



House of Commons Education and Skills Committee

The Work of the Committee in 2005–06

First Report of Session 2006–07

Report, together with formal minutes

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The Education and Skills Committee

The Education and Skills Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Department for Education and Skills and its associated public bodies.

Membership at time Report agreed

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Paul Holmes MP (*Liberal Democrat, Chesterfield*)
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Powers

The committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk.

Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www.parliament.uk/edskills/

Committee staff

The current staff of the Committee are David Lloyd (Clerk), Jyoti Chandola, (Second Clerk), Libby Aston (Committee Specialist), Nerys Roberts (Committee Specialist), Lisa Wrobel (Committee Assistant), Susan Monaghan (Committee Assistant), Charlie Twyman (Sandwich Student), and Susan Ramsay (Committee Secretary).

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Introduction

1. This report provides an overview of the Committee's work since it was appointed after the 2005 general election. It is our contribution to the wider survey being conducted by the Liaison committee on the working of the select committee system since May 2005. The tables at the end of the report set out the subjects the Committee has investigated, the visits it has undertaken and the way in which those inquiries have met the Liaison Committee criteria for the conduct of select committees. In the Commentary section, we highlight some of the main issues that we have addressed, the things that we have achieved and some of the ways that we have tried to encourage more people to engage with the work of the select committee.
2. **We would like to take this opportunity to thank all of those who have contributed to our work: through oral evidence, written memoranda, visits and informal meetings. We would not be able to fulfil our remit without the huge contribution made by organisations and individuals in providing us with information on and insight into the important issues that we have investigated. We look forward to those contributions continuing in the coming year and beyond.**

The Work of the Committee

3. Now that it has responsibility for children's services, the scope of the DfES's work is immensely broad and our remit to scrutinise its work is similarly wide. This presents many challenges; it is not possible for us to examine every policy initiative that emerges from the Department, even if we wanted to. What we have tried to do since we first met in July 2005 is to look at issues across the whole range of the DfES's responsibilities. In pursuit of that aim, we have reported on or taken evidence on 19 different subjects in the period up to December 2006.

4. Even on those subjects on which we do take evidence, it is not possible in the majority of cases for us to write a report. Some subjects are in any event not necessarily best monitored by the standard model of inquiry. For example, for many years the Committee has taken evidence twice a year from Her Majesty's Chief Inspector of Schools, in order to make sure that it keeps abreast of what is happening throughout the country's schools. We decided in the 2005–06 session that we should institute a similar arrangement for examining children's issues, a whole new area of work for the Department in the last three years or so. There is no equivalent organisation to Ofsted covering the whole of children's services, although of course Ofsted itself does now have an expanded inspection role in this area, so we have sought to address the issue in other ways. In 2005–06 we took evidence from officials on Children's Trusts and from the Minister of State for Children and Families on a whole range of issues. We aim to develop this approach in the coming year.

5. We also held follow-up session on two inquiries that our predecessors conducted just before the 2005 general election. These were on Teaching Children to Read and on Prison Education. We think this follow up work is important, as it has proved with our public expenditure inquiries. We think that it is important for the DFES and others to know that we do not forget about a subject once a report has been published, but will keep a watching brief to examine whether progress is being made.

6. Another method of proceeding that we have made good use of during the year is the holding of seminars before we call for evidence in order to work out the potential scope of inquiries and to bring into focus the most important issues. We have found this an invaluable tool for our work. On one occasion we held a seminar at the end of an inquiry, to help to bring the threads together before taking evidence from the Minister and drafting the report. This was very useful, and we will certainly aim to hold similar sessions in future when appropriate. The seminars have undoubtedly helped to make our inquiries more effective.

7. Altogether the Committee held 62 meetings in session 2005–06, taking formal evidence at 49 of them and producing five reports, as well as holding eight informal seminars. This meant two meetings a week for virtually every week of the session. Despite this, and the inevitable clashes with other Parliamentary business, Members recorded a 76% attendance level, demonstrating our real commitment to scrutiny of the Department..

Main inquiries

8. Amongst the 19 areas that we looked at, two inquiries in particular dominated the session. These were the inquiries into Special Educational Needs and into the Schools White Paper *Higher Standards, Better Schools for All*.

Special Educational Needs

9. There had been no inquiry into Special Educational Needs (SEN) in the previous Parliament, and we decided early on that such an inquiry was overdue. It certainly struck a chord, as we received more than 240 written submissions from organisations and individuals. We had an extensive programme of oral evidence, and visited schools in Essex and Darlington. Our report¹ identified serious flaws in the SEN system with regards to consistency of provision, the statementing process and teacher training. It called for a statutory requirement for local authorities to provide a broad range of support for youngsters with SEN—including the provision of Special Schools—and recommended a set of minimum standards so that parents would no longer have to ‘fight’ to achieve a better outcome for their child.

10. The Government response to the report was very disappointing.² It did set out a statement of Government priorities, which was welcome, particularly its commitment to invest in and improve the workforce and to require a diverse range of high-quality provision across all local authorities. However, on a number of significant issues it did not accurately portray recommendations that we made, and the Government’s failure to even consider changing the current statementing process was a real missed opportunity. As we said at the time, **despite clear evidence that the process is not working as it should, the Government relied on the argument that ‘no-one has a better alternative’. This is not acceptable. If the system is not working properly it is the Government’s duty to look for a better way forward.**

11. The report was debated in Westminster Hall on 26 October 2006,³ when a large number of Members from across the House, both Committee Members and others, supported the conclusions that we had reached. The Minister in replying to the debate apologised for the tone of the response, but gave no indication that the Government would change its views.

12. This was a significant inquiry in its scope, in its public profile and in the recommendations that it made. We will be looking for further opportunities to tackle the Government on its response to the report in the year ahead in an attempt to make progress on a number of very important issues for children and young people with special needs.

1 Third Report from the Education and Skills Committee, Session 2005-06

2 DfES, *Government response to the Education and Skills Committee report on Special Education Needs (October 2006)* Cm 6940

3 Official report, cols 489-536 WH

The Schools White Paper

13. Our report on the Schools White Paper also had an extremely high profile, because we undertook our inquiry in a highly politicised atmosphere in the House during the run up to debates on the Education and Inspections Bill. The process was therefore quite tense at times and, as will be seen from the fact that an alternative draft report was proposed by three Members, the Committee did not arrive at unanimous conclusions. However, the report did make a difference. The Government did make changes following publication of our report, and we have no doubt that our inquiry led to a significant improvement in the proposals.

14. Particular changes arising directly from our report include:

- Allowing proposals for the establishment of new community schools to be considered (originally this would not have been permitted).
- Outlawing the use of interviews in the school admissions process.
- Giving the Code of Practice on admissions more teeth by requiring admissions authorities to act in accordance with it, rather than having to have regard to it.
- The broadening of the remit of the Schools Commissioner.

15. The inquiry did hold potential dangers for the Committee. This was the first report that we considered after the 2005 election and, given the volatile political climate, the possibility existed that divisions would be created within the Committee that would make its future work extremely difficult. Fortunately, that has not happened. The committee members work together very effectively as a team, and we make every effort to ensure that we reach our conclusions by consensus whenever possible.

Public expenditure

16. Planned central Government expenditure on education for 2006–07 is £71.435 billion.⁴ This is an enormous sum of money, and it is clearly one of our most important duties to examine how well it is being spent. For that reason, and because of the financial planning cycle, we produced two reports on public expenditure issues.

17. Our predecessors pursued the issue of the school funding process in two reports at the end of the last Parliament. We have followed them, looking closely at the proposed change in the school funding formula. This is a very important area, as almost half of total DfES expenditure is on the Designated Schools Grant, the money gives to local authorities to pass on to schools.

18. We have also looked very carefully at the Gershon efficiency savings programme. This is due to deliver savings of £4.3 billion from the DfES over the course of the programme. Very little of these savings will come as cash in hand, however, and we have been pursuing with the department the question of how useful it is to quantify what are basically service improvements in money terms. Persistence is certainly a virtue here; the Department can

be in no doubt that we shall return to these issues again and again, and that degree of engagement requires an effective response from them.

19. In our most recent report, we criticised the Department for constantly changing the format of its Departmental Annual Report from year to year, making it very difficult to track changes over time. The DfES had also left out one of the key tables which is essential to help us track changes over time.. The Secretary of State has responded in a very positive way. The Committee staff and advisers have held discussions with officials at the DfES about how to address our conclusions and we are promised the opportunity to see certain parts of the next DAR in draft to make sure that they provide the information we need. We welcome both of these constructive moves on the part of the DfES. This is a key part of our remit and we are determined to discharge it as well as we possibly can.

Wider public engagement

20. An issue that has given rise to much debate since the election is that of how to engage the public more effectively in the political process. This is an issue that we have taken seriously, as education is a service which impacts directly on the lives of a very large proportion of the population.

21. We have been able to engage with those beyond our usual audience in education by addressing issues which have a direct relevance to people's lives. Our inquiry into SEN received 240 memoranda, of which approximately half came from individuals, and it was clear that many people whose children had special educational needs did take a close interest in what we were doing. On top of that, we had the opportunity to work with Radio 4's *You and Yours* programme to discuss issues relevant to the inquiry. The Chairman took part in a panel discussion and phone-in live on air, and subsequently 700 people gave comments to us via the programme through telephone calls, e-mails and letters.

22. We tried another form of outreach in our sustainable schools inquiry. We established a consultation exercise facilitated for us by Teachers' TV through their website. Teachers, governors and other school staff were invited to give their views on what they wanted from the Building Schools for the Future programme, and 148 people responded. Teachers' TV is also preparing a documentary on the inquiry process, which it intends to screen in conjunction with the publication of the report later in the year.

23. We believe that these exercises have been extremely successful in gathering comment for our inquiries that we would not otherwise have received. They have also helped to raise the profile of the Committee's work with the population at large, enabling people to see Members of Parliament working in a serious and non-partisan way on issues that are of real significance, and so helping to increase appreciation of the select committee system. We are in no doubt that these consultations have been of great value to our work, and will be aiming to undertake similar projects in the coming year.

Objectives and Tasks

OBJECTIVE A: TO EXAMINE AND COMMENT ON THE POLICY OF THE DEPARTMENT

Task 1: To examine policy proposals from the UK Government and the European Commission in Green Papers, White Papers, draft guidance etc, and to inquire further where the Committee considers it appropriate.

24. The Committee held an inquiry into the proposals in the White Paper, *Higher Standards, Better Schools for All*. The Further Education inquiry examined proposals in the White paper, *Further Education: Raising Skills, Improving Life Chances*.

Task 2: To identify and examine areas of emerging policy, or where existing policy is deficient, and make proposals.

25. Also as part of the Further Education inquiry we looked at the review of Further Education undertaken by Sir Andrew Foster: *Realising the Potential*. Our Inquiry into Special Educational Needs was conducted in part because of concerns that current Government policies were not working satisfactorily.

Task 3: To conduct scrutiny of any published draft bill within the Committee's responsibilities.

26. There were no draft bills from the DfES in 2005–06.

Task 4: To examine specific output from the Department expressed in documents or other decisions.

27. As part of the Schools White Paper inquiry the Committee looked at the revised draft Code of Practice on School Admissions.

OBJECTIVE B : TO EXAMINE THE EXPENDITURE OF THE DEPARTMENT

Task 5: To examine the expenditure plans and out-turn of the Department, its agencies and principal NDPBs.

28. The Committee held two inquiries into public expenditure issues during the period, and published two reports.

OBJECTIVE C : TO EXAMINE THE ADMINISTRATION OF THE DEPARTMENT

Task 6: To examine the Department's Public Service Agreements, the associated targets and the statistical measurements employed, and report if appropriate.

29. The Committee looked at Public Service Agreements as part of the public expenditure inquiries, and in the Further Education inquiry.

Task 7: To monitor the work of the Department's Executive Agencies, NDPBs, regulators and other associated public bodies.

30. We held three meetings with Ofsted during the period of this report, specifically on its role and functions. We also held similar meetings with the Adult Learning Inspectorate and with the Learning and Skills Council. These organisations also gave further oral evidence in relation to specific inquiries.

Task 8: To scrutinise major appointments made by the Department.

31. No major appointments came forward for scrutiny. We did take evidence for the first time from the Children's Commissioner.

Task 9: To examine the implementation of legislation and major policy initiatives.

32. The Special Education Needs inquiry looked at the implementation of legislation in that area. The Schools White Paper inquiry examined a major policy initiative.

OBJECTIVE D: TO ASSIST THE HOUSE IN DEBATE AND DECISION

Task 10: To produce Reports which are suitable for debate in the House, including Westminster Hall, or debating committees.

33. The Report on the Schools White Paper was tagged on the Order Paper to the second reading debate of the Education and Inspections Bill. The report on Special Educational Needs was debated in Westminster Hall.

Tables

Table 1: Subjects covered by the Committee, 2005–06

Subject	Outcome
Schools White Paper	Report, January 2005
Public Expenditure	Reports, March and October 2006
Special Educational Needs	Report, July 2006
Further Education	Report, September 2006
Citizenship Education	Report, expected 2007
Sustainable Schools	Report, expected 2007
Bullying	Report, expected 2007
The Work of Ofsted	Evidence, November 2005, and May and December 2006
Higher Education	Evidence, October 2005
The Amalgamation of Ofsted and the Adult Learning Inspectorate	Evidence, October 2005
The Work of the Children's Commissioner	Evidence, December 2005
Teaching Children to Read	Evidence, January 2006
Children's Trusts	Evidence, April 2006
Universities Pay Dispute	Evidence, May 2006
The Effect of Family Breakdown on Educational Achievement	Evidence, July 2006
Research Funding	Evidence, July 2006
Skills in London	Evidence, October 2006
Children's Services	Evidence, November 2006
Prison Education	Evidence, December 2006

Table 2: Visits by the Committee in 2005–06

Location	Purpose of visit
Colchester and Clacton	Special Educational Needs
Darlington	Special Educational Needs
Dublin, Republic of Ireland	Further Education
Southwark, London	Sustainable Schools
Wells and Nailsea	Citizenship Education
Tooting, London	Citizenship Education
Sydney and Canberra, Australia	Further Education and Skills; Higher Education

Table 3: Liaison Committee criteria relevant to 2005-06 inquiries

	Policy proposals	Emergent/deficient policy	Draft legislation	Departmental output	Public Expenditure	Public Service Agreements	Agencies and NDPBs	Major Appointments	Implementation of Legislation	Debates in the house
Schools White Paper	*	*		*	*					*
Public Expenditure	*			*	*	*				
Special Educational Needs		*			*				*	*
Further Education	*	*			*	*	*			
Citizenship Education		*		*						
Sustainable Schools		*			*		*			
Bullying		*								
The Work of Ofsted				*			*			
Higher Education		*			*		*			
The Amalgamation of Ofsted and the Adult Learning Inspectorate	*				*		*			
The Work of the Children's Commissioner							*	*	*	
Teaching Children to Read		*								
Children's Trusts		*							*	
Universities Pay Dispute										
The Effect of Family Breakdown on Educational Achievement		*								
Research Funding	*				*		*			
Skills in London	*	*			*		*			
Children's Services		*							*	
Prison Education	*	*					*			

Formal Minutes

Monday 5 February 2007

Members present:

Mr Barry Sheerman, in the Chair

Mr David Chaytor

Fiona Mactaggart

Jeff Ennis

Stephen Williams

Paul Holmes

The Committee deliberated.

Draft Report (The Work of the Committee in 2005–06), proposed by the Chairman, brought up and read.

Ordered, That the Chairman’s draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 33 read and agreed to.

Tables agreed to.

Resolved, That the Report be the First Report of the Committee to the House.

Ordered, That the Chairman do make the Report to the House.

The Committee further deliberated.

[Adjourned until Wednesday 7 February at 9.15 am