

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

EDUCATION AND ADOPTION BILL

First Sitting

Tuesday 30 June 2015

(Morning)

CONTENTS

Programme motion, as amended, agreed to.
Written evidence (Reporting to the House) motion agreed to.
Examination of Witnesses.
Adjourned till this day at Two o'clock.

PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS
LONDON – THE STATIONERY OFFICE LIMITED

£6.00

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IN GENERAL COMMITTEES

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The Committee consisted of the following Members:

Chairs: † MR CHRISTOPHER CHOPE, SIR ALAN MEALE

† Berry, James (<i>Kingston and Surbiton</i>) (Con)	† Nokes, Caroline (<i>Romsey and Southampton North</i>) (Con)
† Brennan, Kevin (<i>Cardiff West</i>) (Lab)	† Pugh, John (<i>Southport</i>) (LD)
† Donelan, Michelle (<i>Chippenham</i>) (Con)	† Timpson, Edward (<i>Minister for Children and Families</i>)
† Drummond, Mrs Flick (<i>Portsmouth South</i>) (Con)	† Tomlinson, Michael (<i>Mid Dorset and North Poole</i>) (Con)
† Esterson, Bill (<i>Sefton Central</i>) (Lab)	† Trevelyan, Mrs Anne-Marie (<i>Berwick-upon-Tweed</i>) (Con)
† Fernandes, Suella (<i>Fareham</i>) (Con)	† Walker, Mr Robin (<i>Worcester</i>) (Con)
† Gibb, Mr Nick (<i>Minister for Schools</i>)	Wilson, Sammy (<i>East Antrim</i>) (DUP)
† Haigh, Louise (<i>Sheffield, Heeley</i>) (Lab)	Fergus Reid, Glenn McKee, <i>Committee Clerks</i>
† James, Margot (<i>Stourbridge</i>) (Con)	† attended the Committee
† Jones, Graham (<i>Hyndburn</i>) (Lab)	
† Kyle, Peter (<i>Hove</i>) (Lab)	
† Lewell-Buck, Mrs Emma (<i>South Shields</i>) (Lab)	
† McCabe, Steve (<i>Birmingham, Selly Oak</i>) (Lab)	

Witnesses

Dr Rebecca Allen, Director, Education Datalab (on leave from post as Reader in Economics of Education at UCL Institute of Education)

Professor Becky Francis, King's College London

Robert Hill, Visiting Senior Research Fellow, King's College London

Malcolm Trobe, Deputy General Secretary, Association of School and College Leaders

Sir Daniel Moynihan, Chief Executive, Harris Federation

Councillor Richard Watts, Children and Young People's Board, Local Government Association

Emma Knights, Chief Executive, National Governors' Association

Dr Tim Coulson, Regional Schools Commissioner, East of England and North-East London

Zoe Carr, Chief Executive, WISE Academies, and elected member of the Headteacher Board for the North of England

Lee Elliot Major, Trustee of the Education Endowment Federation and Chief Executive of its sister agency The Sutton Trust.

Public Bill Committee

Tuesday 30 June 2015

[MR CHRISTOPHER CHOPE *in the Chair*]

Education and Adoption Bill

8.55 am

The Chair: Order. I apologise to Members for the fact that we do not have enough seats. It is not just that people underestimated Members' enthusiasm for attending at the beginning of a new Parliament. I will suspend the sitting until that has been sorted out.

8.55 am

Sitting suspended.

9.23 am

On resuming—

The Chair: Order. Before we begin, I have a few preliminary announcements. First, please silence electronic devices. I remind everyone that tea and coffee are not allowed during sittings. I also apologise for the late start. In view of the time available, I will not make any more announcements.

Motion made, and Question proposed,

That—

(1) the Committee shall (in addition to its first meeting at 8.55 am on Tuesday 30 June meet—

- (a) at 2.00 pm on Tuesday 30 June;
- (b) at 11.30 am and 2.00 pm on Thursday 2 July;
- (c) at 9.25 am and 2.00 pm on Tuesday 7 July;
- (d) at 11.30 am and 2.00 pm on Thursday 9 July;
- (e) at 9.25 am and 2.00 pm on Tuesday 14 July;

(2) the Committee shall hear oral evidence in accordance with the following table:

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 30 June	Until no later than 9.40 am	Dr Rebecca Allen, Reader in Economics of Education at the Department of Quantitative Social Science, University College London Professor Becky Francis, Professor of Education and Social Justice, King's College London Robert Hill, Visiting Senior Research Fellow, King's College London
Tuesday 30 June	Until no later than 10.40 am	Association of School and College Leaders Harris Federation Local Government Association National Governors' Association

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 30 June	Until no later than 11.25 am	Dr Tim Coulson, Regional Schools Commissioner, East of England and North-East London WISE Academies The Education Endowment Foundation
Tuesday 30 June	Until no later than 2.45 pm	The Adoption Leadership Board Coram Consortium of Voluntary Adoption Agencies
Tuesday 30 June	Until no later than 3.15 pm	Adoption UK Adoption Link
Tuesday 30 June	Until no later than 4.00 pm	The Adolescent and Children's Trust (TACT) Association of Directors of Children's Services Ltd Adoption Focus
Tuesday 30 June	Until no later than 4.15 pm	National Association of Head Teachers
Tuesday 30 June	Until no later than 5.00pm	Department for Education

(3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clause 13; Clauses 2 to 12; Clause 1; Clauses 14 to 18; new Clauses; new Schedules; remaining proceedings on the Bill;

(4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 14 July.—(*Margot James.*)

The Minister for Schools (Mr Nick Gibb): I beg to move a manuscript amendment, in the table, delete "9.40 am" and insert "9.50 am".

We will move clause 1 later in our deliberations to enable Committee members to table amendments regarding the definition of a coasting school. Draft regulations were sent to all Committee members last night at 10 pm and are available in hard copy this morning. That should give all Members sufficient time to look at the regulations and table amendments to clause 1, should they wish to do so.

Kevin Brennan (Cardiff West) (Lab): May I put on the record—although not at great length, given the delay already this morning—the concern I expressed informally at the Programming Sub-Committee about the manner in which the programming for the Bill has been handled? The Bill has been put together in a rushed way, and the draft regulations were not thought through and ready in time. We received them only at 10 pm last night, which is why the Government are taking clause 13 first, then clauses 2 to 12, then clause 1 later on. It is emblematic of the fact that the Bill is an undercooked piece of legislation that should have been more carefully thought through before being brought to us for consideration. However, the Government get their way on these matters. I have had my say, and we should get on with it.

Mr Gibb: Briefly, the Government are determined to ensure that no child is in an underperforming or coasting school. We are acting rapidly to tackle those problems swiftly. Within two months of the general election, we have a Bill available for scrutiny and ready to go through the system. We want to get the regulations right. We believe they are right, so we do not apologise for the swiftness with which we are acting to tackle coasting and failing schools.

Kevin Brennan: And we do not apologise for objecting to the manner in which the Bill has been introduced. If the Government were concerned about all children, all children would be covered by the Bill, but they are not.

Amendment agreed to.

Main Question, as amended, put and agreed to.

Ordered,

That—

(1) the Committee shall (in addition to its first meeting at 8.55 am on Tuesday 30 June meet—

- (a) at 2.00 pm on Tuesday 30 June;
- (b) at 11.30 am and 2.00 pm on Thursday 2 July;
- (c) at 9.25 am and 2.00 pm on Tuesday 7 July;
- (d) at 11.30 am and 2.00 pm on Thursday 9 July;
- (e) at 9.25 am and 2.00 pm on Tuesday 14 July;

(2) the Committee shall hear oral evidence in accordance with the following table:

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 30 June	Until no later than 9.50 am	Dr Rebecca Allen, Reader in Economics of Education at the Department of Quantitative Social Science, University College London Professor Becky Francis, Professor of Education and Social Justice, King's College London Robert Hill, Visiting Senior Research Fellow, King's College London
Tuesday 30 June	Until no later than 10.40 am	Association of School and College Leaders Harris Federation Local Government Association National Governors' Association
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(4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 14 July.

The Chair: Because the deadline for tabling amendments for Thursday's line-by-line consideration has expired, I am prepared to consider late amendments that would otherwise not be debatable, on the basis that they might arise from evidence given today. I hope that is helpful.

Resolved,

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.—(*Mr Gibb.*)

The Chair: Copies of the written evidence that the Committee receives will be available in the Committee Room.

We now come to the oral evidence from academics at University College London and King's College London. May I remind everybody that the questions should be limited to matters within the scope of the Bill, and that they should be brief? May I ask our guests who are giving evidence to make their responses commendably brief so we can cover all the ground we wish?

Examination of Witnesses

Dr Rebecca Allen, Professor Becky Francis and Robert Hill gave evidence.

9.28 am

Q1 The Chair: Will the witnesses introduce themselves for the record, starting with Dr Allen?

Dr Allen: Hello. I am currently director of Education Datalab, a research venture supported by FFT Education Ltd. I am currently on leave from my academic position at the UCL institute of education.

Professor Francis: I am Professor Becky Francis of King's College London. I was a special adviser to the Select Committee on Education for its recent inquiry into academies. I am a professor of education and social justice, so my interest in academy sponsorship is through the lens of raising attainment for disadvantaged kids.

Robert Hill: I am Robert Hill. I work as an education consultant supporting development of school partnerships and multi-academy trusts. I am also a visiting senior research fellow at King's College.

Q2 Kevin Brennan: I thank our witnesses for coming this morning and for their patience. The Bill is not ready; the room was not ready, so we are going on as we started.

Because of the truncated time available, could you be as pithy as possible? I am afraid this session is a bit like “Just a Minute”, rather than an opportunity to expand at great length. You have all had a chance to look at the draft regulations the Government published last night. What do you make of them?

Professor Francis: You go, because I haven’t.

Dr Allen: My concern relates to whether we will be able to identify schools that are truly coasting. I think we all agree that there are schools that provide a perfectly adequate education for their children, but could do a great deal better for the children they educate. My reason for concern is that I believe those schools are much more likely to be serving more affluent communities. I think that these schools are not currently being judged as inadequate by Ofsted. That is because Ofsted inspectors judge what they see—the lessons and the practices—relative to the typical school that they visit, rather than relative to schools that operate in similar circumstances. The consequence of this is that if a school serves an affluent community, the chances that Ofsted will deem it to be inadequate are extremely low indeed.

This underlies our need for another piece of the accountability mechanism, which judges whether schools are underperforming by a different metric. My concern about the metrics that have been chosen to define coasting schools is that they display exactly the same type of what I call a social gradient. By that I mean that if a school serves an affluent community then it will not be judged to be coasting using these metrics. So we continue to perpetuate the problem that, on the one hand, schools which serve deprived communities are subject to multiple accountability mechanisms, all of which they have a relatively high chance of falling below. However, even more importantly, schools which serve more affluent communities will escape all of the different threshold measures which we set up.

Q3 Kevin Brennan: What would you do to identify and deal with coasting schools?

Dr Allen: First, I would prefer that we did not have this legislation. I would prefer that we redefined the terms of Ofsted. I do not believe that what Ofsted does in judging schools is wrong given its current remit, which is just to say whether or not the quality of the teaching, learning and practices within the school are good when compared to the average school. In the new remit I would ask Ofsted explicitly to judge schools relative to schools that serve similar communities.

Q4 Kevin Brennan: There is no need for legislation, in your view, to create a separate definition of coasting schools and set it out on the face of a Bill. What you could do is change the remit of Ofsted in order to identify these schools.

Dr Allen: I would prefer that approach, because I worry about having multiple accountability mechanisms. There would be a significant possibility that schools, on the one hand, are judged by Ofsted to be good or, indeed, outstanding, and on the other hand we deem them to be coasting. That creates a confusing accountability

regime for schools. I would prefer that we maintain the current accountability regime, in which Ofsted has the last say on whether or not a school is underperforming.

Q5 Kevin Brennan: Do you think it would be possible under these regulations for a school to be deemed not to be coasting, and yet to be inadequate or requiring improvement?

Dr Allen: It would.

Q6 Kevin Brennan: In that case, what should a school do if it is not coasting but requires improvement or is inadequate?

Dr Allen: It is very difficult. That situation will arise where schools serve more deprived communities and have very high levels of free school meals. They risk falling below the bar for the definition of coasting schools as it is currently proposed. What can we ask those schools to do? The problem with data is of course that we cannot tell whether a school is coasting. In data, coasting looks exactly the same as paddling very hard to keep your head above water. It is extremely difficult for a number of reasons to run schools that serve deprived communities. Of course, schools must compensate for any significant social dysfunction in the families of the children who attend. They experience higher teacher turnover. Because they are at significant risk of being deemed inadequate by Ofsted, they find it more difficult to recruit outstanding leaders.

Q7 Kevin Brennan: May I ask Professor Francis to respond to some of those issues?

Professor Francis: I think that that was a very good summary. I am afraid that I did not receive the email this morning and I have not managed to get to my emails yet. I was interested to hear about the definition from colleagues. I think that there is a massive risk of confusion here. To respond to a question raised by Kevin, of course if a school is judged to be inadequate and it falls below floor targets, it may become sponsored in any case. We already have actions and measures to respond to those schools in those situations.

Regarding the scale-up to include this new group of schools, I think that Dr Allen is exactly right to suggest that there may be a situation where a school is judged by Ofsted to be outstanding, but is judged to be coasting against a range of other performance indicators, and that could be extremely confusing both for schools and also for parents. We already have a somewhat paralysing climate of fear where schools are trying to play every measure. I worry that this risks exacerbating that. Clarity is really important. When I did my original report on unsatisfactory schools for the RSA, we purely looked at Ofsted judgments and schools that had been stuck at satisfactory. I therefore think that it is very important to have clear messaging for schools about what a coasting school is.

Q8 Kevin Brennan: Would you also be of a view that in order to avoid that confusion rather than to legislate separately in this way, it would be better if the concept of coasting is incorporated in Ofsted assessments and judged through inspection?

Professor Francis: Yes, or that perhaps the very term “coasting” is re-examined and we think, “What is that we are trying to get at there?” Is it schools that are not

improving, in which case, what is it that we are looking to improve and what is it that is not happening? I think that would be helpful.

Q9 Kevin Brennan: Could I ask Robert to respond?

Robert Hill: It seems to me that the regulations on coasting are a redefinition of the floor standards in a new form. To come back to the Minister's starting point of not wanting to have children in underperforming or coasting schools, it will mean that we will still have pupils in quite a lot of schools or in parts of schools—because there is a lot of variation within schools—that will be let off the hook by this. It will not really search out or find underperformance with these definitions.

I understand the intention behind this bit of the Bill and the regulations, but I think it is a very blunt instrument. There are two other concerns. One is what Dr Allen referred to as the layers of multi-accountability. We almost have a teetering accountability system. It is getting heavier and weightier and weightier, layer upon layer. I think it will become increasingly difficult to provide any sort of incentive for people to go into a lead—even good schools—because of the risk of them being done-to and intervened on. We already have problems with recruiting for many positions and the field for candidates is small.

My other concern is that the Committee should be focusing on what are we going to do about it. The definitions are only a means to an end to identify. The question is what is the resource to solve the problem? Suddenly putting considerable numbers of schools, RI schools, inadequate schools, and now coasting schools into an ever larger pot, and loading that on to a regional commissioner system that is in its infancy and is already very stretched and ensuring that we have an integrated way of supporting that have not been thought through.

Q10 Kevin Brennan: I will be brief because I want to hand over and let the Minister also speak while we are on coasting schools. Do the witnesses envisage that under the regulations as defined and from the Government's intentions we are going to have a situation where heads and governors and so on are going to have to deal with the concept of being an outstanding school but also deemed to be coasting; a good school but also deemed to be coasting; a school that requires improvement deemed to be not coasting; and an inadequate school deemed to be not coasting? Is that possible under the regulations as far as we have seen them? I am aware that they were only released to us in the usual manner after they had been released to the press. The Government briefed this to the press all through yesterday, but we eventually got it at 10 o'clock last night. Are all those scenarios possible?

Robert Hill: I do not think quite all those scenarios are possible. It is technically possible, but I think it is unlikely that an inadequate school—

Q11 Kevin Brennan: So that is not possible under the regulations as defined? That is what I am asking you?

Robert Hill: Well, Dr Allen may be able to answer. I think some of the other scenarios would be possible.

Dr Allen: We have not crunched the data yet, because we received it at 10.30 last night, which is a shame. In 24 hours we will be able to tell you. By our judgments

on various different types of scenarios of progress and value added measures, there are, indeed, schools in most of those categories. For example, some schools that have very negative progress or value added measures in 2014 are judged to be outstanding, and some schools with superb value added measures are judged to be inadequate.

Q12 Mr Gibb: Is not the point of the legislation to try to weed out the schools that are judged to be good or outstanding but that have been concealing poor progress? Is not that what we are trying to tackle? Would you support that?

Dr Allen: Perhaps, but I would ask why Ofsted has walked into those schools, given what we know about the quality of the education that they provide, and judged them to be good or outstanding. I come back to the question of whether we need to change the remit of Ofsted.

I reiterate the more important point, which is little understood, about the social gradient of progress 8. I will give you some examples from 2014 data. Just 42 out of 380 schools with less than 10% of pupils on free school meals had a negative progress 8 score, whereas 191 out of 347 schools with more than 50% on free school meals had a negative progress 8 score. It is not always obvious why that should be that case. The idea of progress 8 is that we judge children from the starting point of their test scores at the age of 11 and we expect children with the same starting point to make the same amount of progress.

That social gradient emerges for a number of reasons. The most important is just that there is clustering of social circumstances within schools. For example, take two children who performed equally poorly on their key stage 2 tests and, at the age of 11, we say are low-attaining children. One of them attends a relatively affluent school. The very fact that they are attending a relatively affluent school means that they are more likely to have a supportive home environment, which means that regardless of what happens in the school—the thing that we want to influence—that child is more likely to do well at GCSE. I am concerned that that social gradient is letting schools that serve affluent communities off the hook on this definition. I would prefer schools to be judged relative to schools like them and, unfortunately, progress 8 does not quite do that.

Q13 Mr Gibb: In your written evidence, you said that you think that it is difficult to run a school in a poorer area. Do you think that they should be subject to a different form of metrics when they are being judged?

Dr Allen: It is more difficult, which is why I am kind of okay with the idea—it is correct in one sense—that metrics should find that schools that serve affluent communities are, on average, making better progress for the children. That is correct. It is also correct that Ofsted walks into schools that serve affluent communities and sees, on average, better teaching and leadership. All those things are true and we know that they are true because they have a larger pool of teachers to recruit from and a better choice of school leaders.

I understand your concern that we should hold schools that serve deprived communities to the same very high standards to which we hold schools that serve affluent

communities. However, the problem is the extent to which those schools are able to compensate for all the things that happen in homes in affluent communities that lead to those children making good progress, regardless of what happens in those schools.

Saying that all schools must ensure that children make exactly the same levels of progress is bad for both ends of the spectrum. Setting up accountability mechanisms means that schools that serve deprived communities have no hope of ever being deemed anything other than underperforming. They then give up, and find it impossible to recruit headteachers and hard to recruit teachers. We set up a spiral whereby it is difficult for them to operate at all, and it does not raise aspirations for those schools.

Q14 Mr Gibb: May I interrupt? What research have you done on King Solomon academy? Does that school find it difficult to recruit? The school serves a very deprived area; more than 60% of pupils are on free school meals. Last year, 93% achieved five or more GCSEs including English and maths. Do you think that school is not delivering?

Robert Hill: May I reply?

Q15 Mr Gibb: May I just ask Dr Allen first? Then I would love to hear from Mr Hill.

Dr Allen: I do not think it is. In fact, one thing that we see is that the variation in school quality is much higher among schools that serve deprived communities than it is among schools that serve affluent communities. There is also a distinction between those schools that are operating in London and those that are not, for a variety of reasons.

Q16 Mr Gibb: But is not that what we want to achieve? Is not the King Solomon academy what we want in very deprived areas, rather than putting a lower level of expectation on schools serving deprived communities, as you seem to be implying in your evidence to the Committee?

Dr Allen: My concern is not so much about the schools that serve in deprived communities, because they are already subject to a raft of accountability mechanisms. They are already being deemed to be inadequate and falling below the floor and everything else. We have all that in place. What we do not have in place is something that brings to account schools that serve affluent communities. This piece of legislation will not do that.

Q17 Mr Gibb: Would Robert Hill answer that? I would also ask you another question, Mr Hill, because I want to make this my last question if I can. Do you think the progress measure is the right approach in dealing with these problems, and in addressing Dr Allen's concerns, rather than using just attainment or just Ofsted?

Robert Hill: I am a big fan of progress measures. I think you are absolutely in the right ballpark doing that. Indeed, I think we should be looking at progress within student cohorts, within schools from one class to another. I do not think we should construct a national system to do that, but that should be the discipline that we apply. I think that progress in that sense is king, so you are in the right ballpark.

On your King Solomon point, absolutely all credit to King Solomon and others. Although, when you look at the distribution, the number of schools both from affluent and certainly deprived areas that are bucking that trend, closing the gap and doing that is a very small cohort.

The regrettable truth, for someone who supports the development of multi-academy trusts, is that for every one that has been compulsorily academised that has worked, you will be aware that there have been a considerable number that have struggled and are still struggling, and are still in something akin to that spiral. You are having to re-broker, I think, 100 sponsored academies and another 100 are in the pipeline. My concern, if I share your ambition, which I do, is where is the resource and support?

Just declaring them “coasting” or “requiring improvement” is in some ways the easy bit. The much tougher bit is to get the right mechanisms and support systems in place, as it were, to drive the improvement. That is where I think the Bill is in the wrong place. Although there are clauses in the Bill that do broaden the scope of things that you as Minister and local authorities and school commissioners can do, that is the real challenge for the education system.

The Chair: I am afraid we have time for only one more question, and I hope it will be brief.

Q18 Bill Esterson (Sefton Central) (Lab): We have talked predominantly about secondaries. What about primaries? What is the impact of the draft regulations on coasting when it comes to primaries?

Robert Hill: It is a threshold measure, as I understand it. If you get above the 85%, you are let off the hook. There will be a lot of primaries that will be above that measure where there will potentially be quite a lot of coasting going on. It seems to me that when people thought that the Government was going to act on the concept of coasting, they thought it was going to be seeking out underperformance in good or outstanding schools. In primaries the extent it might do that will be pretty limited.

Q19 Bill Esterson: Rebecca, you said that identifying coasting primaries would be more difficult.

Dr Allen: I did. On the current definition, which includes a threshold measure—65% achieving level 4—and a median progress measure, by including the threshold measure you are knocking all of your schools that serve affluent communities out of having any risk of being deemed to be coasting. You have to be okay with that happening. If you are not okay with that happening, there is a simple solution: just cross out the threshold part of the measure and base it purely on progress. I would recommend that that happens.

The second thing to say about primary schools, which is serious, is that some primary schools are very small. When you have small schools, the measures of progress made by children from one year to the next are a relatively poor reflection of the true underlying quality of teaching and learning that are taking place in the school. The consequences of that are not quite in the direction that you think. A small primary school is going to have very volatile progress measures, which is not necessarily bad, under the definition of coasting;

under that definition, a school has to be bad for three years in a row. The risk is that for very small primary schools—by which I mean a one-form entry and below—there will be poorly performing schools that manage to always just about escape being deemed to be coasting, because they maybe get lucky one year in their intake. This is an issue and means that the proportion of schools that are deemed to be coasting will relate to the size of primary schools.

The Chair: Thank you. I am sorry that the evidence session was shorter than we might have wished, but thank you for your contribution.

Examination of Witnesses

Malcolm Trobe, Sir Daniel Moynihan, Richard Watts and Emma Knights gave evidence.

9.51 am

Q20 The Chair: Good morning. Thank you for coming. Will you briefly introduce yourselves?

Malcolm Trobe: I am Malcolm Trobe. I am a former secondary school headteacher and I am currently Deputy General Secretary of the Association of School and College Leaders.

Sir Daniel Moynihan: I am Daniel Moynihan, chief executive for the Harris Federation, a group of 36 academies in and around London. I was previously the head of two secondary schools.

Emma Knights: Emma Knights, chief executive of the National Governors' Association. We are the membership organisation for governing boards of both maintained schools and academies and we exist to improve the effectiveness of governance in schools.

Richard Watts: I am Richard Watts. I am the leader of Islington Council, speaking on behalf of the Local Government Association.

Q21 Kevin Brennan: I will ask one question and then pass it over to colleagues, as they will not otherwise get a chance to ask questions. In dealing with an inadequate school, is academisation the only way to bring about satisfactory improvement—why is it that the Bill says that Ministers must, when they find an inadequate school, organise its academisation? Could you each offer a short, “Just a Minute” type answer—in fact, one word will do. Start with one word each.

Malcolm Trobe: No.

Sir Daniel Moynihan: Yes.

Emma Knights: No.

Richard Watts: No.

Q22 Kevin Brennan: Three noes and one yes. Could Sir Daniel perhaps explain why it is the only way?

Sir Daniel Moynihan: Maintained schools are under the remit of their local authority and the local authority has responsibility for their improvement and their monitoring. If a school fails, it will not normally be because of something that has happened overnight; it will be because of a gradual decline in performance over a period of time. The local authority should have picked up on that and used its resources to do so and my view is, therefore, that somebody else should be allowed to take on that school and improve it under the guise of an academy.

Malcolm Trobe: We clearly want all pupils to be in a good school. We want all local schools to be good schools. What we would say, however, is that changing the status of a school, in itself, will not necessarily change and improve the quality of the education in the school. What is required is a detailed, well thought out plan and a support system to go into the school. You need to understand the context of the school. One must understand resources; one of the critical things happening in a lot of schools that are in significant difficulties at the moment is that they are having major problems with teacher recruitment. One thing that we believe the Government need to tackle very urgently is ensuring that there are high-quality teachers available for these schools.

Graham Jones (Hyndburn) (Lab): I am interested in this definition of coasting. My daughter is six and goes to a primary school. It is self-evident to me and my constituents that the differential between some schools is often the amount of time that is allocated to children out of school. There are the parental and social contributions and networks that children attend in some of the more affluent areas. How are they measured in this coasting measurement? Clearly, the same amount of time is not allocated in some of my poorer areas. There are challenges in life. How is that not part of the school day?

Richard Watts: Islington, which I represent, has a fair number of affluent people and we have more than our fair share of poor people. We see enormous differences in our schools, depending on people's home circumstances. It is really important that schools do their best to compensate for that, but that is not wholly possible. No one should make excuses—

Q23 Graham Jones: That was not my question. It is straightforward: how do you measure it?

Richard Watts: It is extremely hard—

Q24 Graham Jones: That is the answer, then: extremely hard. We are not measuring it is the real answer.

Richard Watts: No, we are not—not adequately.

Q25 Peter Kyle (Hove) (Lab): Thank you all for coming today. I will jump straight in because we are pressed for time. Sir Daniel, in your answer you talked about failing schools, yet we are talking about coasting schools. What tools are there for tackling coasting, not failing?

Sir Daniel Moynihan: Clearly, with a coasting school, the legislation is not looking at an immediate conversion, but seeing whether the school can put an action plan together to improve itself within a reasonable amount of time.

Q26 Peter Kyle: And you think that academisation is the only response to coasting, not failing?

Sir Daniel Moynihan: No, I answered in response to inadequate. In response to coasting, those schools may not realise they are coasting. They may be complacent, and if that is pointed out they may be able to get their act together and improve themselves. But there are clearly—

Q27 Peter Kyle: Okay. That is the answer that I was curious to know.

Mr Malcolm Trobe, did you hear the previous evidence session?

Malcolm Trobe: Yes.

Q28 Peter Kyle: It was interesting that throughout that evidence session, all of the witnesses spoke about schools per se; they did not make the distinction between maintained schools and academies. When it comes to coasting, do you think there is a difference between academies and maintained schools in coasting indicators?

Malcolm Trobe: No. All schools should be judged effectively on the same range of indicators.

Peter Kyle: Therefore—

The Chair: If you ask a question, you must let the witnesses answer.

Malcolm Trobe: I think you then have to examine whether the most appropriate indicators are being used. One of the concerns that we have is the initial use of attainment indicators, effectively for the first two years, in making the judgment before we move to a progress indicator. We believe a progress indicator is the most effective indicator for this system, because it looks at the progress that each individual child makes and is therefore dependent on their starting point.

We have a major concern, however, regarding secondary schools where even progress 8, which is a progress indicator, has a cap on it. Because the use of comparable outcomes to determine GCSE results is linked to key stage 2 schools, this means that even with a progress indicator, you can only improve to a certain level, because the number of youngsters achieving certain grades in all subjects is essentially fixed by the GCSE comparable outcomes system. This will therefore cap the system. The only way that some schools can improve effectively is for other schools to—on a measure—go down, so there is a need to have a better, closer look at the use of the progress indicator.

Q29 Peter Kyle: If the problem affects all schools, is it not strange that the Bill focuses only on maintained schools and not every type of school?

Malcolm Trobe: As far as I am aware—the Minister will be able to answer the question—the term “coasting school” will apply to all schools.

Q30 Peter Kyle: No, it will apply only to maintained schools.

The Chair: Read clause 1!

Mr Gibb: We will use the definition when we assess academies.

Q31 Peter Kyle: The legislation focuses just on maintained schools. Does that not strike you as odd?

Malcolm Trobe: I think we believe in fairness and equality and, therefore, all schools should be treated the same, whether they be academies or maintained schools.

Q32 Caroline Nokes (Romsey and Southampton North) (Con): I have a question on teacher recruitment specifically for Sir Daniel, but I am sure that others will want to chip in. Do you think that academies and multi-academy trusts find it easier to recruit good teachers and leaders?

Sir Daniel Moynihan: It is certainly the case that teaching schools—the Government set up a teaching schools scheme—like medical schools, can train their own teachers. Increasingly, multi-academy trusts have teaching schools within them, which are training large numbers of teachers outside the university system. We have got 94 trainee teachers for next September and we will be producing teachers not just for Harris schools, but for London schools. So in the sense that we now have the freedom to take teacher training into our own hands and deliver qualified teachers, it is easier to that extent.

Richard Watts: Although I would note that that power is open to all schools, I think that teacher recruitment is much more about geography and somewhere being an interesting place to come and work than about the governance status of the school.

Malcolm Trobe: One way in which multi-academy trusts and chains have a big advantage is that they work collectively, effectively to have continuing professional development programmes that run across the trust. They are able effectively to grow their own leadership and develop their own leaders and that, therefore, enables some movement of staff into key positions. So if you have a school in a multi-academy trust that is hitting certain difficulties, you have often got some flexibility to move teachers around.

The biggest difficulty is in schools, particularly those in coastal regions, that are isolated and do not have access to teaching schools. One might call these areas teacher education deserts: there is no provision for young teachers coming into them.

Q33 Suella Fernandes (Fareham) (Con): This legislation, through guidance, aims to address the problem of latent stagnation in schools. It does that by identifying the standard for coasting and raising standards by offering those coasting schools the opportunity to work with some of the best experts in education to design a path to improvement. What should those plans include? What programme of improvement measures should there be for schools of that type?

Emma Knights: I think that, actually, pretty much every school in the country has a school improvement plan—it is part of what we do. It might be called something else, such as a school development plan, but that is actually what the governing board of the school is doing. I would not want the Committee to think that some schools are just bimbbling along, not thinking about how they improve teaching and learning and outcomes for children. A huge change has taken place in schools over the last 10 years in terms of schools actually taking responsibility for that. We see, in fact, that a lot of schools do manage to improve without having to have what is called formal intervention.

I do not want to leave this room without mentioning interim executive boards, because there is more than one type of formal intervention and so far the Committee has asked only about sponsored academisation. We actually have very little evidence about which different types of formal intervention work best and that is a bit of a worry for me. This whole Bill has come into place when actually we are guessing.

The main bit of evidence was produced by the National Audit Office last year and it showed that 60% of schools deemed inadequate did improve without any sort of

formal intervention because they had exactly that: a school improvement plan, and that worked in 60% of cases. Sponsored academisation worked in 44% of cases and IEBs worked in 72% of cases, so I really think the Committee needs to think about other interventions and please do not overlook interim executive boards.

You may think it is slightly funny that I am saying that as the National Governors' Association, because obviously an IEB is put in place when the governance fails. But, if the school is failing, that is needed and we should be doing that.

Q34 Kevin Brennan: If I may say so, that observation seems to be in direct contrast to what Sir Daniel said earlier. Sir Daniel, would you care to come back, rebut and destroy the points made by the representative of the National Governors' Association?

Sir Daniel Moynihan: IEBs are an effective solution and in many cases IEBs precede academy conversion. In a number of the schools that we have taken on which have been—

Q35 Kevin Brennan: I apologise for stopping you, but briefly, the Bill says “must” and that was the question I asked you earlier. It does not envisage an IEB as a possible tool to be used in those circumstances.

Sir Daniel Moynihan: No, but IEBs have often been used in those circumstances, so part of the success of the figures that we have just heard is that of IEBs on their way to delivering an academy solution. I know all academies are not successful and I am not claiming that they are, but not all treatments for any problem are successful and it does not mean that you should not have the treatment. In many cases, sponsored academies are doing an amazing job.

Richard Watts: One thing I would add is that local authorities face some bureaucratic hurdles in trying to place IEBs on schools that we think need some intervention. One of the changes to the Bill that we would like to see is to give local authorities the power to introduce IEBs without having to go through the process of applying to the Secretary of State, as that allows us to tackle problems more quickly.

Malcolm Trobe: Coming back to the original question, I would urge members of the Committee to look at the ASCL blueprint for a self-improving school system. We believe that school leaders are very committed to having a system in which there is school to school support, whether that be through federations, schools working together or through multi-academy trusts. The expertise to improve schools is within the profession itself and we believe that it is by schools working together that we will see a continuing improvement in our education system.

Q36 John Pugh (Southport) (LD): Following on from that, clearly the problem is coasting. Everybody wants the problem of coasting addressed. The only solution in the legislation is academisation. Apart from changing governance and headteacher, which often follows with academisation, what do academies have in their toolkit to address the problem of coasting that an LEA does not, and vice-versa? Councillor Watts, could you begin?

Richard Watts: My take is that actually governance status is not a very good indicator of any organisation's capacity to change. There are some very good academy

conversions—Harris is an extremely good chain—and there are some very poor academy conversions. Governance status is to my mind a distraction in all of this. There is a set of toolkits which are about getting outstanding leadership and teaching into schools, and any middle-tier organisation, be it an academy chain or a local authority, should have the powers to do that quickly and decisively. Primarily, good schools are made up of outstanding leaders, good teachers and a capacity to improve internally, working with partners. That is the only proven record across the piece of driving up schools.

Q37 John Pugh: Following on from the earlier question, would a local authority have more difficulty in doing that than an academy chain?

Richard Watts: We are somewhat hampered by regulation at the moment because we have less capacity to intervene than academy chains do in their own schools. Were that playing field level, I think we could do it just as well.

Sir Daniel Moynihan: What does an academy chain have? It is important that any schools that are taken over are taken over by groups that have a good record. That is the first thing. Academy chains have freedoms in terms of how they operate outside the local authority. They have resources of excellent teachers in their schools, they have the ability to move budget around to help schools within their groups. They have all of those kinds of freedoms. A local authority is removed from its schools, whereas an academy chain can build networks for school improvement and deploy resources rapidly and directly.

Q38 John Pugh: Local authorities lack the freedoms necessary.

Sir Daniel Moynihan: Local authorities often do not use the freedoms that they have. There is nothing that we have done in any of our schools that were failing that a local authority could not have done. In every case, the local authority simply did not do it and it had to have someone else take it over and make it better.

Emma Knights: I think that is the absolutely pertinent point. There are some local authorities that have done it and some that have not. There are some chains that have, and some that have not. There are some governing bodies that have, and some that have not; some school leaders that have, and some that have not. I completely agree that this is not about legal status. It is about good people and harnessing the good people at all levels of the system.

Q39 Graham Jones: Emma, you represent school governors. I forgot to say that my partner is a school governor. Why are school governors not intervening in all of this? Where is their role in this? Why does the Bill not address school governorship, which you say could do everything an academy could do in terms of a transformational agenda? Where is the role for governors in this and why are they not succeeding in some schools as well as in others?

Emma Knights: You are absolutely right to say that governing boards are at the heart of this. If the governing board was doing its job right we would not be seeing failing or even coasting schools. Our job is to improve school governance and some governing bodies have absolutely driven school improvement while some, quite frankly, have not had the capabilities to do that.

Q40 Graham Jones: Why?

Emma Knights: Why? A whole range of reasons. In some cases it is partly about recruiting people with the skills for the job. In some cases it is about people actually understanding their roles and not getting distracted by other things. In some cases it has been people supporting challenged senior leadership teams too much and not necessarily raising the bar. There is a really difficult balance between challenge and support. I could talk at huge length about this but I am sure the Committee has other things it wants to talk about. Governing well is an incredibly skilled job and we need to do it better in those schools where we are failing.

Graham Jones: A brief note on that might be beneficial—to me, at any rate.

Q41 Mr Gibb: I have a question for Sir Daniel. You will be aware that the Bill tackles maintained schools, because the Secretary of State already has the ability to intervene in failing academies through her funding agreement with academy chains and academy trusts. You will also be aware that academies that have been sponsored academy secondary schools for four years have improved their results by 6.4 percentage points, compared with 1% for those schools in local authority control over the same period. Can you inform the Committee what it is you do at Harris, in terms of school improvement, that is so different from what happens in a local authority? We touched on it a little, but can you go into a bit more detail on the kind of things you do?

The second part of the question has to do with Downhills primary school, which your academy chain took over a few years ago. Can you tell us what has happened to Downhills primary school since your academy chain took it over?

Sir Daniel Moynihan: Starting with Downhills, that school went into special measures in January 2012 and was the subject of a fierce anti-academy campaign, led by the Anti Academies Alliance, David Lammy and Michael Rosen. There were many protests and it was felt that the school should stay with the local authority. The local authority at the time had very little capacity for school improvement. It had massive staff turnover and just did not have the wherewithal. It was not able to put up a credible plan and, in the end, it said that it was unable to deliver what was needed for the school. The situation was highly politicised—people were talking about privatisation and saying that the school was not failing and that Ofsted was wrong, but the inspection outcome was that there was inadequate progress, weakness in reading and poor progress at all levels. Two years later, it was judged by Ofsted to be a good school with outstanding leadership and management, no longer failing and with the third highest pupil progress in Haringey. So it has been transformed. Some 98% of parents were against the conversion; now the vast majority of parents are fully supportive. Sometimes you have to weather that storm to bring about improvement. That is Downhills.

As a network, we share good practice across the group. We have many programmes that are designed to coach teachers who might be satisfactory to become good, and those who might be good to become outstanding—we invest heavily by bringing the resources

of the group together. For us, a good academy group is about being geographically proximate, so all our schools are close by and we are able to leverage a lot of resource. We have policies for discipline and for pupil tracking that are proven to work, so we can quickly fix discipline at a new school. We have our own internal review team that does mini Ofsted-style reviews, which will be more rigorous and detailed than Ofsted's and help our principals to improve their schools. It is a huge investment in professional development, it is regular training together and a set of tried and trusted policies that work relatively quickly.

Q42 Mr Gibb: I think education is about the individual pupil. Can you describe the change in pupils' life chances at Downhills primary school as a consequence of Harris taking it over, compared with what would have happened to those children had you not intervened?

Sir Daniel Moynihan: At Downhills, the school was failing. Around 70% to 75% of children were making expected progress, so a quarter of children were not making the progress we would expect. In our most recent year, 2014, 100% of children made expected progress. No child underachieved. The number of children reaching secondary-ready standards in reading, writing and maths has improved dramatically. They are better prepared for secondary and will be successful as a result.

The Chair: Emma, I can see that you want to come in on this one.

Emma Knights: I do. Obviously, what has been done in certain chains has been absolutely fantastic for those pupils, but equally, this is one anecdote. We could be talking to a sponsor from a chain from which you have removed schools, so this is not giving the whole picture. You can do the sorts of things that Dan is talking about among other groups of schools. Malcolm mentioned the word "federation". Federations are a similar model to multi-academy trusts but they are maintained schools. All those things about tracking, discipline and CPD for staff, which is incredibly important for school improvement, can be done within federations as well. We must not get obsessed with the legal status.

Q43 Mr Gibb: Did the governors at Downhills oppose the school's conversion to an academy?

Emma Knights: Downhills was not related to us at all.

Q44 Mr Gibb: Did Downhills not have governors?

Emma Knights: Their governing body was not a member of ours. We checked at the time to see whether they were, and they were not.

Sir Daniel Moynihan: It is true that we could be talking about academy chains that have had schools taken off them, but the point is that where schools—whether they are academies or local authority schools—are inadequate, a change is being made. For generations, that has not happened. It is not a bad thing for academy chains that do badly to lose schools—so they should, and someone else should have the opportunity to fix them. That is right.

Kevin Brennan: Can we put on the record, Mr Chope, that that is a point of agreement, I think, across the Committee? Where schools are inadequate, action should be taken.

Richard Watts: Two points—the danger of policy making by anecdote is that it leads you down a whole range of dangerous roads. I could cite two or three examples in my own borough where fantastic conversion journeys—improvement journeys similar to Downhills—have been taken within the family of local authority schools. I do not think that governance status is the defining thing here. It is about decisive change to a school.

The danger of education statistics is that education is such a data-rich environment that you can essentially find a statistic to prove any point you wish to make within the education system. The danger is a reliance on individual, selectively chosen statistics.

Q45 Mr Gibb: So you are saying, “Don’t use data and don’t use anecdotes.” What would you use?

Richard Watts: No, I am saying, “Do use data,” but I think one has to be very—I have a number of bits of data here showing, for example, that sponsored academies are twice as likely to stay inadequate as maintained schools. One can pick and choose data. I am saying that one has to use a whole range of different bits of evidence.

Q46 Kevin Brennan: On that point, Councillor Watts, the Minister used a piece of data at the beginning. He said that sponsored academies have improved more quickly over the past four years than all local authority schools, which is hardly surprising, is it?

Richard Watts: I am sure it is not. Some of the most interesting comparisons are like-for-like ones. Putting to one side the politics of this, I urge the Committee to consider the Sutton Trust report on this, which looked at the capacity of schools. It found that of the 20 academy chains considered, three produced above-average results, including Harris—on which, enormous congratulations to Daniel—and that of 100 local authority schools, 44 produced above-average results. As I say, you can pick data that show any point you wish. I do not think there is any overwhelming data that show the governance model to be the defining thing in the quality of a school.

Q47 Bill Esterson: Should high-performing local authorities be allowed to take over coasting academies?

Richard Watts: There is a real challenge that the Government will face in pushing through this legislation: the capacity of high-quality sponsors to take on more schools. There are some excellent sponsors and there are some not so good sponsors. We have seen that capacity problems can develop where sponsor chains expand very quickly. The Department for Education has rightly intervened in a number of those rapidly expanding chains. If you are going to expand the pool of high-quality sponsors, it is common sense that good quality local authorities, or even outstanding maintained schools, should be able to become sponsors.

Q48 Bill Esterson: Sir Daniel, do you agree that local authorities should be able to take over if they are high performing?

Sir Daniel Moynihan: I don’t, actually. No.

Q49 Bill Esterson: Okay. So we are not interested in high quality.

Sir Daniel Moynihan: It depends. How do you define local authorities as high performing? They are not directly responsible for the management of their schools, so what does that mean? If the schools in a local authority are doing well, does that mean the local authority is high performing? I think the headteachers of those schools would have something to say about that; their view would be that they have delivered.

Emma Knights: Or the governors.

Sir Daniel Moynihan: So if those heads and governors could take over schools, yes, I would agree with that.

Q50 Louise Haigh (Sheffield, Heeley) (Lab): While we are talking about data, the Local Schools Network has managed—incredibly, given the lateness with which the Government made public the regulations last night—to crunch the data and has found that 814 secondary schools would be defined as coasting under the Government’s regulations. Some 342 of those are academies, a high proportion of which are converter academies. That is surprising given that, as the Minister points out, those would have been good or outstanding when they were converted, but 125 of them had a progress 8 value added measure. Is progress 8 wrong, or is the Government’s definition of “coasting” wrong?

Sir Daniel Moynihan: Do you mean that they had a positive progress 8 measure?

Louise Haigh: Yes.

Sir Daniel Moynihan: I think Becky Allen was correct in the sense that in a well-to-do context where lots of children are affluent, it is probably easier to get a good progress 8 value. What should probably happen is that schools should be benchmarked according to the progress 8 value of schools very like them. At the moment, there is a “families of schools” section on the Department for Education website, where schools are compared with 55 schools with a similar intake. Probably something needs to be done to make progress 8 more sophisticated in order to take account of the context. It is too easy for some schools to look as if they are doing well with that, given their intake.

Q51 Louise Haigh: Do you agree with the evidence in the previous session that it should be based solely or at least largely on progress rather than on a fresh value?

Sir Daniel Moynihan: Yes. The proposal for secondary to be 60% means, I think, that we are going to miss a whole range of potential coasting schools—there are coasting grammar schools that will not be picked up by the 60% threshold—so progress needs to be the driver. That alone probably is not enough. It may well be that it is a signal that somebody needs to go in and take a further look.

Malcolm Trobe: It is also important that we realise at this stage that coasting is a situation judged over three years. At the moment, we do not know where progress 8 will end up, because schools’ curriculum models will be changing, so progress 8 as an indicator will change with time. I think it is a little dangerous to go in there. I would ask the New Schools Network how it knows where the measure is of being below progress 8. As I understand it—hopefully I have this bit of legislation right—that has not yet been determined, because the data have to be crunched. Quite logically, we do not

know where progress 8 as a measure will end up, because of changing curriculum models in secondary school, so I think it is a little dangerous to throw numbers around at this stage.

Q52 Louise Haigh: Do you think that it is dangerous to enforce this progress measure retrospectively?

Malcolm Trobe: I think it is important that we move very quickly on schools that are not improving. Therefore, it is important that we identify schools that are not improving, and that work is done and support programmes are put in place to ensure that those schools improve, because that is surely the ultimate objective of everyone in this room.

Q53 Louise Haigh: But given that progress 8 is not due to come in until 2016, is it right that it should measure schools back to 2014?

Malcolm Trobe: What they are having to do—I have a concern about the measure that will be used in 2014 and 2015, because that is essentially an attainment measure. We have our concerns that you have not got a consistent measure. When progress 8 or an alternative version is in place for three years, you will be measuring progress over the three-year period, but we have concerns that what you essentially have is an attainment measure for the first two years, to deem whether a school is coasting or not in those years, and then the progress measure does not come in until the third year. So an element of caution needs to be urged in the first year.

We support what is in the notes: a very clear statement that academisation is not considered the first step in coasting schools. It is looking at the work of the regional schools commissioner. However, that highlights the capacity issues. You might ask Tim Coulson later about the capacity of the regional schools commissioner to look at the context of schools that, under this measure, particularly in the early stages, are designated as coasting because of the nature of the '14 and '15 indicators.

Richard Watts: If I may say so, I think there is a real danger about the risk of clashing accountability systems. I can think of one school in my patch that probably falls under the coasting definition as published last night but has had two successive outstanding Ofsted judgments and is the most popular school in my borough for people to send their children to. It would not command public confidence for that school to be described as coasting. They have people queuing round the block to get into it. I feel for heads in circumstances in which they can be judged as outstanding twice in a row and then be condemned as coasting under these things. More definition is needed to work out the priorities within the accountability system and to send a clearer set of messages to schools about what is expected of them.

Q54 Mrs Flick Drummond (Portsmouth South) (Con): You have commented a bit, but I ask each member of the panel: which criteria would you use to identify a coasting school?

Richard Watts: I would be happy with an Ofsted measure. If we have Ofsted for a reason, we should respect its judgments. If we are saying that Ofsted needs serious reform, let us get on and reform it. If we have a schools inspectorate, it should be respected to some extent. It has to be about more than just progress. My

borough is traditionally a highly deprived area that has seen very high levels of progress, but we are still not getting the final results. Employees never ask what your progress measure is; they ask what your GCSEs are. We need some measure of final result.

Emma Knights: I think we are in huge danger of over-complicating our accountability system. Schools are held accountable in so many different ways. I agree that layering this on top of Ofsted seems the wrong solution. We need to sort out Ofsted if we do not think that it is telling us what we need.

The real thing that will improve schools regards capacity in the system. Those of us who want to improve schools should all be worried about that. We have not talked about the regional schools commissioners and their capacity. At a time when the Department is having to undertake cuts, is there enough capacity in the system to identify these schools and work with them to improve? That is the real problem that we all face.

I cannot tell you how much governing boards want to recruit fantastic headteachers. That is what we want to do and that is what will change our schools. We are not getting applications from fantastic candidates in a lot of parts of the country. That is the real problem that we need to worry about, rather than layering measure upon measure and increasing the fear in schools. We think that one reason that some school leaders are not coming forward for headship is because they are already scared and drowning under the accountability system. We need to seriously change the culture.

Sir Daniel Moynihan: Going back to Richard's point, there clearly are schools that are judged to be outstanding and have parents queuing round the block. The problem is, that if the children in them are not making the amount of progress that similarly good schools elsewhere are making, it is not wrong to jolt the school and possibly upset parents by saying, "Hang on a minute, these children are being short-changed. In other places—look at those—they are doing much better."

Q55 Kevin Brennan: But does not that tell you that the school is not outstanding in the first place?

Sir Daniel Moynihan: It could well do. Some 80% of schools are judged to be good and outstanding. What is intriguing is that, in some of those judgments, there are schools with enormous gaps between pupil premium and non-pupil premium children. That cannot be right. How can a school be outstanding with an enormous gap there? A number of schools with those judgments from the past have very low value added, so there are issues to be looked at.

Progress has to be the driver. Progress alerts you to a school; you have to look at it in a bit more detail to judge whether it is coasting or not. You would have to look at destinations to find out where those children are going: what kinds of universities, apprenticeships and jobs they are going to, and what attendance is like. Progress is the first stop but you have to look at other things to get the picture.

Q56 Margot James (Stourbridge) (Con): I have two brief questions. First, Councillor Watts, you mentioned a concern you had about the capacity of high-performing academy chains to take over coasting schools. Earlier, we heard that, in a lot of cases, a school once defined as

coasting will, in fact, be able to put its own house in order. Does that not alleviate your concerns about the capacity of these academy chains and high-performing groups?

My second question is to Sir Daniel. When you were answering the point about the measures that the Harris chain put in place to improve schools, you mentioned pupil tracking and discipline. Do you have your own pupil referral unit within your group? Could you comment on the issue of recycling disruptive pupils from school to school? To my mind, that is a real issue among the underperforming schools, particularly in areas of lower socio-economic status.

Richard Watts: However you cut it, the Bill envisages quite a significant increase in the number of schools that are converted to academy status to address performance problems, whether they are failing or coasting. If there are ways that we can address coasting schools without relying on high-performing sponsors, great. I still think there is an issue that the Committee needs to consider about whether there is the capacity in the sponsors' market to take on the kind of increase in sponsored academies that the Bill envisages.

Sir Daniel Moynihan: To answer the question on PRUs—pupil referral units—we do have our own pupil referral unit called Harris Aspire. It has roughly an equal number of Harris students and non-Harris students. It is available for everybody. Our rationale for starting it was that sometimes a student does unfortunately have to be excluded. Sometimes it has to happen.

We would rather be responsible for them into the future than just unload and forget about them. If parents are content, after an exclusion has happened, students will go to Harris Aspire. There are other times when a student needs a respite period to overcome a problem. They might go there for six weeks and then return very happily into a school. It has both those types of provision. There is a definite need for more of those. We have opened that as a free school, and that is great route to introduce more PRUs and introduce a market and have some competition. Existing PRUs sometimes have a monopoly locally and the provision is quite poor, and heads do not have a great deal of choice sometimes.

The Chair: Any more questions? No. In that case, I thank the members of the panel for co-operating, and that has got us back on time. Thank you very much for your help.

Examination of Witnesses

Dr Tim Coulson, Zoe Carr and Lee Elliot Major gave evidence.

10.33 am

The Chair: Good morning. Thank you for coming along. Please introduce yourselves, starting with Dr Coulson.

Dr Coulson: Good morning. I am Tim Coulson; I work for the Department for Education as regional schools commissioner for the East of England and North-East London.

Zoe Carr: Morning. I am Zoe Carr, CEO of a multi-academy trust in Tyne and Wear. We have four primary academies. I also sit on the Headteacher Board for the North of the regional schools commissioner.

Lee Elliot Major: Hello. I am Dr Lee Elliot Major; I am chief executive of the Sutton Trust and a trustee of the Education Endowment Foundation, two foundations dedicated to improving the outcomes of disadvantaged pupils in particular, and spreading good evidence of what works in the education system.

Q57 Kevin Brennan: I welcome everybody to the Committee. I ask Dr Coulson, as a regional schools commissioner, to describe for the Committee your operation: what your office is like and what you do. How will you use the capacity you have to deal with all the schools that will be deemed “coasting” in your area as a result of this Bill?

Dr Coulson: We have an office in Cambridge in the centre of the East of England region. We have a small office of half a dozen civil servants and we have education advisers who are experienced in school improvement. They work with us on schools that are thinking about becoming an academy, and we visit academies where performance does not look good. We spend our time looking to do three things. We forge as many partnerships as possible to address the issue of capacity—we work extensively with the local authorities, teaching schools and significant academy trusts in the area. Secondly, we spend significant time looking to be very clear about addressing failure in academies and calling academy trusts to account for where they are not ensuring success. Thirdly, we look to the best schools in the system to form multi-academy trusts. You have just heard about the Harris trust, one of the large and famous trusts. The huge growth in our region, as across the country, is in trusts, which you will probably hear about from Zoe. There are excellent schools and relatively small multi-academy trusts. The very best school helps the failing—or in future coasting—school that requires improvement and really needs support.

Q58 Kevin Brennan: Just to be clear, the operation consists of you and six civil servants. How many advisers?

Dr Coulson: We have four advisers.

Q59 Kevin Brennan: And are those full time?

Dr Coulson: Broadly; not quite.

Q60 Kevin Brennan: To finish, because I want others to get in, do you think you would need extra resources to deal with the extra responsibilities being given to you in relation to the coasting schools in the Bill? Or is your current operation adequate to take on and deal with the new responsibilities in an outstanding way?

Dr Coulson: The bit of capacity that I did not refer to is the wider DFE resource. Within the DFE is the academies group that manages and administers the academies system for Ministers. We draw significantly on their capacity. In the coming few years, when the Bill comes into operation—assuming it goes through and we plan for 2016 and the increase in looking at coasting schools—we will need to look carefully at our capacity to understand schools. In terms of coasting schools, we are not expecting all of them to become academies, but we are expecting to look at whether all of them have a strong plan. The bit of capacity that we are particularly looking to increase is the national leader of education capacity. So, before thinking about whether schools need an academy trust, we need the support of national

leaders of education. The Government have recently announced that they expect a further increase in capacity in that area.

Kevin Brennan: So to do an outstanding job you will need a little more extra resource is what you are telling us.

Q61 Peter Kyle: May I also place it on the record—I should have done it before—that I am chair of governors of an academy?

Zoe Carr: based on your extensive experience, how important is parental involvement and community engagement to the long-term improvement of a school?

Zoe Carr: I think it is absolutely vital. The four schools that we serve are all in areas of very high deprivation, ranging from double to three times the national average. We have had success for a number of years and have employed our own staff to work specifically with parents. If you engage parents appropriately and get them involved and interested and upskill their knowledge and understanding of the education their child is having, that absolutely pays dividends in supporting the child. It is vital, particularly in areas of high deprivation, to break down the barriers. Often parents themselves have had a negative experience of schools, and the thought of going into a headteacher's office can be daunting. We have staff to go between the parents and the headteacher, who the parents see as being on their side and wanting to get them into the school.

Q62 Peter Kyle: Thank you. That is an interesting response. Conversely, removing parents and the community from the discussion about the future of a school could presumably hinder improvement in the long term.

Zoe Carr: I disagree with that point. The situation that we are talking about is where schools have failed and are inadequate. In my experience, the need to move quickly in relation to getting—

Q63 Peter Kyle: May I make a distinction then, before we carry on, because time is pressing—I am sorry for interrupting you—about failing schools? The evidence from the previous panel was clear on this, as well. The shadow Minister put on record that the Opposition agree that, with a failing school, the price of removing parental engagement is worth paying for the short-term improvement and benefit that can result from academisation. Many of us have experience of that. When it comes to coasting, do you think the price of removing community engagement and parental involvement is worth paying for the potential increase in outcomes that academisation will deliver?

Zoe Carr: On coasting, it is about determining whether that school is fit to improve itself. In my experience, it always comes back to the leadership aspect. Sometimes parents have a certain view of the leaders of a school that may not always be accurate. As we have heard with governors, parents might not be able, because they do not have enough contact with the leadership, to determine sufficiently whether the leaders are suitable in turning that school around to lead to better outcomes for their children.

Q64 Peter Kyle: May I put the same question to Dr Major? Do you believe that where a school is coasting—not failing—removing consultation with parents and the community is likely to produce beneficial outcomes?

Lee Elliot Major: It is difficult to say. I always come back to the evidence on that, and we have very little evidence. We know that parents have a huge impact on children's outcomes, but we have little evidence of what interaction is supportive and what works and what does not work. It is not a fudge, but there is no evidence to know which way it would go.

Q65 Peter Kyle: As a final question, I invite you to put forward other tools that could be beneficial in challenging coasting schools, in addition to academisation. Is there any other way that engagement could be brought forward to provide the jolt that is needed?

Lee Elliot Major: There are some brilliant academy chains that do transform lives. There are also academy chains that have not done so well. One thing I would say is that you have to be careful about which academy chain you engage with. There are other options that the Government are considering on coasting schools, such as working with the leadership to begin with—I would totally support that—and, as I understand it, looking at a number of options before going into the discussions on becoming an academy.

Q66 Caroline Nokes: We heard from the last panel—apologies, but this is again directed at Zoe—that geography is important when it comes to multi-academy trusts and that the region had an impact. It was easier to manage academies if they were in close proximity to each other. From your experience, what do you think there is by way of capacity in your area, were a number of the primary and secondary schools to be required to become sponsored academies? Is there the capacity there in the shape of sponsors?

Zoe Carr: One of the successes of the regional schools commissioner board for the north of England has been to increase the number of small sponsors coming forward who are prepared to take on one or two more schools. That has been a real benefit of the work that our regional schools commissioner has been involved in with the wider board over the past year that they have been in office.

I certainly see proximity as an important factor. We have staff who I know personally, because I have worked in each of the four schools. If I see a particular need on leadership in a school, we bring together our teachers and our leaders at all levels to work together to solve the problem, or to coach or to mentor. In that way, I have seen the rate of improvement in our schools go up much more quickly than if we did not have that talent bank within our organisation to draw on.

It is important that, within that local context, you stay connected to the local area. One of our schools is a teaching school, and we have lots of schools within the alliance that are both academies and maintained schools. It does not make any difference to me where the support comes from. We work with outstanding maintained schools and with outstanding academies to serve our own ends. Wherever the support is most appropriate, that is where the support will come from.

Q67 Bill Esterson: Dr Major, the evidence that the Sutton Trust came up with suggested that, overall, multi-academy trusts—chains of academies—are not performing as well as local authorities, when it comes to looking after the schools they are responsible for. Given

that academies are increasingly where we are going—and this legislation is going to accelerate that process—what is the answer? How do we make sure that sponsors improve so that they are outperforming the existing system?

Lee Elliot Major: We found that overall there was a variation. Some academy chains were doing incredibly well and improving attainment progress and others were not. We tried to look at the factors behind that. Basically, they are the things that we all know about: good leadership and a focus on teaching in the classroom. All our evidence suggests that that is the one major issue in schools. If you have good leadership that focuses on that, you will get results. It sounds simple, but that is the basic issue that the evidence throws up.

Over and above that, we found that the successful chains had steady growth. They were not taking on too many schools too quickly. They had a clear strategy for school improvement. They had geographical clusters of schools, which I think you were alluding to earlier.

What should you do to encourage that? I am in favour of Ofsted inspecting chains of schools as well as schools themselves. We are heading in that direction. We may come to this point later, but I think the accountability measure should explicitly look at disadvantaged students as well. When we talk about thresholds of 60% or 85% being over a certain grade, or progress measures, we should apply those to children as a whole, and also to those children from poorer backgrounds. I would therefore measure academy chains alongside those data.

Q68 Bill Esterson: Will you say a bit more about the accountability measure you are looking at for disadvantaged children?

Lee Elliot Major: Our argument would be that the accountability measures that we are discussing here, for example, for coasting schools or for inadequate schools are as follows. At the moment, you have general accountability measures, which say that children need to get over a certain proportion of grades to be successful. We would say that you should have an explicit separate measure, to which schools should be accountable, which would measure that for disadvantaged children—those on free school meals.

Q69 Bill Esterson: You mentioned the quality of leadership and teaching. Emma Knights mentioned that the accountability measures and the increasing complexity are not helping governors to recruit school leaders. What are your thoughts on what Emma Knights told us?

Lee Elliot Major: There is some real challenge here. I would argue that one of the biggest challenges facing schools now is recruitment. You will all know about the situation with both maths and English teachers. We all need to think about that. One of the big challenges is getting good teachers into the system. The second challenge is how to develop teachers. I still do not think that we have a strong enough system in this country to develop teachers to observe and appraise each other. The biggest variation in teaching is within schools, not between them. It is perhaps outside this Bill, but we need a stronger programme of development and learning for teachers and we also need the leaders. We need more leaders and I think that will come from the system.

Q70 Bill Esterson: Coming back to the point about accountability measures and the changes that the Bill will bring about, are there things that you think we should look at as we examine the Bill line by line? Are there things we should look at changing to reduce the concerns that Emma Knights raised about recruitment?

Lee Elliot Major: It is difficult. I think you have to go outside the Bill. I totally agree that you have to have strong accountability measures, but they have to be counterbalanced with very strong professional development of teachers. All the international evidence suggests this. The countries that do best in education have strong autonomy and accountability, but also a very strong sense of how they are going to develop their teachers. I am not sure whether that is in the scope of the Bill, but I would say that you need that counterbalance.

Q71 Bill Esterson: A question for Tim Coulson. Where will the additional sponsors come from to meet the expansion in the number of academies?

Dr Coulson: The additional sponsors will come from schools that Zoe has described. The really big trusts such as Harris have limited additional capacity, although they are terrific and we are delighted when they do agree to take on another school. However, even in the last couple of months since the direction of the Bill was announced, I have been encouraged that I have been contacted by more schools in the region I work in which are interested in stepping up and starting to set up their own multi-academy trusts. For me, the big capacity to generate is, locally, the very best school in an area, to set up a trust that is capable of running three or four schools. That is the main area of capacity that we need to grow.

Q72 Bill Esterson: How will you assure the quality of those sponsors? We have seen some high-profile problems. How will we avoid those?

Dr Coulson: There are two things. One is that the system is learning a bit about sponsors—those that have been successful and those that have been less successful. The work that Zoe described about headteacher boards has brought greater scrutiny by headteachers of those kind of decisions. That has been a very helpful development in the last year. When someone wants to be a sponsor, they have to go through various processes when they apply. Potential sponsors now have to go into a level of detail, and they have to demonstrate why they would be any good at this, what the governance is and all those kinds of things. Certainly on this the bar has been raised very significantly, even in the last 12 months.

The second thing is the work we have begun to do in the last year to hold academy trusts accountable much more quickly when schools do not appear to be doing as well as we would expect. There is also the use of mechanisms in the funding agreements that allow us to give warning notices and pre-warning notices to academy trusts, which make clear that, unless things change, we will have to move schools from one trust to another.

Q73 James Berry (Kingston and Surbiton) (Con): I should say that I am a primary school governor. Dr Coulson, there are different tools for improving academies. Could you briefly explain a little about those? I understand that the Government will extend those methods to failing and coasting schools.

Dr Coulson: In terms of improving academies, when those academies that I have got to know in the last year have not been going successfully, crucially, the kind of measures which led to improvements have brought much greater local support. Typically those schools that have struggled are rather dispersed from other schools in their trust. They are schools which do not really have a local understanding of their area, and have struggled to succeed in the progress debate of the children, who typically are in quite low attaining schools. It has been about leadership, as you have heard many times. It has been about the academy trust being able to draw on the local leadership capacity that perhaps they had not previously had. It has been about bringing in fresh leadership to have a fresh look, and sharing some of the key people, whether they are heads of English or heads of maths. This gives a fresh look at departments where children have not been making the kind of progress which you would expect, certainly in these key subjects.

In terms of the second point about failing and coasting schools, there is a big distinction between failing and coasting. In failing schools, I would absolutely expect to see the kind of measures I just mentioned, so an academy trust would immediately take responsibility for the school and do the same kinds of things. In coasting schools, I think that there is a considerably wider group of possible interventions, of which joining an academy trust is one. There are some of the things which Emma Knights talked about, such as interim executive boards; some of the other measures that the Bill mentions, such as insisting on joining up and making arrangements with strong partners for support, and making use of teaching schools and national leaders of education. All those kinds of things are some of the measures we would expect to see a coasting school engaging in. The important thing about the Bill is that there is an expectation that the plan works, one way or another, and that we use every single tactic until we have made sure that it does. That then might include moving to academy status if necessary.

Q74 James Berry: In your experience, how do headteacher boards use local knowledge to advise on decisions?

Dr Coulson: The headteacher board I am familiar with has members drawn from Norfolk, Cambridgeshire, Peterborough, Essex and the London boroughs of Waltham Forest and Redbridge. So across the region we do not have someone who can speak for every single part of the region—we do not have complete, comprehensive knowledge—but we have a pretty wide knowledge of two things. One is an understanding that Norfolk is not like east London, what that means in practice and the kinds of issues that schools are facing in dealing with that. The second is that headteachers of outstanding schools have quite good knowledge of the local players in the field and of who might be the kind of people to draw on in trying to solve a problem. Those are the two things that they have brought.

Q75 Graham Jones: My question is to Dr Major. You mentioned parents and you also mentioned variation in schools. I am a bit concerned that sometimes the debate is about deprivation when actually, from my perspective, affluent schools are more likely to be coasting. Affluent areas really concern me. I want to come to the differential

within schools and the role that parents play. What do you think the definition of coasting should be, considering the comments you have made and my concerns?

Lee Elliot Major: I would have liked to have something in the definition of coasting schools explicitly about disadvantaged children. We have seen some schools that are doing very well overall, but when you dig beneath the data you find that the poorest children in that school are not progressing that well. You will all know that the attainment gap is the biggest challenge, arguably, that the education system faces. I have come round to believing that we should be much more explicit about those data. We spend a lot of money, £2.5 billion, on the pupil premium for those children, quite rightly, but I think we need to measure how well that is being spent and how that relates to their outcomes.

Q76 Graham Jones: That is fine for schools as a single issue, but within schools? There are many affluent schools where there are affluent parents doing home teaching and those kids are moving on, but within that affluent area, within that single school, there are, as you say, variations, so that there are pupils whose parents are not allocated as much time, who are not succeeding as well, but that school is not deemed to be coasting. How are we going to measure failing pupils within a school? Predominately this is within affluent areas, but not exclusively. How are we going to measure that within schools? How are we going to deal with that issue in the legislation?

Lee Elliot Major: It is a good question. I am not sure whether it will solve all these issues, but—I keep coming back to this—in the measures that have been announced for coasting schools I would argue for a separate column for those from disadvantaged backgrounds. Thereby, we could see whether those most in need in a school are making progress and reaching that threshold as well as the other children.

Q77 Graham Jones: Are you talking about two definitions? For example, you used the definition of free school meals. Are you saying that free school meals should be one definition within a school for coasting, and for schools, plural, and those not on free school meals another? Are you trying to differentiate the two within schools, as a measure of coasting, to try to determine what is happening within those schools, as well as within schools within an area?

Lee Elliot Major: Yes. I think it would give us more information on a school if we had what we are defining as these criteria for coasting for those children from poor backgrounds as well, explicitly. At the moment my understanding is that it will just be a general figure. If schools are failing poorer children I believe that that should be a trigger for whatever—that is particularly the focus for us. At the moment that is not in there. It will be more so, but it is complex: we are moving from one testing regime to another. Once we look at progress 8, I think we will get a better, rounded picture of outcomes, because then we will be measuring outcomes for children across the board, not just on that C/D boundary. So I think the future attainment measure will give us more information about children in school, but again, I would argue that we should have an explicit progress measure for those from disadvantaged backgrounds.

Q78 Mr Gibb: My question is to Zoe. You run a small academy chain, the WISE multi-academy trust. There are, I think, around 400 or 500 multi-academy trusts that have spun out of high-performing schools, whether primary or secondary. Can you tell us a bit about your story, what happened and how you improved the schools that you took over—what were they like before you took over and then what happened to those schools?

Zoe Carr: The trust began with two primary schools that converted. They were well-performing schools—

Q79 Mr Gibb: Which town?

Zoe Carr: In Sunderland. One was an outstanding school which was federated with another school that was good, and at that time both of them were converted to academies. We were asked by DFE to sponsor two other schools, so we sponsored both of them in close proximity—one in December 2012 and one in September 2012. One was in special measures and the other, although it had come out of special measures, was still well below floor standards.

Both schools have since converted to Ofsted ratings of good, and attainment in both is above floor. In one of them it is above the national average; that school has an intake of double the national average in terms of levels of deprivation for free school meal indicators. Both schools have been real, strong success stories in bringing about improvement for the pupils in those disadvantaged communities.

Q80 Mr Gibb: In terms of the life histories of those pupils if you had not intervened, what is the difference between the life chances of those pupils if they had been left where they were compared with their life chances now that they are part of your multi-academy trust?

Zoe Carr: The figures say it all. For children who are not getting to the required standard by the end of primary school, the statistics for their performance at the end of secondary school make very sad reading in terms of their achievement. We are confident about the actions that we have taken: every time it comes back to leadership. Every time it is about getting the right people into those senior positions who then make sure that teaching across the school is good, outstanding and improving. Every time it is about getting that right as, in turn, it will have a massive impact on the pupils' outcomes within the schools.

Q81 Mr Gibb: Thank you very much. I have a quick question for Dr Major. The Sutton Trust produced a report fairly recently showing that high-performing key stage 2 pupils eligible for the pupil premium performed less well when they went on to do their GCSEs than high-performing key stage 2 pupils who were not eligible for the pupil premium. Can you say something about that report and answer whether you would accept that our focus on progress, in identifying coasting schools, is key to addressing that issue—not just for high-performing key stage 2 pupils eligible for the pupil premium but also for average and below-average pupils, to make sure that they all perform at the same rate as children from more affluent backgrounds?

Lee Elliot Major: We looked at those children attaining highly at the end of primary school and analysed the proportion of those who were still in the top performers

at the end of secondary school. What was alarming was that those children from disadvantaged backgrounds, basically those on free school meals, were twice as likely not to be in that high-performing group at the end of secondary school. You see a real, depressing attrition over the years of secondary school. We very much welcome the new Progress 8 measure because it will, for the first time, properly hold schools accountable to those high attainers. We need to think about the range of attainers among poorer children—there are many high attainers in that group and any accountability measures should try to track that.

Q82 Mr Gibb: A thought has just occurred to me. I do not know if you heard the evidence from the first session when he heard Dr Allen talking about the problems of running a school in an area of deprivation. She said that it was very difficult to run a school in such an area. Her implication was that somehow a lower standard should be applied to those schools than to schools in more affluent areas. Do you reject that view as much as I do?

Lee Elliot Major: I would be very uncomfortable with that. I did not hear that evidence, but we have to have very high aspirations for all our children. The Sutton Trust and the Education Endowment Foundation have found many times that if you give them opportunities, they will fly. We have many examples of children—some of them are now MPs, in fact, among many other great professions—whom we have helped in our programmes. No, I would counter that, although I did not hear the evidence.

Q83 Kevin Brennan: There was a call to name names over here, but we will not hold you to it. Tim, do you have key performance indicators in your job relating to the percentage of schools becoming academies?

Dr Coulson: We have a range of measures that we look at. One of them is schools becoming academies, principally because we want to encourage them to move, once they become academies, as Zoe said of her experience, to contributing as part of a multi-academy trust system.

Q84 Kevin Brennan: Do you see any problem at all with balancing the new powers that you are being given on coasting schools with having performance indicators relating to the number of academies within your area?

Dr Coulson: No, I do not, because I think the most important measures that we have got are to see improvements in the system. For me, the crucial bit about coasting schools is having a whole new way of looking at those schools. I come most recently from working in a local authority. In the region where I work, extremely good relationships have been established between the work that I do and the local authorities. One of your colleagues asked me about capacity. There is something in there about how we need to pull together all the different aspects to really check that every school that we want to improve does improve.

The coasting schools regulations bring into focus another group of schools whose improvement we can definitely check. I would love for those regulations to be much more ambitious and tackle a whole load of schools. I think that there is another group of schools we can really focus on.

Q85 Kevin Brennan: Do accountability measures for schools ever drive schools to teach to the test? That has been alleged. Do you think that that ever happens with schools?

Dr Coulson: Inevitably. I think accountability measures are extremely influential.

Q86 Kevin Brennan: If accountability measures are influential for schools, why are they not influential for you in relation to coasting schools and your accountability measures relating to the academisation of schools? Why are you immune to the very thing you say schools suffer from?

Dr Coulson: Part of what the Sutton Trust evidence argues for is a subtler use of measures. On the question you are asking about my own performance measures, the performance measure you talked about is one of nine different performance measures that are there to balance things out. In terms of the contribution of one particular performance measure and the extent to which that pushes behaviour, which I think is your point—I understand the point you are making—for me, the whole basket of performance indicators is designed to make sure that we use most judiciously the different paths that we have to try to get schools to be better schools.

Q87 Kevin Brennan: But you understand why some people might see a potential conflict of interest in those two objectives?

Dr Coulson: I suppose my argument would be that in terms of the range of those performance indicators, I hope that the whole set of those indicators would drive our behaviour in terms of getting the region better.

Q88 Kevin Brennan: Interim executive boards were discussed earlier. In your opinion, through your long experience in education, are IEBs ever a way to deal with an inadequate school? Can that be the right solution sometimes?

Dr Coulson: My experience of IEBs in inadequate schools is that they have been extremely useful transition tools to move schools to an academy trust. In terms of coasting schools, there could be IEBs that do a different job.

Q89 Kevin Brennan: Before you move on to that, can I make the point that I am trying to get to? Are IEBs ever a valuable way to deal with an inadequate school that is not on a pathway to academisation, but is nevertheless on a pathway to improvement within the maintained sector?

Dr Coulson: I have not experienced it.

Q90 Suella Fernandes: I am a chair of governors at a free school. I want to build on the Minister's point about the measure used to identify standards in schools and the move to Progress 8. We heard evidence from Dr Allen, who did not really think that Progress 8 was a suitable standard because it did not capture data for the requisite amount of time and displayed the same social gradient. She also said that the assessment of coasting would add an extra layer of accountability, which schools would find confusing. Could you all say a bit about what you think of those comments and opinions?

Dr Coulson: I think that the definition of coasting is a measured increase in ambition. What you heard earlier was about whether the threshold of 60% under the current measures and then 85% for primary schools gives a ceiling for the number of schools that would come into the scope of being addressed. I would love to address every single school. The draft regulations give a significant increase in ambition to schools that really need a focus, while managing the capacity question that I have been asked several times about how much we can grow the system in order for schools to come into it.

The points we heard about tweaking the measures were all really well made. There is a balance in terms of what the increase of ambition means at this stage in the draft regulations. As crafted now, they show a significant increase in ambition, even if they do not address every single school that people would like to have focused attention on.

Zoe Carr: I would like to pick this up from the primary angle, if I may. The 85% attainment measure—which all aspire to, so we will live up to it and do everything that we can—is more challenging for disadvantaged schools. However, the biggest thing for me is whether affluent schools will be identified under this coasting definition if they achieve the 85% measure but their progress continues to be poor. We must not miss that really important aspect when the Bill passes through Parliament, because we still need ways to identify those sorts of schools. I think that is the reason for the Bill being here in the first place—to try to address the coasting schools in our education system.

If those schools' progress measures are not above the median for a number of years, yet their attainment is above 85%, it is right that we look at those elements. That is where schools in disadvantaged areas will feel that they are being hit twice by these accountability measures, whereas schools in affluent areas will have a much greater chance of attaining the 85% and their progress will not then really be looked at.

Lee Elliot Major: I was going to make exactly the same point. I worry—for me, it always goes back to the disadvantaged children—about the progress of children in high-attaining schools. I would love the Bill and the discussion to think about those schools in very advantaged areas. A lot of children coming into those schools are already high attaining, therefore the school's results will generally be higher. My worry is: what about the sometimes small number of children—it is a significant number across the nation if you add them all up—who are not succeeding in those schools? You are then looking at progress measures in both primary and secondary schools. That would be my worry—that we miss out on those hundreds of thousands of children.

One final point—I was not here for Dr Allen's evidence, but year groups come and go and can be very different in a school, so I like the fact that this will be triggered by a three-year passage of time. That is a sensible approach.

Q91 John Pugh: I have two questions for Zoe Carr. You told us about the laudable efforts and improvements made by your trust. If, in years to come—heaven forbid—some of your schools or perhaps your whole trust is found to be coasting, you could not reasonably object to having imposed upon you the same disciplines, rigours and procedures as applied by the legislation to the maintained sector, could you?

Zoe Carr: Absolutely not. In my experience, through the work of the regional school commissioner and the headteacher board, those are exactly the rigours that the academy sector has now. The data for each academy are looked at in a great deal of detail and where schools are found not to be performing well enough then an immediate intervention is put in place.

Q92 John Pugh: You are suggesting currently you have that same kind of discipline.

Zoe Carr: Yes, in the academy sector.

Q93 John Pugh: Following on from what Peter Kyle said earlier about parental consultation, at first you started talking about underachieving or failing schools and then we got on to coasting schools. Is it your view that if a parent consultation indicates a marked lack of enthusiasm for the academy solution—in a school that is coasting but may be graded good or outstanding by Ofsted—none the less it would be right to ignore parental opinion?

Zoe Carr: We have already heard that in coasting schools there will not be one clear way forward in respect of the school.

Q94 John Pugh: Suppose parental opinion is, “No, we don’t want to become an academy” and this is a coasting school which may well be graded good. Is your view that it should still proceed in that circumstance?

Zoe Carr: I would still look to see whether that school could improve with the opposition from the parents.

Q95 John Pugh: Would your view therefore be that parents in that scenario would not know what was the best outcome for their children? That is the only rationale for doing that, is it not?

Zoe Carr: I would have to go back to leadership and governance once again and determine whether that school has enough available resources to be able to lead the school.

Q96 John Pugh: Parents at a good school might none the less not have the right view of their children’s educational welfare.

Zoe Carr: It goes back to data and figures and the proportion of children in the school who are actually making the expected progress.

Q97 John Pugh: The parents will be too ignorant to make that sort of decision on their behalf?

Zoe Carr: No, absolutely not. We consult parents an awful lot.

Q98 John Pugh: Can I just persist with this point? You could give them the data as part of the consultation. Suppose you give them the data and you share all the data with them, and none the less it is their view in their school—this is my scenario—which may be a good school, but none the less is graded as coasting, that they would rather stay with the local authority than become an academy. Your view is still, in that circumstance where you share the data with them, that their view should be overridden.

Zoe Carr: That school would be given time under a plan that we have already talked about to see whether it could make the improvements that we discussed previously.

If it is found that that school still cannot make those improvements, then the route forward would be for that school to become a sponsored academy.

Q99 Louise Haigh: In the earlier session, we heard that we have little evidence of which formal intervention works best. There are anecdotal examples of academies that have improved, but clearly we cannot say across the board that academisation is the best answer for all schools. What is clear is that teaching and leadership is the most important factor in improving schools. Would you all therefore say whether the Bill will make it easier, harder or have no impact on the ability of schools to recruit and retain teachers?

Lee Elliot Major: It is hard to know. I would urge, as part of the Bill, looking to trial this in different schools so that we can come back to a Committee in three years’ time and know the evidence. One thing I would say straightway is that we should try to develop some evidence around this because there is very little at the moment. As I said earlier, our evidence is—and there are lots of claims and counter-claims in this area—that there are academy chains that do very well and there are others that do not. That is the honest truth. In terms of recruitment, I think it can go both ways. There are some academy chains that have better career progress for teachers because they can go between schools. There is better professional development. There are other chains that do not do it very well, to be frank. It can go either way depending on the academy chain.

Q100 Louise Haigh: So probably no overall impact.

Lee Elliot Major: I would say that there are other ways of doing it. There are school federations that do it well. Generally, the sector is facing a big issue around improvement, and that is a looming issue.

Zoe Carr: What I have experienced through our trust is that we have been able to do more of the growing your own version that the CEO of Harris academies talked about earlier. We have been able to take leaders from one academy and give them opportunities to get them prepared and ready for our succession planning, so that if we take on another school that needs to strengthen leadership, we have the people there to be able to do that. The more time that you have to work with people, the more that you know them and the more it takes out the variation of what the next headteacher we will appoint will be like. Or, if we cannot get the people we need to run the schools, we have already grown people we can use. We have a talent bank.

It is not a perfect solution. Of course, we have a shortage of headteachers in the country willing to go into the most challenging and disadvantaged schools. I am not going to skirt over that issue, because we need to do more to encourage headteachers to go into challenging schools. As accountability rises, the pressure in the job rises—that has to be said—but multi-academy trusts can build a support network around the trust’s key leaders so that people are not left alone to make every decision. In our trust, our leaders have the opportunity to concentrate on the things that matter the most for the outcomes for our children, because they are not burdened with all the bureaucracy around all the other things that headteachers in a single school often have to deal with themselves.

Q101 Louise Haigh: So you think that an extra layer of accountability will act as a further disincentive to attracting headteachers into the most challenging areas.

Zoe Carr: I think that the most successful and aspirational leaders thrive on challenge. That can drive them forward to think, “Right, if that’s the bar, we will do all that we can to achieve it.”

Q102 Louise Haigh: Do we need to be heaping further challenges on to what are already the most challenging schools through another accountability measure?

Zoe Carr: There is great accountability in the system at the moment, and I am not sure whether more accountability is the right way forward, but this accountability works in relation to what is already out there in the system—it works within the floor targets that we have previously experienced.

The Chair: I want to fit in one more question.

Q103 Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed (Con): I declare that I am a governor of Berwick academy.

The question of the Bill being aimed at maintained schools, not academy schools, has been mentioned a lot. Is it your view that the existing regional schools commissioner framework is already working well enough to manage academy schools? We are obviously looking to send a lot more schools into that framework to manage the coasting or inadequacy issues within the academy framework.

Dr Coulson: The regional structure we have had for the past year has begun to address that, but we need to go further. The focus on coasting schools will give us an additional focus on coasting academies as well as on coasting maintained schools. We have more to live up to on coasting schools. The focus to date has probably been more on the inadequate academies, but we do have the mechanisms to focus on coasting academies.

Lee Elliot Major: Again, I have no evidence, but my gut instinct is that you will need more capacity—I cannot see it any other way. If you are going to look at

how academies are performing as well as at coasting schools, you need good people and more of them, in a regional capacity.

Zoe Carr: We need to work through the system leaders we have to mobilise more of the school education system. If our school-led system is to work effectively, it is not only about the few who are supporting others, but about getting more and more of our outstanding headteachers into this agenda to get them to spread out and build small, multi-academy trusts in local proximity to one another. I think that that is how the system will move forward effectively.

The Chair: I will give the last word to the Minister. You have one minute.

Q104 Mr Gibb: A question to Zoe Carr: would you prefer to be a headteacher in an academy or in a local authority school, and why?

Zoe Carr: I would not like to be a headteacher in a stand-alone academy, because there are far too many other areas that you need to take on and be accountable and responsible for yourself. However, I would absolutely no way want to go back to a maintained situation, because in our multi-academy trust we have a wealth of people dealing with health and safety, HR issues, all the financial issues and governance, and they are very skilled in their own areas. All that is taken away from our key educationalists, who can then lead on improving teaching and learning, improving our teachers, and getting the best outcomes for children.

The Chair: That brings us to the end of our allotted time. On behalf of the Committee, I thank the witnesses for coming along and for helping us so much with what you had to say today.

11.25 am

The Chair adjourned the Committee without Question put (Standing Order No. 88).

Adjourned till this day at Two o'clock.