an impact or not. I hear much less about inspection uncovering anything of worth that the schools did not actually know already. To finish off, I would say that the problem appears not to be about the calibre of inspectors, as far as headteachers see it, but a lot more to do with the rigorousness of the inspection process itself.

Chair: Thank you for those thoughts.

Q5 **Layla Moran:** Picking up on that point, Mr Brook, what could Ofsted do more—or differently—to help to drive school improvement?

Nick Brook: I think we should look at short inspection in the first instance: 65% of schools are now good, which means that the majority of schools in this country can expect to have a short inspection rather than the full inspection of old. This is a one-day inspection. One-day inspections simply do not seem to be long enough to be useful, yet they are now the norm. Ofsted has become reliant on the short inspection model to perform its duties. As I say, around 65% of schools are now good. But there is so much to get through in such a short period.



HOUSE OF COMMONS

Last week, I talked to one of our teachers who has recently trained as an Ofsted inspector and she described it as a near impossible task to get through the work that was needed within a one-day inspection. I think the picture I'm painting here is that we have good inspectors attempting to achieve the impossible in schools. How could we make it more worth while? We could look again at the nature of inspection.

Q6 Layla Moran: Thank you. Mr Shanks, you made the comment that one-day inspection is good. How does that square with what Mr Brook has said?

Matthew Shanks: My experience of one-day inspections is that there is an awful lot to get through, but it is more done with the school rather than to the school. Two-day inspections tend to be a team or one inspector coming in "doing to" the school, but on a short inspection, because it is only one day, the school is far more involved, so you are able to look more deeply into their school improvement planning and their strategic knowledge of what is working and what is not working within the school.

In terms of being a force for improvement, I always feel that, having done inspections or being inspected, it would be good to have time after that to tap into some of the expertise that the inspectors have. They come in and they inspect. Sometimes, as Nick says, they agree with what the school is saying, but they have experience, expertise, knowledge and wisdom from being in schools in other areas, and that is not always able to be passed on because of the nature of the report writing and because it is only one day, so a model that is a one-day inspection and then a visit later on to provide some support would be more effective.

Mary Bousted: I must disagree. It is not the view of our members that the standard of inspections is improving. Ofsted said to the NAO that short inspections are largely about compliance, and that is certainly the view of our leadership members. I got a long email yesterday from someone who went through a short inspection: "The inspection was frantic, inefficient and superficial, entirely inadequate and definitely requires improvement." This was in a special school with children being urged very quickly to give preordained answers to tick-box questions. The Report itself says that inspectors are finding the workload too high and Ofsted itself says that its short inspections are about compliance. The idea that you know you are going to get a fair, valid and reliable inspection when an inspection team comes through your school door is not the view of my members.

Q7 Chair: A lot more of your members are now inspectors because more practitioners are becoming Ofsted inspectors.

Mary Bousted: Some of them will be inspectors. It is largely the leadership group members that are inspectors. We have more teachers in membership than leadership. I don't know how many more of them are inspectors.

Q8 Layla Moran: What is the view of your members in challenging the assertions that Ofsted makes? Do they feel that the complaints procedure could result in changes of grade, for example?



HOUSE OF COMMONS

Mary Bousted: Most of the leaders would not bother challenging an inspection. In fact, Ofsted lost a case at the High Court. When Ofsted places schools in special measures, it has no appeals process. Ofsted argued that it was so careful about placing schools in special measures that it did not need an independent appeals process. The judge found against them and said it is simply against natural justice not to have an independent appeal, particularly when a school is placed in special measures. That has been appealed. We do not think Ofsted's current position, with the High Court saying it has to have an independent appeals process if a school is put in special measures and then Ofsted not changing that and going to an appeal court, is valid.

Q9 **Layla Moran:** Isn't it also true that last year there was not a single change?

Mary Bousted: Yes.

Q10 **Layla Moran:** There was no change, so my question to you is, if it then went to an independent panel that found that the judgment was sound, what is wrong with that? Does that not say that Ofsted is doing a good job?

Mary Bousted: But it doesn't go to an independent panel.

Q11 **Layla Moran:** The complaints procedure is independent.

Mary Bousted: It is not independent of Ofsted.

Q12 **Layla Moran:** Okay. It's different people. It's arm's length.

Mary Bousted: Yes, but it's not independent of Ofsted.

Q13 **Layla Moran:** But it is working within the framework.

Chair: It is the equivalent of a governing body doing an appeal, so that would be seen as independent. That is what parents are offered if there is an exclusion.

Mary Bousted: We do not regard that as independent. In any inspection agency worth its salt, if there was a complaint against a judgment, it would be sent to a different body—particularly when a school is put in special measures, which is such a—

Q14 **Chair:** Governing bodies do appeals for school decisions as an independent governing body.

Mary Bousted: Yes, but governing bodies do not quite have the influence and the effect that Ofsted has, if you place the school in RI or in special measures.

Chair: I am just saying that there is a potential corollary there.

Q15 **Layla Moran:** Indeed. Perhaps we can pick that up later. Mr Brook, can I ask you the same question?



HOUSE OF COMMONS

Nick Brook: I was talking to a headteacher last week who is a MAT CEO. In the last year, she has experienced six inspections, so I think she was in a particularly good position to talk about reliability and consistency across those. One thing that came out from the conversation was an issue she had with one of her school inspections. She said, "The complaints procedure is still very difficult and stressful, with no external moderation. We should not have to have had to revert to a costly letter from our legal team to bring about a satisfactory response from Ofsted. It was not until our education lawyer wrote a letter to Ofsted, which cost £700, that they took the complaint seriously and took appropriate action."

On the very small sample of one headteacher that I spoke to, it is quite clear that it is not without issue. One of the reasons we do not see many changes through the complaints system is that a lot of the complaints are to do with the conduct of inspectors, and that can be very much, "you say, they said," and therefore the outcome of that will be one where the judgment stands. Overall, when you look at Ofsted's statistics, they show high levels of satisfaction with inspections themselves, but very low satisfaction where people have gone through the complaints procedure. I think that is reported in the NAO Report as well.

- Q16 **Layla Moran:** Thank you. I will move on to a related issue: the number of schools that are outstanding and therefore exempt from inspection from a very long time. Mr Shanks, are there any of your schools that have not been inspected in, say, the last five years? Which ones and how many?

Matthew Shanks: Yes. Two of the 10, one primary and one secondary, are both outstanding schools. I would like them to be inspected, and their heads would like them to be inspected as well.

- Q17 **Layla Moran:** Why would you like them to be inspected?

Matthew Shanks: Because you want to test yourself, and you also do not want to allow complacency to slip in. There is also an unfairness to a system whereby some schools have achieved outstanding gradings in the past, when examination regimes were different and opportunities to pick up particular qualifications—without going down that line—were there. Those schools should be looked at, rather than just on a data exercise.

- Q18 **Layla Moran:** Is it not the job of the multi-academy trust to ensure that standards are high?

Matthew Shanks: Yes, absolutely.

- Q19 **Layla Moran:** Currently, MATs are not inspected, although I understand that is an argument to be had. Would you agree with that assertion?

Matthew Shanks: Our MAT is actually undergoing a pilot inspection this week. They are preparing today, while I am here—so there is a level of confidence in there. Yes, of course we can inspect them, look after them, work with them and build them up, but there is nothing like that external verification, and I think that external verification is key. There are some outstanding schools out there that people do not think are outstanding any more, and they should be inspected. There are also outstanding schools

that maybe are brushed in the same way because they are not seen as outstanding because others are not, and if they were inspected in the same way there should not be any fear or favour in inspection or in having schools inspected, because this is the regime we have.

Q20 **Layla Moran:** Do you agree with that, Dr Bousted?

Mary Bousted: About the length between inspections?

Q21 **Layla Moran:** Do you agree that all schools should be inspected evenly and everyone should have the same number of years between inspections?

Mary Bousted: I think all schools should go through a quality assurance process. That should not be something that happens on a snapshot basis; it should be something that is intrinsic to the schools. The present Ofsted model is defunct. It does not give the quality assurance that parents want and need, and it does not give the quality assurance that the country needs for the money it spends on education. Other countries are finding much more intelligent ways to quality assure and to assess the quality of education that children and young people get. The most devastating conclusion in this NAO Report is that Ofsted cannot prove that it raises standards of education or the quality of children's and young people's lives. That is an absolutely coruscating statement about an inspection agency.

Chair: It is very interesting to read.

Q22 **Gareth Snell:** I am sorry to interrupt. Very quickly, Mr Shanks, there is an anomaly or discrepancy in what you said. You said in your opening statement that one thing you thought was bad about Ofsted was its general level of inconsistency in inspections, but now you are saying that your schools would welcome an inspection because they believe themselves to be outstanding. Is it not therefore the case that schools that think they are doing very well want an inspection, because they expect to be told that they are doing well, and that schools that come out of an inspection without an outstanding rating fall back on saying that the inspections are inconsistent and that the rating is not their fault?

Matthew Shanks: Yes, I'm sure. I did not actually say my schools want to be inspected because they think they are outstanding. I said they wanted to test themselves, which is slightly different. There are still inconsistencies within Ofsted. That does not mean that there should not be inspections.

I agree with Dr Bousted's saying that the regime can improve, in terms of the timings between inspections and the type of inspections taking place. However, one thing I pointed out was that the best continuing professional development—CPD—I have had in 26 years of education is the new Ofsted CPD and training. The development we have seen in that, in terms of being research based, should make the inspections better.

Going back to Ms Moran's point about the quality of inspections and the timing between them, it is absolutely essential that everybody, including

the school, is involved in that process, and that it is not a “top down, done to” regime.

- Q23 **Gareth Snell:** But overall, would you have faith in the inspection process within the schools in your MAT to give a fair and accurate reflection of what is happening in your schools?

Matthew Shanks: Within the south-west, absolutely. I have complained to Ofsted in the past and not had my complaint upheld, which I can understand, because of the specification within the criteria in Ofsted. That is where changes have been made since then and continue to be made. It is not just about data or historical data; it is about the whole system and being a force for improvement.

- Q24 **Anne Marie Morris:** Mr Shanks, you said, as did Mr Brook, that there is inconsistency. If we take the perspective of the parent, they often make decisions based on the Ofsted grades. They don’t look behind them or at the whys and the wherefores. If there is this inconsistency, is Ofsted actually giving fair and balanced information to parents on which to make a balanced judgment?

Matthew Shanks: I don’t know the answer to that. The only thing I can say is that parents do base their decisions on schools an awful lot on Ofsted judgments. I think that Ofsted is moving towards making it a fairer and more efficient system from that point of view. I feel like I am defending Ofsted here, but having worked with them I have seen those changes.

Interestingly, on parents, I don’t think they have a big enough say in what happens within inspections. I deal with parents on an almost daily basis who would like their children to have energy drinks, for example, and who could therefore rail against and make complaints against the school. However, there could be a system whereby schools have to engage with parents more regularly and then feed that into the Ofsted report. Schools often don’t get to hear what the parents say about them during Ofsted inspections, apart from at arm’s length. I think schools should have the right to be able to answer, and to support or to defend, if necessary, those comments that are made from parents.

Nick Brook: I agree with the suggestion that parents would expect a school that has been judged as good to be a good school, and one that has been judged as outstanding to be outstanding. To bring it back to the previous question, I think many parents will be very surprised to know that 296 schools judged as outstanding had not been inspected for 11 years. If we are looking at confidence within the system, we need to take that point about outstanding exemption into account.

Can we have confidence that one “good” is as good as another? At this stage I do not think we can. One area of focus within the accountability commission is whether inspection is equally fair to schools that serve children in all different types of circumstances and contexts. Mary will provide more evidence on that as she circulates that around, I am sure.



HOUSE OF COMMONS

It is certainly an issue that many school leaders, and teachers for that matter, are put off teaching in areas of challenge, simply because they don't believe that the inspection system would treat them fairly. That is an issue of perception that we absolutely need to challenge. Work from the Education Policy Institute and others suggests that there may well be something in that.

- Q25 **Chair:** You clearly get this from surveys of staff. We have looked a lot at teacher recruitment, training and retention, and there are a raft of different issues behind why morale can be low and teachers are leaving the profession. On a scale from one to 10, where do Ofsted rankings fit for both of you? I will take Mr Brook and then Dr Bousted, unless you have done joint research?

Nick Brook: We could both say a number at exactly the same time and see if it is the same one. On a scale of one to 10, fear of the accountability system seems to be a very high concern. I would take that in the round. We are talking about not just Ofsted here, but the interplay with performance tables and the fear that if I have poor results at the end of one year, it could be career-ending for myself. For school leaders, that really is quite significant.

- Q26 **Chair:** For school leaders it can also be quite a challenge. If you go into a school rated outstanding by Ofsted, there is nowhere to take it, so it can be quite difficult to recruit to those schools.

Nick Brook: Exactly. I hear more headteachers of outstanding schools who would like to see the end of exemption than those who would like to keep it. I echo what Matthew said, that they perceive unequal treatment, precisely because they are no longer inspected. They say that it puts them at a disadvantage when showing parents around, because they have no recent inspection report to show and parents are unable to really judge one school against another. We are in this odd situation where exemption has gone from being celebrated by many outstanding headteachers to being a cause for concern.

Matthew Shanks: Especially if you are a new headteacher, who has been head of a school for three or four years, and you were not there when the school got its outstanding rating, staff begin to question a little bit, and that can create unease.

- Q27 **Chair:** Dr Bousted, on a scale of one to 10, where are you?

Mary Bousted: When Nicky Morgan did her workload challenge, accountability was one of the key things teachers were saying was a key driver in overwork, and the excessive work and stress for teachers.

- Q28 **Chair:** Is that collecting data, or—

Mary Bousted: My members tell me of the ever-present fear of several things: performance league tables, the plethora of accountability measures, which the DFE has imposed and which they are now clearing up a bit, and actions on behalf of school leaders who fear for their jobs. What happens, therefore, is that work is passed down to teachers, which is not



about the quality of teaching and learning, but about proving the quality of teaching and learning. That is where you get the five-page lesson plans, the dialogic marking in three pens and sweating the data—an increasing issue—as though having a meeting about data to show progression means that those children show progression. It is almost as if having the meeting is as important as the progression. In the UK, the hours our teachers spend in the classroom is about the OECD average. Where we double the OECD average is in time spent out of the classroom preparing for teaching. Much of that is not preparation that is really about thinking through the age range or the subject, but writing incredibly detailed metrics, lesson plans, marking schemes and data progression in order to demonstrate that you are doing what it says on the tin—that is, going in and teaching effectively.

Q29 Layla Moran: What do you think of the myth-busting exercise that Ofsted has done?

Mary Bousted: I think the myth-busting exercise is a valiant attempt, but the problem with it is that no one really believes in it. There are two problems. First, it does not get down to a lot of teachers. Secondly, when Ofsted says, “We don’t want very detailed lesson plans,” well, you did. In ATL we ran a course about five years ago called “Demonstrating progress in 20 minutes”. Teachers were knocking down the doors, because that was part of the framework. When the Ofsted inspector comes in for 20 minutes—

Q30 Layla Moran: But that was five years ago, and this is coming since then.

Mary Bousted: But they still carry through. I went to a meeting last week. It was made clear that we don’t need dialogic marking. It was in Gloucestershire, there were about 40 teachers in the room. I said, “Put your hands up if you are primary teachers.” About half of them put their hand up. I then said, “Keep your hand up if you still have dialogic marking,” and 15 out of the 20 kept their hand up. The difficulty with the myth-buster document is twofold. First, it is difficult to get information into schools, because they are snowed under with information. Ofsted really have tried to myth-bust the documents. Secondly, there is a credibility gap, because people still see in an Ofsted report from two or three years ago that this is what is required and now we are saying that we don’t need it. People don’t just forget what was there before.

Q31 Layla Moran: Mr Brook, isn’t that what leadership should be doing in a school to ensure that these critical changes are filtered down?

Nick Brook: I echo the point that there have been valiant attempts by Ofsted to get the message through about what is and is not required at inspection. I do think it is a slightly different question though. The point in school leaders’ minds is more akin to entering a court of law without a defence to say, “Take us as you find us,” knowing full well that Ofsted will come with access to the performance data that it is relevant to that school. There will always be a demand on the school, particularly if their data is looking anything other than wholly convincing, to build a compelling argument and a compelling case as to why they are good or



HOUSE OF COMMONS

outstanding when the data evidence may be borderline. That is what is driving the behaviours in the system—the recognition of the consequences of a poor inspection and the need to—

- Q32 **Chair:** I will bring Anne Marie Morris back in, but I want to challenge that point on data. I have been a school governor myself, and it is very helpful to see that data from a higher level, so you can see if a cohort of pupils or a cohort in a particular subject area is not doing so well. For example, you can see very quickly with GCSE results if the maths cohort is dropping down a level, and then you can quickly see where to drive improvement. Surely that data has a role in the day-to-day management of a school, regardless of what Ofsted then do with it.

Mary Bousted: Data absolutely does, but the problem is that those schools are drowning in data and much of it is spurious. So you get—

- Q33 **Chair:** So you think that, really, Ofsted should be listening to practitioners about the data you need for the day-to-day stuff, and shaping their requirements around what is useful to the school.

Mary Bousted: Yes. We need data that is rigorous, valid and reliable and that gives consistent information. In many schools, there is a manufacturing of data to meet the perceived needs of a leadership team who are desperate. That is particularly the case in schools with deprived and challenging intakes, where it is more difficult to demonstrate progress, so you get a proliferation of data. My members complain—two or three years ago, the complaints used to be about assessment; two years prior to that, it was about planning. Now when the complaints come through, they are about the proliferation of data, much of it spurious.

- Q34 **Anne Marie Morris:** Mr Shanks, as I understand it, the way Ofsted works is that it tries to take an objective view of a school and it will not look behind the grade, if you like, to the cause of any particular issue being below standard—things such as underfunding, which we are very familiar with in the west country. If an inspector is not taking account of that, and the reason that you are delivering something that is not quite outstanding is that you do not have the money to pay for the teachers, how on earth does that get fed back to Ofsted, if they are all silo reports?

Similarly, there are a number of issues with mental health, which have grown exponentially over the last 10 years. The challenge is that that needs to be dealt with by Ofsted, and they need to feed back to the Government that there is a real issue here, which they ought to be reporting on from first-hand knowledge. Am I right in thinking that that is an important missing piece? Are you aware of any way in which Ofsted try to pull all the schools' results together and look at issues such as that, which are the causes, and feed them back to the Department for Education?

Matthew Shanks: With the caveat that you do not ever want to make excuses for poorly performing schools in deprived areas—it ties in with what we have been saying about data—there is a set of standardised data on which schools are judged. It used to be very much about attainment; it

is now far more based on progress, but there are still ways that progress figures and data can be manipulated.

For example, schools that are outstanding sometimes withdraw children if they know that they will not achieve, so they get a higher performance 8 score, whereas schools that are not in that position, which might have Ofsted coming in and might be questioned about how many children started the course and finished it, are not in a position to do that. That is one reason to go back to outstanding schools being inspected.

Those kinds of things are still happening. We have heard about the game-playing that Ofsted is trying to cut down on in curriculum choices and particular courses that are being offered by leaders for teachers to deliver in the classroom. There is also the focus on using the data in a specific way. I absolutely agree with Dr Boustead's point that, sometimes, schools are working on conversations about the data rather than about the teaching and what is happening in the classroom.

Because of the set criteria on which Ofsted inspect, there is no line about mental health. PDBW—personal development, behaviour and welfare—is there as a strand, but it is not seen to be as high a strand as outcomes. Therefore, you could have a school that does amazing things around mental health, personal welfare and support, and it might be outstanding in that, but if its outcomes are not as such, the school will still be an RI or a serious weaknesses or a good school, so it does not gain in that way.

In terms of funding, it is really difficult—sitting as a school leader—because you do not want to wash your dirty linen in public and talk to Ofsted about all the difficulties you are facing and show all the areas. In the same way, you do not want parents to know that, if you are trying to recruit into an area where it is difficult to recruit, or teachers to know that, if you are trying to recruit into an area where it is difficult to retain teachers. You certainly would not want that to appear in the report. I do not know what the answer would be to that.

One of the things in the MAT inspection pilot looks at that across multi-academy trusts to see how working together can produce greater financial efficiencies. I think the funding question and conversation needs to carry on, because as you know, I still think schools are underfunded. How could that be built in? Maybe, in the new specification coming out in September '19, equal weighting could be given to the four areas, at least within PDBW, outcomes and so on, because at the moment, we are all slaves to trying to drive a particular data train, and progress of children is key.

Q35 Anne Marie Morris: Do you have any very brief comments, Mr Brook?

Nick Brook: Yes, and I'll be very brief. You talked about some unethical behaviours that are going on in schools—off-rolling and so on. One thing we should bear in mind is that, yes, we expect much of school leaders and we want them to behave ethically, but surely the system should be set up in such a way that doing the right thing is the easy thing to do. Where you

require bravery or heroic leadership to do the right thing, something is clearly not right.

I will just emphasise also the point that data management has got somewhat out of control in schools. Tracking progress is not the same as improving learning, and I think we all have a responsibility to get a balance—

- Q36 **Chair:** You need to track progress to see whether you are improving learning.

Nick Brook: Yes, but attempts to predict outcomes five years ahead and look at various flight paths and various other strange things that are going on in schools now just don't seem to have a place in education in the future, in the NAHT's opinion.

To pick up on the final point that was being made—I am trying to read my handwriting. Actually, it is an absolute mess, so I won't even attempt it, because you did ask me to be brief, and it would take hours for me to decipher what I've scribbled on this page.

Chair: If you agree with each other, you can always say you agree, because we are trying to bring this section to a close, as we have lots to get through with the other witnesses.

- Q37 **Anne Marie Morris:** One of the real challenges that Ofsted has is a lack of inspectors. Given what you say about Ofsted and how that puts teachers off coming into the profession or staying in it, how on earth is Ofsted going to attract more headteachers and deputies to be inspectors?

Chair: Shall we start with Dr Bousted? She had a momentary break there.

Mary Bousted: I think that, with the current pressure schools are under, that's a real ask, because although I'm sure you get very good CPD if you are an inspector—because it gives you the opportunity to go and visit lots of other schools—the more challenging the circumstances you are in, the more difficult it is to leave your school.

I just want to finish with this. I know I have put it in the evidence, but I want to say it. The evidence is clear that Ofsted does not give judgments to schools in challenging areas that they deserve—that the judgments for schools in disadvantaged areas are disproportionately negative, disproportionately lower. The EPI—Education Policy Institute—did a report two years ago and said that has a real effect.

- Q38 **Chair:** We could get into the debate about this, but I represent an area that is incredibly challenged, and we have some of the best schools in the country, which get outstanding ratings, so there is also an element of what is actually happening in the school. We are not a policy Committee. Isn't Ofsted set up a particular way to look at certain things? These are matters of policy that we are not here to challenge on this Committee.

Mary Bousted: No, but there are, particularly in London, schools that have a highly multicultural intake and have a rich cultural area, so there



HOUSE OF COMMONS

are issues about that. You said, "Is the issue just funding, for schools that are very poorly funded? Can Ofsted get to the grain of that?" There are other issues that impact greatly on the judgment a school gets and which, in my view, Ofsted misreads.

Chair: Ms Morris, do you want to ask that question of anyone else?

Anne Marie Morris: No, I think that, given the time, we should move on.

Chair: Sorry, it seems like we've been going at quite a pace, but we have had some good evidence in as well, so let me thank you very much for coming, particularly Mr Shanks, who travelled up from Devon for this afternoon's session, at quite short notice. Thank you very much indeed. The transcript of this section of the hearing and, indeed, the next section will be up on the website uncorrected in the next couple of days, so please have a look, although our colleagues at *Hansard* are excellent, so it's usually very good. You are very welcome to stay for the next panel if you wish. We will now switch over to the permanent secretary, the chief inspector and colleagues.

Examination of witnesses

Witnesses: Matthew Coffey, Julia Kinniburgh, Jonathan Slater and Amanda Spielman.

Q39 **Chair:** Welcome back to the Public Accounts Committee on 25 June 2018. We just heard some interesting evidence from people who are at the coalface of our education system, in schools in England. I will introduce the second panel, and I have alerted Mr Slater that we have some particular questions for him. On our panel this afternoon is Matthew Coffey, the Ofsted chief operations officer. How many years have you been there, Mr Coffey?

Matthew Coffey: Four and a half years in that role, but I have been at Ofsted since 2007.

Chair: I thought it was some time. Amanda Spielman is Her Majesty's chief inspector. I think this is your second time at the Committee, so welcome back. You have been in post about 18 months, I believe.

Jonathan Slater is the permanent secretary at the Department for Education, who in this Committee needs no introduction. Julia Kinniburgh is the director of accountability, curriculum and qualifications at the Department for Education—just a small workload for you there. I think this is your first time in front of us, so a very warm welcome.

Before we kick off on the main subject of Ofsted, Sir Geoffrey has a question.

Q40 **Sir Geoffrey Clifton-Brown:** Mr Slater, can I ask about your ministerial direction on T-levels? Why did you think it was necessary to give that direction?



Jonathan Slater: It is a big change programme with a complex set of reforms. Any such big change programme will involve a plan with a series of challenging component parts. The timetable that we have been set for implementing that challenging plan works fine so long as each element of the plan goes ahead without any hiccups. Faced with that sort of choice, you can either decide to stick with that plan, put your shoulder to the wheel and do your very best to make sure that everything goes in accordance with the plan and that there are no hiccups, or you can buy yourself some more time, in case something goes wrong, in which case you have built the contingency into it.

Those are the two choices, and my advice was to buy yourself some more time, to allow for the possibility that it would not all go according to plan. But it is completely legitimate for the Secretary of State to say, "I hear what you are saying, permanent secretary, but I want to stick with that plan and make sure we do everything we possibly can to achieve it." The way that managing public money works in such a scenario is I put my advice in writing and he puts his decision in writing, and we give him a copy and he gives you a copy. That is the answer, basically.

- Q41 **Sir Geoffrey Clifton-Brown:** So the Secretary of State, Damian Hinds, decided that you should stick with your original timetable and begin in 2020. Can I briefly explore with you how that will work? The first courses will start in September this year.

Jonathan Slater: No, September 2020.

- Q42 **Sir Geoffrey Clifton-Brown:** September 2020. What impact does that have on the timetable?

Jonathan Slater: If everything goes smoothly—it may well do, and it is my job to do my very best to make sure that it does—we will hit that timetable. A number of things need to be done to hit that timetable. To take an example, we have to pin down the specification for the three T-levels. We have to work out and agree with employers, with their agreement, what is the digital T-Level curriculum. We have to select an awarding organisation, such as Pearson or City & Guilds—those sorts of people—to sit over that and to set the examination. We have to choose one of those, and then it has to set an examination.

We have to get a process in place with sufficient employers around the country to provide three-month work placements for people on that T-level. We have to get FE colleges resourced and teachers trained to teach those T-levels. We have to get students ready, willing, waiting and wanting to apply to do those T-levels. We have between now and 2020 to get each of those elements in place. We have a plan that gets us there, and if we hit each of the milestones on the plan, it will be fine.

- Q43 **Sir Geoffrey Clifton-Brown:** Sorry, my question was imprecise. These courses will start to be taught in September this year in readiness for 2020.



HOUSE OF COMMONS

Jonathan Slater: Actually, no. You will be surprised at how much work is required before you can even start. In September 2020, the first students will start their two-year T-level courses.

- Q44 **Sir Geoffrey Clifton-Brown:** Okay. Another problem was finding enough industry placements for 45 days. How is that shaping up?

Jonathan Slater: Good work is being done. We are piloting the work placements principle right now around the country. We have got many work placements in place so that we can test what is working and what we need to adjust before we go live with the system in September 2020. In some areas it is a lot easier than others. We are increasingly funding further education colleges themselves to work with employers in their localities to reach agreement with local employers to provide that piece of the jigsaw. We are at the piloting stage, funding FE colleges with two years to get it ready.

- Q45 **Sir Geoffrey Clifton-Brown:** Okay, finally, because this hearing is not about T-levels—

Chair: Perhaps Ms Kinniburgh can answer.

Sir Geoffrey Clifton-Brown: Yes. Perhaps you would like to answer this, Ms Kinniburgh. It is clearly taking up quite a lot of resources in your Department and in your area of responsibility. Is there anything that will need to be deprioritised to make this whole thing work?

Julia Kinniburgh: It is not actually my area of responsibility. We have a separate director who is responsible for T-levels, and she is dedicated solely to that.

Sir Geoffrey Clifton-Brown: Okay, Mr Slater.

Jonathan Slater: We have stood up a team with a director who is full time in charge of this programme. They have been so for the past year. We are lucky enough to benefit from additional resources from the Treasury for this priority, given its salience and significance for the Government. I have not had to fund this programme within the baseline of the Department. That is not to say we do not need to prioritise, but they have given me extra money for this one.

Sir Geoffrey Clifton-Brown: Thank you.

- Q46 **Chair:** I want to pick up on the issue of academy heads' pay. You wrote to academies asking them to explain salaries over £150,000. I think you have written to them again since then, or the ESFA has. Can you give us an update on what information you have got back and what you are doing about it?

Jonathan Slater: Sure. We started off, as you will recall, with a letter to the chief executives of those single-academy trusts paying somebody £150,000 or more, asking them to justify that. We then followed that up with a letter to multi-academy trusts in the same situation. According to our records, there were 117 single and multi-academy trusts that were

paying someone more than £150,000. That has come down by 18 so far, as a consequence of that engagement between us and them.

Q47 Chair: They are just not paying people as much money?

Jonathan Slater: Yes. I would expect more of the same to follow. I am happy to keep the Committee updated as data develops. In other words, I do not think 18 is going to be the limit of the change. We are now turning our attention to trusts that are paying someone between £100,000 and £150,000. We have only just started that process, so it is too early for me to update you on the numbers. I would be surprised if any hearing of this Committee takes place where you do not ask me for an update on those numbers.

Chair: So just come prepared every time—just like “Blue Peter”.

Jonathan Slater: That is why I had the figures off the top of my head, even though the hearing is on something else. Obviously it is important that we get this thing right, and I will tell you—

Q48 Chair: There is a lot to probe there, but we will not have time today to wonder why 18 suddenly are not paying as much. I have to say that this Committee is not of the view that everyone should be paid less than a certain amount; it is that they have to justify it.

Jonathan Slater: Absolutely. That is why it is not 117, but 99.

Q49 Chair: Okay. The other issue that you have talked to us about before is the asbestos management assurance process. I think you have now extended the deadline for information from schools to today from an original earlier deadline. Is that because you are not getting the information in on asbestos?

Jonathan Slater: I am sorry, but I am not up to speed with the reason for the timing. I have updated the Committee in the past on how important it is that we get assurance that those local agencies, whether they are trusts or local authorities, have got proper asbestos plans in place. That is the process we have been going through. I am obviously happy to update you in more detail as we—

Q50 Chair: Obviously the deadline is today, so we would like a response in the next couple of weeks about what that has brought in. We have raised the issue a number of times in this Committee. It is a ticking time bomb. Schools that were okay when you and I were at school are perhaps no longer safe. It is also a challenge for those governing bodies, is it not? They have to come up with a plan that is not funded to sort that problem out. If they do not get the money from the bidding process for that work, they have got the problem of an asbestos plan and no money to deliver it. Are there any plans for central Government—the Department, or indeed the Treasury—to fund the asbestos plans?

Jonathan Slater: That is precisely why we did the condition survey work a few years ago, and why we have been supplementing it with more information about specific subjects. In particular, there is this focus on



HOUSE OF COMMONS

asbestos. We obviously expect that to play into engagement between us, trusts and local authorities on condition improvement in the future.

Q51 Layla Moran: Carrying on from that, to your knowledge what proportion of local authorities have submitted their plans?

Jonathan Slater: I'm sorry, I don't have that information off the top of my head.

Q52 Layla Moran: The reason why I ask is that, in one school in Oxford, the only reason why the asbestos was discovered was that a pupil punched through the wall. That caused them to bring someone in, and that is when they found the asbestos. That was quite recent. I am curious to know whether you think there is a problem out there, because I suspect there might be.

Jonathan Slater: It is crucial that agencies at a local level, be they local authorities or trusts, take seriously their health and safety responsibilities in general, and particularly those relating to asbestos. They must be on top of it. We have issued guidance so they know what they have to do. We are asking about the extent to which they can assure us they have done it. I'll update you on the deadline when I get the results of that.

Q53 Chair: Our concern is that the guidance is all very well, but what happens if they do it, find a problem and there is no money to fund it?

Jonathan Slater: If that were the case, sure, but we have an annual bidding round, and our guidance on asbestos is not new.

Q54 Chair: We will continue to pursue this with you in writing. We see you often, Mr Slater.

Jonathan Slater: In circumstances with experts around us, we will discuss the benefits and disbenefits of removing asbestos from a building in situ. As you know, it is not always best to remove the asbestos.

Q55 Chair: It is not always the same for everything. It is a growing issue, and we have raised it as a Committee a number of times.

Jonathan Slater: It is very important for us, too.

Q56 Chair: We will correspond with you and pick it up at a later date. Sadly, it is not something that is going to be resolved overnight. It would be great if it was, but unfortunately we don't deal with instant results in this Committee.

We now turn to Ms Spielman, the chief inspector. I want to ask you a couple of questions before we get into the main body of the Report. On what basis did you assure Parliament in your annual report of 2016-17 that you had met your statutory target to re-inspect schools within five years, given what you then found out?

Amanda Spielman: There was a control weakness, for which I have to apologise. The previous reports will be corrected in the report we will lay with you in two or three weeks. There were a handful of inspections that were not completed within the statutory timelines, and an explicit decision



HOUSE OF COMMONS

was taken at the time—it wasn't a matter of oversight—that there was a good reason to defer the inspection in those cases. That wasn't communicated properly through the certificates of assurance, so I was unaware of it at the time I signed off the annual report. I can only apologise and say that that will be corrected.

- Q57 **Chair:** What have you done to make sure that doesn't happen again? That is misleading Parliament, which is a serious matter.

Amanda Spielman: Indeed. We have put procedures in place to ensure any decision to defer an inspection past a statutory deadline has to be reported either to Matthew Coffey—my COO—or directly to me. No sign-off can be made without that.

- Q58 **Chair:** So that will be amended.

Amanda Spielman: We will be including the amended details in the annual report for 2017-18.

- Q59 **Chair:** Can you tell us any reasons why the 43 schools were not inspected?

Amanda Spielman: Just over 30 schools—I think it is 32—came about because of a minor technical policy change by DFE in the numbering of schools, relating to school mergers. That had the side effect—for whatever reason, nobody properly thought about and discussed it—that those schools were set up to be treated as continuing schools, whereas the DFE policy previously had always been that merged schools should be treated as new schools and given until the third year to be inspected. We set them up as new schools on our system, instead of setting them up as continuing schools, which would have brought them into inspection slightly earlier.

The other 11 were all exceptional cases, mostly relating to schools that were expected to close. Our information was that they were closing, and therefore the requirement to inspect did not apply. There were special provisions. For one or two, there were some other exceptions. For example, the head of a very small infant school was suddenly diagnosed with very late-stage terminal cancer, and there were one or two other unfortunate cases. In every case, it was known—there are records on our system—that it was considered an explicit decision. So I am satisfied that there is no deeper control weakness about schools simply slipping under the radar.

- Q60 **Chair:** You would expect me, perhaps, to observe that if this happened in a school you were inspecting you would be pretty hard on them. Have you had disciplinary action inside Ofsted as a result of this?

Amanda Spielman: No, we haven't.

- Q61 **Layla Moran:** Moving on to your speech in the last week, you started by saying that it was not going to be controversial and then you made some interesting points. My first question is what evidence do you have that doing lines actually improves behaviour?



HOUSE OF COMMONS

Amanda Spielman: I didn't suggest that it did, but what we have seen over the last few years is that a number of schools have taken steps to put in place quite strong behaviour policies to address what they see as the needs of their school and have often come under a great deal of fire. The point I wanted to convey was that if those schools put in place policies that are effective, coherently implemented and beneficial for children in those schools, the head's right to make decisions about policy should be supported, not undermined.

Q62 **Layla Moran:** So this is about supporting the heads in their decisions, rather than a personal view?

Amanda Spielman: Indeed.

Layla Moran: Mr Slater, would you be happy sending your child to a school that made them do lines as part of their discipline process? Is there not a point where it is the DFE's job to say what is and is not good in a school? I would argue that there is not much evidence that doing lines changes behaviour in the medium and long term—perhaps in the short term.

Chair: In short, isn't it a bit old-fashioned?

Q63 **Layla Moran:** Is it a bit old-fashioned? Should we still be doing this?

Jonathan Slater: The difference between Amanda as the head of a non-ministerial department in front of you, and me, as the head of ministerial Department, is that she gets to express her views unencumbered by Ministers—

Chair: Watch out, Ms Spielman, he is after your job.

Jonathan Slater: —which is a jolly good thing, without fear or favour, and I explain Government policy because I work for Ministers.

Q64 **Chair:** So what is Government policy on writing lines? You must have been prepared for this one. I am sure half a dozen civil servants were beavering away to work out what it was before you got here.

Jonathan Slater: The Government do not express a view on the benefits or otherwise of a particular approach.

Chair: Mr Slater, you would get an Oscar for your performance.

Jonathan Slater: It's just a difference. If we were doing each other's jobs, I would express my own view and she would defend Government policy.

Q65 **Layla Moran:** Coming back to the point about measuring behaviour, in Ofsted reports there is a general view of behaviour. Would you say that your measurement of good and bad behaviour over time is robust enough to make value judgments about doing lines, for example?

Amanda Spielman: We did not make a value judgment about doing lines, but we have seen in reviews done for DFE and in our inspection reports



HOUSE OF COMMONS

that clarity and consistency of application and support by schools for all their staff is very important. That typically needs to be explicit and consistent, not variably or casually enforced, and pupils need to understand what will happen, and when, if they infringe the rules.

- Q66 **Layla Moran:** Teasing out the point of the role that Ofsted plays in school improvement, is there a place for the gathering of that data and the spreading of best practice? Do you consider that Ofsted's role, or is that someone else's role in the system?

Amanda Spielman: We do a considerable amount of survey work. In fact, to the point that Mary Bousted made, it is one of the pieces that I, too, regretted had been partly squeezed out of the Ofsted model in recent years. I have significantly increased the research team so that we can carry on doing the kinds of survey reports that people have found so valuable. We are consulting with the sector, and have consulted in a number of places, to put together the research and survey programme that we will publish shortly.

- Q67 **Layla Moran:** So is there a survey report that suggests that doing lines helps to improve behaviour? Do you see what I am trying to get at?

Amanda Spielman: It was an example of the kind of thing that is found in some of the strict behaviour policies, but the important point is that there is a great deal of public criticism of heads who decide that their school needs a firm behaviour policy, and I am very uncomfortable with seeing people piling in to condemn them.

- Q68 **Layla Moran:** Moving on to, just before the main report, the comment about working-class families and communities, do you not accept that the judgment that Ofsted gives those schools can be seen as unfair, particularly by heads and teachers in those schools?

Amanda Spielman: Yes, I recognise that there is a perception. The difficulty is that it is not necessarily wrong. For example, it is well recognised that schools in white working-class communities in coastal towns face many challenges. They have a greater difficulty with recruiting and retaining staff and they do not have a culture of aspiration from parents. There are many reasons why it may be harder for those schools to be effective.

The difference depends on what you think an inspection measures. Our overall responsibility is to measure standards of education, which I take looking from the point of view of a parent—"If I am looking at school A and school B, which do I expect my child to have a better experience in?" That is rather different from judging in which school the leadership team is trying the hardest. Schools in different circumstances may have different levels of challenge to run.

We recognise that. That is why our leadership and management judgment is actually the better indicator of whether there is a concern with the team. However, unless our responsibility is changed to being primarily about measuring the quality of leadership, rather than the quality of



HOUSE OF COMMONS

education, we can never perfectly reconcile the two, given the difference in circumstances that schools find themselves in.

- Q69 **Layla Moran:** Finally, to Mr Slater, can you see how this is possibly causing a vicious cycle with schools? They have a difficult cohort, they then get lower grades and then middle-class parents don't want to send their kids there. How do we break that cycle?

Jonathan Slater: Well, it's complicated and has a multi-faceted answer. There are a couple of things. That is why we announced the programme of opportunity areas, based, among other things, in coastal areas.

- Q70 **Layla Moran:** But not in the north-east, which has a large number of schools that fit that criteria.

Jonathan Slater: Sure, but we decided to start with six, and then another six, to make sure that we were spending the money wisely and well and that we were learning from it and growing as we did so. Equally, it is important to take full account of the intake, as you say. The Department made a very important move a few years ago from the lead indicator being attainment—the proportion of kids getting a particular number of GCSEs with good grades—to the progress 8 measure, which is designed to take account of intake and the progress that the school has made. It is not perfect, and we continue to seek to learn and develop as we go, but those are two examples.

Amanda Spielman: Just one thing there. Another point is that the picture that one sees is quite significantly different if one looks at schools that have been inspected under the current framework, rather than looking at the entire history, including the schools that haven't been inspected for seven, nine or 11 years and which were often inspected under past frameworks that paid much less attention to progress.

- Q71 **Layla Moran:** Let's now deal with the issue of there not being enough inspectors. Mr Coffey, didn't you know that bringing the inspectors in-house would cause a problem, because there weren't enough of them?

Matthew Coffey: In 2015-16, when we set about—

- Q72 **Layla Moran:** Surely that was entirely predictable?

Matthew Coffey: Well, what was predictable was the number of inspections that we needed to do. We planned to do that number of inspections. We also realised the number of inspectors that we needed. It was also a challenging fiscal year for us, as it was for everybody. Part way through the year, after we set all our plans out, like every other Government Department we had to find £6 million of savings in year. The only way we could do that, because of our full-time workforce, was to not engage those people who we engaged on a casual, daily basis.

That fewer Ofsted inspectors were coming through the system was absolutely fine, given that weren't going to be doing as many inspections as originally planned. However, we were very clear that we were in the luxurious position of being able to choose the very best and most available



HOUSE OF COMMONS

inspectors. We took a clear policy decision to increase the number of serving practitioners on our inspections. About 48% of those who applied in the first wave got through, but as it turned out, that was sufficient because of our desire to meet the requirement of saving £6 million.

Q73 Layla Moran: What is the latest position?

Matthew Coffey: The latest position is that we are fully resourced and fully staffed with Ofsted inspectors. We have used our experience of 2015-16. We have trained many more to lead inspections. It was really good to hear from the NAHT earlier that in terms of the feedback from headteachers there are no problems with the calibre of inspectors that come through. I suspect that is because such a high number are serving practitioners. We have 166 Her Majesty's inspectors focused on schools and we have 1,500 Ofsted inspectors who are focused predominantly on schools.

Q74 Layla Moran: Are all of them now completely trained up?

Matthew Coffey: Yes, indeed they are. There was a challenge, but, as I say, it was eased by the £6 million in-year saving. We wanted to take the best inspectors through. When we took them all through, in total there were sufficient, but they were not all in the right places. We are a structure of eight different regions, so in the north-east, Yorkshire and Humber, there was always a challenge. In the south-west, there were more inspectors. Over the last two and a half to three years, we have been able to put that right with highly trained and competent inspectors.

Q75 Layla Moran: Ms Spielman, how concerned are you that 45% of inspectors have said the workload was unacceptable?

Amanda Spielman: We know, and when I came in I knew that the short-inspection model as first introduced was creating considerable problems. It had not entirely been anticipated quite how intense it would be.

Q76 Chair: Was it Ofsted that shaped the short-inspection model?

Amanda Spielman: In conjunction with the Department in the context of the expected spending programme, a profile of spending reduction.

Q77 Chair: So you were forced into it, but you shaped it.

Amanda Spielman: Yes. The intensity of the work and the uncertainty that the immediate contingent conversion created added up to an unacceptable workload. We recognised that. We consulted a number of people on how to iterate the model to get to something that would fit better with the sector and with inspectors so that we could continue to build, ideally, a virtuous circle of inspectors finding it rewarding and consequently providing good input to the sector. We consulted twice last year to get to the right iteration. It was put in place at the beginning of this year.

Q78 Layla Moran: Can you give examples of what you have changed to make it better?



HOUSE OF COMMONS

Amanda Spielman: We no longer make conversion automatically immediate if we are not sure that the school remains good or if we think it might be outstanding. We convert only if we have serious concerns about behaviour, safeguarding or the quality of education, otherwise we come back and visit the school again inside the five-year statutory requirement, so that a full inspection is completed a little later to leave the school with some recommendations for what it needs to do to be comfortably good and to give it time to put that right.

Q79 **Layla Moran:** How long has that been in place for?

Amanda Spielman: Since January.

Q80 **Layla Moran:** So it is relatively new.

Amanda Spielman: Yes.

Q81 **Layla Moran:** Of the schools that have been inspected that you then thought needed to be moved in category, how many have been re-inspected in the six months or so that we are talking about?

Amanda Spielman: It would be quite unusual for them to be re-inspected as quickly as that.

Q82 **Layla Moran:** Presumably there are schools in that category that will go up, so they would want to be inspected quite quickly. Equally, I worry for the schools that will go down, because that is another year that the children are in a school that is not actively—

Amanda Spielman: Can I take the second one first? If we have significant concerns about a school, we can and do convert immediately when necessary. In a relatively small number we have—

Q83 **Layla Moran:** How many?

Matthew Coffey: 1% at the moment.

Q84 **Layla Moran:** 1% of all inspections at that point?

Matthew Coffey: Yes.

Q85 **Layla Moran:** That's very low.

Matthew Coffey: It's about 20%—

Q86 **Layla Moran:** How many in numbers? How many schools are we talking about? I'm struggling with the scales. You can write to us if you prefer.

Matthew Coffey: I'll write to you with the true figure. The interesting point is that 20% of those inspections are identified for a full inspection section 5. But, as we started it in January, they are just coming in this term to now be inspected fully. We can give you the data on those, and tomorrow we will publish our official statistics as well, which will have all those conversions.

Q87 **Layla Moran:** You don't want to give us a preview? Go on.

Amanda Spielman: I don't think we can.

Layla Moran: You are not allowed to.

Q88 **Chair:** I think that would be a breach of something.

Amanda Spielman: It would. At the other end of the scale, we recognise that for some schools it is disappointing not to be able to have a full inspection that they hope will result in an outstanding grade as early as they would like. We have to apply our resources where the risk and the need are greatest. Schools can ask us to inspect early, and if we have capacity in the schedule, we can endeavour to do that.

Q89 **Chair:** But up to five years is a long time to wait either way, as Ms Moran has highlighted. Presumably that is because you have not got enough money to go in any sooner.

Amanda Spielman: Indeed. We have a very finite resource, and we have to put it where we see the most need.

Q90 **Chair:** But the worry is, for anybody, including the school, and the parents who are looking at that information and making choices partly on the basis of it, that the school could be going up or down and they would not know for five years.

Amanda Spielman: I understand that, but we work to the statutory framework, which is inspection within five years. Within that, we try to prioritise based on all the information we have around data on academic performance and other kinds of risk and complaint to triangulate and put up our capacity.

Q91 **Chair:** Mr Slater, do you think it is acceptable that when a school is inspected on a short visit, and that raises concerns that it may go up or down a category, that information is not available to other people—that the long-term change of category is possibly not made for up to five years—given that resources kick in for certain schools if they go to a certain level?

Jonathan Slater: As Amanda says, Parliament has decided the frequency with which schools get re-inspected. They get inspected within five years. That is a decision of Parliament, which is—

Q92 **Layla Moran:** But Mr Slater, “within five years” could be six months. It is less than five years, not at five years.

Amanda Spielman: Can I clarify one point? It would be a maximum of two years between one of these new model short inspections, where we say that the next inspection will be a section 5, and the next inspection, because the short will be some time after the last full inspection that gave the judgment.

Q93 **Layla Moran:** So it is within 24 months?

Amanda Spielman: Yes.

Matthew Coffey: We are working on an average of good schools being inspected through the short inspection methodology every four years.

Q94 **Layla Moran:** But the point is, Ms Spielman, you could do that faster if



HOUSE OF COMMONS

you had more money?

Amanda Spielman: Yes.

- Q95 **Layla Moran:** That is helpful for everyone. I am glad to hear that you are at full capacity, but we understand from the Report that you are still losing inspectors. Given the pressures on schools today, how confident are you that you will continue to be able to recruit inspectors from schools in future?

Amanda Spielman: You can imagine that that is one of my top priorities. Last year, we made it a top risk on our strategic risk register. We have put in place a big programme of work. We discussed it very extensively with our board. The changes to short inspections that we consulted on and have now made were very much in response to inspector feedback.

The results so far are cautiously encouraging. Inspector turnover is back down to just about where it was in 2014-15 before we put the short inspection in place. In the staff engagement survey—we take careful note of the civil service staff survey every year—I think Ofsted comes 11th out of about 100 Government Departments, and our school inspectors are about in line with the Ofsted average. Turnover is concerning, but I do not think we are in an exceptionally difficult situation, although we do need to put particular effort into ensuring that we continue to move things in the right direction.

The training that has been discussed is another thing that is helping us. That was something I chose to put in; I wanted to broaden out the training that inspectors get. We have substantially increased the concept of what inspector training should be, and I am very pleased with the feedback I have heard, which I am getting from a lot of quarters. In fact, I get people coming up to me at every event I go to and saying, “How do I get to be one of your Ofsted inspectors?”

- Q96 **Chair:** But Dr Bousted pointed out that if you are in a challenging school it is harder to release yourself or your senior team to go and be an inspector.

Layla Moran: I was curious to know how many of your inspectors are in schools that are not good or outstanding, given how good that professional development would be for an RI or special measures school.

Matthew Coffey: That is a really interesting point that we have been working with the Department on—how can we get more serving practitioners from multi-academy trusts to work with us in a reciprocal way.

- Q97 **Layla Moran:** Do you have that data? Again, could you write to us with it?

Matthew Coffey: I can write to you. I have just written to the Minister to give an update on how that is going. All our inspectors—the 1,400 I mentioned—are from good or outstanding schools. That was an initial criteria. We also identify when somebody leaves and goes to support a



HOUSE OF COMMONS

struggling school. We do not take them away, but we accept that they probably want to focus on the challenge that they have in their school at that moment.

Amanda Spielman: One point to add there is that we pay the school for our Ofsted inspector time, so they can provide cover as necessary.

- Q98 **Layla Moran:** Turning again to the length of inspections and the 78 inadequate schools that were not re-inspected on time, what do you say to the parents of children in those schools, Mr Slater? Can you assure them that the schools are improving enough within the timeframe before the re-inspection?

Jonathan Slater: The division of labour between Amanda and me—it is important to get this right, given that I work for politicians and she doesn't—is that we set a statutory framework within which inspections have to be done. It is a five-year thing. At the next level of detail down, she is accountable to you, not to me, for her targets.

- Q99 **Layla Moran:** True, but what I am trying to get at is, who is responsible for actually making sure a school improves? Ofsted plays a part, but not the whole part.

Amanda Spielman: The authority responsible for a school is either its governing body, which may be a school-level governing body or a MAT governing body, or a local authority. Every school has a body that is responsible for it.

Jonathan Slater: If a school fails its Ofsted inspection—if Ofsted finds it to be inadequate—the responsibility transfers to the Department to do something about it. If it is a local authority-maintained school—we discussed this in our last hearing—the school will turn into an academy.

- Q100 **Layla Moran:** Do you accept, Mr Slater, that it's really muddled? I am referring to figure 5 in the Report.

Jonathan Slater: Sorry, what page is that?

- Q101 **Layla Moran:** Page 21. There is an excellent picture, as ever. On school accountability and improvement—you would think the two go hand in hand—there are so many different bodies. Mr Slater, are you sure you have your head around this? I'm sure you do, but can you explain it to us, because it is very muddled? What is the purpose of Ofsted in school improvement—not in inspection, but in accountability and improvement?

Julia Kinniburgh: As you say, there is a complex landscape. The first thing I want to say is that the Secretary of State has recognised that. At the NAHT conference in May, he made a statement in which he said that he wants to be clear that we need to clear up some of this, and he made a statement about setting out some principles for accountability. Those principles were about clarity and transparency, and about different bodies' respective roles. This diagram is absolutely about that. Ofsted's role is to be the independent body that can look at a school and give an independent judgment about how it is performing. There is then—



HOUSE OF COMMONS

Q102 **Layla Moran:** But it's a bit hit and run, isn't it? They go in, give a judgment and leave, and they are not accountable for what happens next.

Julia Kinniburgh: What happens next will depend on the judgment the school is given. If it is given one of the top judgments—

Q103 **Layla Moran:** No, we understand that. We are talking specifically about the 78 inadequate schools that were not re-inspected. My question was, how do we know that those kids are not left languishing in inadequate schools, and that nothing is going to get done as another inspection gets delayed to 30 months?

Julia Kinniburgh: When a school is inadequate, the responsibility passes to the Department. If it is a maintained school, we look to find a sponsor academy for it. If it is already in an academy trust, we look to re-broker it. That is where the responsibility transfers.

Q104 **Layla Moran:** But from our recent hearings and previous NAO Reports, we know how difficult that is. Perhaps Ms Spielman would like to tell us about that.

Amanda Spielman: If I may, I will address the circumstances of the 78 schools very briefly. The definition that the NAO applied is slightly narrower than the one we use. In fact, a third of those schools were inspected in the 18th or 24th month after the original inspection. The NAO were looking for inspection by the date of the month, but we were counting to the end of the 18th or 24th month following the inspection, so it is a matter of a couple of weeks. Another third were inspected in the following two—

Q105 **Chair:** This is a cleared Report.

Amanda Spielman: We did explain this; it was discussed. I am just explaining that the NAO applied a slightly narrower interpretation of our handbook than we apply ourselves.

Q106 **Layla Moran:** Are we not splitting hairs here? In the end, parents don't care which definition is used.

Amanda Spielman: If I could carry on—

Chair: It is still a long time—18 months.

Amanda Spielman: Two thirds of them were inspected very shortly after that window, within a couple of months. A quarter were cases that related to imminent school closures where we had been notified of the closure, so we did not proceed to inspect because there is a risk of wasting public money inspecting a school that is closing at the end of a term. There were about 10 cases over five years—so about two schools a year—where exceptional circumstances, for example around re-brokering in progress and delayed inspection—

Q107 **Chair:** Could we go back to that bulk, which you talked about being inspected within two months? That rather demonstrates the splitting hairs



HOUSE OF COMMONS

on the date, because it still took up to two months in some cases to get them inspected—two months after the deadline.

Amanda Spielman: Our handbook is not that precise. It does not say, “Must be inspected within 24 months of the date.”

Q108 **Chair:** You are going back to procedure. Surely we are talking here about the quality of education in schools for pupils.

Amanda Spielman: We are very focused. We keep all these schools in our programme. We are constantly reviewing the situation, checking what is happening with these schools, and having them in our line of sight ready to inspect. Where it sits—

Q109 **Layla Moran:** Sorry to interrupt, but I really want to try to understand this. Are you in constant conversation with the schools during those two years?

Amanda Spielman: No.

Q110 **Layla Moran:** So who is? Who is checking that these schools are improving? Two years in the life of a young child is a long time.

Matthew Coffey: We have eight regional directors in Ofsted, and this is the one thing that exercises them more frequently than anything else. They know all these schools. They know that an Ofsted judgment of “special measures” or “serious weakness” will trigger the DfE to take the action that Julia has just set out.

With all good intention, we do not just sit back. We will watch and we will see. If there are delays in that re-brokering, we will not hesitate to inspect that school. We can provide you with case study examples where, yes, the date might have been breached because we were fully expecting a transfer of responsibility to happen in that school at a given date and, for whatever reason—land or governance—it did not happen, and my regional directors will not hesitate to go and inspect that school.

Q111 **Layla Moran:** Are there examples of schools that fall in that category—that have asked to be inspected earlier, feeling that they were now ready—and you could not go back and inspect, because there was not the resource? That is loaded, because I know there is at least one.

Matthew Coffey: I would want to check the data. It does not surprise me, particularly if the school is a maintained school and does not want academisation, or whatever, and parents get themselves together. I have certainly come across examples of where there has been a request, but I go back to Amanda’s point that we are charged with balancing scarce public money; we have to be really careful that we spend it entirely appropriately.

Amanda Spielman: We don’t inspect to order—at a school’s request. We take account of requests, but we do not guarantee to inspect. We also have to keep confidentiality about exactly when a school will be inspected. We do not inspect by arrangement.



HOUSE OF COMMONS

Layla Moran: I have a final question on this set of points. Ms Spielman, you can speak freely, as Mr Slater is envious of.

Jonathan Slater: I'm not sure I'm envious; it is just a difference.

Q112 **Layla Moran:** Or maybe not. You can speak your mind. What would your ideal inspection cycle be for schools? If you had as much money as you wanted, how often would you go into most schools—exceptions to one side?

Amanda Spielman: That is a difficult question for me to answer without climbing into the Minister's space. It is important for me to remember that Ofsted's job is to inspect—

Layla Moran: But the Minister is not an educationalist. He is making other decisions. I just want your opinion.

Amanda Spielman: Most people seem to think that it is reasonable to expect a school to be inspected during a child's time in that school. I have not come across many people who think that five years is too short a gap between inspections.

Q113 **Layla Moran:** Would you like to have it more frequently than that? Is five years too long?

Amanda Spielman: When we set up the short inspection model, with the more limited assurance that the short inspection model sets out to provide—it is a different kind of inspection—we aimed for a shorter gap. That did not prove to be operationally sustainable. At the moment, we are aiming for every four years, to leave a space for these follow-up section 5 inspections in the cases where we think that is the right next inspection.

Q114 **Layla Moran:** Thank you. Finally, Mr Coffey, how much does an inspection actually cost?

Matthew Coffey: £7,040.

Q115 **Layla Moran:** So at the time of the NAO Report I understand that the NAO had come up with its own figure for that. Is that a figure that you had before and did not share?

Matthew Coffey: We had a slightly different methodology, but we came up with the same answer. The challenge from the National Audit Office was that we did not have that figure to measure year on year. Our discussions have been such that, in 2015-16, a very large proportion of what Ofsted delivered in terms of inspections was contracted out under a single contract to three organisations. When we brought that in-house, we took 111 people under TUPE into our respective back-office support.

Q116 **Layla Moran:** Do you have a handle on this now?

Matthew Coffey: Yes, we do, but it is clearly part of our operational strategy to ensure that we can continue to delve down into the data—not only Ofsted's own data, but working very closely with other regulators. We benchmark very well against CQC in terms of back office.

Q117 **Layla Moran:** Using what data? The NAO was very clear in paragraph 2.2 that you do not have reliable data on measuring your own efficiency.

Amanda Spielman: I think the NAO had two concerns. One is that the costings are done off our budget rather than being reconciled to the final outcome. We are happy to accept that, but our budget and outcomes normally are pretty close to each other, so we do not think we have been working with bad information. The other is that quite a lot of our costs are allocated across remits, so assumptions have to be made, and there is a degree of arbitrariness in deciding how the time and cost of all the different back-office teams who do work for schools, social care, early years, FE and skills should be allocated.

Q118 **Layla Moran:** When you do a benchmarking against other inspectorates, do you know that you are using the same methodology? Otherwise, that benchmarking is pointless.

Amanda Spielman: Yes, we did quite a significant piece of benchmarking work last year. We used Deloitte and did some benchmarking against CQC and the Food Standards Agency.

Q119 **Chair:** Can you give us an example of what you found out when you were benchmarking against the CQC?

Matthew Coffey: Just in terms of the amount of spend on the back office, we are very aligned in the proportion for complaints, for the support of inspectors and for inspections. We are heavier in our customer contact centre than it is, and we are doing some work to understand the technologies that it uses.

Q120 **Chair:** When you say you are heavier, do you mean you are spending more?

Matthew Coffey: Yes, per head. Similarly, in data and insight, it is heavier. We are taking a different approach, and we are using an awful lot more technology. We are working closely with them to see how they can benefit from the investment—

Q121 **Chair:** Can people ring up Ofsted and make a complaint?

Amanda Spielman: Yes, out of our website.

Q122 **Chair:** I recently had cause to do a bit of mystery shopping, and I was told that it was Government who set Ofsted inspections, by the person who no doubt was from some outside agency on the end of the phone. I decided not to beg to differ, because I thought it was probably not worth having the argument with that individual, but you might want to know that that happens. Secondly, I was told to put it all in writing. I am an MP and I can put it writing, but an awful lot of people would not be able to do that. What happens if someone has a complaint and is not able to articulate in that form?

Matthew Coffey: We would expect to be able to engage in a discussion with them and understand better what the complaint was. I am sorry that



HOUSE OF COMMONS

that happened. We do not contract any of that out. They are all Ofsted employees. I am happy to take that complaint separately.

Q123 Chair: I might raise that. So you are telling me loud and clear that if you are not able to write very well, or English is your second language and you are not confident to write, you could raise these issues directly with Ofsted through some phone line.

Matthew Coffey: You could do. It is important to say, on Ofsted's responsibilities for receiving complaints about schools, that legislation states that complaints should be made in writing. We would want to assist anybody that we could, but that is not a complaint about Ofsted—that is a complaint about schools. That is just what the legislation says.

Chair: Yes, that was the point.

Q124 Layla Moran: One final question on efficiency. I am looking at your response to the NAO Report, which states, "We are confident we compare well against other school inspectorates internationally," which the NAO concedes it did not look at. What grounds are you basing that on?

Amanda Spielman: Looking at total budgets, money per child and money per inspection, at the high-level data we have on the number of inspections in other inspectorates and internationally, and at Ofsted historically—we have got some good information for Ofsted going back 15 years or so.

Q125 Layla Moran: Mr Slater, is there a way of delineating efficiency as value for money per inspection, in terms of the money put into school improvement? Have you done any work on that in the Department?

Jonathan Slater: Obviously, I read the Report with keen interest. I was struck by the fact that Ofsted had managed almost—you have explored this before—to fulfil all the inspections it was supposed to, within a significantly lower budget than it had previously. In so doing, to quote from the Report, 44% of heads "said that the inspection had led to improvements" and "71% of respondents agreed"—

Q126 Layla Moran: There is a large proportion who do not think it leads to improvements.

Jonathan Slater: Absolutely true. My point is that this survey data—the assessment of cost per inspection over time—is the sort of assessment we use.

Q127 Chair: The point of Ms Moran's question is that there is a difference between inspection and school improvement. That is the key thing. The evidence we heard before is stuff we have had in writing. Inspectors come and go, and there is not really a school improvement relationship.

Amanda Spielman: Chair, may I say something on this? First, as you may know, Ofsted's responsibilities were adjusted a number of years ago, so we don't have explicit school improvement responsibilities. Inspection serves a number of purposes in the system, one of which is to provide assurance to responsible authorities and the Government that intervention



HOUSE OF COMMONS

is not required. Another is to provide schools with constructive advice that helps the management to improve, and another is to provide classroom teachers at a subject level with advice, feedback and thoughts for improvement. Lastly, but most importantly, it provides that for parents.

As inspections have got briefer and smaller, the first purpose—assuring Government and the responsible authorities that the school is above a certain line—has gradually come to be a larger and larger part. On the other parts—I have a lot of sympathy with this—we have done focus groups with teachers, for example, who tell us that they feel somewhat excluded from inspection, because it is now very much a leadership conversation. It is about discussing the leadership's evaluation of their performance and triangulating that with data and some observation of, and discussion about, the school, which is nevertheless very far short of a full review of all aspects of a school.

Q128 Chair: The simple question is, do you think that is good enough and would you like to go back to a place where you have more opportunity to provide advice, including one-to-one feedback?

Amanda Spielman: I think we do satisfy the first purpose. I am aware that we have had to sacrifice some of the things that make inspection more satisfying for the other reasons.

Q129 Layla Moran: Which, Mr Slater, comes back to the value for money point, because it depends what you are measuring. Do you feel that Ofsted, as it currently stands, given the envelope that you/the Treasury have given it, is providing value for money for the taxpayer?

Jonathan Slater: The NAO reports to you on its independent view of value for money. I am not going to get into an argument with Amyas in front of you about value for money. I am saying that—

Q130 Layla Moran: I would be curious to hear your definition of it.

Jonathan Slater: I am impressed by the fact that, for good or ill, as the resources available to Ofsted have significantly reduced over time, they complete all their inspections and get high degrees of satisfaction from—

Chair: But, Mr Slater—

Jonathan Slater: Sorry, do you want me to answer the question as I see it or not? This is my answer. If it isn't the answer you want, fair enough.

Q131 Chair: But it's the answer you have given once already. The point is that the Government sets the policy, and the money is provided. The question is, does the inspection regime just meet the points that you have raised twice, or is it there to deal with school improvement?

Jonathan Slater: Before Ofsted existed in its current form, the role of inspections was to do significantly more than simply inspect; it was to hold the hand of schools as they sought to improve over time. That was the regime in the past, and it is possible to imagine such a regime working absolutely fine. It is also possible to have a regime working where all



HOUSE OF COMMONS

Ofsted does at the individual school is assess, resolutely and fairly, whether the school is doing well or not, and for somebody else to be responsible, if it is doing poorly, for sorting it out.

That is the regime we have. If the school fails its Ofsted inspection, it is then our responsibility to sort it out, not Ofsted's. In the past, it used to be theirs—that is one of the reasons why their money used to be a lot higher. It isn't theirs any more now; it is ours. The challenge of whether schools are being improved following an Ofsted inspection is a challenge you lay at my door—we discussed it at the last meeting—not at Amanda's.

Q132 Layla Moran: But not only is the money that you have given them less—in fact, around half since 2000—but you have asked them to do more and more. Would it be fair to say that you are asking Ofsted now to do too much? Combining that with the devastating effect that a poor Ofsted report can have on a school, do you not see the issue here?

Jonathan Slater: Again, it seems to me that I could operationalise perfectly effectively—sorry about the rather unattractive word—different systems. Over time, since 2000, the amount of resource spent by Governments on Ofsted inspections has gone down and down. Before 2005, the typical inspection lasted a week. Now inspections last one or two days. I do not think it is for me to say that either system is wrong. Either system can work fine.

What has happened since 2000 is that Governments have sought to direct resources via Ofsted on more and more of a sort of risk-assessed basis. That has been the regime. We have gone through a series of stages since about 2000. These days, as you have been discussing, a good school gets one or two people in for a day to form a view by the end of the day on whether a more thorough inspection is needed or not. That is—

Q133 Layla Moran: Sorry, I know we are running out of time, but looking at the other side of the coin, do you feel that the school improvement partners that are meant to be working with Ofsted are good enough? Is that where the issue lies?

Jonathan Slater: Ofsted, as you discussed earlier, and as Mary Bousted pointed out, obviously contributes in all sorts of ways to school improvement—among others, by identifying the weaknesses and setting out an action plan for the school, and by the reports and the research it produces on good practice. There are lots of ways in which Ofsted supports school improvement, but when an individual school has failed its Ofsted, it is over to us, or the council, to sort it out. It is not Ofsted's job any more. The challenge you rightly laid at my door last time was how quickly we get a school improvement partner in to sort out that school in advance of the new provider. We had a good, challenging conversation on that, and that was with me, not with Amanda, because it is my job, not hers.

Amanda Spielman: If I may, I would like to talk very briefly about what I have done with the new strategy for Ofsted over the past year, to focus on

the ways in which, within the constraints under which we operate, we can act, as far as possible, as a force for improvement.

One of these is around things that we have done that do not need to wait for the new framework: reframing how we use data and simplifying it radically to avoid precisely the data chase that some of the witnesses talked about. Since last September, we have given inspectors a much simplified report that tells them what the things are from which they could draw some inference that there may be a performance concern, and effectively suppressed everything else to discourage this very worrying game of proliferation of excessive data, so that the conversation in the school and the conversation at inspection can really focus on the education, and not on, "Why aren't these numbers higher than those numbers?"

Related to that, we are rethinking the next inspection framework to get the focus on the substance of education. The curriculum conversation, for example, takes us away from numbers, numbers, numbers, towards the kind of constructive dialogue that schools need—"What is it that you are doing, and have you really got the thinking and the pieces in place?"

Q134 Chair: That is very interesting. We will want to pick up on some of that in a moment. One of the challenges there, though, is that you are going in and looking at that performance data. You have a very short time in which to do that, and you will only be able to look at a slice of it. How can you be sure that your inspectors will get what is really useful information? You are also changing the inspection regime quite frequently, which makes it complicated for schools.

Amanda Spielman: That's why we have the data and insight team. They run analysis programmes that extract—taking account of context where appropriate, and not when it is not—the things that stand out as being unusual about a school, so that inspectors just get that instead of having to go through mountains of data.

Q135 Chair: Some of what you're saying sounds like sensible changes, but if you are changing the framework every year or so, that is quite complicated.

Amanda Spielman: No, we have given schools quite a lot of stability. This framework will be running for five years before there is a change. I deliberately deferred it for a year so that a lot of the thinking and discussion about what should be in the new framework can be widely aired, and so that a lot of this new, beefed-up inspector training will have happened well before they were asked to apply themselves in this slightly different way.

Q136 Anne Marie Morris: As I understand it—tell me if I have this wrong, Ms Spielman—your job now is to inspect schools and check whether they pass the tick-box exercise, but it is not about improvement. Is that right?

Amanda Spielman: It is not a tick-box exercise. We do a mixture of section 5 inspections, which are a reasonably full rhythm, and the shorts,



HOUSE OF COMMONS

which are about assurance that a school is above the line between “good” and “requires improvement”.

Q137 Anne Marie Morris: But it is not about improvement. One of my concerns is that you are not looking out for things generically—you no doubt look at all the reports together—that are impacting the school system, which, clearly, the Department needs to know about and act on. Those things are not being collected. I was slightly horrified to hear our first panel say that about issues of money and issues of mental health, which are clearly national issues, not just school by school. They are not particularly willing, for the reasons given, to come clean about them, but I am surprised that Ofsted does not feel a need to feed that information back to Government. I do not know how, without that, Mr Slater would know what is going on.

Amanda Spielman: We do, and that is exactly why we have been beefing up the survey programme. It is often more efficient to look at 40, 60 or 80 schools in some depth and to really go into a particular subject than to try to slip one question into every inspection across the country. You can pick up just as much. We have done several big pieces of work relating to the curriculum, asking what is going wrong and what is getting missed out. We have done one on obesity, which we will be publishing shortly, around looking at what schools do to combat child obesity and how effective that is. I think that will be a very interesting report when it comes out. We have a survey going on about knife crime and actions that schools are taking. We have a programme. We are rebuilding precisely the kind of programme that you are talking about, because I think it is of great interest for policy makers and everybody running schools. I consistently get feedback that that is some of the most valuable work that we do.

Julia Kinniburgh: If I may, just to confirm, we do take those results very seriously as well, and we do act on them. They are very informative to us in making policy.

Q138 Anne Marie Morris: As a consequence, are you looking at anything to do with whether schools are properly funded and whether that has something to do with their results and the mental health issue? Are you looking at either of those?

Amanda Spielman: School funding sits with other parts of Government. We do not have responsibility for going through school budgets.

Q139 Anne Marie Morris: But none the less, you are the ones who see it on the ground. If you don't comment on it, who is going to?

Chair: It is not the funding, but the impact of it that Ms Morris is driving at.

Amanda Spielman: We look at the outcomes. We do not have the brief to match that for every school against the amount they are spending.

Q140 Anne Marie Morris: Okay, so how does Mr Slater find out that there is a problem?



HOUSE OF COMMONS

Jonathan Slater: The Education and Skills Funding Agency is the body working for me that looks at school resources—the money schools use—either directly for the academies or via local authorities.

Q141 **Chair:** But what Ms Morris is highlighting is that, Ms Spielman, you have access to what is really happening on the ground. You have a duty to advise the Secretary of State, which is one of your responsibilities. We have challenged Mr Slater before about what the impact on the curriculum is when you change your funding regimes and you are reducing funding. You have been quite forceful in your comments about the shrinking curriculum. I imagine that is backed up with some information.

Amanda Spielman: It is indeed—a great deal.

Q142 **Chair:** So you are seeing—exactly as Ms Morris said—the impact of funding on the ground, whether it is that some schools are dropping geography after year 9, that they are only teaching Spanish and not French, or whatever it might be. You do see the impact of funding, so what do you do about that information, and how do you then advise the Secretary of State?

Amanda Spielman: At this stage, we don't. But we have been having some conversations with the head of the ESFA, Eileen Milner, to discuss how we can ensure that our respective patches of work join up in the middle and that connections that should be made are made, but that is at a very early stage.

Q143 **Chair:** But you are not going to get there unless you get the Secretary of State to hear it. He is a reasonable man who has given a lot of thought to this. You meet him regularly, presumably.

Amanda Spielman: Yes, I do.

Q144 **Chair:** Are you able to tell him that your inspection regime data is showing you that lots of schools are dropping one of the humanities, so there will be a shortage of geography students in future, or whatever it may be? It's not a particular thing about geography, I have to say; it is just that that is one that I know seems to be being dropped quite a bit.

Amanda Spielman: We've shared the findings of our curriculum survey. What is difficult for us is to attribute it explicitly to money, because there are many factors that influence schools, and the performance tables are clearly one of them—

Q145 **Chair:** But even if it is not influenced by money, the fact is that if there is a pattern like that—let's take that one example—these things could become important over time and you've got the data, potentially.

Amanda Spielman: Most of the data is not with us; most of it sits with the Department in the national pupil database and the ESFA database.

Q146 **Chair:** Sorry, you've got the data from your inspections. You have a lot of richness that, if you have it organised in the right way, could provide you with a lot of this information.

Amanda Spielman: Indeed, and we are piloting at the moment our electronic evidence gathering, because up to now inspection evidence has been captured on paper, so we have had a great deal of evidence but it has been quite hard to collate it, bring it together and relate it.

Q147 **Anne Marie Morris:** But Ms Spielman, one of our problems is that our first group of witnesses said that they did not want the public to see that they had these problems, so they weren't reporting them. If they don't report them, they are not going to be in the written evidence, so how are you going to find them?

Amanda Spielman: There's a big difference. Many schools approach inspection from the point of view that they have something to gain from it, and we have reasonably honest conversations. That is where it works best. Where it works worst is where people try to create a bulwark of pre-packaged reports and try to make sure that the inspector never penetrates beyond them. How we make inspection a proper conversation about what is going well and what isn't, and what the challenges for a school are—

Q148 **Anne Marie Morris:** I don't think that the individual concerned was talking about pre-preparing or something that Ofsted would say ticked the box. I think you must understand that this is a very difficult thing for schools to have in the public domain, because parents, after all, are looking at these schools—that they have a problem with money and therefore there isn't going to be geography next year.

Amanda Spielman: It is important to remember that some 90% of schools have a good or outstanding rating. It is a very small proportion that are at a place where—

Q149 **Chair:** But this is not just about being good or outstanding, is it? You can be an outstanding school, but still not teach certain subjects because you have shrunk the curriculum. I am giving you an open goal here, because you have talked about the curriculum before. When you gather that information in your inspections and you aggregate it, at the moment you are sharing it with the ESFA, from what you said. Are you passing that anywhere else?

Amanda Spielman: The ESFA at qualification already has— The national pupil database already has information on every subject that—

Q150 **Chair:** It's prior to publication.

Amanda Spielman: We are doing a piece of research at the moment about how we implement the next inspection framework, testing out a series of curriculum indicators to find out which ones work best in the discussion with schools to get to the right triangulation of what's on offer—whether it's as good as it should be, in the most efficient way.

Matthew Coffey: One of those questions is about how a school has arrived at their decisions about what their curriculum offer is. When we ask those questions, we will be in a much better position to be able to inform the Secretary of State.



HOUSE OF COMMONS

Q151 **Layla Moran:** Are you sure they will be honest with you, Mr Coffey?

Matthew Coffey: I've got no reason to suspect that they wouldn't be.

Q152 **Anne Marie Morris:** Even though it is going to damage their reputation and make it difficult to attract parents?

Amanda Spielman: If I may, we have published quite an extensive curriculum commentary on this area, and we talked about which subjects appeared to be suffering. We are endeavouring to get the information into the public domain, because it is important—

Q153 **Chair:** But what influence are you having? One of the key things is you theoretically get all this data, you have the ear of the Secretary of State and you have a powerful statutory position. I am not asking what you advised on this particular issue, because it's advice to a Minister and we know the rules, but do you feel you can go in and be hard hitting in a private office, sitting there with the Minister, face to face? I am sure he is the sort of man who would receive it well. He might not want to do anything about it, but that is up to him.

Amanda Spielman: I do, and I am, and have been with previous Ministers in my previous role. No good comes of having people in this kind of role who don't say the things that Ministers don't want to hear.

Q154 **Chair:** Do you feel you need to have more influence anywhere else in the Department, or is it enough to have the Secretary of State's ear?

Amanda Spielman: I think Government Departments are complicated places with many interests in many quarters.

Q155 **Anne Marie Morris:** Mr Slater, given that originally these audits were important to measure the improvement piece—Ofsted used to do that and does not do it any more—where is it being done and how are you collecting this information? Does it not worry you that, as time moves on, schools and the challenges of children with technology age? We have all sorts of new problems. If Ms Spielman limits her remit to whether or not she has done the Ofsted properly, I cannot see how you are ever going to be able to act on the real changes happening within schools.

Jonathan Slater: I said I could work either in a system in which Ofsted is not only inspecting but working with the school to improve it, or a system like the one we have at the moment, in which Ofsted does the inspection and it is my responsibility to improve it. If you are asking how I track the improvement the school makes following an inadequate Ofsted inspection, my answer would be that, in the short term, it is by the results achieved by the pupils, and then over time, by asking, when Ofsted comes back, whether the school has improved sufficiently to no longer be inadequate.

Q156 **Anne Marie Morris:** Yes, but I am looking, Mr Slater, at the cause. It might have moved from good to outstanding or whatever, but the cause must surely be relevant. If you don't understand the cause, you can never disseminate and develop best practice to get all your schools going up.



HOUSE OF COMMONS

Jonathan Slater: Sure. I have spent a huge amount of time in the past two years, as has the Department, on finance and mental health, to take your two examples. Is the Department concerned that the current regime by which schools are funded is inequitable around the country? Yes. That was the point of introducing the national funding formula—it was explicitly in recognition of the fact that some schools in some circumstances were not being treated fairly in comparison with others.

Equally, when it comes to children's mental health, we completely recognise—we can see it ourselves—the difficulties faced at school level. We recognise the absences report from CAMHS and the lack of a service in between the teacher and CAMHS. The proposals in the children's mental health Green Paper are designed to address those questions within the resources available. I do not look to Amanda for everything.

Q157 **Anne Marie Morris:** My concern is that they are almost being looked at in a separate box and you are not looking at the schools that are being impacted. The school is still left with that historic challenge of having been historically underfunded, and the historic challenge of mental health.

Jonathan Slater: At a previous hearing of this Committee when we were exploring the national funding formula in some detail, we looked at the question of whether there was a strong correlation between funding and outcomes at individual school level, and we did not find one. In other words, it is possible, as you would expect, for a headteacher to do very well with less resources depending on their leadership. You do not find a straightforward correlation. It is our responsibility both to analyse that, report it publicly and discuss it with this Committee, which we did. I could update you on it very happily. I just do not look to Amanda for all that.

Q158 **Anne Marie Morris:** One final question from me, on parents. A lot of them feel that they are not sufficiently engaged in the whole Ofsted process. Not exactly as a consequence, they find the Ofsted report to be not very user-friendly—it does not really tell them what they need to know. Ms Spielman, what would be your comment on that?

Amanda Spielman: I absolutely recognise that, and we have done a lot of work in the past year as a result. We have had a number of focus groups to look at what parents think they are getting and not getting, and what they would like to be different. It is partly around the process and partly around the reporting.

Around the process, we find two slightly inconsistent strands, one of which is that parents would very much like inspections to be no notice whatever. As you know, most of them have half a day's notice. However, with no notice, it would be even harder to engage parents in inspections. At a primary school you would get some dropping off and might get a few who didn't go straight to work, but you would have only so much time to capture feedback.

At the moment, we have a very limited amount of time—the inspector has seven hours in a short inspection—to put into discussion with parents.



HOUSE OF COMMONS

Typically, inspectors spend a bit of time at the school gate to talk to parents, but I accept that that is very limited. We are looking at whether and how we can create space in our tariffs for more parental engagement.

On the reporting end, we have come up with alternative report formats and content and have been piloting and testing them on groups of parents to find something that gets to giving parents what they want in the cleanest and clearest way and that is as useful as possible. I completely agree with you that they are a really important audience whom we have perhaps not thought about quite as much. We have run Parent View to collect views from parents for many years. We are looking at how we can update it to make it easier for parents to use.

Q159 Chair: Is a Parent View open for every school at any time? Is that how it works?

Amanda Spielman: I think that's right.

Matthew Coffey: There is a Parent View page for every school where parents can go and give a numerical answer to a number of questions.

Q160 Chair: At any time, not just during Ofsted inspections?

Matthew Coffey: At any time. However, there is a flick of a switch when that school is being inspected, so that parents can leave more fulsome comments. We get about a quarter of a million comments on Parent View, but I think that there is an awful lot more that we can do there.

Julia Kinniburgh: To complement that, we have done a lot of work on the performance tables, which give information to parents, about how we present the information in a way that is really helpful to them and is usable.

Q161 Chair: This is perhaps beyond Ofsted, but schools present their information in incredibly poor ways; it is often not statistically valid and uses bad comparators. Anyone who doesn't read numbers would perhaps not realise the lies—perhaps I should not use the word “lies” in Parliament—or the misleading information that comes through, because the statistics are presented very badly. Is the Department doing anything to standardise how information is provided, so that the comparisons are the same?

Julia Kinniburgh: There are regulations around the information that schools have to provide to parents. Those regulations do not set out what you are talking about, in terms of standards, but what they have to provide.

Q162 Chair: They put out A-level results and say that they are the best, and they find a comparator that puts them at the top of the table. It is completely misleading, and it is rife. I am not saying that as me; I am saying that as Chair of the Committee, based on evidence we have had.

Jonathan Slater: As a Department we publish, as Julia was referring to, really good data in a really user-friendly form that is really well tested with

parents as to what they would find useful to enable them to compare the schools that they are thinking of sending their children to against other, like schools. The regulations set out some constraints, but we provide—

Q163 Chair: So you provide that, but if you are a parent going to, let's say, an open day—if your child is in year 6, year 11 or whatever—those schools provide what they want in a handout at that time or they put it up on a nice-looking slide, and sometimes it is just wrong.

Jonathan Slater: The Advertising Standards Authority regulations apply to schools just as much as to other organisations.

Q164 Chair: Even in a lecture hall with something on a screen? It is misleading.

Jonathan Slater: I am not yet regulating individual conversations between individual teachers and individual pupils, tempting as that is. There is a balance with the rules that we place on schools from the centre. I think we have to complement that with something authoritative and generally comparable.

Chair: It is quite shocking that our education system seems to manage to do cod statistics quite a lot of the time.

Julia Kinniburgh: One thing we have tried to do is to promote performance tables more widely so that parents know that they exist. As Jonathan says, we have spent a lot of time in the last few years making them more user-friendly and having facilities in them that allow parents to compare schools within a certain distance from their house so that they can see the comparable data. That data is obviously compiled nationally. That is one of the ways in which we are trying to make sure that parents get good information.

Q165 Chair: There is data, and there is headlines. Headlines can be very misleading, but data done properly can be well interrogated. At the moment you are saying that it is mainly headlines that are available.

Jonathan Slater: We've got regulations plus a fantastically user-friendly national database.

Chair: I shall have to look at this national user-friendly database.

Jonathan Slater: You should. It is really good.

Chair: I haven't done the mystery shopping on that one yet.

Q166 Anne Marie Morris: Ms Spielman, given that you are now saying that parents are a hugely important part of this process, and despite the fact that it is now a relatively short time before inspections, don't you think you ought to sit down with some parents and actually get their views in a more constructive way, rather than grabbing one or two at the school gate when they are rushing to collect their kids and get home?

Amanda Spielman: Every parent is told that the inspection is happening and has the chance to contribute their views. We will look at whether and

how we can make more space for parents in the next inspection framework.

Q167 Anne Marie Morris: Do you not think that, by formalising it in that way, you might actually get some more valuable input?

Amanda Spielman: Indeed, but we have to think about what we will have to take out to do that. That is the difficulty: everything that goes in means that something else has to come out. There are some really tough calls there.

Jonathan Slater: We are talking about those short inspections, in particular. The theory is that, rather than subjecting all good schools to a full inspection, you check on the first day whether they are basically fine. If they are, why would you spend the second day in that school when you could be spending it on something more useful? That is the theory. Obviously, Parliament could decide a different regime in which it wanted every school, no matter how good, to be subject to the same level of resource, but there is nothing wrong in principle with checking on whether a school that was good is basically still good and then walking away and doing something else. Either is possible, but, "It is basically fine; we will leave it alone," is not as rich an inspection as when you do more. There is a choice for politicians as to how much resource you want to spend on that sort of activity versus another one.

Q168 Anne Marie Morris: But what worries me, Mr Slater—I will then pass to the Chair otherwise we will be here all night—is what if the school wants to go from good to outstanding? It sounds to me like you go into the good and you just try to make sure that they are still good. If you do not have the richness of that first day, which includes parent input, what chance do they ever have of moving up to outstanding?

Jonathan Slater: That's the choice, isn't it? How do you weigh the importance of spending resources on a good school to help it to achieve an outstanding measure versus tackling school improvement? With more money you can do more things and with less money you do less things. Over the last 20 years we have been focusing inspection resource more and more on where it is not good, but that is the choice.

Julia Kinniburgh: Within the short inspections, there is still capacity for schools that are suspected to be better than good as well as worse than good—when they go back for section 5—to go up as well as down.

Q169 Sir Geoffrey Clifton-Brown: To challenge Mr Slater's last statement, surely every school wants to get an outstanding rating. Should that not be the aim?

Amanda Spielman: I would hope that every school would aim for more than that. An inspection outcome should only ever be the mirror of a school's achievement. It should not be the aim in itself. That would be a rather reductive aim.

Q170 Sir Geoffrey Clifton-Brown: So how will you get any improvement?

Amanda Spielman: I am saying schools should aim past that. The



HOUSE OF COMMONS

"outstanding" should be a reflection of what the school accomplishes, not the aim in itself.

Q171 Sir Geoffrey Clifton-Brown: What I am hearing from this whole exchange that we have been having is that your resources have been cut, inspections have been shortened, and the interval between inspections has been extended. Does that not give rise to a regime where the school can game the system by doing things like the Chair has suggested: having a narrower curriculum and not putting pupils in for the more challenging subjects? Isn't that likely to give us a narrower and narrower education system?

Amanda Spielman: There is that risk. We have various kinds of system that help us to pick up some of the things that schools might do that are undesirable from a parent, education and safeguarding point of view, but they cannot pick up everything that happens. That is part of why I have been putting this focus on curriculum, because we have considerable soft power. As well as the hard power of inspection judgments, we have soft power. By studying this, publishing it and talking about it, I have been very pleased that a number of people have told me that there has been more proper discussion about the trade-offs that schools are making and where they are sacrificing things that a normal parent might think were an essential part of a proper education. We are already exerting some push to say, "Oi! Down the line with this next framework, it is unlikely that we will be comfortable."

I have said that we will ask tough questions: for example, about schools that shorten key stage 3 where most children stop getting music, art, drama, languages, history or geography. If they are not doing both of those at the age of 13 rather than 14, we can ask how they can justify that. Can they really say that every child who is losing a year of experience is somehow having that made up another way? I think it is really important that we use the different levels of lever that we have as vigorously as possible.

We are about to publish some work on off-rolling statistics tomorrow. That also will have significant push on schools to say this is how we are looking at the problem. This is the information and insight with which we will be coming along to inspect. The more our inspectors are thinking clearly about the environment and the potential pressures that a school might be feeling, the better the conversation can be about how they are navigating this in the interests of children.

Q172 Chair: And if you pick up a problem, will you feed that back in if you find that there is pressure because of the new curriculum and a shortened key stage 3?

Amanda Spielman: That is a known problem and we have reported on that already. Our research programme and the surveys we choose to do are informed by that early intelligence from inspection and from elsewhere of things that are causing difficulty in the system.

Q173 Sir Geoffrey Clifton-Brown: On my theme about what your inspections are all about, it seems to me that you are mostly about standards. You



HOUSE OF COMMONS

are not about attainment, value added and general improvement in the system. Surely if we as a country are going to go ahead in the 21st century, we should be asking all our teachers and schools to look for continuous improvement.

Amanda Spielman: Absolutely. The conversation—I have a letter that John Patten wrote me last autumn, telling me that when Ofsted was established 26 years ago, the aim was that its work should complement the job done by performance tables, which were also just being established. The data is published on some of the measurable aspects of a school, but that does not begin to capture the fullness of it. In certain respects it captures the school's trajectory, but not comprehensively. I very much want to ensure that inspection focuses on the how and the totality of what performance tables do not capture so that we can get the clearest view of whether a school is pointing in the right direction, doing good things and building systematically to get to a better and better education.

Q174 **Sir Geoffrey Clifton-Brown:** Lastly, I am going to link two of my pet themes together. Are your inspectors in any case asking about careers advice in school, the quality of that advice and whether it is pushing pupils towards STEM subjects, rather than just doing the easier subjects?

Amanda Spielman: Taking those two pieces, careers education is covered in every secondary school inspection.

Q175 **Sir Geoffrey Clifton-Brown:** Why secondary school and not primary as well?

Amanda Spielman: Is it covered in primary school?

Matthew Coffey: It is about preparation for the next stage of education, so in that respect it is covered in primary schools as well.

Sir Geoffrey Clifton-Brown: Okay. Sorry I interrupted.

Amanda Spielman: It is covered more fully in secondary. What we are seeing at the moment is some more encouraging trends. There was a period when we were quite concerned, but I think we are happier about what we are seeing at the moment. We take that strand of our work seriously, and it is covered in every inspection. In terms of STEM subjects, we do not have a brief to try to push schools to one particular subject area, and I think it would be wrong—

Chair: No, no. That is not what Sir Geoffrey was saying. Do you examine what careers advice—

Q176 **Sir Geoffrey Clifton-Brown:** It is very easy, if you do not get the right careers advice, for people to be pushed towards the easier subjects.

Amanda Spielman: Before you get to careers advice, the advice that goes along with GCSE choices may precede a lot of the more formal careers advice. The systems that a school uses to steer children into pathways and to encourage them or discourage them should encourage



HOUSE OF COMMONS

them on to the most demanding programme of study that they can reasonably undertake.

Q177 Chair: That is systems. These days, you have little time, especially with the short inspections, to go into a classroom. You certainly have even less time, I would hazard a guess, to go in and see a careers adviser doing careers advice. It is not a regulated profession. How can you be sure you are gathering anything useful when you are looking at careers advice in inspections?

Amanda Spielman: Our inspections are now a review of the school's own work. A school can show us its work however it likes. We do not demand specific documents or particular ways of doing things, but we start with what the school tells us. We have discussions to test and validate that. It is not a direct collection of evidence about every aspect of the school. That was the model of inspection 25 years ago when we used to do very full section 10 inspections with large teams of specialist inspectors. We do not have the capacity to do that.

Q178 Sir Geoffrey Clifton-Brown: That is what slightly worries me. When your inspector goes in, particularly into a secondary school, they presumably will have a tick-box in their mind—particularly if they are going to do a one-day inspection—just to try to get the basis of that school and what it is up to. That is how I would do it.

Chair: That is done beforehand.

Amanda Spielman: It is slightly different from that, if I may. In short inspections, all the available information about the school is collated from a number of different sources.

Q179 Sir Geoffrey Clifton-Brown: I get that.

Amanda Spielman: Let me finish. The key lines of inquiry are generated. By the way, this is one of the reasons—

Chair: We have gone through that quite a lot.

Q180 Sir Geoffrey Clifton-Brown: The school says, "We are doing marvellous careers advice," so you tick that box. Because you have got so many other things to ask about, you do not bother with careers again. How do you actually verify that advance information? I am just using careers as an example.

Amanda Spielman: Our inspectors are looking for some kind of evidence to support. They do not take things simply off the assertion of the senior leader they are talking to. So it is about, "How do you know that? What do you do? How do you test it? How did you get this person?"

Matthew Coffey: Good schools will have the data and will be able to talk to you about individual pupils and where they have gone. You will be able to look at their programme of careers advice. You will be able to look at who they have invited into the school, whether that be local employers, local further education or universities—the rich mix of advice and guidance

that is out there and how it has been presented to children. As a school inspector, you would be really keen to look under those data if the school had its own sixth form. You would want to ensure that pupils were getting a variety of different options available to them.

Q181 **Chair:** I still contend there may be a concern about quality. Certainly the quality of careers advice can be very variable

Amanda Spielman: Indeed.

Chair: And in fact, well-meaning teachers can offer advice when not qualified to do so. They are trying to do their best, but that is not the same as good careers advice. We will park that—it has come up in a couple of previous Reports.

Q182 **Layla Moran:** A couple of references have been made about performance tables, not just in this panel but the pre-panel. Ms Spielman, do you feel that performance tables in their current form are a force for good in school improvement?

Amanda Spielman: They are as good as they have ever been. There are no data metrics in any system ever that can perfectly capture everything you ever want to know. They always need interpretation, and they always create some kinds of incentive for people. That is why it is valuable to have a system that has performance tables and the human judgment mechanism that we represent in order to get a rounded view and triangulate, to stop either pulling the system out of whack. We are actually one of the smaller pieces of the system in terms of money spent, I think, but we provide a valuable complement.

Q183 **Layla Moran:** Indeed. Mr Slater, of the two, do you have a sense of what parents care about more? Do they care more about performance tables or do they read behind the Ofsted judgment and look at that more human view, which is meant to be the complement of it? Do you know that? Have you asked parents?

Jonathan Slater: The data that I have seen as to the reasons why people choose school A over school B—in fact the NAO quotes them in the Report—show Ofsted reports are much higher among their reasons than where schools are in the league tables.

Q184 **Layla Moran:** Thinking back to the first panel, some negative behaviour can result from the way in which performance tables are set up. Do you accept that?

Julia Kinniburgh: Yes, we do. We have been doing a lot of work in recent years to try to minimise that as much as we possibly can.

Q185 **Layla Moran:** Why not just get rid of the performance tables and have it all in an Ofsted report so it is married up?

Julia Kinniburgh: As Amanda says, the system has complementary aspects. We believe it is right that we should have transparent and good quality data, potentially addressing the Chair's concern about data from schools, but we should rely not just on the data but very much as well on



HOUSE OF COMMONS

somebody going to look at what is happening and the human aspects. The two complement each other.

Q186 **Layla Moran:** Given that performance tables do drive negative behaviour, and that is pretty well established—

Chair: Performance tables would be created if they did not exist. That is the thing—

Layla Moran: Possibly. But do you accept that the DFE publishing them gives them a certain credibility?

Jonathan Slater: It would be odd if the Department did not publish, for example, the number of kids doing history or geography. Some of you want that sort of data on the extent to which schools are doing so. You need to produce it in a rounded way and you need to take account of the input as well as the output. So we get better at this over time, hence the move from attainment to progress.

It is important that we carry on reinforcing what you have heard from Amanda and Julia: it is much more complex than just data. But it would be odd if we were not publishing data any more.

Q187 **Layla Moran:** It is about seeing them together. Are you making changes to the way in which you present this data? Parents are not accessing the whole, rounded picture.

Jonathan Slater: That incredibly user-friendly website that the Chair is about to mystery shop gives you an automatic link to the most recent Ofsted report, precisely because that is one of the most valuable pieces of data. We specifically say, "Don't just look at the data—here's the report."

Q188 **Chair:** I think you have picked up that we are concerned about data, and that Ofsted has, potentially, a rich amount of data, but you are not using it as well as you could, at the moment, in many respects. Would you acknowledge that, Ms Spielman?

Amanda Spielman: I do, but that is why we have the electronic evidence-gathering: to make it easy to draw our data together.

Chair: It is 26 years in, and we are still just beginning this.

Jonathan Slater: But tomorrow, Amanda's publishing—

Chair: I know; it's great, but I am just noting that it is 26 years, and it is very valuable data.

Q189 **Anne Marie Morris:** Mr Slater, one final question—and it is for you. Do you think you would be better off doing away with the regional school commissioners? Most people really don't understand what they do. There is a huge overlap between what they do and what Ofsted did. Clearly Ofsted needs more money. If you got rid of the regional school commissioners, Ofsted would have the money to get inspectors.

Jonathan Slater: What was the question?



HOUSE OF COMMONS

Anne Marie Morris: Would it be a good idea to get rid of the commissioners and give the extra money to Ofsted, because they overlap?

Jonathan Slater: What I said half an hour ago, in a way that irritated the Chair—

Chair: Was that it was the Minister's decision.

Jonathan Slater: No, it was a slightly more useful answer than that. I said that I could work in either system: the system pre-'92, in which the inspectors did it all—checked the school, handheld the school, improved the school—or a system in which they inspected the school, and I sorted out what happened afterwards. I happen to be working in the second model, which has the obvious advantage that Amanda isn't marking her own homework.

Obviously, you can see the downside of a system in which Ofsted does the assessment and agrees the plan, the plan gets implemented, and then they come back a year later and say, "Well done," but I would operate within it if requested to. The system I have is one in which they inspect, and I am held to account to improve. I need a team of people to work for me on that improvement task; they are called regional school commissioners. That's their job.

Q190 **Anne Marie Morris:** But most people don't understand what they do.

Jonathan Slater: The Secretary of State accepted at the beginning of May, as Julia said, that there was, out there in the wider education world, a lack of clarity, and I am trying to be as clear as possible in this hearing about what that distinction is. She inspects; we improve. That's the task of the regional schools commissioners. This is where it absolutely had got confusing, and you can see why this would happen: precisely because I am now accountable for the improvement thing, I might want my regional school commissioners to know, before Amanda's people went in, whether they were going to fail their Ofsted inspection. That wouldn't be the worst thing in the world, would it? After all, we are talking about improving children's lives.

What has happened in practice is that some of the people working for some of the regional school commissioners have gone into school X in advance of the Ofsted inspection to check whether it is on track or not. You can see why they have done that, but the downside is that it leads to confusion, so we have said, "We're not going to do that anymore. We'll simply sort it out after they've found it inadequate."

Q191 **Chair:** That's an answer you've given us before, and it is a long answer. The point that Ms Morris is making is that a lot of money goes into those regional schools inspectors, and it is unclear to a lot of us exactly what they do, given that you have multi-academy trusts and local authorities, and those managements should be improving their schools. Ofsted has been stretched financially. Ms Spielman has put a reasonably good case as to what she can do in the time, whether that be long gaps between inspections or short inspections. Whatever you do to improve them, Ms



HOUSE OF COMMONS

Spielman, surely it is difficult to sustain, and very little time is spent on actual school improvement. Would you like the money from regional schools inspectors in your budget? Do you think you could do better with it? You can say what you think, because you do not have a Minister to respond to, as Mr Slater keeps reminding us.

Amanda Spielman: I think we are close to a good dividing line. I think with more transparency between us, and more clarity about what RSCs don't do, we can get to a better place, and I am working with the Department to get to that better place.

Jonathan Slater: You challenged me on what we are doing to sort out where it falls to the academy trust; that is what the regional schools solution is doing. You challenge me on why we got into that situation in the first place; fair enough, but who have I got to sort it out? That's the job of the RSCs.

Q192 **Chair:** Well, there we go: the regional commissioners were set up to deal with schools that were set up and then failed, but never mind. We are getting into Kafka-esque territory here.

I have a couple of last, quick questions. One was about the hijab, particularly in Birmingham, Ms Spielman. When does Ofsted start deciding what it is right for a child to wear in school? It seems to me that that was a big stretch for you.

Amanda Spielman: We don't, and we didn't in that case. It is rather like the opening conversation. It was very clear that a school, acting absolutely legitimately and properly in deciding a uniform policy, was coming under extreme pressure from a number of directions, including an organised national campaign, and I was very concerned. It is not the only school that has been brought under pressure. There are a number of different ways in which schools in the system at the moment are suffering, unfortunately.

Q193 **Chair:** So Ofsted doesn't have a position on whether primary school children should wear hijabs?

Amanda Spielman: Ofsted does not have a position on hijabs itself, but it has the position that heads should be able to exercise the authority that they are given, when they do so properly, carefully and fairly.

Q194 **Chair:** I will leave that there for now, although I know that my colleague Shabana Mahmood had some particular issues in Birmingham. The other issue, quickly, is about hospital schools: what is your inspection regime for them and do you engage with parents there?

Amanda Spielman: I am afraid that is a question I cannot answer today.

Matthew Coffey: No, we will have to write to you.

Chair: I might write to you with some detailed information.

Q195 **Layla Moran:** Ms Spielman, I very much welcome some of the things that you have said about the new inspection framework, in particular the interest in wellbeing and mental health in schools. How will you measure



HOUSE OF COMMONS

that?

Amanda Spielman: It is extraordinarily difficult to measure—that is the short answer. One of the things we want to avoid is setting up spurious measurements, because you can do more harm if you purport to measure something that you cannot actually get a reliable handle on. At the moment, we are looking at what the things are that should be captured and how they should be inspected. There are some things that we can probably only look at on an input basis; there are some things where there may be outputs that we can—

Chair: All in a one-day inspection?

Q196 **Layla Moran:** Are they given the same weight as attainment and progress?

Amanda Spielman: There is no explicit weighting in the headings of the inspection framework at the moment—it is not a “five points for this” and “three points for that” kind of aggregation.

Chair: As long as it is transparently reported, that is the main thing.

Q197 **Sir Geoffrey Clifton-Brown:** Ms Spielman, are your resource constraints forcing you into a one-day inspection regime when you would rather be in a two-day inspection regime more often?

Amanda Spielman: Without a doubt, we would prefer to be able to do longer inspections more often, where we can do more to satisfy the desire for the conversation that contributes to improvement and the desires of parents and teachers.

Q198 **Chair:** So you would like them to be longer. Would you like them to be more frequent? You said that five years would be reasonable—you were very careful in your wording earlier—but would you like to do them more frequently if you felt you needed to?

Amanda Spielman: I am comfortable with the statutory limits as they stand, which in practice means slightly more frequently than every five years. If I were outside my current job, I do not think I would be standing at the barricades saying, “More frequent inspections for schools!” That is particularly in the context of the modern world, where a lot of risk information comes from various directions. We always have the power to inspect. We can and do go in earlier whenever we have significant concerns, including without notice. That is something we do.

Chair: Okay. We will leave it there for now. I am sure we will come back to this. Thank you very much indeed for your time. The transcript will be up on the website in the next couple of days.