



# Education Committee

Oral evidence: [Ofsted's work with schools](#), HC 1507

Tuesday 17 October 2023

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Members present: Mr Robin Walker (Chair); Miriam Cates; Mrs Flick Drummond; Nick Fletcher; Kim Johnson; Andrew Lewer; Ian Mearns.

Questions 1-53

## Witnesses

**I:** Ian Hartwright, Head of Policy, National Association of Head Teachers; Daniel Kebede, General Secretary, National Education Union; Tom Middlehurst, Assessment and Inspection Specialist, Association of School and College Leaders.

**II:** Jason Elsom, Chief Executive, Parentkind; Sam Henson, Director of Policy and Communications, National Governance Association; Charlotte Rainer, Coalition Lead, Children and Young People's Mental Health Coalition; Steve Rollett, Deputy Chief Executive, Confederation of School Trusts.

Written evidence from witnesses:

- [Add names of witnesses and hyperlink to submissions]

## Examination of witnesses

Witnesses: Ian Hartwright, Daniel Kebede and Tom Middlehurst.

Q1 **Chair:** Welcome to today's session, which is on Ofsted's work with schools. This morning we are taking oral evidence from Tom Middlehurst, curriculum, assessment and inspection specialist at the Association of School and College Leaders, from Daniel Kebede, general secretary of the National Education Union, and from Ian Hartwright, head of policy at the National Association of Head Teachers. Thank you for coming to give evidence. You are all very welcome.

I want to make clear to the room and anyone listening in that while we were all very saddened to hear of the death of Ruth Perry earlier this year, it is not possible to discuss the specific circumstances of her passing in this inquiry. Her case, as people know, is before the coroner's court, and we cannot interfere or unduly influence that important process. Inquests are not discussed in Parliament while they are open, as the matter is considered sub judice. We will, however, be addressing wider questions about Ofsted, its role and impact that have been raised over the course of this year. We hope that our inquiry will inform the new HMCI's approach when he takes up post in the new year.

With that, can I ask the panel how valuable you feel Ofsted's reports and feedback to school leaders and teachers are to support them to identify issues and make improvements? How do you in your respective positions feel that they could be improved? Perhaps we could start with Tom.

**Tom Middlehurst:** Thank you for the opportunity to speak today, Chair. The question was around how useful reports and feedback are for school leaders and teachers. I think the point is that it is what happens after an inspection that is problematic. The intelligent commissioning of support is not there. Inspection reports are really useful for schools, and they do find them useful for school improvements. However, what happens after an inspection takes place is really blunt. That is not the fault of Ofsted. It is the fault of the DfE, I have to say. For example, if you have an "inadequate" judgment or two "requires improvement" judgments in a row, you automatically have an academy order, but that might not be the right intervention for that particular school. When we think about how useful the report is, we need to think about what happens with the report after the inspection. At the moment, I think it is too blunt. I am sure that is an issue we will return to several times during this session.

The other problem is that we try to distil it into a single-phrase judgment. When you read the reports, they are quite detailed—particularly reports written by HMIs, but also by trained Ofsted inspectors as well. They are very detailed and give very good feedback to the school, college or academy about where they might want to look at school improvements. When you try to distil that down into a single-phrase judgment and pretend that it can sum up everything you are trying to say, it is deeply problematic and unhelpful, and it actually undermines the usefulness of



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the report for schools and colleges. We might talk later about the usefulness for parents, but your specific question was around usefulness for schools and colleges—

**Chair:** For leaders and teachers in particular.

**Tom Middlehurst:** Yes.

**Chair:** I am going to come to Daniel.

**Daniel Kebede:** We as a profession and as a union support accountability, but we believe that the usefulness of any Ofsted report is very limited. There is widespread evidence that judgments are not entirely accurate, fair or reliable with regard to a school's performance. The National Audit Office itself published a report that advised us all that they had not published any data to determine whether their inspections were effective at raising school performance. Our research suggests that one thing Ofsted is very good at is measuring poverty. For example, a school in an affluent area is three-and-a-half times more likely to be awarded an "outstanding" judgment. A school in an area with high levels of deprivation is five times more likely to be awarded a "requires improvement" judgment. There are real questions around reliability, because Ofsted does not effectively take into account the context in which schools are operating in, such as their local environment or catchment and the unique challenges depending on where they are based.

Q2 **Chair:** There have been a lot of changes to frameworks over the years to try to take more into account in terms of context and progress rather than absolute outcomes. Obviously, if we go back eight or 10 years, there was much more of a focus on the data and absolute outcomes. That has been changed in successive frameworks, hasn't it?

**Daniel Kebede:** That in itself poses its own challenges. The Ofsted framework has changed five times in nine years. That is incredibly difficult for a profession to keep up with. As a framework changes, how schools operate also changes. What sort of evidence do they collect in that Ofsted framework window? It can be really problematic, creating its own internal pressures due to the changing nature of the framework.

Q3 **Chair:** If I think back to conversations I was having with my local heads when I first became an MP, the issue you just mentioned about not taking into account the context and not measuring progress was exactly what they were raising as their main complaint with Ofsted. I think the inspectorate will probably say that that is why they have had to change the framework—because they have taken that into account and tried to change it so that it reflects that context better. There is a balance, isn't there, between being able to evolve it in order to meet the concerns that are coming from the profession and making sure that you have something that is as consistent as possible?

**Daniel Kebede:** That is correct, absolutely. I suppose evidence is yet to be seen as to whether the 2019 changes have meant that Ofsted inspections are more accurate in that regard. My feeling is that that will



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not be the outcome. I think there will still be an inspectorate that primarily is measuring the levels of deprivation in an area.

**Ian Hartwright:** I will perhaps come back to the point you have just made. To begin with, it is important to say that the NAHT believes that schools should be held to account for their work. Our members accept that. We believe there should be a fair, constructive and proportionate approach to inspection that provides some information about the efficacy and efficiency of schools for parents, politicians and the wider general public.

In terms of utility of inspection, we are less convinced about how useful inspection reports now are. They are very short, we think they are very generic and, necessarily when you write a two-page report, they are all going to be quite similar. We are consulting our members at the moment on all matters about Ofsted, and we will be very happy to provide the Committee with the full set of data that we have when we finish that process.

**Chair:** Thank you.

**Ian Hartwright:** Our 2021 data showed that almost half of school leaders—49% of them—said that they did not find inspection reports to be useful to them. They did not provide a path for improvement, and they were concerned about whether inspectors gathered sufficient evidence. Three quarters of our members—75% of them—told us in that last survey in 2021 that they had already identified the strengths that the inspectors had written about in the reports, and on the areas for development, it was closer to eight in 10.

When we talk about efficacy, what we know is that Ofsted is unable to evidence the impact of inspection. It has had several goes at that over the years and it cannot show that inspection leads to improvement. The Nuffield Foundation found that inspections are only a modest factor for improvement for schools that have been rated “good” twice. And EPI found a negative association with a lower Ofsted grade, which leads to a more disadvantaged intake and creates problems recruiting staff.

We do not disagree at all with the notion of inspection and holding schools to account, but we think we need to do that in a fairer and better way. I suppose what I would say to the Committee is that the model we adopted in 1992—30 years ago—and which we talked about in our 2018 Accountability Commission report is kind of worn out now. We know a great deal about schools, we have a lot of data about schools, and we understand a lot about school performance, so we think that now is the time to move to a different style of reporting and a different style of inspection that more closely meets the needs of schools and has a stronger focus on supporting schools to develop.

I will stop there for the moment. On your points about the evolving nature of the framework, I think that Daniel is right: it is a moving target for schools. Ofsted has kind of changed. In 2005, the Government introduced



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new legislation and that led to a reduction in the number of judgments, a reduction in the notice period and much shorter inspections, moving away from the old section 10 model which was a whole week with 18 inspectors in a secondary school.

Actually, what has happened with the new framework is that, although data has been rolled back in that, lots of new things have been put in around curriculum. We see a very overstuffed framework and inspectors, all of whom we believe want to do a good job—there are many good HMIs and OIs doing that work—struggle to work their way through that evaluation schedule. They struggle to gather the evidence and to do so securely in the time available to them. We think part of the answer is to thin out and slim down the inspection framework and to focus more on what matters.

- Q4 **Chair:** Thank you. For each of you, if one thing could be improved about the inspection framework, what would it be? You mentioned one-word summaries as part of that, and we might come back to that in more detail, but is there anything else? From your perspective, it sounds like you are saying that there is a bit too much focus at the moment on curriculum and the breadth of that—

**Ian Hartwright:** I think what we think is that Ofsted has adopted a fairly rigid approach to curriculum and has adopted a particular model, which is contested, around cognitive science and knowledge-based learning, and we do not think that is broad enough and wide enough. If we could do one thing, I think it would be, for us, to take the high stakes away from inspection. This is driving a terrible ill-health crisis in our schools—I am sure we will come on to it later—and it is an active deterrent to leadership aspiration, and it is driving a terrible retention crisis in our schools.

We even have schools that are judged as “requires improvement”—legally these are schools providing an acceptable standard of education. In old money, they would have been called “satisfactory”, and we could argue about the words. No school leader should lose their job for being “requires improvement” twice, but that is what happens. Every time a school leader has an inspection, they have that cliff edge of “Is this the day that I lose my job?” It is just the same for their staff, because that drives the same stress, ill health and worry among all the people who work in a school: school leaders, teachers and school support staff, all of whom are trying to do their very best for the school. For us, the driving force behind all of this is: let’s take the high stakes away, let’s support schools better, support those that need to improve more, and support those that are developing new things to collaborate better to do that.

**Tom Middlehurst:** I completely agree with Ian, but a lot of that is not necessarily within Ofsted’s gift in terms of removing the high-stakes nature of inspection. There is a lot of stuff that goes on outside of inspection that drives that. Our members, as school and college leaders, describe their week as one of two halves. Monday to Wednesday they live genuinely in fear of the phone call, and then on Thursday and Friday they can actually get on with the business of leadership. That is no way to run a



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system. We hear that time and again. By the way, that comes from school leaders running all types of schools, from “inadequate” schools that they have taken over to “outstanding” schools. It is not a particular type of school that that refers to, but I completely agree with Ian that reducing that high-stakes nature has to be the priority, and that does not just involve Ofsted and it is not purely—

Q5 **Chair:** A lot of it comes out of DfE policy, rather than things that are in the regulator’s gift as things stand.

**Tom Middlehurst:** It is the implications for what happens after an inspection, absolutely.

**Ian Hartwright:** The connection between intervention and inspection is profoundly unhelpful.

**Chair:** Daniel, anything to add to that?

**Daniel Kebede:** I agree with everything that is being said, but accountability systems that encourage the greatest amount of collaboration internationally see the greatest amount of equity. I completely agree with the removal of the high-stakes nature. I also think there is often a question around the inspector’s areas of expertise. For example, I was very recently elected, but in the classroom I was a primary teacher in an SEMH provision—a highly specialised area of education. I remember my first inspection involved an inspector who was, I think, a secondary food tech who had gone into senior leadership, and my area of school is completely outside their—

**Chair:** Area of experience.

**Daniel Kebede:** Absolutely. There is some real work to be done around that as well.

Q6 **Miriam Cates:** I was just about to ask about the expertise of inspectors and when it does not match what they are inspecting, so that is a brilliant answer and I will pass the question over to Tom and Ian. In our written evidence submissions, a number of people expressed concerns about the mismatch sometimes between the expertise of an inspector—who might have been a successful practitioner in a particular area, such as secondary food tech—and being called on to inspect a special school or a primary school. Is that a widespread problem or an edge case?

**Ian Hartwright:** I think it is a widespread problem. Our members talk a lot about lack of expertise. It is a huge problem in the primary sector, where the new framework drives subject-based learning in a different way. Teachers leading subjects are not paid an allowance for doing that and previously would have been subject co-ordinators, so this is a massive change in their role. They are expected, very quickly in a two-day inspection, to meet inspectors, often in adversarial and quite confrontational meetings, to account for how they sequence the curriculum and how they plan it, and children are sometimes pop-quizzed to see whether they remember things from the curriculum. We are not at all



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convinced that many inspectors have the expertise to be talking about that subject-level knowledge in the primary sector.

Daniel raised the issue of special schools, and I would say that this is also a massive problem in early years, where there are not that many specialised inspectors for early years. I suspect, thinking about secondary schools, that we have the same issue. If someone comes to talk to you about your history or physics department, you would like them to have some understanding of the subject area. I think it is a real weakness in the framework.

**Q7 Miriam Cates:** As far as you are aware, has there been any attempt by Ofsted to recruit actively from those niche, specialist sectors in order to inspect other schools of a similar nature? Tom, do you want to answer that, and the previous question?

**Tom Middlehurst:** Not that I know of, but Daniel or Ian might know more. I don't think there are.

**Ian Hartwright:** No.

**Daniel Kebede:** No.

**Tom Middlehurst:** I agree with everything that Ian said, but I will answer with a slightly adjacent issue, which is the training of Ofsted inspectors. There is a particular issue there, I think.

Something like 40% of Ofsted staff are serving school leaders, and they have access to materials and training that other school leaders do not. We think that that is really problematic. What it means is that they have the inside track. We have called on Ofsted to publish all its training materials, all its resources and the videos of its Ofsted inspector training, so that it is out there in the public domain.

Otherwise, what happens is these cottage industries of people saying, "This is what Ofsted expects," or we have what happened about 18 months ago, which is when some of those materials were circulating online, but they were out of date and therefore very unhelpful. There should be a current record and current publication of all those resources, so that all school leaders can access them fairly. That would be really helpful. If you are a small primary school, you cannot afford to have one of your deputy heads—if you have a deputy head—go off to be an Ofsted inspector every term.

**Q8 Miriam Cates:** What you are saying is that they have an unfair advantage, because they have access to materials that are not in the public domain, but could easily be in the public domain. That brings us back to this whole topic of an Ofsted inspection being just about passing a test, rather than improving a school. It asks questions about the whole system.

**Tom Middlehurst:** Absolutely. The particular problem there is, if they do not publish everything in full, those materials will circulate and will be

used unhelpfully. Far better to have that regulated and to have all school leaders access the same sources.

**Miriam Cates:** Understood. Thank you.

Q9 **Ian Mearns:** Good morning, everybody. I am wondering about your views on the frequency with which inspections are carried out, and the length of those inspections. How can the right balance be struck between inspecting schools regularly enough and in sufficient depth to get a full and accurate picture of a school's performance, and ensuring that inspections are not putting undue pressure on staff? It is about getting the balance right.

**Daniel Kebede:** The current four or five-year cycle is not conducive to continuous school improvement. I suppose we want to see the high-stakes nature taken out of inspection, and instead a much more regional and collaborative approach, where schools help each other to level up and to improve continuously. There does need to be wholesale reform in that regard, to be honest, Ian.

**Tom Middlehurst:** I think one aspect I would bring up here is the role of safeguarding in inspection. Again, we might return to this later, in another question. Particularly for those exempt, outstanding schools, the idea that we were not inspecting safeguarding for potentially over a decade is really, really difficult. When we at ASCL support the idea of not removing safeguarding from inspection entirely but say that we should have an annual, light-touch safeguarding audit, it is not because we do not think safeguarding should be in inspection; it is because we think it is so important that we cannot leave it to every four years. When we think about the current breadth of what an Ofsted inspection is trying to do, it is worth thinking about whether there are certain parts of that which should be inspected more frequently and in a different way.

**Ian Mearns:** Members of this Committee, over the last decade or more, have been critical of the fact that "outstanding" schools are not being re-inspected. It seems to me perverse in circumstances where the headteacher might have changed twice or three times since the last inspection. That just seems odd, but there we go.

**Tom Middlehurst:** And there might have been several Education Secretaries as well.

**Ian Mearns:** That is more regular.

Q10 **Chair:** I have to say, just as an anecdote on that front, that when I was appointed Schools Minister, one of the first questions I asked my officials was, "Have we got rid of the outstanding exemption?" I have to say that the decision had been taken before my time, so I cannot take credit for it. But if it had not, I certainly would have taken it, because it was clear to me that that had long outlived any justification.

**Ian Hartwright:** We have all agreed on that. We called for that in our 2018 commission report as well. To answer the question, there are two





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issues here that interplay. One is the selection for inspection. That is the annual selection that Ofsted do, where you choose all the schools that are going to be in the pot. What members are beginning to say to us is that they would like to know where their selection is. Ofsted have been a little bit helpful in terms of telling schools when their latest possible inspection date will be, but if you have a look at paragraphs 38 to 80-something, that takes you through when a school might expect an inspection. It is fiendishly complicated, partly because of the pandemic and partly because of the change to the outstanding exemption as well. What we have are lots of schools that are worried and waiting, and they are worried about that inspection call.

That takes you to your second part, which is the scheduling of the inspection. Schools currently get half a day's notice of that, which is causing enormous operational difficulties in schools now. As Tom rightly said, when a school is in the window, as they call it, and they are expecting that telephone call, the pressure starts to build from Sunday through to Wednesday, when you know you are not going to get a call because there is that half a day's notice and most inspections are two days. Our members talk about carrying a grab bag full of Ofsted documents with them so that they are ready to talk about it, because that half a day's notice is actually the beginning of the inspection.

The head will then receive a call to do the nuts and bolts of the administration of the inspection, and the school will have to go into quick mode to make sure that parents and people know. The head has to oversee all of that, and school leaders around the team will be building all the work they need to do. Within a couple of hours, the school leadership team—as it normally is now, rather than just the headteacher—will have to have a detailed conversation that will focus the inspection with the lead inspector, and it is a massive, massive burden to have to do that so swiftly.

Around notification in particular, I think we are beginning to see—again, we will share the data with you when we have it—that what schools want to understand better is when they are going to be selected for inspection, possibly with half a term or a term's notice. We recognise that there can be other drivers there that would not be helpful. Schools also want slightly longer notices of inspection to allow school leaders to come back from a meeting or not to have to drive back from Wales when they are on a school trip. It is just not realistic. I hope that answers your question, but we need to think about that in combination with the high-stakes bit.

**Q11 Ian Mearns:** The second part of the question was about the depth of inspection, and I think there has been some criticism about the very brief nature of some of the inspections that are taking place now.

**Ian Hartwright:** As I said earlier, we think the inspection framework tries to do too much and cover too much ground, so Tom's point about safeguarding is something we are asking members about as well. That comes first in the inspection, and it takes up a lot of time. It is possible that some form of low-stakes, annual safeguarding audit—there is no point



in replacing a safeguarding inspection with an Ofsted inspection—that is developmental and is about sharing and collaborating, but which could be operated by local authorities or trusts, might be useful. But there is not enough time for inspectors to do what they need to do. Where an inspection goes wrong, it is typically because an inspector cannot gather the evidence. Schools then start to worry about the security of the inspection judgments. We have these terrible stories about inspectors holding hands up and telling people to stop because they do not have time.

- Q12 **Ian Mearns:** I am wondering about the balance there, Ian. Safeguarding is intrinsically very important; therefore, how do you conduct an annual audit that does not have high stakes, given the importance of safeguarding, for those who are not getting it right?

**Ian Hartwright:** To answer that directly, our members would say that safeguarding is the most important thing they do. They are struggling with a lack of support for that in terms of social care, therapeutic services, CAMHS and all that sort of stuff. Returning to that every single year would probably be an advantage, rather than waiting on a five or six-year cycle to say to a school, “We think you have done that well.”

**Tom Middlehurst:** I completely agree. There are fewer than 20 schools that have got “inadequate” because of safeguarding. In many cases those things can be picked up really quickly through an annual audit and children would be safer. It is largely process driven. These children are not fundamentally unsafe; it is about processes. With that light-touch audit, when we talk about it being low stakes, we do not mean that it is not important: it just means that we pick it up more quickly, and then a school is not given an “inadequate” judgment for another two to four years. That is the problem.

**Ian Mearns:** Daniel, do you want to add anything?

**Daniel Kebede:** No. I agree with what has been said.

- Q13 **Mrs Drummond:** I want to go back to the frequency and telling schools when they are going to have it. Is there a case for saying, “You will be inspected every four years, and your inspection will be on this date; you can then know when it will come”? I have just visited a lot of my local schools, and you are absolutely right: they all sit there waiting. They cannot go on courses, and they cannot do anything, basically, particularly if they know that they are about to have an inspection. The stress has just become ridiculous. What are your thoughts about if you said, “Every four years you will be inspected on this particular date” and then worked towards that? You touched on it, Ian, but you only gave them half a term.

**Ian Hartwright:** I think you are right. It also holds up school development and improvement, because schools look at an inspection coming and they do not want to be completely renewing something or at the beginning of something; they want to show what they have achieved.



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Sometimes there is not the bandwidth in a school to do the development and ensure that you have passed the inspection.

There is potentially a case for defining more closely when you are likely to be inspected and having notice of that—maybe that is half a term or a term's notice—and knowing what that window will be. There could be a case—we are out to consultation with members on this at the moment, so I am happy to share this when it comes—for shorter, more frequent inspections that are much lower stakes. One of the things we have suggested in our evidence is that you could have a different kind of reporting and HMI working in local areas where they get to know the context and circumstances of their schools and understand those schools well.

As Daniel picked up, one of the criticisms is that often inspectors do not understand the context, challenges and circumstances of the schools they inspect. That is critical, because every school is a unique place. They have a unique group of children and parents, and they have unique challenges in the way in which they have to deliver education and support their communities. What is so good about talking to you this morning is that it is a conversation about what we need to do. I do not think we know all the answers yet, but it is a conversation that we need to have and thrash out, and it needs to be dealt with by the profession.

**Daniel Kebede:** I do think there is a rationale for having that fixed date, but the fundamental problem is the reputation of Ofsted among the profession. I think it was the first inspector, Chris Woodhead, who said that he wanted Ofsted to be something like a vehicle of terror for the profession. It was quite a profound thing. More than 80% of our members think that Ofsted should be abolished; it does not have this reputation. There has to be fundamental reform of the organisation for any serious lifting of the stress levels to occur. I don't think that having a fixed date that would come in four years' time would necessarily take away the pressure that emerges in the 12 months before an Ofsted is due. It can be a really intense environment not just for school leaders but for the entire school community. It trickles down on to teachers, support staff and children.

Q14 **Chair:** Part of the argument for moving to unannounced inspections was to try to reduce the unnecessary workload that was driven by working to a certain date, so it is an interesting balance. Perhaps what you are pointing to, Ian, is something that is more certain in terms of a window of time, but not a specific date.

**Ian Hartwright:** I think that is probably right. We come back to lowering the stakes: none of it will work if the stakes are—

**Mrs Drummond:** That is much more important, I think.

Q15 **Ian Mearns:** I have just got in my head the idea that if everybody identified a specific date, none of them would be done on time. *[Laughter.]* I understand that you have all expressed criticism at one



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time or another of the system of one-word judgments. What are your key concerns about this system and what alternatives would you recommend?

**Tom Middlehurst:** If we are talking about the workload and the wellbeing of school and college leaders, it is the single-phrase judgments that have the biggest impact on them—absolutely. I have done an experiment, which I urge Committee members to do: I have given friends who are parents “inadequate” school reports, but I have taken the word “inadequate” and any judgments off them. I say, “What would you think about this school?” They all say, “It has some really good stuff about it, but they clearly have a few problems that they need to sort out.” So essentially, inspection is doing what Ofsted wants it to do. It is informing parents about the strengths and weaknesses of the school without trying to reduce it to a single phrase.

The single biggest change—we would like to see many more reforms to Ofsted, as both my colleagues do as well—and the single biggest impact that Ofsted could have on the wellbeing and workload of school leaders, college leaders and staff and teachers, which would therefore trickle down to the students and therefore recruitment and retention, which is probably the biggest problem our members face, is to remove single-phrase judgments.

**Daniel Kebede:** There is no evidence that the single-word judgments raise standards, which is really what Ofsted’s aim should be. We are open to the idea of a report card system, but that must give parents some real detail that goes beyond just the results of the school and also looks at the ethos. The fact of the matter is that the current mechanism is not really working for parents. We were looking at some Parentkind data recently: 36% of parents find Ofsted reports difficult to understand. It seems that the current system is not working for the profession or for children. It is also not working for parents who have absolutely a right to know as much detail as possible about the school they are sending their children to.

**Ian Hartwright:** I think we understand the attraction of the single-word judgment—it seems simple and easy to understand—but it is really deeply flawed. Schools are highly complex institutions. They have a range of strengths and a range of weaknesses or areas for development, so we don’t think you can reduce that to a single descriptor of “good” or “inadequate”. We think it is misleading to parents to do so. We need to remember that inspection just offers a snapshot of what the inspectors see on that day. In the past, certainly, it has been very backward-looking because it has looked at the previous performance of previous students.

We are very attracted to the idea of something that is much more binary, and I think the current legislation offers an opportunity for that. Section 44 sets out two categories for schools causing concern: one where a school is not doing as well as it might be expected to do in all reasonable circumstances—the words say something like that—and another where the school is failing to provide an acceptable standard of education and the leaders, managers and governors are not capable of improving it. That is



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special measures and the first one is serious weaknesses or significant improvement.

I think it would be fine to look at schools and say, "Do you fall into that category?" That is a tiny number of schools. If we could develop something that was more nuanced and more thoughtful, we could have a report that picked up what schools are doing well, where they are making strides forward and what they are trying to develop, and then have points for improvement and you could show collaboration. That is a more complex way of reporting and we would need to think about how to do that. Maybe it could be done through a report card or some other mechanism. Again, we are thinking about what that means because Daniel is quite right that there is no point in introducing a report card if we then put a load of high-stakes measures on it and it does exactly the same thing.

- Q16 **Ian Mearns:** Daniel mentioned Chris Woodhead, and I remember when the system was first established. I think Phil Willis was the Liberal Democrat education spokesman and he used to say, "You don't fatten a pig by weighing it." Is there still too much weighing going on rather than fattening the system by trying to use Ofsted inspections as a way of targeting school improvement?

**Tom Middlehurst:** Certainly. One of the questions in the Committee's written evidence was about the impact of the current framework, which has gone a long way towards removing that focus on historical data. That is really welcome, but at the same time, as colleagues have alluded to, it has also created a system where you now have to focus both on the data and on what Ofsted expects of you in terms of the quality of education and the curriculum. Fattening beats weighing.

- Q17 **Ian Mearns:** Ian, your organisation has recommended a simple binary judgment instead of the current four-point grading system. What difference do you think that would make?

**Ian Hartwright:** I think we could take the high stakes away with a binary judgment. There has to be a safe point where we identify whether a school is not providing an adequate level of education or if a school is not safe for pupils and staff. It is quite right that that should then unlock swift action to help that school to improve. That is what you have through special measures.

A more nuanced judgment could look at the performance of a school, identify what it needs to do next, where it might need support to do that and where collaboration would work better, and it could unlock funding to support that much better. You would then put schools on a much more level playing field because, as Daniel said, all the evidence shows that schools in disadvantaged areas have lower Ofsted ratings. That is to do with the areas that they serve and the challenges they face, more than other factors. You would have an opportunity to celebrate the work that those schools are doing, to provide further support for them, to sharpen



their development—or their improvement, whatever word you want to use—and to move those schools forward and support them.

**Daniel Kebede:** Even when schools are making outstanding progress in deprived areas, they are still more likely to be awarded a poor Ofsted judgment. The real problem with the single-word judgment is that it perpetuates a narrative that there are good and bad schools, and good and bad teachers. That just really is not the case. Everyone in the profession wants to provide the best for their children. I met a fantastic headteacher last week serving Haringey—a very deprived area. His family were very proud of him becoming a headteacher and we were just talking about that. He said he has less job security than a football manager. It is incredibly high stakes. That is what the one-word judgment has created. It is career-ending for a school leader and career-shaming for a teacher. It is highly problematic. We absolutely have to move away from it.

Q18 **Chair:** Can I push back on the question of binary and nuanced? How can it be both binary and nuanced? With a binary judgment, a school is meeting a standard or not. If it is not, presumably there have to be consequences.

**Ian Hartwright:** We know that 85% of schools are “good” or “outstanding” and that has been the case for a very long time, so I am not sure why we need to sort those schools into different categories. They are schools that are providing a good standard of education, however you want to use that word. What we are saying is that we need something that picks up those schools where urgent action is needed to correct something in the school. The legislation provides for that already.

Q19 **Chair:** Would that not effectively replace “inadequate” with not meeting the standard as a point for intervention, therefore all the high stakes would remain at that level?

**Ian Hartwright:** There will always be high stakes for schools that are failing to provide an adequate standard of education, but those schools are very few and far between. It covers almost no schools in the system. What we are saying is that the vast majority of schools are providing, according to the legislation, an effective standard of education.

**Ian Mearns:** I thought you were going to say that all schools are better than average.

**Ian Hartwright:** I wasn’t going to say that.

**Tom Middlehurst:** Just a final point: there is some really interesting work going on in Guernsey. They have employed Ofsted to use the education inspection framework, but part of their stipulation is that they did not want single-phrase judgments at the end of it. They are using the current EIF pretty much as it is in England, but without single-phrase judgments, so we know it can be done, because it is happening on Guernsey right now.

**Chair:** Interesting; thank you.



**Q20 Nick Fletcher:** There a couple of points I want to come in on. On the short notice, I believe we should surely be able to go in and do a spot-check on a school, because then you actually get to see the nature of the school. Some of my heads have agreed with that and said that it is not an issue. It is the high-stakes part that it is the issue, not being at short notice. To me, one-word judgments have a damaging effect on the community, the children who go to the school and parents. A lot of the children do not think they can attain much anyway. They have been told that they can't by many different people. They may have that kind of attitude and have to walk into a school that has just been told it requires improvement or receives another score. My other concern is that a lot of the reports are written for people who work in the industry, rather than for the parents. We need to write these reports for the parents, assuming that the parents do not know all the terminology and everything that is in there. What are your thoughts on everything I have just said?

**Tom Middlehurst:** Absolutely. Those single-phrase judgments are a bit meaningless in some ways, as they apply to different frameworks. The current—outgoing—chief inspector has talked about the “outstanding” judgment being unapologetically exacting. It is an exacting judgment. For a school that got “outstanding” in 2015 as opposed to 2022, it is a very different judgment. When a school goes from “outstanding” to “good”, the impact on the community can be quite significant and profound. It is really hard for parents to understand that it is a different framework and a more difficult framework to get “outstanding” in. We sort of pretend that parents understand these judgments or that the judgments mean the same over time, but they simply don't. It is not even the impact of a school getting “requires improvement” or “inadequate”; it is schools that go from “outstanding” to “good” under different frameworks. I think it is really difficult.

**Daniel Kebede:** That is a really interesting point and question. There is research on “stuck schools”, which essentially means that schools can get stuck in a vicious cycle between low Ofsted grades and increasingly deprived areas; it can add to deprivation. There are a number of serious impacts on the school community as a whole. A poor Ofsted report can lead to a wholesale structural change of the school. Often, it is forced into academisation or rebrokering. That can be incredibly disruptive. It can also lead to other consequences, particularly around difficulties in recruiting and retaining teachers in the schools.

I have been very lucky as a teacher; I have only been in “good” or “outstanding” schools. Believe me, there is no better place to be as a teacher than in a school that has just got a “good” or “outstanding” judgment, because the pressure is off. I would imagine—it is certainly backed up by evidence—that going to a school that is “RI” or “inadequate”, knowing that you are going to have a greater frequency of inspection, makes it an unattractive place for a teacher, because you know that the pressure is really going to be on. It means that schools are stuck in a cycle of decline in that regard, unable to retain good teachers. It is almost a self-fulfilling prophecy. It makes improvement very difficult.



**Nick Fletcher:** Thank you.

Q21 **Andrew Lewer:** Developing this point, we have talked about the negative consequences that can sometimes occur from having a one-word judgment that is less than “good”, in whatever respect. Given that that may continue to be the case, what can be done to mitigate it, to try to get over the fact that a negative judgment has that impact? We will start with you, Daniel.

**Daniel Kebede:** Well, it has to be around removal of that single-word judgment, and having a reporting system that takes into account school context and does not just focus on testing data but provides parents with a good overview of the entire school ethos. Fundamentally, we want to see much more reform than that in terms of inspection.

Q22 **Andrew Lewer:** But how do you get over the issue of context meaning that people are saying, “Oh well, these young people are from a deprived background, so what do you expect? They’re not going to get good results, because they are from a deprived background”? That is potentially quite damaging in itself, so how do you get over that?

**Daniel Kebede:** That is not what we are ever arguing, and we certainly reject any notion that teachers or the profession do not have high aspirations or expectations for young people from deprived backgrounds. I have only ever taught in those sorts of areas. But we need something that takes into account young people’s starting point particularly and then the progress that they have made from that starting point. That would be helpful.

**Tom Middlehurst:** I completely agree. We cannot have what a former Education Secretary called the “bigotry of low expectations” for any young people, which is why it is really important that we have a common framework that all schools are held accountable against. I think that is fundamental. For me, aside from the issue of a single-phrase judgment, this is about the intelligent commissioning of support afterwards—what support is the school then given?

At the moment, we have a blunt instrument in a single-phrase judgment and then we have a blunt instrument in what happens next. We need to say, “Ofsted have identified these challenges and problems in this school. This is what it needs in order to improve and these are the best people to do it”, whether that is a multi-academy trust formally taking the school on or offering more informal support. I think we need a much better commissioning process, and that would remove some of the high-stakes nature if single-phrase judgments were to continue, which you know my feelings about.

**Ian Hartwright:** I think I would say that I don’t think we can afford to continue with single-phrase judgments. Already we know that about a third of school leaders—31%—who are appointed aged under 50 leave their post within five years. They don’t go on to another post at the same level or get promoted. Of those who leave, more than half—53%—will leave teaching in the state-funded sector entirely. Where they go we don’t





know exactly, because the DfE do not have that data, but that is the DfE's data. We are looking at an existential recruitment and retention crisis for school leaders and teachers. When you look at the leadership aspiration journey, what you see is that aspiration declines with every step a teacher takes towards a leadership position. Over half our deputy and assistant head members—we have thousands and thousands in our membership—tell us that they have no intent of becoming a headteacher.

It is connected very closely to your other inquiry; these are two sides of the same coin. Unless we resolve that issue, we are not going to be able to secure the quality leaders we need for the future, and we are not going to be able to hold on to the teachers we need. As I am sure Daniel would tell you, a schoolteacher reaches their full efficacy, the research shows, after about five years in teaching. Well, in five years of teaching, we have lost close to 40% of them, I think. And they go on to accrue gains for the children in their school—not necessarily only the children they teach—well into their third decade in teaching, because you need that level of experience. That is how you mentor the new generation of teachers. We need to hold on to our older leaders, many of whom now are going at 55 because they are looking at the health impact for themselves. Although it is not quite an answer to your question—I accept that—I don't think we can afford to continue without doing something.

**Q23 Andrew Lewer:** You have touched on something, which is the support services. I wonder what your view is about the DfE's trust and school improvement offer that comes as a result of these judgments. Is that actually any help or not? Do you think local authority support is any good or not? Should an "inadequate" school be automatically subject to an academy order or not?

**Ian Hartwright:** We think that the intervention powers that require the Secretary of State to make an academy order for a school—and now can now be required if a school falls into the coasting category, where it has had a "requires improvement" judgment, the third Ofsted grade, twice—are driving a lot of that high-stakes environment. We also think that it is incredibly unhelpful for a school. Academy orders are not made in a timely manner; they are not straightforward, and they would normally involve a wholesale change in the structure of the school. That interrupts a school's improvement journey. Creating organisational disharmony in a school is not helpful to the pupils, and we are not really sure that it is helpful to the pupils for their school to be turned upside down. NAHT is studiously neutral about academy schools versus maintained schools; there are really great examples of both kinds of schools, and both can be brilliant—

**Ian Mearns:** And the alternative—there are good examples of both, and the alternative.

**Ian Hartwright:** Exactly right, yes; there are also poor examples. That is how we feel about that. The improvement offer that comes with it is often too slow to arrive. Local authorities often have not got the resources. Lots of local authorities' school improvement services are really down to just a few people now, and it is not always clear that trusts have the capacity to



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improve those issues, or have the funding to do so. We circle back to a question about the overall sufficiency of school funding, although we recognise that that has risen.

**Andrew Lewer:** Tom, do you want to add anything on the Department, local authorities and academisation?

**Tom Middlehurst:** I think that I have already made a couple of points about how blunt that tool is—and I won't repeat them. Just to give an example of that, I know we are obviously not talking about Caversham specifically, but, in the wake of Caversham, Ofsted made some changes to how they do inspect safeguarding. They said that they would come into a school that had "inadequate" because of safeguarding more quickly, and then come back and give that school time to make those often quite minor changes needed to the processes. However, even though Ofsted have made that change, the DfE will still issue an academy order. Now, that might be revoked, but the fact that it still does that in the first place is a huge stress on the system. That headteacher might well have lost their job in that process; there could have been huge implications from that academy order being issued when it was entirely unnecessary. Again, thinking about the different roles of different actors in the system is really important.

**Daniel Kebede:** There are real concerns about the resources that local authorities have regarding school improvement due to them being cut down to a few people, if that. The real problem with academisation, and the academy order, is that there is no evidence to suggest that that leads to an improvement in schooling. In fact, we have evidence to suggest that schools can often lose their community feel and become more selective in nature, and that, in turn, creates its own problem.

If I could just go back to the previous question, around the issue of workload, recruitment and retention, there was something that I wanted to add. Some 75% of our members think that Ofsted add an immense level of workload, particularly in that Ofsted window. That, we know, is fuelling a recruitment and retention crisis. The problem is that that is incredibly wasteful.

For every six teachers that we do not retain, we have to recruit 10, because some will go and work in the independent sector or abroad. It is not an efficient system that we are currently running. It is highly costly and leads to, in effect—I think—a declining level of education, because, as we have already heard, the more experienced a teacher becomes, the better they are. Haemorrhaging that experience from our classrooms because of, partly, an accountability regime, is incredibly costly.

Q24 **Kim Johnson:** Good morning, panel. Daniel, in your opening remarks, you mentioned that Ofsted does not provide accurate, fair or reliable reports and you questioned the effectiveness in terms of school improvement, but I think you also mentioned alarming data about schools in disadvantaged communities being five times more likely to require improvement. I am aware that the NEU has set up the Beyond



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Ofsted inquiry, led by Jim Knight. Will the terms of reference address any of the issues you have raised this morning?

**Daniel Kebede:** We are incredibly proud to be a part of the Beyond Ofsted inquiry chaired by Lord Jim Knight. It is looking at an alternative vision to inspection. I will not say too much because the final report is due soon, but please, all, do take a look at it.

**Chair:** We are due to hear from Lord Knight in one of our future sessions as well.

Q25 **Kim Johnson:** That is good to know. Thanks, Robin.

We have touched on the fact that one-word assessments provide a very negative impact on staff and we have heard a great deal of concern about the impact on wellbeing of teachers and school leaders. What can be done to address the issues and ensure that inspections are not overly stressful and burdensome for staff? I think you have all mentioned staff leaving as a result of that having an impact on their mental health. Tom, what do you think could be done?

**Tom Middlehurst:** Remove single-phrase judgments. To be more helpful, an issue that perhaps we will come to later is that when a school feels a judgment is unfair, the process of Ofsted complaints is very untransparent. It is really difficult to get a complaint overturned. Also, when a school does complain, we often hear that they do not get very good feedback on why their complaint has not been upheld. That all adds to the stress of the system because it means that whatever judgment you get and are told at the end of day two of the inspection is the likely outcome, you realistically know that you have very little chance of that being overturned.

We are waiting for a response from Ofsted on the recent consultation on the complaints process. Many of the proposals in there will go some way to helping that. However, we really need to look at reforming that complaints process, making that much more transparent and making it much easier for schools to raise concerns, particularly about judgments.

Q26 **Kim Johnson:** Thanks. Ian, it was mentioned that the inspections can be career-ending and career-shaming. Again, what would be your response?

**Ian Hartwright:** It is incumbent on me as a trade union official to speak for our members. The harrowing testimonies that we heard from our members at our annual conference at the open mic—people who would not normally come and stand at the front and talk—was profoundly shocking. We have just run a few roundtables as we gather evidence ahead of this year's pay round and that sort of thing, and I am hearing the same sorts of issues about ill health and stress. Our evidence, which we are refreshing, contains absolutely horrific findings that nearly nine out of 10 school leaders say their job impacts negatively on the quality of their sleep. Eight out of 10 worry about, fear or stress for their job. There is inadequate time for physical exercise and a negative impact on mental health. All those things need sorting.



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One of the things we could also be doing is that Ofsted could think about reasonable adjustments. There is nothing in the Ofsted protocols or process that checks whether a school leader, a member of school staff or, indeed, a pupil needs any reasonable adjustments made for them during that inspection period. We have school leaders who have disabilities and who are autistic, and the same is true of staff. This very compressed, tight timetable is really difficult for school leaders to manage. The ill-health impacts are huge.

That brings us back again to our point about high stakes, the kind of judgments and creating a more supportive system of inspection, because we know that most of the schools in our nation are “good” or “outstanding” already.

**Q27 Kim Johnson:** Thank you. Daniel, how effective are the measures that Ofsted has taken to reduce the workload of inspections?

**Daniel Kebede:** There have been things like Ofsted myth-busting about what you don’t need to do, and they have proved to not be effective, as we know. When we do a state of education survey, our members in “good” or “outstanding” schools, for example, say that their manager is far more likely to be supportive of work-life balance than our members who are in “inadequate” or “RI” schools. It is important that we recognise that a wholesale change is needed. Ofsted needs to be seen to be independent of Government; it needs the support of the profession. Its own survey on teacher wellbeing stated that teachers are working on average a 57-hour week, with over half of that time spent fulfilling tasks outside the classroom. We have to be really clear: myth-busting factsheets are not enough.

**Q28 Kim Johnson:** Final question: Sir Martyn Oliver has just been appointed the new Ofsted chief inspector; what does he need to do to make significant change? Any one of you.

**Tom Middlehurst:** His first job must be to rebuild the trust of the sector. I think he said to the Committee in his interview that he wanted to listen; he wanted to go out and hear what the sector was saying. Ofsted has done an awful lot to try to do that myth-busting and reduce workload, but as Daniel said, it hasn’t worked because of the high-stakes nature of inspection.

On the other hand, in the last couple of years, Ofsted has really lost the trust of the profession. Post covid, a lot of school leaders feel that it hasn’t been very sympathetic to the covid context that schools are working in. It has tried to apply a pre-pandemic framework to a post-pandemic world. We are really pleased to hear that Martyn wants to listen to the profession, and we hope that he does, because the inspectorate needs to readjust.

**Kim Johnson:** Actions speak louder than words. Thank you, panel.

**Chair:** Ian has just pointed out that there is an urgent question in the Chamber on school funding, which many of us might want to contribute to.

That will be useful in following up on this session. Kim, Miriam's question on safeguarding has been largely addressed, so you might want to go on to the question on the framework.

- Q29 **Kim Johnson:** We touched on this slightly, but what impact has the new education inspection framework had on the quality of the education that schools provide?

**Ian Hartwright:** It has driven enormous workload in schools. Although the move away from a very data-focused inspection approach is really helpful, in our consultation response on the 2019 framework, we were clear that we didn't think that was deliverable, and that it would drive a new, unnecessary workload in schools, and it has done that.

We think that the framework looks at all schools through a mainstream secondary lens, and we do not think it is suitable in primary schools, particularly small ones. There are a surprising number of very small primary schools in our country, not very far from here, that have mixed year groups and so on, and that is really difficult to manage. It is not very useful in specialist settings either, or in schools where there are a large number of pupils with special educational needs or disabilities, because it doesn't take that into account very well.

We think the framework has an overly prescriptive approach to the curriculum. That nomenclature that has been invented around intent, implementation and impact has itself driven loads of workload, because all the schools have had to adapt to that. It comes back to that point about trying to hit a moving target. We are unconvinced that in most cases, deep dives—which are the look at the curriculum—can be carried out in the way inspectors think they should be carried out in the time available. That is exacerbated by the very narrow focus of the framework around knowledge-based learning and cognitive science.

**Kim Johnson:** So you are pushing for separate frameworks for both primary and secondary, then?

**Ian Hartwright:** We need either that, or frameworks that can take account of different school settings, so that they can be more reliably judged.

**Kim Johnson:** Thank you, Ian. Tom, you were going to say something.

**Tom Middlehurst:** We are probably slightly more sympathetic to the education inspection framework, or EIF, than the National Association of Head Teachers. We think it has done a lot of good and encouraged very rich conversations about the curriculum and what young people are taught.

Ian referred to Ofsted's three I's. The intent behind the EIF was very good. I think its implementation has been flawed, for many of the reasons that Ian set out, particularly for small primary schools and special settings. We have already talked a lot about its impact on the wellbeing of leaders and teachers.



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**Ian Hartwright:** We do not disagree with the view that the curriculum is important; we think it is very important.

Q30 **Kim Johnson:** Daniel, do you have anything further to add?

**Daniel Kebede:** We are broadly where Ian is. The real issue has been that the ever-changing nature of the framework drives high levels of workload. In primary schools, teachers are often subject leaders. They are not remunerated for it, they are not given non-contact time for it, and it can be incredibly stressful, particularly for an inexperienced teacher, to be subject to a deep dive in primary.

Q31 **Ian Mearns:** Briefly, I am wondering about the difference of opinion between ASCL and NAHT. Is that a reflection of the type of schools and school leaders that you represent?

**Ian Hartwright:** We were very clear in our 2018 report that we thought we needed to redress the balance, and to make sure that the curriculum and the subjects were much more closely considered. For us, the difficulty is the very narrow approach that Ofsted has taken to that, and the amount of stuff that inspectors are trying to get through during an inspection.

There may be a primary-secondary thing here a bit, but I suspect we are probably all on the same page when it comes to the importance of the curriculum, because that is the richness of education; we would not deny that at all.

**Tom Middlehurst:** We said in our 2018 submission that it was quite right to make that separation between historical outcomes, in terms of data and inspection activity, because otherwise the two arms of accountability are telling you the same thing, so that was really welcome.

That change inevitably made inspection more subjective, but the alternative is essentially doing desktop activity—you just look at the school's last key stage 2 or key stage 4 results, and they tell you what you need to know. I think we welcomed the focus on what is actually happening in the school, but over a two-day inspection, that is really hard to do well.

Q32 **Ian Mearns:** Daniel, any reflection on the slight difference of opinion there?

**Daniel Kebede:** No.

**Ian Mearns:** Well, we have Members here for that. Tom, you referred to the complaints process. Overall, how effective is Ofsted's complaints process at holding Ofsted to account and allowing schools to challenge judgments? What are your views on Ofsted's proposed changes to the complaints process, as set out in the recent consultation? That's for all of you to answer, but you referred to it earlier, Tom.

**Tom Middlehurst:** I will try to answer your first point really briefly, because I have already said that the proposals are very good; we strongly agree with all of them. We probably do not think they go far enough. It



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really is about that transparency—schools being able to understand the reason why a complaint has not been upheld. I think a lot of what has been proposed is good.

If I may, Chair, I would like to take this opportunity to talk about a slightly different form of complaint: complaints to Ofsted, rather than complaints about Ofsted. That issue was not included in the consultation, and I do not think it was included in this Committee's questions, but it is a huge concern that we hear about a lot from members. Because of the changes to GDPR laws and data protection, if a student, parent or member of the public makes what is called a qualifying complaint about a school, and Ofsted says that it will go in and look at that issue through an urgent inspection, Ofsted cannot identify the student or parent.

The school gets phoned up and told, "You have an urgent inspection because there has been a qualifying complaint." The school says, "Well, what's the qualifying complaint?", and Ofsted says, "We can't tell you, because that would identify the parent concerned." Of course, for the school, that is deeply stressful. It is also then very hard to get evidence, the day before the inspection, about what that complaint is regarding, and so mitigate the problem. I have a lot of sympathy for Ofsted here, because of course the parents and students cannot be identified, but we have to look into having a better process for dealing with qualifying complaints about a school, and how an urgent inspection is triggered.

***Ian Hartwright:*** On the Ofsted consultation, we support the idea of enhanced dialogue, and Ofsted has gone some way towards ensuring that; it has inserted a piece on that in the current inspection handbook, which is helpful. We advise our members to raise complaints during an inspection, to be very clear about what the complaint is, and to put it in writing to the inspector if the complaint is not satisfactorily resolved, but that is quite tough and difficult, and there is a judgment to be made about how you think that will affect the conduct of the inspection; there is a risk with challenge.

It is useful that there is an opportunity to raise concerns the next day, but once the inspectors have left the school site, it is often too late, really. We disagree with the proposals on the ICASO process; we do not think that works. It is a toothless organisation. It has no power to make recommendations that are binding on Ofsted. The biggest problem with the complaints process is that our members do not have any confidence in it whatsoever. Responses to complaints are formulaic, generic and opaque. Too often, Ofsted complaints handlers respond that they do not have enough evidence to make a decision. It is then very difficult to achieve any change to the report, unless you go for something very costly—a judicial review, normally.

At the heart of the issue about Ofsted's complaints process is the fact that it is not independent. Ofsted continues to mark its own homework. Ofsted, as a public body, needs a completely independent process that can result in substantive rulings on the judgments made by an inspection team. Allied to that is the lack of access to the inspector's notes, though we



understand the GDPR piece around that. It is very hard for a school to understand whether its complaint has been satisfactorily addressed if the evidence base is not released.

A final point is that Ofsted does not have any process to ensure that it meets its public equality duty around complaints. We would like Ofsted to track the equalities issues, particularly around disability and diversity, raised in complaints.

**Ian Mearns:** Daniel, anything to add?

**Daniel Kebede:** I completely support what Ian said. Our long-held position is that the Ofsted complaints procedure should be external to the organisation, because we cannot have an ongoing situation in which Ofsted marks its own homework. It is just not transparent.

**Q33 Chair:** We have had a number of parliamentary debates over the years about having an independent process, and the argument against is often that it would undermine Ofsted's independence as a regulator. It is interesting that you made your point with unanimity. I regularly hear the same concern from colleagues in Parliament. It will be interesting to consider how we get something that upholds the process and Ofsted's ability to do its job, while allowing for a proper system of independent examination of the process.

This is the last question for this panel, because we have the members of another panel waiting behind you. We have heard a lot today about the need for the process to be more supportive of schools. What changes could be made to make a more supportive system, and to what extent is that in the gift of the inspectorate—or does the support need to be from DfE and broader education policy? Everyone wants to make the system more “supportive”—that magical word—but you made the point, Tom, that at the moment, that is not wholly in the gift of the inspectorate. What could Ofsted do that is more supportive, and what needs to be done from the outside to make the system more supportive?

**Daniel Kebede:** We want an inspectorate that brings its expertise, not its judgment, and that gives schools tips on how to improve, and areas in which to improve. More than that, we want locally led school improvement that will work with local accountability—with teachers and school leaders, who should be trusted to make the best decisions for their pupils, schools and communities.

**Tom Middlehurst:** I think there is something about the language of the reports, beyond the judgments. If you tell a school that leaders and managers in the school do not understand the needs of children, or do not keep children safe, that is not a supportive thing to say. You could make the point about what leaders and managers need to, and could, do better in a much more supportive way. There is something about the wording of reports. That change would be easy to make, and would be more supportive. Reports should be action-led, and point towards the actions that a school or college need to take as a result of the inspection.





**Ian Hartwright:** Over recent months, there has been a little bit of progress with Ofsted around some of the issues that we are raising today. We now need a lot more progress. We need to renew the inspection system so that it is fit for the 21st century, not the latter end of the 20th century, when we knew much less about schools. We need the notion that there is a shared endeavour between the inspectorate and the system. There is a role for the DfE to play; too infrequently are we able to have a discussion with the DfE about what accountability should look like. That area is often quite difficult to address. There are things in the chief inspector's gift, but we need a signal from Ministers that this is a direction of travel worth pursuing.

**Chair:** Thank you. It has been a very useful panel. I ask you to vacate your seats so that we can bring in the second panel.

## Examination of witnesses

Witnesses: Jason Elsom, Sam Henson, Charlotte Rainer and Steve Rollett.

Q34 **Chair:** Thank you very much for joining us, and apologies for running a little bit behind time. We all want to be in the Chamber for 12.30 pm, so the panel should bear in mind that we will try to get this session wrapped up by 12 noon.

Welcome to our second panel. We have Sam Henson, who is the director of policy and communications at the National Governance Association; Jason Elson, chief executive of Parentkind; Charlotte Rainer, coalition lead for the Children and Young People's Mental Health Coalition; and Steve Rollett, deputy chief executive of the Confederation of School Trusts. I will start with Jason: how useful are Ofsted reports and grades to parents, and how could they be made more useful?

**Jason Elsom:** The poll we did with parents in July, which had 817 responses, indicated that parents found them on the whole very un-useful. As Daniel said, 36% did not understand them well, 59% found them not particularly useful, and 71% said that they did not tell the whole story. Although 62% of parents agreed with the need for inspections, when asked for the top three things that they considered when applying for a school place, they looked at curriculum breadth, reputation, ease of travel and other parents' views. Only 8% ranked the Ofsted report in the top three things that they consider and look at.

Q35 **Chair:** Are there specific things that you think would improve parents' ability to use those reports or value them?

**Jason Elsom:** I think part of it is that the vast majority of parents do not agree with the current structure, they do not agree with the single-word judgment, and they do not think it tells the whole story. They would like to see included the things that matter to them most as parents. As individuals, we send our children to school based on the individual children we have. Are we looking for a school that is highly academic? Are we looking for a school that is more supportive of the whole child? Your child has certain challenges they face, whether that is anxiety, depression or



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whatever else. Schools do their utmost to try to support the whole child but have their areas of strength. The reports do not really address those effectively for all parents.

- Q36 **Chair:** The new inspection framework is focusing much more on curriculum, which you mentioned is one of the top factors, and also, in terms of exclusion, concerns about off-rolling, and SEN children and the support that they have. Are those registering with parents as areas of focus?

**Jason Elsom:** To some extent, yes, but the whole position of Ofsted has deteriorated over the years in the minds of parents. They are fully aware of the confrontational or adversarial relationship between Ofsted and their schools, and I think that has built a degree of distrust of Ofsted in many parents. When you are looking at parents who themselves might not have had a very positive experience of education and they are looking at an organisation that comes in and could be seen in some circumstances to be slapping the wrists of the school they send their children to, you have to ask what the relationship is going to be like between Ofsted and the individual parents. They are going to look at it negatively.

If we look forwards towards what we could do to improve when the new chief inspector comes in, I think a big piece of this is not just about how you adjust the inspection mechanism but about how you adjust the view of parents of Ofsted itself and the relationship.

- Q37 **Andrew Lewer:** Sam and Steve, how valuable do you think Ofsted reports are to governors and trustees? What changes would you make to make them more useful to that group?

**Sam Henson:** We have always been very concerned about how useful the reports in their current form are for governing boards. Back when the new framework was developed, we were involved in some of the early discussions on what the new report would look like, and we raised it right then at the very beginning. We got assurance, I think it is fair to say, that governance would remain part of the reports and the reports would be helpful for them. We have seen a gradual decline in how helpful they are.

We have done numerous pieces of work reaching out to members. We have done two specific research reports since the new framework came out, and both times we have seen that the way governance is referenced has gradually come out. We wrote to Amanda Spielman last year to make the point that over a third of the reports that we had evaluated did not mention governance at all. We are really concerned that governing boards and trust boards are such a huge part of how the system is run and such a huge contributor to accountability, yet they remain quite invisible. This follows a worry that we have that governance is reducing in visibility as a result.

**Steve Rollett:** I have been listening to what colleagues have said—in the previous panel as well—and reflecting on a few thoughts there, so I am going to pivot slightly. You asked how useful reports are for trustees and trusts. I would say that they are okay. There will be people among my

membership who will say, "They could be better," "They could give us more information," and so on. There will also be, I think with some legitimacy, trustees who will say, "The idea that we're waiting four years for an external organisation to drop in and tell us what we need to do differently and what we need to do better is probably problematic. We need to be doing that work day in, day out across the trust."

The reason I say that is that a conversation has played out today about whether there should be more emphasis on school improvement. I think that is really difficult. I can understand the sentiment as to why people might think that is an important thing for inspection to do, but my view is that inspection provides us with assurance and it provides accountability in the system, obviously to Parliament, and particularly to parents as well. If we start thinking that inspection could play a bigger role in school improvement, we run the risk of mission creep, and you may see a distortion of the inspection process. We have already talked about how hard it is for an inspector or a team of inspectors to drop in and judge a school in two days. To expect them to give a really good forward-looking view—"These are the things that you need to do as an organisation"—is probably going to stretch the impossibility of that mission even further.

It is also difficult to set up an inspection system where a team of inspectors drop into a school and say, "These are the things that we have seen that are wrong"—okay, I can live with that bit—"and this is what you need to do about it." That is where we start to get into trickier territory, because if the inspection team come back two, three or four years later and inspects how well that school or trust has implemented the recommendations that they gave, what if those recommendations are wrong? What do you do if you are the trust board and you disagree with those recommendations and think, "Actually, day in, day out, we have a better view than the people who are parachuted in for two days"?

The conversation I have heard playing out today is why I pivoted slightly. Do they give trust boards assurance as to whether the school is okay in the view of Ofsted? Yes. Should we try to drift into a world where they are giving trust boards much more detailed information about how to improve the school? For me, that feels really difficult and like mission creep.

**Q38 Andrew Lewer:** That is an extremely useful and new point for us to think about, so I am grateful to you for that.

Let me ask you about your views of Ofsted, rather than Ofsted's views of you, if you see what I mean. What is your assessment of how well Ofsted engages with parents, pupils, governors and trustees in its work with schools? What do you think could change to make sure that those views are better taken into account in terms of inspections?

**Jason Elsom:** I go back to the earlier point about a degree of breakdown in the relationship between Ofsted and parents, which is difficult. In our polling, 86% of parents said that Ofsted should consult and inform parents, but only 24% felt that they actually do so. That is indicative of



Ofsted's failing in its remit and its argument for its reports to inform parents.

**Sam Henson:** The way Ofsted engages with all the stakeholders that you mentioned—there is a lot depending on which ones. I will start with governors and trustees. Obviously, for us, linked to what I said before, there is big concern because we just do not think there is enough engagement there. We are really worried, as came through this morning, about the pervasive culture of fear that has been generated over many years, which is so well engrained. It is something that boards are always telling us they are really worried about from the perspective of whether Ofsted is going to push out their leaders or their staff. That is a huge concern for us and the industry around that as well.

One thing I would say is we have been really grateful to Ofsted directly; we have had lots of good conversations with them in recent times. We really hope that the new HMCI will continue to engage with the governing board community, because it is so vast and such a key part of the sector.

**Charlotte Rainer:** I will come at it from the pupil voice perspective. Ofsted is required to collect pupil voice—it is a multiple-choice survey that it issues. It also uses other informal methods of engaging with young people in schools. States of Mind, one of our members, has done research into young people's views of the Ofsted framework. It found that young people are not always aware that these surveys exist, and some of them reported that they had not been given the opportunity to take part in the surveys. That is despite over 90% of those surveyed saying they think student voice is important within Ofsted.

It is important to consider whether surveys are the right mechanism to gather student voice in the school inspection framework. Do they enable young people to speak freely? Are they accessible to young people with differing needs? The surveys also add to the burden of preparation for schools. There is reliance on schools being able to spread those surveys out to their students, but you could argue that schools have a lot of other things on their plate to deal with.

Finally, I want to raise a point about how Ofsted is engaging with young people outside school to look at their work. We have heard examples from some of our members where they tried reaching out to Ofsted to share their findings and work that they had done with young people. We have tried to do that ourselves, and Ofsted has refused to meet with us. There is a question about how proactively Ofsted seeks the views of young people to improve the work that it is doing.

Q39 **Chair:** Is there something that you think it could be doing on that front that would make a big difference?

**Charlotte Rainer:** In terms of listening to young people, I think the young people are there. We have members who have young people's advisory groups. It could systematically have ways to engage with young people when it looks to update the framework or just get views on what it



is doing. In school inspections, are there other things that it could be doing? Could it have focus groups, rather than just relying on a survey? I looked through the survey, and it is just multiple choice; it doesn't really give you enough opportunity to share your opinion, particularly as a student. So there are probably ways within schools that it could create more informal opportunities through focus groups and conversations. Maybe inspectors are not the right ones to have those conversations if there is already this culture of fear in schools around Ofsted, which we have heard about. Outside, it could use the groups that are available to gather young people's views and think about what it could be doing better.

Q40 **Andrew Lewer:** Steve?

**Steve Rollett:** I will talk about trust governance. That is one of the things that Ofsted has got a lot better at over the past half a decade or so. Initially, we saw an Ofsted framework that tried to substitute local authority governance and trust governance and treat them like they were one and the same, and that caused all sorts of problems. Ofsted has got better at that. One of the things that it was pushing a lot, particularly pre-pandemic, in 2017 and 2018, was the notion of the scheme of delegation and trying to make sure that inspectors engaged with and understood that. I think that is largely the case now, but there are still some echoes when you look through the handbook of that read-across. One of the things that we have been saying to Ofsted, and I think it has probably warmed to this, is that now is probably the right time to start thinking, "Do we just need to start from first principles again in relation to school inspection and think, 'Actually, what does trust governance mean for a school inspection?', so that we are not reading across from one to the other?"

I will give you an example of that. What we saw play out over the summer was Ofsted saying, "Okay, it would be really good to have inspectors speak to chairs"—you will appreciate this, Chair—"of trust boards." In one sense, yes, that is really important, if we can make it happen. However, if you are the chair of a trust that is leading 20, 30, 40 or 50 schools—of course, that is your job as a volunteer; you probably have a professional life of your own as well—that is an unsustainable and impossible expectation to place on trust governance.

It also does not understand the fact that trust board governance is about corporate collective responsibility; it is not just about that one person. At a local authority maintained school it is slightly different; that chair of governors may just be the governor of that one school. It is a different thing when you are talking about a group of schools. The time is probably right for Ofsted to say, "Let's lay this out on the table. Let's build a concept of trust governance from scratch rather than reading across from local authorities to trusts."

**Jason Elsom:** If I could come in on Charlotte's point, it is really important to ensure that we have diversity of thought in the focus groups or the responses from young people and parents. The short-term drop-in nature of Ofsted inspections does not give you the ability to ensure that you have

parents from both ends of the spectrum and every point in between giving their voice and representing the whole body of parents and children.

- Q41 **Chair:** One of the great challenges for the DfE in general—and for Ofsted, I suspect—is engaging with parents and how they can do it most effectively. Obviously, you are from an organisation that represents parents, but they are not necessarily an easy group to get hold of.

**Jason Elsom:** I think what I am implying there is that this needs to be a longer-term assessment of the school's outcomes. If you look at the different models on the table today and currently under consideration, if you have an annual review, an annual report card or whatever it is, that should be part of the production of that process. Whether the school does that themselves, or the governing body or a different organisation, there must be an ability to say, "Let's take a view over the year rather than over a one or two-day timeframe as a second thought."

**Chair:** Flick, you wanted to come in.

- Q42 **Mrs Drummond:** Well, you have basically just asked my question, but let me go back to the point on governors. I have been an Ofsted inspector, a school governor and a trustee of a multi-academy trust, and we were always brought in, but I wonder whether there is enough training for governors and trustees to understand what Ofsted is going for. You are sort of put in there, in that room. You provide training. Is that the right way to go about it?

**Sam Henson:** That is a really important question. There are almost two conflicting answers. Yes, it is absolutely key that we equip governors and trustees, but over the years an industry has emerged that says, "Take this training course, and if you do you will know exactly what to say. We'll almost give you a script." That creates this industry, which we heard a bit about—

**Chair:** They rehearse it, you could say.

**Sam Henson:** Absolutely. That is a real concern. We are more interested in empowering governors and trustees to turn around to inspectors and say, "Actually, you're asking me the wrong questions. That's not my role." That is quite a difficult thing to empower people to do. When it comes down to the inspection, some people are genuinely fearful of what effect their contribution will have. We have had some really difficult conversations recently with governors and trustees who are telling us that they do not want to do the role any more because they are scared about getting it wrong, specifically in front of Ofsted. We are doing some work at the moment around workload for boards. When it comes to the stress factors that are preventing people from volunteering, Ofsted is one of the top reasons. We have to be careful that the training we provide does not actually make the situation worse, if that makes sense.

- Q43 **Mrs Drummond:** Steve, you mentioned that you might have several schools as a trustee, but it is incumbent on one of those trustees to go to the inspection.



**Steve Rollett:** Absolutely right. I will make two points. One is about general understanding and expertise regarding governance. Our organisation and Sam's organisation—it is the case across the system—spend a lot of time day in, day out trying to support trustees to be better and more effective in the work that they do. We recognise that that is incredibly hard, because they are volunteers. I agree with Sam that we do not want to set up a system where we try to make trustees better at doing Ofsted. It is about being better at being a trustee, and then Ofsted come in and inspect that.

There is a question here about proximity as well. That is why I say that Ofsted needs to think about its conception of trust governance particularly. If you are on a trust board that is running two schools, the sorts of questions that you can ask that group of trustees are going to be different from the sorts of questions you can ask someone on a trust board that is running 40 schools. Because you are operating at scale, your proximity to the work on the ground is going to be different. One of the things we sometimes hear from the sector is that inspectors go in and ask the trust board member who is running 30 or 40 schools questions that speak to a level of detail that is just not congruent with trust board governance of an organisation of that scale. That is the bit that Ofsted need to get right. On the principle of whether Ofsted should speak to governors and trust board members—absolutely right. That is really important. I am just not sure that it always has to be the chair.

Q44 **Mrs Drummond:** I agree. The last-minute nature of Ofsted inspections makes it very difficult as well. Governors are often working and cannot take the time off to do that. You are probably in favour of a longer notice period.

**Sam Henson:** Yes, and I know that Ofsted has made some real efforts. They have spoken to some chairs virtually when they cannot attend on certain days. That is better than nothing. I agree with Steve's point. There is still some confusion among some inspectors about whom they actually need to talk to when a school is part of a trust. As Steve mentioned, the scheme of delegation plays a huge role in that. It is something that we need to get out there more. It could be pivotal in helping practice to improve.

Q45 **Kim Johnson:** Good morning, panel. Steve, the new Ofsted chief inspector said that it is likely to be "inevitable" that trusts will be inspected, so from your point of view what form could that type of inspection take, and how would it interact with inspection of individual schools?

**Steve Rollett:** That is a really good question. I agree with Sir Martyn that it will be inevitable at some point. Those organisations are dealing with public funds and making decisions—depending on the trust, however, as it is not always the same decision made centrally, but in a lot of cases those decisions are made centrally, or I should say at trust level—so it seems right and proper that at some point we will see some sort of trust inspection.



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Your question is, I think, right because it is so important that this is about not just creating a system of trust inspection and layering it over the top of what we have—there would be huge risks in that—but having to see it as a system. The things that I think we need to be really thoughtful about are whether we have the expertise in our set-up at the moment to do that, and what the challenges are in appointing into the inspectorate the people who are able to do that. If we are talking about trust execs, for example, there are practical things here about Ofsted’s ability to match salaries and so on for those trust execs to earn in the field.

Also, one of the great strengths of the EIF, which you talked about with other colleagues today, is the research base that it is built on. That is to its credit. Amanda Spielman deserves a lot of credit for the work that the inspectorate did in laying the foundations for the EIF. Could we do the same in relation to a trust inspection framework? That is much harder, just because there is not a rich body of evidence out there. That is not a criticism of trusts by any means; it is about the academic research. We have spent far too long as a system, frankly, arguing about whether we think trusts are a good or a bad thing, or whether local authorities are better than trusts, or vice versa, and not asking the questions about particular trusts that have been really successful, systematically successful. Researchers should have been getting into them and asking, “How are they doing that?” or, “What are they doing?” Once we start to get that evidence on board, we will be in a much better place to build a trust inspection model.

We have questions about regulatory burden. We have heard a lot today about the burden provided by inspection. Do we want to layer on more burden? And I think your question also leads to this point, which is really key: what is the risk, particularly with parents? They might see that the school down the road has this judgment at school level, but the trust has this judgment, so how do we make those things coherent? Do we have regulatory intervention on the basis of the school and the trust—either/or? Do we continue to have school-level trust inspection? Frankly, it is a lot easier to do trust-level inspection without school-level inspections. Politically—you will know this better than me, colleagues—my guess is that it is really hard to say to parents, “You’re not going to have a school-level grade or judgment, but school-level report.”

All those things need to be seen in the round. I will just say one last thing, which is this question: as I say, I think there is an inevitability about trust inspection, and my sector absolutely embraces that, but is that the priority of the moment? I see things like the Public First report, which talked about attendance problems and post-pandemic fracturing of the social contract, and I think about what we know about regional and locality-based problems, and I wonder whether the thing that we really need Ofsted to do in the short to medium term is to get much better at aggregating its insight across its remits and across localities, and at understanding the complexities of what is going on in towns and cities across the country. Honestly, I do not think that trust inspection will give you that. That is not





what trust inspection is; it is not me saying that it should not happen, but that piece to me feels like a much more pressing priority.

- Q46 **Kim Johnson:** Thanks for that response, Steve. Charlotte, how does the process of inspection and grading affect pupils? How could the process be improved to ensure that pupils have a positive experience of the inspection?

**Charlotte Rainer:** There is not much direct evidence about the impact of inspection or of judgments on children and young people, or on their mental health, but I have two key points to make in response. First, this is about the changes to the school environment that Ofsted brings. Schools can be really stressful places for some students anyway, particularly those who have additional needs. They can also be really supportive and inclusive places, where support is in place and children can enjoy school. We know that Ofsted is disruptive to normal school ecology, and it can contribute to driving a really high-stakes environment in schools. It adds additional pressure to teachers and is perceived to be driving this narrow focus on academic attainment. That is my first thing: how are the changes to the school environment inversely impacting children and young people?

The second thing is teacher wellbeing. We know that teacher wellbeing is really low at the moment. The recent Education Support teacher index last year said that 75% of teachers are stressed, and now we know that Ofsted also has a massive impact on teacher wellbeing as well and that it can add fear in schools. Teachers are really scared about being judged or criticised, and that can add to their own mental health difficulties. If teacher wellbeing is low, how is that impacting on young people? There is research that suggests that wellbeing affects teacher performance and that young people are really attuned to how their teacher is feeling. We know it ourselves: if we are not feeling okay at work, we do not perform to the best of our ability. It is the changes to the environment and the stresses it puts on teachers, and how that translates to children and young people.

In terms of how it can be improved, I am really glad you ask that question because our member, States of Mind, have done work with young people to develop an alternative Ofsted framework. They gathered some young peoples' views on the current Ofsted framework. They found that inspections at the moment, from a young person's perspective, are not providing enough opportunity for young people to talk about their mental health and wellbeing. Young people found that teachers and students acted really differently during inspections, inspections were too short and that there was not enough time for things to be looked at properly and, again, it had that negative impact on teacher wellbeing.

They have worked with young people to develop an alternative inspection framework called the review for progress and development, which is much more focused on a process of continuous self-assessment—looking at identifying issues as they arise and looking to improve them there and then, rather than waiting for the inspection. It is currently being trialled at a school in London, and States of Mind are going to submit some written



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evidence to the Committee telling you a little bit more about that framework.

- Q47 **Kim Johnson:** Thanks for that, Charlotte. It would be interesting to find out because Jason mentioned an issue about ensuring that communication and consultation involved everyone. I am curious: how do you ensure that children with SEND, for example, are fully involved in the process?

**Charlotte Rainer:** I think it comes down to making reasonable adjustments to ensure that they are able to be involved. If a young person finds being in school really stressful—we know that neurodivergent children are more likely to have school-based avoidance—is there another way we could communicate with them? Could we do an online session that facilitates that? I think it is just making sure that we identify those young person's needs and then make reasonable adjustments to ensure that they can partake in those sessions. It might not necessarily be talking; they could be writing things down. There are ways that they could do that. They could work with the school SENCO and other support staff to ensure that everyone has the opportunity to take part.

- Q48 **Kim Johnson:** What impact has the new education inspection framework had on people's overall experience of education?

**Charlotte Rainer:** Again, there is not much evidence about the direct impact of the changes to the Ofsted inspection framework to experiences of education. I can give you a more general view: we know that experiences of education are really mixed. Some young people really thrive in school and enjoy school. For other young people, that is just not the case. Young people with additional needs might find it difficult to attend school. I would not be able to say what the direct correlation between the inspection framework and young people's experience is, but I think it is a very mixed experience and I think it is largely driven by the unmet needs of children and young people.

**Kim Johnson:** Thanks, Charlotte. Does anybody else want to come in on that?

**Sam Henson:** We don't hear a great deal if I am honest. It is exactly the point Charlotte has made. As a small side note, one thing we are a little bit concerned about is the interactions that have happened between inspectors and pupils in inspections themselves. In the research we did a couple of years ago, that was one thing that came up there: the worry about how mixed that approach was. That is something that does need a bit more attention.

- Q49 **Chair:** On the question of trust inspection, which we heard about from Steve, I wonder if Sam and Jason have a view on that. How do you see that evolving as part of the system? It is something that this Committee has pushed for previously. As MATs are playing a bigger role in the system, there needs to be a means for Ofsted to inspect them. How do you see that, given that you represent governors both inside and outside trusts?



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**Sam Henson:** I agree with everything Steve said. We have actually been slightly surprised, because when we went out and polled our trustee members, the majority of them came back and said they wanted MATs to be inspected. With trustees of MATs, you wonder if that would be the case. One of the things Steve was pointing out is that it is such a complex matter in terms of what it would look like. We really need to spend some time investing in quite a wide debate around that. While we are absolutely for MAT inspection—in fact, it is one thing that we call for in our own position statements—we do not think Ofsted have the skills and expertise as they currently stand, specifically on governance, which you will not be surprised to hear me say, but also on the financial side. We are not sure how you could go in to inspect and not look at that. The workforce—

Q50 **Chair:** There is a role for the ESFA to look at the financial piece separately from Ofsted, isn't there?

**Sam Henson:** Yes, and we would also be worried about how you would then grade it. It comes back to the earlier conversations: if you are looking at grading the trust as a whole, you run the risk of a school within the trust being penalised for something that they really have no control over, potentially, but also vice versa. We really do not want MAT inspection to be something that prevents trusts from taking on schools that are struggling, and we really have to think carefully about that.

**Jason Elsom:** While I agree about some of the challenges it represents—skills, bandwidth and so forth—what we are frequently seeing, and we see it in the media as well, is parents' negative pushback towards trusts taking over some of the schools without taking on board the local context.

Larger trusts in particular will have a model that they roll out in a community, which does not necessarily connect with the parent body and can be seen as being done in a very harsh way. In that situation, you can see a much-increased negative perspective of the school between the school and the parent body. If the parents had pitchforks, they would take them to the school gates in some situations, because they feel that their children's needs are not being taken care of by the trust that has come in, typically from outside the community. In the parent feedback that I have seen, that happens more so where it is a trust that is not a geographical-based trust but one which is spread across the country.

**Chair:** Yes, that is absolutely an image I recognise. It is a conversation I have often had with my local authority when we have been talking about trusts being involved. Having ones that are known to people and understood can make a big difference. In fairness, I think what we have seen in recent years is that a lot of trusts have leant into the local governance aspect more than perhaps they did in the early days, partly to take account of those concerns. Making sure that that is done effectively is important.

Q51 **Ian Mearns:** As part of the Ofsted process of inspecting local authorities and children's services, they will oversee how a local authority interacts with its maintained schools. Therefore, I do not see that as being



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terrifically different from the way in which a multi-academy trust would interact with the schools under its jurisdiction. The geographical area might be different, but the management—okay, it is a different style of management and is not democratically accountable, but the mechanisms would not be dramatically different in terms of overseeing that.

Therefore, from that perspective I wouldn't have thought that multi-academy trusts should have anything to be concerned about. By the way, I am a trustee of a multi-academy trust myself, so I don't think that multi-academy trusts would have anything to be terrified about. But given that, as Steve pointed out before, significant amounts of public money are being administered here, it is something where there needs to be that level of accountability across the board, from that perspective. That's an opinion, but I am looking for responses.

**Steve Rollett:** Could I just say a couple of things? First, I absolutely endorse, Chair, what you said a moment ago about how trusts really do work hard to try to take account of the local area. It's in their interests to do so, right? So, nobody goes into the business of running trusts because they want to do bad things to people; they do it because they want to make a difference for children. That's the same, frankly, in any schools or any stakeholders that between us we may represent.

Of course, on the ground it can be hard, particularly when you are talking about sponsorship or turnaround. I have worked in a turnaround school myself and helped to turn schools rated "inadequate" into "good" schools, according to Ofsted, and I know that that can be hugely powerful for that community when it happens. It can also be challenging. We do see some flare-ups from time to time on the news, but they are the exception rather than the rule. I think it is really important to recognise that.

On the point that you have just made there—yes. Again, there are some similarities, because you are talking about things like governance and so on. But as I said, I think that there are also some really important differences. One of the things that you will see a trust do potentially that you probably won't see a local authority do is to say, "Right, what we're going to do is that we're going to design and generate between us perhaps a common curriculum," and we might nuance that, depending on the size of the trust, the geographical spread, and so on, but we have got a common curriculum. In my experience, that is far less likely to be the case in a local authority. It doesn't mean it doesn't happen, but it is less likely to happen.

Q52 **Ian Mearns:** Local authorities, like trusts, have many variations. Within my own local authority, many of the schools work in partnership with each other to develop local frameworks. So there are good and bad, but there are many different variations in both models.

**Steve Rollett:** Yes, quite. And I suppose that my reservation would be—we have been talking today about Ofsted needing to take account of trust governance, and that is not about some sort of point scoring about whether trusts are better than local authorities; I don't have much time for that. I have worked in local authority schools, single academy trusts



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and multi-academy trusts. I have been a governor of a local authority school.

However, I think we can all agree that governance is so important. It is particularly important in this context that Ofsted take account of the particularities, and of course the legal responsibilities of governance in a trust are different to local authority-maintained school governance. That is why I think that difference is quite important, but I take your point.

**Jason Elsom:** It is important to recognise that some trusts are very good at engaging with the community and some trusts are not so good. I have worked in two turnaround schools as well, when I was in education as a teacher, a head of faculty and assistant principal. Those that really succeeded were those that engaged with their stakeholders as they moved in, whether it was parents or young people, and explained the journey that they were about to go on and why they were going to go on it, rather than just going in and saying, "This is our model—that's it!" I think that is why it is important to look at the low-hanging fruit and say, "What is working well here?"

We have to be mindful of the downside of not getting that right, which is that if a trust goes with size 12 boots into a school where there is already a relationship between school and home that is quite positive, and there might be a sense that the imposition of the trust in that situation was something that wasn't warranted, because of a negative Ofsted report or whatever else. So, you've got to build the relationship, and if you don't build the relationship and you actually destroy the relationship between home and school, it takes a long time to repair that, which impacts young people's futures.

**Chair:** That is a fair point—an absolutely fair point.

**Sam Henson:** I want to come back, Chair, on the point about local governance, which you mentioned. I think we know now that the sector almost as a whole has stated that local governance is a key part of what they do. There are very few trusts that don't have it at all; there are lots of variations of it. We know that is partly why there are some concerns around how inspectors understand it, or not.

I think there is, though, a worry that where the local tier of governance has no official delegated responsibility, Ofsted won't actually engage with them during the inspection. They have said that. So they will only really make an effort to talk to them if they have—I think this goes back to Jason's point. They are such a fundamental part of the life of a school. We have gone through the pandemic over the last few years, and we are reminded daily of the crucial role that schools play in society. We are frequently being told that it is like the fourth emergency service, and so on. So to not have that local voice is, I think, a real danger. If we get more people to recognise that trusts are invested in that local voice, because there are still some myths out there that trusts are these big, money-making organisations, which simply isn't true but is still something

that parents think about them—I think that local governance is a route in for us to rectify some of those misconceptions.

Q53 **Chair:** Thank you. We have moved slightly beyond the role of Ofsted, but that was a useful discussion. We absolutely recognise the huge importance of governors, whether they be governors of trusts, those local governors, or ones in the local authority set-up. I think it's important that the Ofsted process effectively engages with that as well.

This has been a very useful session. The challenge of how you most effectively engage parents as well is a crucial one in this. I have often wondered why, with the tools that Ofsted have—Parent View and so on—they get very low levels of engagement. From your perspective, Jason, are there any other things—beyond the question about the structure of investigations, high stakes and so on—that would help in terms of engaging parents in the inspection process?

**Jason Elsom:** It goes back to the challenge of the parent-school relationship on the whole. Parents from particular backgrounds may not have had a very positive experience of education themselves; they won't even pass the school gate and won't attend the parents' evenings and so on. And it is a large number of parents who have that kind of relationship. I think asking them to provide their views through an online tool is troubling. I think we have to go back to how we can improve the relationship between home and school and start rebuilding those foundations, so that it's not just the socially mobile, well-educated parents who had a positive experience themselves who are then engaging with the school and providing the feedback to Ofsted, because that will never provide the results that we want for every child.

**Chair:** Thank you. And thank you very much, panel. I will call the meeting to a close at that point.