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Children, Schools and Families
Committee

Diversity of School Provision

Oral and written evidence

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The Children, Schools and Families Committee

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Taken before the Children, Schools and Families Committee on Wednesday 30 January 2008

Members present:

Mr Barry Sheerman, in the Chair

Annette Brooke
Mr Douglas Carswell
Paul Holmes

Fiona Mactaggart
Mr Andy Slaughter
Lynda Waltho

Witnesses: **Dr Steve Gibbons**, Research Associate, Centre for the Economics of Education, London School of Economics, and **Dr Tom Benton**, Senior Statistician, and **Simon Rutt**, Deputy Head of Statistics, National Foundation for Educational Research (NFER), gave evidence.

Q1 Chairman: I welcome Dr Steve Gibbons, Dr Tom Benton and Simon Rutt to our session this morning. Our topic, the diversity of school provision, is one that the Committee particularly wanted to look at, because it is time to assess the effectiveness of the Government's policy in this area. We do not have any hard and fast views, but we hope to add value by pursuing this inquiry, and it is down to us to find out all the facts before making any decisions. I am not sure whether any of you would like to say a few words to start the conversation. I will turn to Dr Gibbons first. Steve, I will refer to you by your first name, if I may—this is not a very formal session. Tell us, in a nutshell, where you are in this work.

Dr Gibbons: Over the past few years, I have been doing a range of research using the national pupil database looking at questions regarding the segregation of pupils into different schools, where people are sorted into different schools according to their achievements, school competition, choice and performance—a range of questions related to the issues that you are concerned with here. I have a range of different areas of study. I suppose the kind of thing I am being asked to speak on is the achievement of kids when they enter secondary school. The story is that you get a wide diversity in terms of the average achievement of children who have entered secondary schools.

Chairman: Order. We seem to be having some trouble with the sound this morning, and the acoustics in this room are bad. I ask everyone to speak up.

Dr Gibbons: We looked at the ages and achievements of children from secondary schools, and compared those schools in terms of the average achievement of the children in them. We found that you get a wide spread in terms of the achievement of children when they go to secondary school. If you imagine a range of pupils, from the lowest achievers to the highest achievers, the range of spread you get across community schools is around a third of that distribution. In a range of achievers across all types of schools—including voluntary aided schools and grammar schools—it spans about 60% to two thirds of that distribution.

That appears quite wide, but the number of schools at the top and bottom are quite small, and the share of variability and achievement that is due to differences across schools is actually quite small. Around 90% of the variability in achievement across pupils is within schools, not between schools. If you are interested in differences in achievement between pupils, the place to look is within schools, because there are big differences between pupils in the same school that swamp the differences between the average pupils in different schools.

Q2 Chairman: What would you say to policy makers who say, “Look, why do we have two schools with the same social composition, where one is achieving all its targets—five GCSEs at A to C, or whatever they might be—and another, with a very similar social distribution, is not getting anywhere near that?” What would you say to someone who says that the whole job is to get the not-so-good school up there with the good school, and that it should be possible, because they have the same sort of intake?

Dr Gibbons: Generally speaking, achievement is very closely related to the composition of the school, demographically and in terms of prior achievement.

Q3 Chairman: Fool's gold, is it? Basically, if you know the social composition going into the school, broadly you know what the result will be.

Dr Gibbons: It is a good guide. Clearly, there are schools that do well with a given intake and schools that do badly with a given intake, but in general intake will dominate performance in the end. I have not looked in great detail at what drives the effectiveness of schools. This is the holy grail, to try to define what makes certain schools work better than others. We are not really in a position to answer that. The message from a lot of educational research is that it is very hard to find the facts that make the difference to the achievement that you were talking about—the value added, if you like. The factors people are looking at now are the leadership skills of the head teacher and certain qualities of the teachers within the schools. It is hard to pin down. It is not to do with resources, and it is not do with certain policy

issues; it is to do with unobservable factors that we cannot isolate, given the data we have at the moment. That is my assessment.

Q4 Chairman: We will drill down on that. That is most interesting. Turning to Dr Benton. What research are you doing that is relevant to this Committee and how does it square with Steve's? I have a vested interest in that I am a governor of the London School of Economics. We seem to have a lot of LSE academics at the moment, but these witnesses were all chosen without consultation.

Dr Benton: I have been doing a lot of work looking at the relationship between school type—faith schools, selective schools and specialist schools—and the outcomes for pupils in terms of achievement, performance and, to a certain extent, their attitudes. I have been investigating whether those things are related to school type. That was in the papers that were sent ahead. I agree with all that Steve said, and we have had a lot of the same results in our work. We find that there is a lot more variation within schools in terms of the way pupils achieve and the extent to which they do better or worse than you would expect. That happens a lot more than schools as a whole doing much better or worse than expected. This is very much in line with the work that Steve has been doing. A lot of our work has been focused on the different ways of assessing how good schools are by looking at their achievement data, and how we can take account of differences in their intakes. We find that simply looking at a school's raw results, such as the five A to C grade percentage in simple league table form, can be very misleading as to how well a school is doing. Some 90% of the differences between schools in terms of raw results can be attributed to intake—the nature of the students turning up. It is very important whenever we talk about school type or assessing the quality of the school in terms of achievement that we take into account the types of pupil within the school to start with and the differences in intakes. On school type, generally speaking it is very hard to find any large effects, and we did not find major differences between one type of school and another. The only exception to that rule is a small number of selective grammar schools—selective state schools within the system—where pupils who are just clever enough to pass the entrance exam to get into a grammar school appear to do a lot better at Key Stage 3 than pupils who just failed the exam but who are very similar. When we look at the difference in their achievement over time, it can be very different. That is the only thing that has come out as a major effect. Other than that, school type has been found to have only a very small effect on achievement.

Q5 Fiona Mactaggart: Is that the work of Schagen and Schagen? What I am not clear about is whether the comparison in that work was between grammar schools and genuine comprehensive schools or between grammar schools and secondary modern schools, because such schools often describe themselves as comprehensive.

Dr Benton: The work was actually done both ways. You can compare either secondary modern schools and comprehensive schools in the same area or two schools in different areas that do or do not have a selective system. Both times you will find that gap.

Q6 Paul Holmes: When I was teacher training, the received wisdom was that quite a large chunk of the pupils do not do well in grammar schools because, although they are in the top 20 to 30% of the ability range, they are regarded as being at the bottom of the tree rather than at the top of it.

Dr Benton: Yes, that is correct.¹ It seems that the lowest achievers who get into grammar schools get the biggest effect and overachieve compared with what they might have done elsewhere. There are alternative possible explanations for that. It could be that the grammar schools' selective tests are better than the national curriculum tests at picking out the cleverest pupils and the not-so-clever pupils. In other words, their method of selection could be more effective than the Key Stage 2 results, in which case comparing people who are similar in terms of Key Stage 2 intake would not adequately take account of differences in how clever they are. That is a possible explanation. The other possible explanation is that, when it comes to Key Stage 3, grammar school pupils are far more likely to be entered for higher-tier examinations. That is another possible explanation in that area.

Q7 Annette Brooke: What about parental impact?

Dr Benton: Parental impact is certainly very important. It is difficult to measure parental impact, but we try to take into account factors such as socio-economic status. Parental impact may affect prior intake as well, so by adjusting to those factors you would hope that you can take into account differences in parental support. You are certainly right that there are more factors.

Q8 Chairman: Simon, how does your research differ from Dr Benton's?

Simon Rutt: My research looks at the step before: what happens in schools once the kids get there, and what schools do with kids. I am particularly interested in looking at which children go to which schools. I know that there are a lot of issues surrounding the fact that children do not get into their local schools, that they have to travel so far and whether covert or overt selection is taking place. There are lots of issues and queries from parents about what is happening. By using the national pupil database, where fortunately we now have national coverage of pupils, we were able to identify schools in a community and the pupils who live around that community. We looked at whether children go to the local school or to other schools. The most important part of that was identifying the community, which was very difficult. To do that research perfectly, we would need to know each school's catchment area, of which you can get maps from the local authority—the area covers certain roads and goes

¹ *Note from witness:* I am agreeing that this is the received wisdom, not that this view is supported by the data.

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out to this river and that road. We did not have that information; we only had postcode information. So for primary schools, we had the postcode of where the school sat, and we took the first four digits—for example, SW6 9—as the description of the community around the school.² That covered about 2,600 households, which was described as the school's community. We were able to look at the pupils who lived in that community and see where they went to school—how many pupils went to that local school and how many went to other schools. We then looked at the background characteristics of those pupils and aggregated that up to the level of the local authority and, in particular, the school type to see whether there are any differences for the national average of the make-up of those characteristics. What we found, which held for primary and secondary, is that the main difference is between community schools and voluntary aided schools, where there is a distinct difference in admission policies and what they can do. We found that pupils at voluntary aided schools tended on average to come from more areas, so there was a wider dispersion of their pupils. The voluntary aided schools took less of the intake from their community. If 80% of pupils lived in the local area, community schools took a higher proportion of those pupils. You would expect them to take similar proportions, but actually voluntary aided schools tended to take less from the local area. One factor that has appeared in some of the papers on the subject is that voluntary aided schools tend to be religious schools. Clearly, if you are a Roman Catholic school, you have got to take a lot of Roman Catholic pupils, who may not be centred around the school. When the school was first set up, there may have been a large Roman Catholic or religious congregation around the school, but with mobility, especially in urban areas—particularly London—the population has moved out further, so the schools have had to go out further to get their Roman Catholic pupils.

Q9 Chairman: You would get transport costs, in an advantageous way, if it were the only Catholic faith school. You can travel further.

Simon Rutt: Apparently so. Yes, you can travel further. One of the interesting things that we wanted to look at was what proportion of pupils in the community were on free school meals, which is the main socio-economic indicator used on the national computer database. We expected the schools to take a similar proportion, but we found that voluntary aided schools were taking a lower proportion than one would have expected. At the individual school

level, you can find schools that will take far more and schools that take less, but looking at the national averages, the distinct characteristic of voluntary aided schools is taking less than one would have expected. One of the reasons is that the schools have to go further, they have to look outside—there may not be that many Roman Catholic people resident in the communities, so the schools have to go further out. With the travel costs covered, you would expect that the schools would still be taking free school meal pupils. We then looked at the areas where those pupils come from—they do not come from the community of the school, so where do they come from? We looked at what proportion of free school meal pupils lived in those communities and whether the schools took the same proportion or a higher proportion. Again, we found that voluntary aided schools took fewer free school meal pupils from those communities as well. Overall, community schools were taking slightly more free school meal pupils than one would have expected, and voluntary aided schools were taking slightly less. I have not looked at whether the prevalence of free school meals within the Roman Catholic and C of E faiths is less—it may well be that the proportion of those on free school meals in faith groups is lower. I do not know, but one would think that that is not the case, so you would expect a similar distribution of free school meals. We also looked at special educational needs in the same way, at ethnic minorities and, for secondary schools, at Key Stage 2 attainment and the proportion of pupils who had achieved Level 4 and above within the community. Looking at community and voluntary aided schools, we generally found that voluntary aided schools took lower proportions of pupils on free school meals and lower proportions of pupils with special educational needs. Ethnicity was very similar between types of school. What was interesting was that it seemed that ethnic minority pupils travelled further to get to their school of choice or to the school they ended up in, rather than actually going to their local school. In secondary schools, voluntary aided schools tended to have a higher proportion of pupils reaching Level 4. That seems to show nationally—I am looking at the average statistics—that there is a difference between the schools and their intakes, which feeds automatically into what they do and the characteristics of the ultimate impact on final attainment in those schools. We tend to find voluntary aided schools in particular categories where we find less SEN, and these things have a fairly major relationship with final attainment. Academies were introduced particularly to address high-deprivation areas. From the number we had on the national computer database at the time, we found that the academies were in areas of high deprivation and that they took a higher proportion of pupils on free school meals from the communities that they served. They were set up in areas of deprivation, which I believe is their purpose, and they take a higher proportion of pupils on free school meals. The main differences were between community schools and voluntary aided schools—private sector schools obtained similar results—but

² *Note from witness:* In discussing school communities and identifying whether pupils go to schools inside or outside the community in which they live, reference was made to postcode. To identify communities around primary schools the first half and the first digit of the second half of the postcode was used to identify this area, ie TW11 9. This area covered around 2,600 households. The use of postcode was different for secondary schools but was not mentioned and so may result in a misunderstanding. For secondary schools, as their catchment area would be larger than that of primary schools, only the first half of the postcode was used to identify the community around a school, ie TW11. This therefore covered many more households.

you do observe a lot of differences when you look at very urban areas, where there was a lot of mobility between sectors, and rural areas, where there was less mobility and pupils went to their local school.

Chairman: That has warmed us up. Thank you for those introductory remarks.

Q10 Fiona Mactaggart: Tom, you said that 90% of the difference in outcomes for children is connected to the intake of pupils. I recognise the difference between comparisons within schools and comparisons between schools, but we are interested in the differences between schools here, even though we recognise that your research shows that there might be greater variation within a school. Are you saying that the most significant predictor of the outcomes in a school—let us leave aside the 11-plus at the moment, because it is distorting—is the intake of pupils?

Dr Benton: Yes, absolutely, in terms of not only prior attainment, but free school meals and special educational needs. Taken as a whole, those are a very good predictor.

Q11 Fiona Mactaggart: Simon, your work says that those schools that have their own admissions authorities cherry-pick their pupils.

Simon Rutt: There appears to be a difference in the characteristics of those schools. I cannot not say whether they cherry-pick, because I would need to know who applies to go to the school and who gets in.

Q12 Fiona Mactaggart: Why do you not have that information?

Simon Rutt: As far as I have heard, information on who applies and who gets into every school is not available. The local authorities hold certain amounts of such information—I believe that London had a consortium to combine admissions policies—but to say whether you are statistically less likely to get into certain types of schools if you have free schools meals or special educational needs, or if you are a certain type of pupil, we need to know who applies and who gets in, but that information is not currently available. It is not a data set that I know is available.

Q13 Fiona Mactaggart: Have you looked for it?

Simon Rutt: Loosely, yes. I have not dug too deeply, but it is not something that I am aware of as available nationally.

Q14 Fiona Mactaggart: Should it be?

Simon Rutt: Yes.

Q15 Fiona Mactaggart: Is any of the difference between schools accounted for by the level of spending on the pupils within them? None of you seems to suggest that that is particularly significant.

Dr Gibbons: I cannot answer in terms of spending on individual pupils within schools, but in terms of the average expenditure of different schools the evidence that we have is that it does not make a huge difference, given the levels of expenditure at the

moment. The problem is, of course, that the expenditure is somewhat targeted towards disadvantaged schools, so it is hard to tease out causal linkages between expenditure and pupil achievement. There is some work on specific programmes, such as the Excellence in Cities programme, which suggests that there are some positive benefits, but in general if you look at the basic statistical analyses that are available on expenditure and outcomes, you find nothing. That is a fair assessment of not only the literature from this country, but the international literature.

Q16 Fiona Mactaggart: One of the things that we have been looking at is collaboration between schools. It seems to me, looking at the research, that collaboration between schools happens between secondary and primary schools but not particularly between secondary schools. Have you done any work on collaboration between schools?

Dr Gibbons: No.

Q17 Fiona Mactaggart: Are you saying that it would be helpful, and that you would be able to tell us much more about school-level effects, if there were a data set that showed who had applied to schools and who had got in? Would that be complicated to produce?

Simon Rutt: It would be extraordinarily difficult to collect that data at a national level. At a local level, I know some local authorities have that information, but to have a national database, it would be extraordinarily difficult to collect. I am not saying it would be impossible, and it would be extremely powerful and very useful to dig into data on admissions, which pupils go to which schools, how pupils get in, whether schools are taking in balanced admissions and whether schools are taking pupils from particular areas. That would be a very strong database to use, but lots of issues might not come out of it. It would have to be combined with a lot of qualitative research to look at the process of applying for a school place and what goes down as first choice, second choice and third choice. Second or third choices, or up to six choices, go out of the window for a lot of parents, because you have to put down your first choice as school X—if you do not do so, you will not get in it, which happens. A database that allowed you to look at the choices parents make about which school their children go to and information on which pupils actually end up in a particular school and which of their choices it was would be very powerful. You could look at the flow of pupils around local authorities to see who goes where and be able to say once and for all whether schools are overtly or covertly selecting and to fix their intake. Such a database would be very powerful. The information would be difficult to collect nationally, but as a statistician, I would revel in the opportunity to analyse it.

Fiona Mactaggart: Under the new schools admissions code, it is actually impermissible for a school to give advantage to a child who puts it first.

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If that continues to happen, it will be a breach of the new code. That would at least clean your database, were we able to ensure that you get it.

Q18 Chairman: In its previous incarnation, this Committee presented a report that many of us believe changed the role of the Schools Commissioner. Will it be possible for the Schools Commissioner to conduct an evaluation of the social composition of schools every two years? That is one of the roles of the Schools Commissioner. Part of the job is regularly to evaluate the balance of the social intake of schools. Is that possible?

Dr Gibbons: I presume that it will involve the kind of data that we have been using to answer these questions—you just look at the national pupil database, I guess. You look at the characteristics that are in there and how they are distributed across schools. That is what people will be looking for, I think.

Q19 Chairman: I was getting a rather negative picture of the possibility from Simon.

Simon Rutt: It is possible. From the national pupil database, we have the ability to look at who arrives at those schools and who is in them, but we do not have the information on who applied. From my research—I am just looking at the numbers—if a large proportion of free-school-meals pupils are at a school, I cannot say whether there has been any selection of those pupils, because I do not know who applied. If there are 200 free school-meal pupils in a school, it might be that only 200 of them applied, in which case the school would have been very fair in taking all the pupils who applied to it. Similarly, a school might take all the SEN pupils who apply to it. I would like to have a data set of who applied to the school where you can look at how many pupils applied to the school who were on free school meals. If the expectation or the assumption is that they should be taking similar proportions in the community or nationally, then the question is why are they not doing so. Another thing that is not on the national pupil database at the moment, or was not when we carried out our research, is the religious affiliation of a pupil, which would be good additional information.

Chairman: We will be drilling down on that; it is fascinating.

Q20 Paul Holmes: Politicians in search of the holy grail have said that the answer to problems with pupil attainment and school improvement is diversity through the provision of CTCs, faith schools, trust schools or whatever they are called. However, all the evidence that you have given seems to indicate that that does not matter and that it is the intake of pupils that makes the difference. Is that a fair summary of what you said?

Dr Benton: Sure, it is a fair summary of all the research that we have done. Furthermore, if you look at the outcomes for schools in terms of different subjects—for example, English results or maths results—you can ask whether the schools that are overachieving in maths are the same ones that are

overachieving in English. When you do that, you find out that they are very different schools.³ There is a relationship between the two—there is a correlation between overachieving in one and overachieving in the other—but if you look at different subjects, you get different results, which indicates that whole school changes may not be the most important thing in driving results. It may be that subjects work more individually than that. You have to think, how do we improve English, how do we improve maths? A lot of it could be achieved at the subject level rather than the whole-school-approach level. Certainly in terms of school type, that is not a major driver.

Q21 Paul Holmes: Okay. You have said that where you have diverse schools, especially if they are in control of their admissions, they start to select by academic selection, social selection and so forth. Is there any evidence that diversity and selection of various kinds have an adverse effect on other schools in the area?

Simon Rutt: On the admissions side, we looked at communities that have more than one school. So if a voluntary aided school is taking an unfair proportion of pupils on free school meals, we found in a number of areas the knock-on effect appeared to be that the community school in the same area had a higher proportion of free school meals and SEN pupils than the selective schools. It appears that if one school takes fewer pupils on free school meals and SEN than you would expect, the other schools in the area take more. That, in turn, has a knock-on effect on attainment.

Q22 Paul Holmes: The programme for international student assessment in OECD countries has consistently said that the two best performing countries in the world are South Korea and Finland. The one thing that they have in common is that they have local schools, and not much else besides. Is the lesson that the comprehensive system of local community schools is better than diversity?

Dr Benton: When it comes to the PISA countries comparing countries, there is a vast number of differences in the education systems in different countries. Immediately saying “These countries are the best, and it must be because of the comprehensive system they have both got”, is probably too much of a leap to be certain about.

Q23 Paul Holmes: If you look through the PISA studies, you generally find that the countries that have selection, such as Germany, England and the USA, do very well with academic pupils but have a huge tail of underachievement compared with the countries that have more non-selective systems. It is not just about the top two countries.

³ *Note from witness:* Saying that they are very different schools may be overstating things. There is some relationship between schools overachieving in one subject and overachieving in another. However, the differences are big enough to reasonably conclude that results in any particular subject are not particularly driven by overall school characteristics such as school type.

Dr Benton: Sure, I understand what you are saying. However, you have not got an enormous number of countries in those studies, so statistically it is difficult to see how you can draw robust conclusions. Although it is interesting to speculate along those lines, you could not see that in any way as being a proof that a comprehensive system is the better one. Can I return to your previous point about the negative influence of selection?

Paul Holmes: Indeed.

Dr Benton: There has been some further research on the positive effect that selective schools seem to have on pupils who get in them. When we compared them with secondary moderns, we found that there seemed to be a converse negative effect of a much smaller size that affects a greater number of pupils. If you consider a local authority as a whole and consider the relationship between the percentage of pupils who are selected and overall achievement within the local authority, I think that the effect would more or less balance out. It appears that the positive effect on those pupils who get into selective schools is perhaps balanced out by the effect on surrounding schools.

Q24 Paul Holmes: You mention inquiries into the evidence on academies in the written evidence. Part of the problem with looking at academies is that they have not been running that long, so it is hard to tell the long-term impact on intake and certain areas. However, there is evidence that in those 24 academies the admission of pupils from deprived backgrounds fell from 42% in 2002 to 36% in 2006. Is that just a readjustment, because the academies were replacing failing sink schools that had too high a proportion of pupils from such backgrounds, or is it that the academies have started to become socially selective? Is it too early to say?

Simon Rutt: I suggest that it is too early to say. From those statistics, it is difficult to say whether they are balancing themselves out to take account of pupils applying to the school or whether they are now being selective. By having that information we would be able to determine whether they are starting to operate selection policies on pupils getting into schools.

Q25 Paul Holmes: Academies are relatively new, so we will have to see how the situation pans out, but CTCs have been around for a lot longer. Are there any studies of the CTCs, some of which have been in existence for 15 years or more, examining those effects?

Dr Gibbons: I have looked at the intake of CTCs compared with other schools. Between 1996 and 2002, CTCs had a much more compressed intake in terms of the distribution and level of achievement of the kids coming in. They were selective and they had higher achieving pupils as well. The CTCs were in our estimation *de facto* selective, but the mechanisms through which that is working are not completely clear. They claim to have a comprehensive intake but we found evidence that

they do not. They are extremely selective, and, although that is not to the same extent as a grammar school, it is still significant.

Q26 Paul Holmes: So, there is clear, uncontroversial evidence that CTCs have become selective in some ways?

Dr Gibbons: Yes.

Q27 Chairman: The original framework that the CTCs were given included the ability to band. You three have all told the Committee that in order to give a school a fair chance of achievement, you need a balance of abilities that reflects the community rather than distorts the community. Is that the case?

Dr Gibbons: The process by which CTCs admit pupils is admittedly mysterious to me. I am not quite sure. When I trawled through the admissions policy of the CTCs, it was said that they were trying to pick a balanced intake from the London community, yet they were allowed to slack on aptitude and specific skills. How those two matters square, I do not know. In the end, the policy winds up being slightly selective.

Q28 Chairman: Earlier, you told Paul that, to obtain achievement, a balanced intake is needed.

Dr Gibbons: I did not mean to say that.

Q29 Chairman: I thought that you said 90% of the results from a school depend on its intake. You said that if we represent our community and get a fair balance of the community, we can do wonderful things to raise levels of achievement. However, what about a preponderance of children who are on free school meals, have SEN or are looked-after children? We visited schools with 100% free school meals, let alone 65% SEN. They find it difficult to raise levels. Is that the truth or is it not?

Dr Benton: That is not quite what we are saying. We are looking at individual pupils, so we can see their characteristics and know what we expect them to achieve. If we look at them at an individual level, that is where 90% of the difference is. The make-up of the school is not so important, but each individual's characteristics affect each individual's chances of achieving later on. That is where most of the differences between schools lie. Do you see what I am saying? From a pupil's point of view, the people around the pupil are not as important as the pupil's characteristics. There is some evidence of schools with a higher average intake doing better than other schools. There is an effect of having high ability kids around other pupils in terms of the other pupils' achievements, but that is smaller than the 90% figure, which is based on an individual's characteristics affecting an individual's chances.

Q30 Paul Holmes: I have talked about politicians looking for the holy grail, as in diversity. Another holy grail that is often trotted out is super-heads who, through their dynamism and personality, can transform a school regardless of its intake. Is there qualitative, statistical evidence to back up that statement or contradict it?

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Dr Benton: We did a survey of all schools in London. We asked teachers how good they considered leadership in the school. We could then relate that to the attitudes of pupils in terms of whether they liked the school and were committed. We found a significant relationship between the two things. Although what I said earlier about schools achieving differently in different subjects might be expected to have some effect on the quality of the school overall, it cannot be the holy grail. It cannot be the only thing that drives performance forward. Schools do differently in different subjects, so something must be going on within individual subjects. There is certainly evidence that the quality of leadership has a significant impact.

Simon Rutt: A lot of the statistical analysis that we carry out on the national pupil database allows us to explain a certain amount of the variation between schools and within schools and what is actually happening by using pupil effects and school characteristics. One thing that individual research has attempted to get at, but what we rarely have at national level, is parental involvement in education. Being able to put that into some of the models that we undertake would be powerful and would allow us to look with more variation at pupils to find out their parental involvement and home environment. At the moment, we have very few socio-economic indicators, but free school meals is not an indicator of how committed a parent is to their child's education. That would be another powerful piece of information to put in, because it would help to explain variations between pupils in schools with regard to parental factors and things outside a school's control.

Q31 Chairman: Surely, there must be a body of research that has looked at parental influence.

Simon Rutt: I am sure that research projects have looked at it, although I do not know of them as such, but it would be a very powerful piece of information to have.

Q32 Chairman: Is that something that you would like to have in order to further your research?

Simon Rutt: Absolutely.

Q33 Lynda Waltho: I want to drill down to what you think is missing with regard to statistics and information. How useful is the pupil level annual school census in the work that you are doing, what gaps are there and what else do you feel that it would be helpful to have information on?

Simon Rutt: That is an extremely useful dataset. I think that it has improved the analysis of educational research, and having that pupil information at a national level has allowed much more robust and sophisticated analysis. With regard to the information in it, such as information on behaviour, attendance and exclusions, that will increase the information and power of the dataset when it becomes fully incorporated into the national pupil database. Attendance has just started to be gathered at pupil level. I worked on the Excellence in Cities evaluation, for which we collected

information on pupil attitudes and attendance, and I think that there are lots of things in the research that could be used. On a number of occasions, it became evident that schools were actually having an impact on some of the other measures, despite not impacting on attainment straight away. It takes a little bit of time for a change in culture and ethos within a school to have an impact on attainment, but it might have a more immediate impact on behaviour, attendance and attitude to school. Change the attitude to school first so that children want to come to school and learn and turn up enthused by education, and then the attainment will change. In the Excellence in Cities evaluation, we tended to find that some of those things were having an effect first and that some of the behaviour was changing, which would eventually, hopefully, lead to changes in attainment. Therefore, when the attainment things come through, along with fixed-term exclusions, which have been difficult to get on there, that will also make the information powerful, along with looking at behaviour in the school.

Dr Gibbons: I support those requests entirely and think that the information on behaviour and attendance is important. I will go back to what Simon said earlier about information on admissions and on which schools pupils put down as their second and third choices. That information would be really valuable for understanding what really drives the selection processes and makes different kids go to different schools. As it stands, we only know which school a child ends up at, but not which school he or she would have preferred to go to. We cannot really work out whether the selection takes place on the parents' side or the school's side, so those two things together are the most important things that I would like to see.

Dr Benton: I agree with everything that has been said. One thing that is also to be said is that a lot of data have already been collected within schools—we have talked a little about the attitudes data that we already have—for one purpose or one evaluation. That information could be used in secondary analysis of the data that already exist, and it could be reanalysed for a new purpose, such as looking at school type, selective schools and so on. There is a lot of potential, therefore, for further analysis of the data that already exist and for looking at some of the questions that we are considering.

Simon Rutt: One addition would be English as an additional language. We used to collect information on fluency in English at various stages of fluency up to being bilingual. A lot of very powerful analysis was done because bilingual pupils tended to achieve higher than native English speakers, and those who are new to the country and have low levels of English tend to struggle with the curriculum and underperform. The national pupil database, at the moment, only collects information on whether those pupils have English as an additional language. In running analysis, an effect tends to come out that you know is not the same for all pupils with English as an additional language. So, if we could get fluency levels back on to the national computer database, it

would be a powerful resource, particularly for urban areas where there are many refugees and asylum seekers.

Q34 Lynda Waltho: That was what I was going to ask about. Language is quite a big issue. I am the daughter of a school secretary and I can just imagine what my mother might think now, after listening to all the extra things that are going to be required. I know that school secretaries take on much of the burden, so, sorry mum. That is great, thank you very much.

Dr Gibbons: Another study, the *Longitudinal Study of Young People in England* is not about the population. It is not the pupil level annual school census, or PLASC, but it is very useful. I would put in a word asking for that to be continued and extended because it contains a lot of the more detailed parental background information. It has detail on parental involvement and attitudes to school. At the moment it only follows one cohort year by year. I do not know what the plans are with regard to extending it, but it would be useful to see it followed up for different cohorts, and perhaps also to see its scope extended, as it is a valuable data source for answering these questions.

Q35 Mr Slaughter: The Government's contention is that academies are either replacing schools or being placed in low-achieving, often socially deprived areas, with the idea of making a significant change in the format. They also contend that, at least at national level, the percentage of children having free school meals in faith schools is not much different from in community schools; it is only slightly higher. I know that because I heard Lord Adonis say it on the *Today* programme this morning. Therefore, I had a quick look at one of my local education authorities to see if that fact was borne out. Looking at your CV, Mr. Rutt, it is an authority with which you will be familiar. In brief, the percentage of free school meals in four community schools was 56, 50, 42, and 41; it was 21 in one C of E academy; and it was 6, 6, and 2 at three voluntary aided schools. That is not, I would submit, a minor difference. It is an extraordinary difference. It does not necessarily equate to a system of comprehensive education, as I would understand it. My question to you all is: how do you get to such an extreme system of stratification? That may be more extreme than other LAs; I do not know. If it is in any way representative, it is clearly more extreme in relation to faith schools, which are an established part of the school family, rather than academies, although, significantly, academies seem to be in there as well. First, is it a problem? Is it something that we should not have ended up with? If it is, is it the local education authorities, politicians, parents, or the schools themselves that lead to that degree of difference?

Simon Rutt: Given that I know the local authority to which you are referring, I think that the difference between the schools within that area has come about because of the parental ethos and the culture in some of the schools. Many people have not applied to go to those schools because of pre-conceived

perceptions of what the school is about, what it is like, and how it will be for their children. I know that applications to some of those schools are extremely high and that they do take a balanced intake of those who apply; they split the performance of those pupils into groups and their lowest performing groups perform higher than the highest performing groups in other schools. Is it the school's fault that such pupils apply, or is it the local authority's fault for not ensuring that a broader range of people apply? Hopefully, with the changes in admission policies, a broader range of people will apply for those schools. That situation has evolved over the years to become how it is. Parental perceptions and the cultural ethos have allowed that to develop.

Chairman: Dr Benton is looking unhappy.

Dr Benton: No, I am not.

Q36 Mr Slaughter: I find the last point difficult to accept. Are you saying that there is self-selection in terms of parental applications?

Simon Rutt: I believe that there is a degree self-selection for the schools that we are talking about.

Q37 Mr Slaughter: Another aspect is that even though voluntary aided schools make up half of the schools in the LEA area, only 5% of children from the LEA area go to those schools. Clearly, their catchment area must be wider because a much higher percentage of pupils are going to community schools. Is that a general feature of academies or faith schools?

Simon Rutt: Looking at voluntary aided schools nationally and at a local level, they tend to have a much wider dispersal of pupils. On average, they will come from more communities than those in community schools. In London, they come from even wider areas. There is a difference between inner London and outer London and other urban areas. In inner London, pupils will come from many more communities than that which the school is in. That area tends to be wider for voluntary aided schools than for community schools.

Q38 Mr Slaughter: What about academies? Academies can be selective for 10% of their intake. That may or may not be significant. Does the ethos of an academy, by having an element of selection, a relationship with a sponsor or other factors, have the same effect of discouraging applications from a wider cross-section of parents?

Simon Rutt: I was reminding myself about academies. Given that there were only a few academies in the database that I was looking at, pupils came from a similar sort of proportion of areas as in community schools. Many pupils are from other communities, but not as many as in voluntary aided schools. The intake was from smaller areas around academies; a little bigger than community schools, but not as big as voluntary aided schools.

Q39 Mr Slaughter: That does not answer my question. Your answers slightly surprise me. I do not know what the answer to my question is, but I would

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be surprised if you were correct. What you effectively seem to be saying is that we have a comprehensive system of education and parents choose to turn that into a selective system for their own reasons. If that is the case, I am asking whether it is likely to apply to academies as well as to voluntary aided schools.

Simon Rutt: I have not done any research to identify that, but I would think that as schools get better, they will have more applications from parents wishing to send their children to them, so the level of applications will be higher. Does that lead to schools selecting pupils from that application list? I have no evidence of that.

Dr Gibbons: I do not have any evidence that would tell you anything specifically about academies, but it is self-evident from the relationship between community schools and house prices that an element of self-selection goes on. Parents create a selective system out of the comprehensive system by moving nearer to schools that are seen as good. That drives up house prices and keeps out lower-income families. There is a lot of evidence that school policy has a causal relationship with house prices. That in itself is evidence that this selection process is going on. Indeed, the distribution of achievement on intake into community schools, where there is no element of selection, is evidence that something like that is happening. Part of that is driven by the geographical location of schools and the kind of communities in which they are located, but there is a bit on top of that which will be generated by people selecting themselves into schools according to the kind of kids that are in there.

Q40 Mr Slaughter: Two points come out of that. I think we all know that what you have said is a truism. Is it more true in densely populated areas such as in London where there is a smaller geographical catchment area, and there is not a local comprehensive serving a smaller community? More significantly, should not the types of schools we are talking about be less prone to that? In other words, if voluntary aided schools are selecting on the basis of religion and taking from a wider catchment area, should not they be less prone to the house price lottery? If academies are being targeted on deprived communities, should not they be less prone to social selection in that way? Neither seems to be the case.

Dr Gibbons: Thinking about the voluntary aided sector, and the Church schools in particular, you are right. You would expect the impact on house prices to be less for those. The simple reason why they pick from larger areas is because distance is not usually a criterion that is used when rationing places. Usually there is a list of oversubscription criteria so that when the school has too many applicants for its number of places all those over-subscription criteria come in. For community schools, living near is a key one but it is not the dominant criterion for faith schools. Clearly the house price effect there will not kick in for the faith schools. But there are still differences in the preferences for those types of schools among different types of families, even if there is no house price linkage. I was using the house price linkage as evidence that that takes place in the

community school sector. If you step aside from that and just think of the voluntary aided schools, clearly different people have different preferences. This might be what is driving the parent side selection into those kind of schools. Some people just do not want to go to those schools and some people do. There are differences between those types of people in terms of their background and achievement.

Q41 Mr Slaughter: Is the answer on the academies that it is too early to tell whether there is a trend towards taking a more exclusive social intake or not? If there is a trend, how would you explain it?

Dr Gibbons: I have not looked at academies at all so I could not comment on them.

Dr Benton: With the numbers of academies it would be hard to summarise that finding. In the last report there were 27 Academies. Within those there are some where the percentage taking free school meals is going up and others where it is going down. We cannot generalise from that to say that academies mean more selection. There are simply not enough of them at this stage to be able to make that statement.

Chairman: We will drill down on that in a different way. Douglas, on school diversity and collaboration. Oh, Annette, do you want to come in here?

Q42 Annette Brooke: I am sure that Douglas will take these questions further, but I would like to start by looking at the choice model and competition. My first questions will be directed towards you, Steve. If we have choice and the competitive model, is it just a matter of sorting out all the imperfections in the market to address the problems that we are talking about this morning?

Dr Gibbons: The problems in terms of the differences between schools, or are you thinking of overall levels of achievement?

Q43 Annette Brooke: If we had a perfectly competitive model, would we not end up with a set of schools that were all of equal performance?

Dr Gibbons: There is a diversity of opinion on that, and there are two views. First, if you have a school system that admits purely on the basis of where people live and takes only people from their local community, the make-up of the school and the achievement of pupils in that school are dependent on the kind of kids who live in that community. There are differences between communities for reasons other than schooling, such as the quality of housing and the environment. In turn, if people start paying for a good school—through house prices—it will drive sorting of a different kind in a neighbourhood, and you will wind up with a very unequal system in that scenario. If you opened up the competition and allowed people to choose any school, it would break down that linkage and you could wind up with a more even distribution of achievement across schools. The other view is that if you open schools up to competition and allow parents to choose more widely, the most motivated parents—those with the willingness and ability to pay to travel across the borough by car to drop their

kids off—will make the effective choices, which could exacerbate the inequalities. It could go either way, so the jury is still out on this one.

Q44 Annette Brooke: Do we not just need to identify all those imperfections and tackle them one by one? Is that possible? If we were to address transport costs, it could truly facilitate choice. To a certain extent, that is in the new legislation. Choice advisers might fill the gaps in terms of parents not perceiving the best choice for their child. Can we just keep drilling into all the imperfections and remove them? Would we end up with the perfect competitive model, which I do not actually follow, under which a poor school that is not performing will just wither away and something will come in its place?

Dr Gibbons: There are two objectives: one is to raise the level of achievement; and the other is to equalise achievement across different schools. To start with, let us think about equalisation. You are right that if you designed a system of choice very carefully, and subsidised transport and provided information, you could come up with a system that would make everyone equally likely to make the right choices and wind up with a very even distribution of people across schools. There would be a lot of unintended consequences—there would be a lot more travelling, so you would create a whole set of new problems—but if the objective was to level the playing field, it would probably work with a lottery system coupled with transport facilities. Whether that would do anything to push up achievement levels generally, and whether competition is an incentive on schools and actually raises achievement, are slightly different questions. It could work in two ways: through people finding schools that better suit their needs; and because—as in the example that you just gave—the schools that do not succeed will just wither away and die. However, an inevitable feature of that model is that there must be inequality of achievement because otherwise those schools will not die out. I presume there is a transition that involves a lot of inequality of achievement in that kind of model. Perhaps, in the end, you wind up with better performance that is equally spread out, but it is very hard to say. The transitional consequences could be quite extreme.

Q45 Annette Brooke: So, the period of transition might be too painful. You said in a paper to which you contributed that although the competitive model might even out ability, it would have downsides. Am I right?

Dr Gibbons: We were looking at primary schools in that series of papers and considered two matters: first, whether the performance effect of competition between schools, and parents having a lot of schools to choose from, raises achievement; and, secondly, the inequality aspects. Our conclusion was that there was generally no evidence that competition and choice made any real difference to performance. There was some evidence that that worked in the voluntary aided sector, where the incentives might be more correctly aligned for that model to work, but the impacts were quite small. Where the costs came

in, the downside that we referred to was that we had some evidence that that tended to increase inequality. In areas in which there is a lot of choice among schools and a lot of closely-located schools so that people can choose among them, there is actually more stratification and more sorting—and more segregation, if you like—across schools. The downside is the inequality.

Q46 Annette Brooke: Do you mean in terms of socio-economic background? I was not quite sure which inequality you were talking about.

Dr Gibbons: Yes. It is inequality in terms of achievement, but as we have been discussing, achievement is closely linked to the prior achievement and background of the children, so the two are virtually synonymous.

Q47 Annette Brooke: So, is your conclusion that we do not raise standards for the very children for whom we want to?

Dr Gibbons: The evidence suggests that the effects are marginal. The international evidence is not exactly convincing on the idea that more competition increases the performance of schools.

Q48 Annette Brooke: May I address some questions to Tom and Simon? Is there any available evidence on collaboration in any areas, or is it that any collaboration that might exist is rather cosmetic? If we are going to have choice and not go the whole way with the model, in order to support other objectives such as equality, collaboration must be an important part of the model.

Dr Benton: You are asking about general measures of collaboration.

Annette Brooke: Yes.

Dr Benton: I do not know any general ways of doing that. Within particular evaluations or programmes there could be a purpose to collaborate. For example, I have done an evaluation looking at delivering vocational qualifications at Key Stage 4, and we can look at evidence there of schools helping each other. If one school cannot deliver an NVQ in a particular subject, they could get together with another school and send pupils backwards and forwards. We have some data from particular programmes, but nothing global about how much collaboration schools are involved in as a whole.

Q49 Annette Brooke: And whether it makes a difference, I suppose. When the Schools Commissioner visited our Committee he gave examples from Kent, where the implication was that through the Building Schools for the Future programme, there was encouragement for grammar schools and secondary moderns to work together. Do you see that that might have a positive outcome, or will it just be cosmetic—sending a few pupils here and there?

Dr Benton: It is certainly possible that it would have a positive outcome, but I do not have any evidence on that.

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Simon Rutt: On added evidence for that, part of the evaluation of Excellence in Cities looked at partnership-level information where local authorities worked to develop these sorts of collaborations and partnerships between schools. We had lots of information about different levels—leadership, management and so on. There were a number of different indicators to inform partnership-level collaboration. When they were introduced into the model, they had no effect over and above the pupil-level effects that we have discussed. There was no added benefit of having a good partnership score or a low partnership score. Over and the above the pupil-level and other school effects that were already there, we did not see anything else. It was not the greatest possible measure in the world, but that is the only thing that I have seen and been involved with that used this sort of collaboration. There was no effect over and above lots of the other pupil-level and school information that we have.

Annette Brooke: Thank you. That is rather gloomy really.

Q50 Mr Carswell: I am interested in the idea that competition does not necessarily raise standards. If that is the case, this must be about the only sector in socio-economic activity where more competition does not enhance outcome. I was at a recent lecture given by someone from the Milton Friedman Foundation who produced a lot of evidence to the contrary. I want to explore the idea of spreading good practice. To spread best practice, one basically does the good things that other people do. To do that, you create an incentive to do what others do. Surely competition, rather than collaboration, is the best way of spreading best practice? For example, in the business world, the practice of putting airbags in cars was spread by companies competing with one another, rather than collaborating. Is it not the case that if you really want to spread practice, competition is a better way of doing that than collaboration? If you disagree with that, I would be interested in why you think that education is different from virtually anything else.

Dr Gibbons: I do not have any evidence on the effectiveness of collaboration. The only evidence that I have is on the effectiveness of having a range of schools to choose from in the London area, so I could not really say. Without knowing whether collaboration works or not, I cannot comment on that. I think that schools are different from commercial activity and the market sector—there is a difference here. There are a lot of reasons why you might expect competition not to work especially well. It might be better if kids are brought up in environments in which teachers are not put under those kinds of pressures. I am not arguing for that, I am just saying that there are a lot of—

Q51 Mr Carswell: Why would it be better for teachers not to have competition?

Dr Gibbons: That argument is put forward. I do not know the way that teachers operate, but I would imagine that if you have a classroom of kids, there

are a lot of things that you have to deal with that are not just to do with thinking about raising their standards. There is a lot of classroom management and other educational activities that go on, so if you have this tunnel vision on raising standards to try to beat the nearest school up the road, that is perhaps not very productive.

Mr Carswell: Could not MPs say the same? If, as a politician, I did not have competition in terms of having to stand for election, I could spend my time doing other things. Surely you need competition to get the best out of teachers?

Dr Gibbons: I am not really arguing against that; I am just saying what the evidence is, generally speaking. There is evidence that you could find, particularly from Caroline Hoxby in the United States, that would support the idea that competition works, but the bulk of the other international evidence suggests that it does not. I am just stating the evidence.

Q52 Mr Carswell: Do any of the other witnesses wish to comment?

Dr Benton: On the issue of sharing best practice between schools, one of the things about education that is different from making cars, for example, is that identifying best practice within schools involves a lot more debate. It is a lot harder to say clearly, “This is the way such and such should be taught and all other ways are wrong.” It is difficult to identify those things, so you might not expect that to work in the same way as in other sectors.

Q53 Mr Carswell: The word “collaboration” itself is interesting. If I learned that Ryanair and British Airways were collaborating, I would assume that they were ripping off the customer. Is there not a case for saying that collaboration is another way of describing a “non-compete” agreement between schools, and that that is a convergence of the producer interest and that, by definition, the consumer interest will suffer?

Dr Gibbons: It is not collusion on price or anything, is it? It is just about sharing practice and techniques. I do not have any evidence on this, apart from the fact that I have worked as a school governor and I know that the school’s teachers and head teacher seemed to value their visits to other schools and the contact that they had with other schools, and that they learned things from those experiences. However, I could not give you any evidence on whether that is effective or not, and I do not see that it is equivalent to collusion in the way that you imply.

Dr Benton: Also, the collaboration in some of the evaluations that I was talking about, again with vocational degrees, is not collusion. It is particular expertise in one area, or, indeed, facilities for the teaching of a particular subject that are not present at another school.

Q54 Mr Carswell: Does it mean less diversity?

Dr Benton: In terms of the school types?

Mr Carswell: Yes.

Dr Benton: Not necessarily. It could mean more diversity because you do not need every school to be able to teach every subject. You can work together. There might be two people who want to do an NVQ in engineering or motor care or something, but you would not need every school to have the facilities for that. There could be collaboration with schools and further education colleges to ensure that the necessary expertise was shared.

Q55 Mr Carswell: The question I have written down is: "How can collaboration between schools be encouraged?" I want to change that slightly. If collaboration is such a good idea, why does it need any encouragement at all from the state?

Dr Gibbons: I have not said that collaboration is a very good idea. I do not know whether it is. I cannot see that it would be harmful, but I have presented no research that indicates that collaboration has any positive outcomes.

Simon Rutt: I have no evidence, apart from a little from Excellence in Cities partnership working, which showed no major effects over individual pupil-level factors. I have no great evidence that it works, but one would think that it ought to be encouraged, with practice shared between schools. What they are working with—the pupils—is different, and the environments are different. One would have thought that shared practice ought to be encouraged, but I have no real evidence of it having a major impact.

Q56 Chairman: This is not a reflection on your evidence, but I am feeling a bit depressed after this session. If diversity and competition do not make any difference, what does your research lead us to say about policy? In a sense, you are saying that this love affair we have had with competition and choice, going across all parties, of course, is not getting across.

Paul Holmes: Leaders, not "we".

Chairman: Not we, no.

Mr Carswell: I do not accept that.

Chairman: No, we are hypothesising here. If this is a dead end in terms of policy, what does your research say can make a difference? I read you as saying that nothing makes a difference and that there is nothing we can do about this: poor kids from poor homes will not attain very well, so what can we do about it? Am I misinterpreting you?

Dr Benton: I think our research is about overall school management and school structures, and whether that has an effect on achievement. It is very difficult to find things in that area. Certainly, there is research on classroom practice and things on the ground, with enormous amounts of evidence showing that there are things that make a difference to pupils' achievement at that level. I am not very involved in that research, but at conferences, a lot of people present teaching methods that are effective and good for pupils along those lines. All we are

talking about is the big structural things and whether there are any big structural things you can do that affect pupils. It is harder to find things at that level.

Q57 Chairman: Okay. Let me bounce something through that. I have an idealistic view: when the chief master of King Edward's School in Birmingham or the high master of St Paul's School in London tells me that comprehensive education is not very good, and I look at their schools—high competition, all sifted kids from middle-class backgrounds—I would be really upset if I were a parent and my kids at one of those schools did not achieve very high standards indeed. On the other hand, my view has always been that, if a school reflects the community in which it sits and it is a balanced community, you have a much fairer chance of getting good results for all the children in that community. Is there any evidence that this view of mine is correct? Would that lead on to, say, a banding system, where there is a duty on schools to take a fair proportion of children with special educational needs, looked-after children and children on free school meals? Would that improve educational outcomes overall?

Simon Rutt: There is no evidence to suggest that would happen. It would be interesting to do some work on that. I believe that a local authority in East Sussex—perhaps it is somewhere else—has started a lottery for admissions to schools, with a random selection of pupils. It will be interesting to look at the pupils in those schools and see what the effect is: whether low-ability pupils have been dragged up, because of mixed ability and mixed characteristics, with medium, high and low-ability pupils, and whether low-ability pupils are moving up the scale, rather than just having a few of them in a high-ability school or a school with an awful lot of them. It will be interesting to look at local authorities that do that to see whether it has had an effect on all pupils, particularly pupils at the lower end of the ability scale.

Q58 Chairman: But researchers have loads of examples of schools with a balanced intake—we were given some by Andy Slaughter—as opposed to some schools that only have certain kids. Some of us visited a school in Maidstone, where 100% of the pupils received free school meals and 65% were SEN. Are you telling me that the opportunities for a decent education for kids who go to a school where 100% of children have free school meals are no different from what they are for children who go to a school with, say, 35% free school meals?

Dr Benton: No. Certainly, all the research shows that going to a school with a low percentage of free school meals is beneficial. Having pupils around who are clever or from middle-class families has an impact on the whole school.

Q59 Chairman: I was not saying that; I was talking about a balanced intake.

Dr Benton: Sure, that is right. You were asking whether being in a school with 100% free school meals is just as good for you as being in a school with

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0% free school meals. It is not. I was just answering that question first. In terms of having a balanced intake, that would be somewhere in the middle. If you did that to all schools, and gave every one a balanced intake, you would find that some pupils who were previously in a school with 100% free school meals would be better off. But, equally, the evidence appears to show that pupils who were initially in a school with 0% free school meals would be a bit worse off. So it would not appear to make an overall improvement to the system. There is no evidence to show that that would immediately improve things.

Q60 Chairman: What about other evidence? Research has been carried out in Kent showing that the children who go to the grammar schools get a much better education, but if you take all the children in Kent together they get a worse education in terms of the totality of children in that area.

Dr Benton: That is right.

Q61 Chairman: Does that contradict your view that the ones who gain are balanced by the ones who lose?

Dr Benton: That is only one local authority. When you look at it as a whole, it comes back to the point I made earlier about relating the percentage of pupils who are selected to their achievements. The relationship is slight. When you look at that nationally across the country, and ask, "Is there a relationship between the percentage of pupils in a local authority who are selected and the results?" you see that there is not much of a relationship. Although there might be one situation in Kent, as a whole, looking at the situation across the country, that does not seem to make too much difference overall.

Dr Gibbons: To come back to your point about the balanced intake issue, one point of confusion is that when you are talking about a balanced intake relative to a school at which all pupils get free school meals, that is an improvement in intake. But if you compared your balanced intake with a school with no free school meals, that would be a worsening of the intake. So we are saying that perhaps the shifting-up of the average characteristics of the pupils when they come in has an impact on achievement, although that is a bit unclear. There is some evidence that it does, and some evidence that it does not. In terms of balancing or having a mix, I do not think that there is any evidence that that matters in itself. Having a mix is better than having all free school meals, but it is worse than having no free school meals.

Q62 Chairman: So parents are absolutely logical in seeking a school with the fewest poor and SEN children.

Dr Gibbons: I can talk a bit about that. There are probably different views to a certain extent, and there are different views in the literature. But it is a question of the impact of peer groups; it is a peer group effect story. Whether being among high-achieving classmates impacts on someone's own achievement is a very hard thing to measure, because

of the problem that high-ability kids are sorted into schools with other high-ability kids. Separating out whether there is any causal linkage is difficult.

I have written a paper that investigates the issue and looks at secondary schools. We concluded that the link is in fact very small. Given a child's age 11 achievements, if they go to a secondary school with other kids who are high age 11 achievers, they do only marginally better by the time they reach Key Stage 3 at age 14. There is a tiny difference. In fact, we have extended that research and have tried to measure that difference by considering a primary school and a secondary school. In any year, there is a flow of kids from one school to the other, and year after year we can follow what that flow looks like and explore how kids who make the same primary to secondary school transition differ in relation to the composition of the secondary school to which they go. Changes over time can be used to see whether the kids who make the same primary to secondary school transition do better in years when the secondary school has a high average intake from the local primary schools. You get nothing from such research. People come in and are sorted into schools with people of a certain age 11 ability, and they come out at age 14 at the same point in the distribution. According to our research, it does not seem to have any impact whatsoever. That prompts the question: why do parents want to choose schools that have low free school meal intakes and high-achieving kids? That question is not easy to answer. It is clear that a lot of things that go along with education and being in school are not to do with achievement. Parents value the safety of their kids and the child's well-being, and there are many other considerations that come into play. The pure search for value added is not a big issue for most parents, most of whom probably accept that their kids have certain skills and abilities and they will either do well or will not do well, whatever school they go to. Many other issues that inform school choice are probably not about pure value added in test skills.

Q63 Chairman: Tom's research shows that the kids who just get into a selective school did better. Doesn't that contradict what Steve just said about it not making much difference?

Dr Benton: That was to do with selective schools. I think what Steve was saying was not particularly focused on selective schools; it was about general school composition within any school. Selective schools are only a very small number of schools. They are separate pieces of research. In terms of what Steve has said about whether the composition of the class has an effect, I would agree with him. There is a lot of debate in the literature about the effect that that has and there certainly are differing views.

Chairman: As policy makers, that does not give us much of a steer.

Q64 Mr Slaughter: The point was made about value added, and the fact that it might not be much of an issue for parents. Should it be an issue for us? You are saying that instead of having some schools

moving towards 100% free school meals and some towards 0% if all schools moved towards 50%, or at least a mixed intake, that would make no difference to overall performance and would not result in some children doing better. You are admitting the correlation between social stratification and results, but not admitting that readjusting it would produce any overall increase in performance. You are the experts—my evidence is all anecdotal—but I am quite surprised, because the trend is that the schools with a low percentage of free school meals often have good exam results and tend to coast along. A high percentage of free school meals can often reflect a great deal of mobility in the school population, with a lot of quite challenged children and many children coming in for whom English is a second language. That makes it very difficult for the school to sustain improvements. You often get schools that have false take-offs and then go down. If there was a greater social mix, it would be easier to hold together the grist in those schools. My observation is that that does happen and you get better results by doing that. There is a trade-off to be made, and individual families will not necessarily like it, but I am slightly surprised to hear you giving that view.

Dr Benton: I understand what you are saying about the perception of teachers within a school. However, our research looks at the thousands of schools across the country. We can see whether a pupil at a certain level in one school does a lot worse than a pupil of that level in a different school. We can see what the difference is for children who go to schools with high free school meal intakes. You can compare any two children you like out of the half a million or so from the national data, and you will see that, on the whole, there is not much difference. As that is based on a lot of data, that is where our conclusions come from. On the changes in results that you are talking about, one of the problems of looking at raw results is that, in schools that are doing very badly in terms of the percentage of pupils achieving five GCSEs at grades A to C, there tend to be more fluctuations in results. Such results may be more down to a statistical phenomenon than to the issues that you have raised.

Q65 Mr Slaughter: Have I understood this correctly? You are saying that, if you take two similar children from similar ability levels who go to very different schools in terms of ethos, performance and social intake, they will do similarly.

Dr Benton: That is the way that the evidence seems to point.

Q66 Paul Holmes: The Chairman said that he is very depressed at the evidence that we have received, but I am quite pleased with it, if we believe in evidence-based policy making, which supposedly we do. You are saying that your evidence and most of the British and international research says that what matters in school attainment is not who the head is, whether it is a faith school or an academy, but the intake of kids, their background and so forth. If we have identified that the problem is not diversity, but the family background and prior attainment of the

kids, does that not mean that we should be focusing all the extra effort, initiative, input and money into the problem areas, not into rewarding successful schools, which are already successful because they have good intakes of kids?

Dr Gibbons: The conclusion that I would come to from the evidence is that we need to tackle the disadvantages of the kids at the point that they enter the school. Schools provide some kind of vehicle for delivering whatever policies you want to put in place to reach those children. It is not the school-level differences that are important, but using schools as a way to get to the disadvantaged kids within them. I come back to the point that I made at the beginning: the variation within schools is enormous compared with the variation between schools. Therefore, if you are worried about low achievement, you need to tackle low achievers within every school. There are some schools with very few low achievers, but 95% of schools have someone from the bottom 5% of the distribution of achievement. You need to tackle these problems in every school. Extended schools ideas seem to be sensible; they are vehicles for delivering services to families via the school.

Q67 Chairman: What you are saying points to our investment in pre-school, to early years and to Sure Start, because you are saying that it is too late once the child is in school.

Dr Gibbons: Yes, it comes back to basic differences in family background. Obviously, differences in innate ability must play a role here as well. The initial conditions that kids come into schools with are driving the extremes in terms of achievement. It is not a question of the failures of schools to do things.

Chairman: Everyone now wants a question.

Paul Holmes: No, I have made my point.

Q68 Fiona Mactaggart: I have three quick-fire questions. I will ask them all at once, but I do not expect them all to be answered, because they are factual, I hope. First, is the pattern of achievement being so directly connected to family income an international pattern or is it worse in Britain? Secondly, are there any long-term figures? We have talked about results within a school and within an age range, but I am interested in what happens to those children when they are 21 and 25—do you know? Does anybody know? Thirdly, when we were discussing differences between schools and school admissions, we focused on the difference between community schools and voluntary aided schools. Is the pattern the same for foundation schools as for voluntary aided ones? I do not feel that we teased that out.

Dr Gibbons: I think that the fact that background is linked to achievement is generally an international phenomenon; it is universal.

Q69 Fiona Mactaggart: Is it worse in Britain than elsewhere?

Dr Gibbons: I do not know the magnitude off the top of my head, but it is of a similar order. Literature produced by some of my colleagues at the LSE on

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inter-generational ability suggests that perhaps there is a stronger link in Britain than elsewhere. It is very difficult to get evidence on this, because the number of surveys that cover the issue is rather limited.

Q70 Chairman: Your colleagues told us quite strong things about social mobility in the UK when they were here last week.

Dr Gibbons: Yes, that it is worse.

Chairman: And do you think that the two are related?

Dr Gibbons: Yes. Clearly, the links between background and achievement are directly linked to the social mobility question.

Q71 Chairman: So a greater percentage of our population is poor, low-achieving and non-aspirational regarding its children's education than other countries, to put it crudely?

Dr Gibbons: No, the evidence is that, in the long run, kids seem to progress up the income distribution scale from lower levels less well in this country than in other countries. Off the top of my head, I do not know how to compare background and achievement internationally, but there is a strong link everywhere. That is well known. You can see that in PISA—the OECD Programme for International Student Assessment.

Q72 Fiona Mactaggart: The second question was about long-term results. Do we know about these children when they are older? Do they end up going to prison; do they end up going to university? I am interested in whether we know that these things have results in adult life and in terms of success in the world, or whether some of the results that we are talking about are short-term.

Simon Rutt: I have no direct evidence of research that has been carried out, but we are just undertaking some research where we are tracking pupils through their secondary education and then looking at what has happened in further and higher education, to see whether there is any relationship between the schools pupils are in, academic attainment at 16 and what happens in further and higher education. This is through the Aimhigher initiative, which was recently introduced. We have a lot of pupil attitudinal data as well, looking at aspirations in terms of higher education and aspirations and attitudes regarding school and education in general. It will be interesting to be able to plot that through and look at pupils to see who ends up in further and higher education, and how what happens in statutory education affects what happens in post-16 education.

Q73 Fiona Mactaggart: So you are saying, "Watch this space."?

Simon Rutt: It is due to happen very shortly.

Dr Benton: There are certain bits of research about post-16 and onwards. For example, we are looking at some stuff on the youth cohort study at the moment, which shows the links between achievement at school and the chances of being in

education and training later in life. So there are sources of data, but as people get older, it gets harder and harder to track them.

Q74 Fiona Mactaggart: The people who drop out are the people who succeed least in my experience.

Dr Benton: That is right.

Q75 Fiona Mactaggart: Samples are so selective that they are inaccurate. And the point I made about foundation schools?

Simon Rutt: Foundation schools—looking at the tables again—seem to be very similar to voluntary aided in their admissions and the type of pupils they take, as in the communities they serve, the communities where they sit, the proportions of characteristics within those communities and who ends up going to foundation schools. They seem to be more similar with voluntary aided than with community.

Q76 Chairman: What is interesting for us is the joined-upness of this research. We have had a session on social mobility, and we are trying to link that to the stuff you are telling us and to relate that to policy direction and policy decisions. We are also trying to research back down the chain. When you go to schools now they will tell you—and local education experts will tell you—that they are now able to predict as a child comes into the school whether they are going to end up as a failure, a NEET or whatever. They know extremely early. Have you done research on how early you can tell a child's level of achievement?

Dr Benton: We can predict it fairly early, but it is not that accurate. We were talking about the very large variation between pupils within schools. So you would not be able to predict all that accurately when a pupil arrives at secondary school what is going to happen to them by the time that they leave. Although, as we have talked about, we can predict 90% of the differences between schools, within schools knowing which children are going to succeed and which are not is much more tricky. To predict on the individual level, who you are makes quite a big difference.

Q77 Annette Brooke: Two things. Can I come back to Steve on whether this competition makes any difference? In your article, you cover secondary schools that are close together in an urban area. You suggest that strong competition in an urban setting can deliver better results. Can you comment on that?

Dr Gibbons: There are two strands to the research. One paper looked at primary schools, where we looked very carefully at the potential effects of choice and competition. From that, we found little evidence that it made any difference. In general, we found some evidence that it worked for voluntary aided schools. A separate paper, looking at secondary schools, does something a bit more general, looking at whether schools in dense settings in urban areas perform better or worse than schools elsewhere. We were trying to get at the question of

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whether city schools are failing schools, or whether they are not doing well because they have a low-quality intake, if you like.

Q78 Annette Brooke: Could I just say that that is not true competition, because we have not got a rural situation where there are not very many choices?

Dr Gibbons: It is not true competition. No, that is right. That paper was really about the effects of density on performance. We found that schools in high-density settings perform better, marginally so, in terms of the value added between the age of 11 and GCSEs. We cannot pin down what that is to do with. It is closely linked to the number of neighbouring schools, rather than more general things, such as population density or proportion of built-up environment. It seems to be something to do with the schools, but we can only conjecture what it is. It could be collaboration; it could be competition. One candidate explanation is that it is a competition-generated effect. That is a bit of positive evidence, but we could not pin it down to be specifically due to competition.

Q79 Chairman: This has been a very interesting session. We have about a minute remaining. We have really appreciated your expertise. You seem to be giving a strong message today. If you were in a

fantasy land where Fiona Mactaggart or Douglas Carswell was Secretary of State and you were the Permanent Secretary, and you did not think that the diversity and choice policy direction would raise the standards for most students in our country, which policy areas would you look at? About what would you say, "Minister, this is where I would be looking, based on my research."?

Dr Gibbons: I could not really say much more than I have already about focusing on the differences in kids within schools, rather than trying to focus on between-school differences. The diversity, the schools targeted to try to raise performance in one school relative to another, is a red herring. We should focus within schools.

Dr Benton: I would suggest looking at things at classroom level that can improve learning and borrowing from ideas in medical research, such as proper randomised control trials, to work out the most appropriate methods of teaching, and sharing that.

Simon Rutt: I reiterate what both my colleagues have said, but there are also some questions about the information available on admissions policies to look at the choice that parents have and who goes where and the impact that that has on schools.

Chairman: It has been a good and very thought-provoking session. Sometimes, it felt like a seminar, and it was all the better for that. Thank you very much.

Monday 25 February 2008

Members present:

Mr Barry Sheerman, in the Chair

Annette Brooke
Mr David Chaytor
Mr John Heppell
Paul Holmes

Mrs Sharon Hodgson
Fiona Mactaggart
Mr Andy Slaughter
Lynda Waltho

Witnesses: **Lesley King**, Director, Academy Networks, Specialist Schools and Academies Trust, and **Margaret Tulloch**, Comprehensive Future/Research and Information on State Education, gave evidence.

Q80 Chairman: As people settle down, I welcome Lesley King and Margaret Tulloch to our proceedings. As you know, we shall look at diversity of schools, particularly Academies. Those who have done their homework and looked at our other evidence session on this will know that it was an interesting first step into the territory. We usually give witnesses a chance to introduce themselves, and you can say anything you want to get us started, or you can opt to go straight into questions. We shall start with Lesley King, as she is sitting on the left.

Lesley King: I shall say a couple of things to put myself into context. I have been a teacher since 1968, and have worked in six schools: a secondary modern and five comprehensives. I have held two headships over 19 years. Being in a specialist college was one of the most exciting initiatives I was ever involved in, hence my involvement with the Specialist Schools and Academies Trust and its local, regional, national and international networks. I retired and became an associate director of SSAT, and came out of retirement to manage the Academy networks programme, which chimed exactly with my commitment to social justice and a wish to close the gap. I am now a Director of the Trust, and there are five strands to our work with Academies, which I shall list. The first strand is to support the integration of the Academies into the other specialist family of schools; 90% of secondary schools are affiliated to the trust, hence wide networks. There is integration for two reasons: Academies work in difficult circumstances, so they need those networks; and they often work in innovative ways, so they have things to give to the wider networks. Secondly, we have a communication function, both internal and external. Thirdly, we have a smaller sponsor-relations function, supporting sponsors from feasibility to implementation. We run two programmes: the Academies support programme, with which we are working with 98 Academies and Academies designate, and an Academy leadership induction programme, where we place relatively experienced Academy principals—it is a young programme, so no Academy principal is very long in the tooth—for short periods with new Academy principals.

Q81 Chairman: Margaret, you are also well known to this Committee for your high-profile role in education. Would you like a few moments to introduce yourself?

Margaret Tulloch: I prepared something to say, because I am probably in the minority in being less positive about certain aspects. Could I emphasise at the beginning that there is a need to focus on disadvantaged pupils to raise their attainment? I do not begrudge pupils in Academies having access to excellent facilities. Three years ago, this Committee raised some concerns about the Academies programme and since then the Government's aim has been to accelerate it. There have been criticisms highlighted, for example, about the costs of the programme, the suitability and influence of the sponsors, whether or not standards of attainment are actually being raised, the pressure to introduce Academies through Building Schools for the Future and the so-called preferred sponsor route. There have also been questions about exclusions, admissions and special needs. No doubt, if you decide to embark upon a more detailed study of Academies, you will take these reports into account. My label says "Comprehensive Future/Research and Information on State Education". I am also chair of the Advisory Centre for Education council. None of those organisations is primarily concerned with Academies. However, Comprehensive Future's aims for fair admissions and an end to selection on ability and aptitude are relevant. I should like to mention a couple of points of concern, which we submitted to the as yet unpublished review of Academies by the delivery unit and which you have. We think that there is a danger of increasing social segregation between schools as more and more schools become admissions authorities. On banding, the latest PricewaterhouseCoopers report says: "the Department should undertake a closer review of admissions" and "fair banding" in Academies "to ensure that there are no overt or covert barriers preventing the most disadvantaged pupils from accessing Academies." Some Academies adopt the admissions criteria of local community schools, but others operate banding across those who apply, which can skew the intake in relation to the local area. We think that it is better to have banding across the reference group of the local authority. If Academies require the test to be taken at the school, only those with parents able to bring them can sit the test. The Department for Children, Schools and Families has suggested that tests for banding—not just in respect of Academies—could be done in the primary schools using the optional year 5 test, in which case that would, of course, be done for all

children. I was involved personally in an unsuccessful campaign against the setting up of two Academies in the London borough of Merton where I am a secondary school governor. I am convinced by that experience, and in talking to many others, that there are some fundamental questions about the Academy programme that need answers. The current Academy prospectus says: "Independent status is crucial in enabling Academies to succeed." I do not understand why what is being called the educational DNA, which the sponsors are supposed to inject, cannot be brought into a school through its becoming a trust school and therefore remaining in the maintained sector. The RISE research has found that, in the initial stages, too much goes on behind closed doors. I do not understand why there is so much secrecy and lack of local accountability in negotiating the funding agreement. I also do not see why the sponsor needs an overall majority on the governing body. If their ideas are good, surely they should be able to convince their fellow governors through argument rather than force of numbers. We need to know what will be the effect on neighbouring schools: PricewaterhouseCoopers says that it will look at that in its last report. What will be the effect of increasing centralisation where so many levers now lie in the hands of the Secretary of State and future Secretaries of State, not with the local authority, the adjudicator or the ombudsman? What about the costs of the unit in Sanctuary Buildings, which will eventually be devoted, potentially, to 400 Academies? Lastly, I return to Comprehensive Future's aims. The DCSF says that Academies are needed where schools face challenging circumstances. In 2003, Sir David Garrard kindly invited me to the launch of the Business Academy Bexley, where the then Prime Minister said something about this being the future for comprehensive schools. Bexley is a fully selective local authority, and the school on which Bexley's Academy is based was—whether in name or not—a secondary modern. I know that not all schools at the bottom of the pecking order are there because of selection, but a significant number are. It seems that the Government are bold enough to hand those schools over to a private sponsor, but not bold enough to do something instead about removing one of the challenging circumstances that they face.

Q82 Chairman: Thank you. We now go into the question mode. Lesley, you heard what Margaret just said, and we have got you from rather opposite sides, but knowing both of you, you make a very reasonable case in every sense of the word. Lesley, the Academies programme started in 2000, and you have been involved for how long?

Lesley King: The last three years.

Q83 Chairman: Are you satisfied with the progress? Where are we? What is your feeling?

Lesley King: Progress is as good as one would hope. It would be foolish to expect miracles when one works with schools, many of which had been neglected. Academy principals say that one of the things that worries them most is low aspirations of

parents and students, and sometimes even of staff—quite understandably, because they have worked in poor circumstances for a long time, so turning it round is very difficult. On indicators about the Academies programme, progress is good. I shall list one or two. At Key Stage 3, results are improving faster than in schools generally, and quite rapidly in the core subjects of English, mathematics and science. At Key Stage 4, again, the trajectory is good. There is faster improvement, according to our research, and indeed to the Department's research, than in schools generally. More students are staying on post-16. Some Academies are opening sixth forms for the first time, which is really very exciting. I have to be anecdotal; I do not make policy, I work in Academies and I have been in the vast majority of Academies, some of them several times. To see students for the first time enter sixth form and then ask questions such as, "What is an undergraduate?", makes me understand that sometimes those schools need their own sixth forms, because those people are not going to go the other side of the city for post-16 education. Also, post-school progression is good. Last year, seven people from an Academy in Bristol went to university; this year, 50 went to university. At Grace Academy in Solihull, 67% of its first sixth form went to university—the vast majority being the first in their family to do so. Those indicators are good. The second good indicator is that Academies are popular with parents, including parents whom people have been saying for years were not terribly interested in their children's education. However, they are clamouring to get them into Academies. Sometimes, there are three first-choice applications for every place. PricewaterhouseCoopers' evaluation says that teachers and pupils like being in Academies, too. There have been good Ofsted reports, with no Academy in special measures now, and good leadership. Principals are attracted to Academies in a way that they would not have been to the predecessor schools. They will therefore bring their expertise and experience in other schools to areas where they might not have thought to go before. They are attracted by the flexibility, by being part of a full-blooded moral movement and by the fact that they can really make a difference. So principals are good. And there is good news from the National Audit Office and from PricewaterhouseCoopers, although of course there are suggestions for further involvement.

Q84 Chairman: That will do. Lesley is saying that it could not have been done on the old model, that this rebranding and this new initiative are exciting and that a moral code is attached to it. Do you agree?

Margaret Tulloch: I do not accept that the other schools have some sort of immoral code. It is very difficult when trying to put a point of view, and I do not want to denigrate any of what I have heard, but I have not been convinced that you need to get out of the state system and have a set of independent, private schools in order to do that. I do not think that heads who approach their students to ensure that they have high aspirations are confined to Academies. We need a system in which all schools

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reach those sorts of levels. We can argue, although I do not intend to, about whether the results are as good as those claimed on things such as GNVQs. The Anti Academies Alliance, during its hearing, produced a lot of evidence for that. Evidence is also available to argue against some of those points, but my point is that I do not see why we need to set up effectively a parallel system of secondary schools.

Q85 Chairman: Margaret, somebody might say to you, “Look, 10 years ago, the Government noticed that nothing much was happening in the areas of greatest deprivation for those children who only get one chance at education.” You cannot blame the Government for thinking that something needed to be done.

Margaret Tulloch: I do not blame the Government at all. Of course, they are not just doing Academies, but things such as London Challenge. Very often, some areas will be not so bad and others will need attention. You will not always get a school that is failing totally in every area. Many other programmes are going on to tackle those things quite quickly within schools. Those are the sorts of things that we read about in *The Guardian* this morning. I would have said that those are the sorts of things that the Government should focus on, rather than necessarily a programme that aims to place one in eight secondary schools in the independent sector.

Q86 Mr Heppell: Strangely, most of the questions that I was going to ask have been answered. Do we need Academies? Are they effective? How do they fit in with the rest of the system? Most of that has been touched on pretty adequately. I have one Academy established in my area and another being established. It was apparent in the system before that there was a culture of not expecting a great deal of achievement. What do you think that Academies have done specifically? In my area, they seem to have made people want to achieve more. I sometimes think that it is a bit of kidology and telling people that they will do better. If that is all that it is, that is fine. I was just wondering whether you think that Academies have done, or could do, specific things in order to get rid of that culture? How do you think that that could be done within the state system?

Lesley King: I must make a small statement first. I do not think that Academies are the only things that can raise achievement—far from it. I think that they are part of a diverse system that helps raise achievement. In saying that Academies are doing well, I am not denigrating the rest of the system. For instance, I do not denigrate London Challenge. The SSAT works very closely with it. We have not mentioned sponsors, which are important to lots of Academies. They have a very limited focus on particular Academies that they see as theirs. They want them to do well and bring an urgency from their outside interests, which can be lost when schools have entered a downward spiral. I think that they bring expertise—not necessarily in pedagogy as sponsors leave that to principals and staff, but in running organisations. That outside look can be useful. They

also bring contacts, which are important, and they are certainly keen for an Academy associated with them to succeed because of reputation and pride. They are also in it for the long haul, which is important for Academies. I have been involved in other initiatives. For example I was a field officer in Education Action Zones. Academies are about the long haul and that attracts me. Later, I am sure that Martyn will talk about the importance of the City of London Corporation working with his Academy. I can name lots of sponsors who have brought something extra, but there is also generally a sense that there is a huge spotlight on Academies and that they have to succeed very quickly. People like Margaret help with that because they are under the spotlight and they know that they can never say, “Next year will do”. They have to succeed very quickly indeed and engage in a huge culture change, including having generally new and experienced leadership in order to accelerate that.

Chairman: Lesley, your answers are very good, but are slightly long compared with what we are used to so we will have to control you a bit. John, do you want to ask something?

Q87 Mr Heppell: My question is really for both of the witnesses again. Could the things that you have just mentioned—perhaps even sponsorship—have been done without making the Academies independent and extending the fresh start initiative?

Margaret Tulloch: That is the point I was making. We do now have trust schools in which charitable bodies—

Q88 Mr Heppell: Did you approve of the idea of trust schools when they first came in?

Margaret Tulloch: As I said, I do not approve of any group having a majority on the governing body and I extend that to faith schools. That is my personal opinion, but I do think that there is a place for external foundations to bring links, expertise, and enthusiasm. It is interesting to think about the question of “in for the long haul”. Will the people who have become sponsors be immortal? For example, what will happen to the Harris Federation when Lord Harris shuffles off this mortal coil? The Church of England has existed for a long time, but some of these federations have only just started so I do not think that we can say such things. I am not saying that there is not a role for people from outside. I think that governors bring that sort of outside expertise as well, which has been one of the big advantages of the 1986 Education Act.

Q89 Mr Heppell: Do you want to say something about that Lesley?

Lesley King: The principals in Academies certainly appreciate the extra flexibility and independence that they get. Many of us experienced that during grant maintained status. It focused the mind marvellously to feel that “the buck stops here”. I think that that is very important in Academies, but that is a point of view. Of course, governance is important in Academies too; as is expertise. All I can say anecdotally is that all the principals to whom I

have spoken said that governance was more professional, more to the point and those involved knew exactly where the Academy needed to go forward.

Q90 Mr Heppell: Could the improvements in Academies be because of the new-brush approach? Within the present system, I have seen comprehensive schools that were quite good, but as the head got older and was around for a long time, the schools gradually became slightly worse, then complacent, and then quite bad. Could improvements not just be because of the rush of a new idea? In my area I will have nothing but Academies. When they become the norm, will I see improvements tail off gradually?

Lesley King: There is always that danger from a new initiative, but it is important that the Academies programme and initiative changes all the time anyway. It is not the same programme as it was five and half years ago. New sponsors are on board and there are changes all the time; it is changing according to circumstances. The programme is better than it was five and a half years ago, but that is my personal view.

Q91 Fiona Mactaggart: I have a general question about school governance, which is the last great unreformed area. Head teachers go out and ask, "Is there somebody around here who can turn up to a meeting? If so, would you be a governor?" It strikes me that Academies are different, in that several of their governors are, in effect, paid by the sponsors. I am not saying that they are paid to be governors, but they are employees and so on, and they have the kind of expertise that is needed. Is there a lesson for other kinds of schools? Perhaps we should be paying school governors.

Lesley King: I have never really thought about that, to be honest. Margaret might have some views on the matter.

Fiona Mactaggart: Okay, let Margaret start, but then I would be interested in your views, Lesley.

Margaret Tulloch: Should we be paying school governors? I do not think that we should. I value the idea that the governors bring the outside world into schools, and talk about schools to the outside world. I have always valued the idea that they speak up for education, and I think that one of the reasons why education is higher up the political agenda is that we opened up governing bodies, and opened up education to people who are not educationists. I do not think that paying the governors I have known would have made a lot of difference. Before we start doing things like that, we have to look hard at what governors are for. The Joseph Rowntree Foundation produced a good report recently on governance. It said that we need to be clear about what governors are for. As much as I hesitate to say it, because there has been quite a lot of it already, I would encourage the Government to do even more fiddling about with governing bodies. We need to look at the role of governors before we decide to pay them. Many times, governors have the sorts of jobs that other people should be paid to do. I was a primary school governor

for many years—I am a secondary school governor now—and we relied very much on governors to do things for which we should have had money. That was in the 1980s, when there was hardly any money around. We relied on governors to help the school out and do things that, frankly, we should have paid others to do. So, yes, there are probably jobs that we should be paying more people to do, but I doubt whether those people should be governors.

Lesley King: I do not disagree with what Margaret has said. The important thing is not whether governors are paid but whether they understand their role *vis-à-vis* principals and the rest of the staff of the school. All head teachers have had those six-hour meetings at which the colour of the curtains and such things are discussed. What is needed are brisk meetings at which governance is duly delivered.

Q92 Annette Brooke: Following on from that, if we could just assume for a moment, Margaret, that Academies are tackling underachievement—I put that as an assumption because it makes the questioning easier—we have on the table so far good governance, good leadership and the ability to innovate and to have flexibility. My first question to Lesley is, on that basis, why do we need Academies? Do they bring something else? Any of those three could be applied to the mainstream state system.

Lesley King: Sorry, could you repeat the three again?

Annette Brooke: Good governance, good leadership, and flexibility and freedom to innovate, which you mentioned.

Lesley King: Perhaps we would not have needed Academies if those things had been the norm rather than the exception in some of the schools that I have been in that were predecessors to Academies.

Q93 Annette Brooke: Perhaps I could ask Margaret the question. Could we provide those things in the state system?

Margaret Tulloch: Yes, not only could we, but we do. The programmes that I mentioned involve those sorts of things. I am sure that such things are happening in schools that are not Academies. I am not totally clear about the freedom to innovate, and then there was the permission to be autonomous. I hope that you will ask the head teachers behind us what freedoms they have that they would not have if their school were not an Academy. I think that there can be quite a lot of flexibility in the state system anyway. Those things could be, and are, in the maintained sector.

Q94 Annette Brooke: Can I come back to Lesley? Are they the three main ingredients? Do we not have to look at things such as admissions policy, extra money and so on? Are the three things that I mentioned the key?

Lesley King: I think that sponsors are slightly different from good governance. At least, they are connected with that, and the role of sponsors is also quite important. There was a sense in the early days of the Academies programme that new build was important because it was an important signal to students and staff that they were important, but that has now gone into the BSF programme, so it is

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something that is part and parcel of the Government's policy generally in terms of developing secondary schools. It was important in the early days to signal a change. The Academies programme is, as I said, a full-blooded attempt to deal with past failure. It might be easy to say, "Yes, it could have happened elsewhere", but the fact is that it did not always happen. Thousands of students who are doing well now, were not doing well, or their predecessors were not doing well five or six years ago. There has been progress in secondary schools, but there needs to be faster progress. The Academies programme in my view—I think that the evidence is there—is speeding up progress. What is not to like?

Q95 Annette Brooke: I am just exploring the different routes and so on. Margaret, do you think that the relative independent status of Academies has any implications about which we should be concerned?

Margaret Tulloch: I think it has implications from a practical point of view. About 14 years ago, I was on a television programme, "From Butler to Baker", and the man who had retired from what was then probably called the Department of Education and Science was talking about the opting out of grant-maintained schools. He said that they should go, because his experience of being in Whitehall when direct-grant schools were the norm was that it was an expensive way of doing things, because Whitehall was running one-to-one relationships with a number of schools. That is why he thought that grant-maintained status should go. We could well find ourselves in a similar situation, because, if Whitehall runs a section of schools, it will cost quite a lot of money. I do not like to think of money going into structures—I would rather see it going into classrooms—and if you have a complex diverse system, you end up having money going down the cracks. It is far better that money is spent in the classroom. I am concerned about centralisation, and the things I mentioned at the beginning. If a parent is unhappy about what is happening in an Academy, in the end they can go to the Secretary of State. I am sorry, but I do not think that that is a good way to run a system.

Q96 Chairman: Margaret, the pure essence of your views chimes with what I have always believed in politically, but my experience as an elected politician is different. I have lived and worked in, and represented areas where the whole local authority structure was mind-bogglingly awful with no direction, no leadership and with total inertia and a refusal to accept that children were getting a terrible deal. I have known that as a local politician in Wales. In a major city in Yorkshire, close to my constituency, but not in it, the education performance was so bad that it had to be replaced. No one would even apply for the job of director of education, and while that languished, children were getting a rotten deal. So you can see why a new Government, seeing such inertia and lack of leadership from governors, local authorities and

almost everyone, had to do something. You can understand that your model is not one that always works, is it?

Margaret Tulloch: No, and I do not think that I am saying, "Let's go back to the '50s when everything was wonderful."

Q97 Chairman: I am talking about the '70s, '80s and '90s.

Margaret Tulloch: Or the '70s or whatever. What I am saying is that there are concerns about the Academies programme—the ones I listed at the beginning, such as centralisation and governance. Our concern in Comprehensive Future is that we have not actually done anything about those "challenging circumstances". I also have concerns about what seems to be the possibility that in certain areas schools will be replaced. This came over in the RISE work that I sent to the panel, and parents may be faced with a large number of faith schools. That is not parental choice in my view, so there are issues. When I came here not long ago you used the phrase, "drilling down". There is quite a lot of drilling down to do on the Academies, and that really will happen if parents are unhappy—those sorts of things. They are issues. I asked the Advisory Centre for Education if it was starting to get parents ringing in about Academies. I have to say that parents often do not know what type of school their children are attending. For example, I had an e-mail this morning about a child who had been excluded 15 times from an Academy because of her haircut—somebody who had an excellent record before. I do not like to be a Jonah, and this was true of grant-maintained schools, too, but when things start to get difficult, you are aware of the centralisation and where people go. I do not hold a brief for a lot of local authorities; I spend a lot of time arguing with the local authority where I live. However, there are problems with centralisation.

Chairman: Thank you. Lynda Waltho.

Q98 Lynda Waltho: I should like to consider performance and local accountability. You have spoken about what sponsors can bring to an Academy. What would you say are the main factors behind the reported improvements in pupil performance in Academies?

Lesley King: The main factors? This will be a generalisation, because each Academy has worked in different ways, but in the Academies in which we have worked closely, there was close attention—I am sure that Margaret will say, quite rightly, that this could happen in every school, so I shall say it for her—to school data, so that there was no danger of aspirations being low for sections of children. There has been a renewed culture of determined optimism about children. It happens when new heads come in, too, but it has certainly been true. Data have been important. I dispute what Margaret just slipped in about GNVQs, because in fact the trajectory of students with five A to Cs including maths and English has gone up considerably, too. There has been a concentration on the basics—on literacy and numeracy. Often, Academy principals have

despaired at the levels of literacy in students coming in, and they have therefore had to make it a huge priority. There has been extra training in areas such as middle leadership, where middle leaders had been good at teaching but not quite understood the leadership part, so there has been systematic work there. The grammar of pedagogy has been developed, so that there is an understanding in many Academies about what makes a good lesson, too. If teachers do not teach that good lesson, they understand why not and what they must do to improve. It is the basic stuff.

Q99 Lynda Waltho: What would you then say to the perhaps rather cynical point that that is related to the fact that increasingly, Academies take fewer children with SEN, fewer children with English as an additional language, and fewer children who have free school meals? Does that have any bearing, or is that too cynical a point?

Lesley King: I do not think that there is evidence to back up any of that at all. There are 25% more places in Academies than there were in the predecessor schools, so sometimes Academies might well have a smaller percentage of students with free school meals, but that is because there are more children in there generally. There is no evidence at all that students with free school meals are being debarred from Academies; in fact, any evidence that there is would show that Academies take more children with special educational needs, or who have free school meals, than there are such children in their catchment area.

Q100 Lynda Waltho: I disagree, because the evidence is slightly different, but I take your point. Margaret, would you like to comment on any of that?

Margaret Tulloch: I do not think that I would. You are making the points that I would have made. I am not sure that we will get anywhere arguing about the changes in intake. Of course, when Michael Barber promoted such specialist-type schools in the '80s, it was partly because they were worried about the so-called middle classes deserting the state sector. In a way, the balance of intake might have changed anyway. As I said at the beginning, PricewaterhouseCoopers said that the DCSF should look at admissions and banding. That was in July last year and I do not know whether they have. Your point about SEN and children with English as an additional language would be covered by looking at the admissions process. As you might remember, my point was that if you band by asking children to take a test in school on a Saturday morning, you will band across only those whose parents can take them into school on a Saturday morning. I hope that I made the point at the beginning strongly enough about how admissions are very important and should be looked at.

Q101 Lynda Waltho: Following on from your earlier point about how we tackle individual issues with pupils, there is a school of thought that says that rather than have an institutionally-based

answer, such as Academies, we perhaps should be targeting individuals wherever they are and whichever route they take.

Margaret Tulloch: Are you talking about personalised learning?

Q102 Lynda Waltho: Indeed. Is that your point?

Margaret Tulloch: As I said, a lot of other things are happening within Government policy that are to do not with changing institutions, but with going into them and targeting help and support. I think that that is the way forward.

Q103 Lynda Waltho: So not only would it be a less expensive option, but it would be a more powerful one.

Margaret Tulloch: Yes.

Lynda Waltho: I wonder whether I could come in on collaboration between schools.

Chairman: Lynda, could you hold on please. Andy, do you want to come in on the last point, or do you want to hold on until Lynda has finished?

Mr Slaughter: I have a question on the previous point about whether Academies tackle disadvantage, but I can wait if necessary.

Chairman: Go on.

Q104 Mr Slaughter: I thought that a couple of comments made were a bit complacent—on the points about what there is not to like and how there is no evidence. I hold no brief against Academies. I am very happy that one voluntary-aided school in my area has become an Academy and that another is planned. However, my experience so far has been that they do not target areas with the greatest number of free school meals. On the contrary they cover takeover schools or catchment areas where there is likely to be a much lower percentage of children on free school meals. There is no clear co-operation with existing schools, on which they could have a detrimental effect. Furthermore, the procurement process means that it is very unclear to residents and potential school users—parents and children—exactly what they are getting. There is a kind of pig in a poke element. That adds up to some serious concerns not about the objectives of Academies but about whether their implementation is fulfilling those.

Lesley King: It is certainly true that schools in an area worry about just that when an Academy is due to open. Often the worried schools are affiliated with the trust in the same way as the Academy will be. However, we have no hard evidence that schools have suffered because of an Academy coming into the area. Sometimes we have found that results have gone up in those schools. Unfortunately, sometimes, if a school is very much under-performing in an area, other schools feel complacent—to use your word—because at least they are not at the bottom of the heap. Change sometimes galvanises all schools in an area. We have certainly seen that happen. That can only be a good thing. It is a system of sort of oblique leadership, rather than an active one.

Q105 Mr Slaughter: I do not think you are taking my point. I have no objection in principle to Academies trying to do a distinct job. In fact, that is to be lauded. However, the net effect of putting something slightly alien or different into the local education market is that not enough concern is then paid to what is happening across the board in that local education authority area. If that works, you may take an existing school that has done badly after other things have been tried and turn it round. There are examples of that. But if that is not working, you may be effectively creating an island of privilege within an LA area. There is also the possibility of selection. If Academies are sited in areas that are not the most deprived, but in the better ones—that is, picking easy targets—not only can you be complacent and say, “Look, aren’t we doing a good job?”, but you could also say, “Clearly, the other schools in the area are not doing so well.” I do not think there is enough analysis of that.

Chairman: That was a long question.

Lesley King: The local authority would have some responsibility to speculate on the future of education in its area, if another school came in, and plan accordingly. That is part of its role. Many local authorities now see Academies as part of a bigger strategy to raise achievement. That is how it should be.

Q106 Chairman: Is not one of the problems that Andy is pointing out that with Building Schools for the Future a local authority gets the chance of visioning what secondary provision should be over the next 20 or 30 years? In a sense, if an Academy is already there and it is not part of Building Schools for the Future no one does the visioning process, do they? If you do not have the BSF process, when you do get the chance, as a local authority, to say, “This is what we want secondary education in this area to look like over the next 20 or 30 years”?

Lesley King: I would have thought that that was your responsibility, anyway. Academies are now under the BSF, aren’t they, in terms of new build.

Q107 Mr Slaughter: I cannot see it working quite like that. It may work like that, but the danger is that it works in the opposite way, with the Academy being isolated, self-contained and in some senses elitist. I am afraid that a lot of the comments that you made when mentioning the expertise, moral values and things of that kind imply a certain type of elitism. The LA might say, “Well, we don’t have to worry about that. They can take care of themselves. We’ll worry about picking up the pieces.” There are analogies with the grammar school and secondary modern system.

Lesley King: It implies that Academies do not want to play a full part in the education system in their area. I do not think that there is evidence that that is true. I think that at the beginning, when an Academy first opens it has to look internally, because its first task is to provide a satisfactory education for the children whom it is directly responsible for. However, there are many examples of Academies

playing a strong role in their community as part of the system. I could give you examples that might make you more optimistic.

Chairman: Let’s hold on to that.

Q108 Lynda Waltho: I should like to expand the point about collaboration. From what you said, you believe, as do I, that collaboration is vital for the neighbouring schools.

Lesley King: Absolutely.

Q109 Lynda Waltho: In that case, should not Academies be made to join with particular partnerships, for instance, with a behavioural partnership, which generally they have the choice not to do? It is, effectively, up to the governors what they opt in to. What is your view on that? It is possible that collaboration could fly out of the window at that point, so why do they have that option?

Chairman: Who are you asking?

Lynda Waltho: I am sorry to zero in on you, Lesley. Perhaps Margaret has a view on that as well.

Margaret Tulloch: I have views on most things.

Lesley King: I suppose, philosophically, voluntary collaboration is better than forced collaboration, whatever happens. You can bring schools together but you cannot necessarily force them to work together. As an ex-head, whichever school I was in, I would bristle if my local authority told me that I had to collaborate. It should be the job of the local authority to make it worth the while of schools to collaborate, so that they can see mutual benefit. Our experience of collaboration is that voluntary collaboration is better. There are certainly lots of examples of that. I do not know of any Academies that have refused to collaborate, but you may be able to tell me that there are lots of examples of that. I do not have evidence that that is the case.

Q110 Lynda Waltho: The particular example I was looking at was a local behavioural partnership in Manchester—

Lesley King: In Manchester?

Lynda Waltho: Yes; a school decided not to opt in to the partnership. I wonder how useful that is to the neighbouring schools and why that option needs to be there.

Lesley King: Ideally, schools and Academies need to collaborate. I would need to know the reasons for that.

Chairman: A quick question from John.

Q111 Mr Heppell: Following up on Andrew’s point, is there any evidence of Academies being sited in areas that are not deprived? In my area, as far as I am concerned, the more extra help the Academy gets, the better, because it has always had failing schools in the past, and now, suddenly, everything seems to be rosy compared with how it was, which is great. But the implication seems to be that Academies are being sited in better-off areas. Is there any evidence that local authorities are siting Academies in better-off areas to make them into elitist schools?

Lesley King: I do not have the entire Academy programme at my fingertips, and my job is not to make policy, but to work in Academies. One or two Academies have been developed with a particular innovative mission in mind. For example, a Steiner Academy is being developed in Herefordshire, which I would not have said is an area of extreme deprivation. However, there are particular reasons for that related to innovation and providing more state school places in an area that needs it. In general, though, I would not say that is the case.

Q112 Paul Holmes: I am told that I should declare an interest because I am on the steering committee of “Comprehensive Future”. I was intrigued by something that you said, Lesley, about there being no evidence to show any sort of change in the profile of pupils who go into Academies. Professor Stephen Gorard looked at three Academies that opened in 2002, and found that in those schools the share of pupils eligible for free school meals dropped by 11 percentage points to 15%. In its fourth annual report, PricewaterhouseCoopers looked at 24 Academies and found that the percentage of pupils from deprived backgrounds in those Academies fell from 42% to 36% over a four-year period. It also found a trend towards higher attainment levels among year 7 pupils coming into the Academies as the years went by, and that permanent exclusions within those Academies were four times—400%—higher than in comparable schools. So, there seems to be fairly convincing evidence. I taught in state schools for 22 years. If any of the schools I worked in had expelled four times as many disruptive kids, and cut the number of kids coming in who qualified for free school meals or had special educational needs, results would have gone up. All three of them were good schools, but results would have gone up anyway. It is not rocket science, is it?

Lesley King: There are two issues there. On exclusions, it is certainly true that Academies have been seen to exclude more students overall than other schools generally, but that percentage and number is going down rapidly as they establish. That could be partly because some schools, particularly some Academies—I shall not name them because they are developing—received more than their fair share of excluded students before they became Academies, because they were the only schools around that were not full. They therefore become almost a dumping ground for excluded students. In some ways, that explains it. Research by the National Foundation for Educational Research, which I have considered closely, shows that Academies admit higher proportions of pupils who are eligible for free school meals than the proportion living in their districts. There may be Academy principals in the room who can confirm this: some schools that were half empty are now full, and therefore the proportion, but not the number, of students with free school meals has gone down. That is an important thing. I would not wish to support an Academy that was just a ghetto for poor and disadvantaged students but one that had a mixed

profile, that everybody wanted to come to, as long as students with free school meals were not barred from coming.

Q113 Paul Holmes: I do not dispute the points that you made. The Academy deals with the situation faced by failing sink schools that had to take all the problems, by reducing the number of kids with special educational needs and from poor backgrounds, by expelling kids and so on.

Lesley King: No. It is the percentage, not the numbers.

Q114 Paul Holmes: Those kids then go somewhere else—to the neighbouring schools—and we are back to the point that Andy Slaughter was making about moving the problems elsewhere.

Lesley King: Sometimes in the statistics there is confusion between percentage and numbers. I would worry if Academies were turning away students who receive free school meals or students with special educational needs, but I would be very pleased if more people come who are more representative. I would be pleased with a more balanced intake, as long as others are not debarred. I would have to look at your statistics more carefully.

Q115 Chairman: We are coming to the end of our time. Margaret, you have been a bit neglected, so can I ask you a last question? Comprehensive Future sounds like a deeply conservative organisation to me. You do not really want anything to change, do you? Some of us feel that you have deserted us. Those of us who might have believed in something called comprehensive education do not quite understand these days what it means. It is a title that most schools rapidly deserted. We worked out in the last Committee, in a previous incarnation, that none of the schools in our constituencies had “comprehensive” in their title. Has there been any thought about what comprehensives actually mean, or should mean, for the future of our children?

Margaret Tulloch: How long have we got?

Chairman: About two minutes.

Margaret Tulloch: Comprehensive Future—I have been confused with Conservative Future when standing outside a party conference—campaigns on admissions and ending selection. In terms of comprehensive intake, we are talking about ending selection. We have a long way to go on that, as I tried to say at the beginning of my contribution. When we talk about what is meant by a comprehensive school and the comprehensive ideal, far better educationists than I have put it well. Richard Pring and Margaret Maden have spoken about what is gained from having children from all backgrounds working together. That is obviously broader. It is what I, as a comprehensive school governor and as somebody who sent both her children to the local comprehensive, have always supported. There is an important ideal there, and it is to do with social cohesion. In respect of Comprehensive Future, yes, we want a non-selective future, but one has to be positive rather than negative.

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Q116 Chairman: But are you not a rather conservative organisation? If anybody changes anything, you say that it is not truly comprehensive.
Margaret Tulloch: No, I am trying to make the point that my organisation is talking about ending selection. There is now all-party agreement that selection at 11 is a bad thing.

Q117 Chairman: Do you want to get rid of independent schools as well?

Margaret Tulloch: No. I personally might want all kinds of things, but Comprehensive Future is not into talking about private education.

Q118 Chairman: It is a rather stateist solution, is it not? Everything has to be decided according to one model.

Margaret Tulloch: You believe the John Patten idea that these are monoliths and all teaching is the same. My experience of comprehensive schools is that they are often very different. The idea of forcing schools to appear specialist ignores the fact that many schools are very different. Where they could, parents were able to work out the ethos of various schools.

Q119 Chairman: But if an Academy truly represents the community in which it sits, as many of them do, can it not be a better comprehensive than some of the comprehensives that you stand up for?

Margaret Tulloch: I am not standing up for many—I am talking about selection. The point is that it will be difficult to talk about Academies. Some will be very different sorts of places, but some will be—already are—indistinguishable from the local community comprehensive. My point is about this being, in essence, a centralising move that will create difficulties. Yes, many will be almost indistinguishable. There are questions about accountability, governance and probably funding, which we have not touched on much. One has to go to Companies House to find out how much is really being spent. Those issues will return and will be a problem.

Chairman: Margaret and Lesley, thank you very much. I hope that you do not feel so neglected now, Margaret. You have both made excellent contributions and I thank you for sparing the time to appear before the Committee.

Memorandum submitted by ARK Schools

ABOUT ARK SCHOOLS

ARK Schools runs a network of Academies in London and has plans to open schools in Birmingham and Redbridge over the next few years. ARK Schools was created in 2004 to work with the DCSF, local authorities and others to set up new schools and replace existing schools through the Academies Programme.

ARK Schools' aim is to ensure that its students complete school with real options: to move into higher education or pursue the career of their choice. ARK Schools has no religious affiliation and is committed to comprehensive education. ARK Schools is part of the charity ARK (Absolute Return for Kids) which runs a range of health, welfare and education projects in South Africa and Eastern Europe.

THE ARK SCHOOLS NETWORK

ARK Schools currently has a network of nine academies open or under development:

- Burlington Danes Academy in Hammersmith and Fulham, replaced the existing Burlington Danes Church of England School in September 2006. This is a six-form entry secondary academy with a sixth form due to open in 2010.
- King Solomon Academy in Westminster, a new two-form entry reception through to sixth form school, opened in September 2007 with its first reception classes.
- Walworth Academy in Southwark also opened in September 2007, replacing the previous Walworth School. This is a six-form entry secondary academy with a sixth form due to open in 2010.
- Globe Academy in Southwark will open in September 2008. It will offer nursery through to sixth form, combining the existing Geoffrey Chaucer Technology College and Joseph Lancaster Primary School near Elephant and Castle.
- Evelyn Grace Academy, a new academy in Brixton for 11–18 year olds, will open in temporary space in 2008, and move to its permanent site in 2009.
- Wembley Park Academy in Brent will open to reception pupils in September 2008 subject the Secretary of State's approval of the funding agreement and planning permission. It will admit its first year 7 pupils in September 2009 when it opens fully as an all-through academy for 3–18 year olds.
- St Albans Academy, in Birmingham, is due to open in 2009, succeeding St Albans Secondary School.

- Harborne Academy, also in Birmingham, will replace Harboune Hill School in 2009.
- A brand new Academy in Redbridge, London, will open in 2012, serving 11–18 year olds.

THE ARK SCHOOLS ETHOS

Academic achievement—no excuses

ARK Schools has high expectations for its pupils. We believe every child can realise their potential given the right encouragement, teaching and support. We want every pupil at our academies to leave with the academic qualifications and skills they need to have real choice at 18, whether that's to continue their education or to pursue a career. We do everything possible to ensure that every child achieves year level expectations, every year. We won't accept excuses and we won't make any either.

Culture—personal responsibility and mutual respect

Our academies aim to maintain a respectful and orderly environment so that pupils can focus on learning and teachers on teaching. We believe that a successful education includes developing and nurturing the personal qualities of every pupil.

Commitment

We expect all pupils, parents, teachers and support staff to sign a home-school agreement before school starts, so that everyone is committed to putting in the effort to ensure that each child succeeds.

Small schools

Large schools can be intimidating. Ark academies are organised into a set of “small schools”, so that every pupil knows and is known by every teacher within their small school. This structure helps teachers deal with learning and behavioural issues, as well as to challenge and stretch their pupils appropriately.

All-through schools

Where the local structure allows we would aim to establish “all through” schools, providing classes for children from nursery right through to sixth forms. We believe that this benefits pupils throughout the school. Primary school children have access to specialist facilities normally exclusive to secondary schools and teacher expertise can be deployed flexibly across Key Stage 2 and Key Stage 3.

The all-through structure means that children have stability and continuity through their important and often disruptive transition period from primary to secondary school, ensuring that young people continue to make expected progress at 11 +.

The core curriculum: depth before breadth

English and mathematics are the foundation for all other subjects and are critical to success at school and in life. Our academies aim to develop strong readers and communicators who love to use their skills and children who are confident working with numbers in everyday life. Our curriculum is designed and structured to ensure that all children master essential knowledge in these core subjects. In our infant schools, pupils have four literacy classes (phonics, guided reading, guided writing, and handwriting) and three numeracy classes each day.

Our specialisms

All of our Academies have specialist school status in mathematics. We believe it is vitally important to provide our pupils with the tools necessary to become numerically confident adults. All ARK schools specialise in maths, and ARK invests a great deal in the resources needed to attract and train the best maths teachers. We will ensure that all our pupils become competent mathematicians, at ease with both its theoretical and practical uses.

February 2008

Witnesses: Martyn Coles, Principal, City of London Academy (Southwark), *Jean Hickman*, Principal, Walsall Academy, *Graham Badman*, Managing Director, Children, Families and Education, Kent County Council, and *Lucy Heller*, Managing Director, ARK Schools, gave evidence.

Q120 Chairman: Can I have the next set of witnesses? Graham Badman, Lucy Heller, Jean Hickman and Martyn Coles. We know all of you, if not by reputation then by the fact that we have visited with you and had discussions with you. Graham, you used to be an adviser to the previous incarnation of the Committee, but I do not think that you have ever given evidence to it.

Graham Badman: Only once, but I think that it was easier on the other side of the fence.

Q121 Chairman: The previous incarnation of the Committee visited your school, Martyn, so we know about you. Jean, we have not visited your Academy so forgive us for that, but we await an invitation.

Jean Hickman: You are welcome to visit.

Q122 Chairman: Most of us know Lucy Heller from ARK schools very well indeed. You have the chance to see what a fair and balanced Committee this is. Everybody gets a fair share of questions and if there is a little imbalance, the Chairman will try to make it good, or someone will. You run Academies and are supporters of Academies. Tell us where we are with Academies. You have just listened to the very different opinions we have had in the first session. Graham, let's start with you.

Graham Badman: As an authority, as the Committee will know, we have been very proactive. We are engaged as a sponsor in all the Academies that are opened, with the Spire Academy slightly different in terms of land. We have seven open, nine approved and more in the pipeline, and the local authority is a sponsor of every one. We saw Academies as an element of our overall secondary strategy, which was the precursor to BSF—it was actually written before BSF came on the horizon—and it helped us enormously in structuring ourselves. We prepared the ground by, for example, taking more than 100 heads to America to look at charter schools and at initiatives around federations, and to look at schools within schooling systems. One of the important things that I want to say about Academies is that I do not want to separate them from the other things that we are doing in terms of building multi-agency locality-based children's services, partnerships and our overall policy of community renewal. As an authority, I was intrigued by some of the other comments about the role of local authorities. I am always cautious about speaking for elected members, but I think that I am on safe ground in saying that we regard ourselves as moving very much towards a commissioning authority; an authority that is strategic and that commissions services. Although we have plans on 15 Academies, I do not think that any of my elected members see that as a threat to the local authority in any way—first, because we are engaged within them; and secondly, because there is a view that schools will work with a local authority if they value it. If they do not value it, they will not work with it, whatever structure is wrapped around the schooling system. So that I am not in any way disingenuous, I will also tell you that

in terms of the first Academy that we created, which was in Ramsgate, we deliberately set to work with the Government on Academies to solve a problem. When I joined the authority, Ramsgate was cast as the worst school in England. That was perhaps right; it probably was. It had had every initiative known to man, local authority intervention and Government intervention. The school had had a plethora of initiatives, none of which worked, and the consequence was a rate of 3% five A* to C grades for some of the most deprived kids you would ever wish to meet. So we set up a strategy that included Academies to try to challenge the orthodox, and to introduce something, in the context of a selective Kent, that offered equality of opportunity and access. I do not think we would argue that all the problems have been solved, and there are some issues about governors. I wish that I had been here to answer Fiona Mactaggart's question.

Chairman: You will get it later.

Graham Badman: There are some issues to be resolved about the social mix in Academies, but perhaps you will come back to me on that. All in all, I am a fan.

Q123 Chairman: Lucy Heller, you represent an organisation—some of us worried about the quality of sponsorship in some of the earlier Academies—that seems to have met that criticism. Tell us a little about your involvement and about ARK schools.

Lucy Heller: ARK Schools was set up four years ago, and is a wing of ARK, a UK children's charity, which until then had been involved mainly in projects outside the UK, in eastern Europe and South Africa. Its work in this country had been primarily as a grant-giver on a small scale to a number of Home-Start projects. We were enthusiastic about the Academies Programme because we saw it as a way of having a real impact on educational opportunity in this country. Our starting point was the desire to ensure that inner-city children had those educational opportunities. The starting point for research was much the same as the research by the London School of Economics that you heard about last month. Our conclusions were rather different in that we were saying that one of the things that we were battling against was the apparently iron-clad link between class and achievement in this country, but if you look at certain specific examples, schools can make a difference. In our case, like Kent, we looked to America and the charter school movement, which has a huge experimental base to look at. There are now 3,500 charter schools, which are essentially Academies without the capital funding, and some interesting things emerge about what does make a difference, and specifically what makes a difference in the inner city. I was pleased, but not entirely surprised, to find that our aims are exactly those of Margaret's in terms of providing educational opportunity. Again, we take, not surprisingly, a more optimistic view of what the Academies can and indeed have done. Answering your point about the

choices that have been made by sponsors, not just ARK, but a group of the other multiple sponsors, responded to the Prime Minister's Delivery Unit review of Academies, a copy of which I think you have. It looks exactly at questions such as the siting of Academies, and what happens with free school meals. Together with this group of six major sponsors (who jointly submitted the response), we account for 30 of the 83 open Academies, and there is a fairly mixed bag, because it includes at least one independent school that has become an Academy, which is clearly slightly the odd one in the bunch. But generally, you will see from the paper that they are situated in the most deprived areas. In fact, the median Academy in that group, which includes the independent one, is situated just above the bottom 20% of most deprived areas in the country. On free school meals, we, again like many sponsors, have taken a vow of non-selection and have not opted to use the 10% selection criteria that we, like any other specialist school, could use. We have opted to go for local authority admission criteria simply to make the point that we are not interested in changing the intake. It is inevitably the case that if you are talking about the 200 lowest performing schools in the country, which was, after all, the initial target, and if you succeed in doing what Academies set out to do and turn those schools round, you will go from being a sink school—a school of last resort for those least able to get their children in anywhere else—to a school of choice. That has direct implications for the intake, which is good not only for the school but for the original cohort of children to be part of a truly comprehensive school. In that sense, we are the future of comprehensive education, because that is how we see our job—creating true comprehensive schools for the local community.

Q124 Chairman: Thank you. Jean Hickman?

Jean Hickman: I am Head of Walsall Academy. I went five years ago to the predecessor school, which was a failing school and had a failing authority. We are five years old now, and many things that you have talked about apply specifically to us. However, I should like to discuss independence, the reasons why I feel that the Academy provides for the education work force who are part of my school in Walsall, and the things that are different about it. You asked what is so special about the Academy— independence from a local authority that was not functioning. Not all LAs do not function, but if the LA does not, a school is failing and children have been failed year after year, there is a problem. Therefore, the independence is important. The sponsors and governors, who are experienced industrialists from the outside world, in a slightly introverted borough, have made a big difference. Different terms and conditions for the school's teaching and support staff—not tied down therefore to the LA terms and conditions—make for great innovatory opportunities. It has been possible to create a comprehensive school. I have taught for 34 years, all but one of them in comprehensive schools, so I think I know what one means. Simply, a

comprehensive school must be an all-ability, socio-economic mix of the community that you serve. That is a comprehensive school. The school I took over was not doing that; it now is. Lastly, the innovation is great for me. It is not so much innovation against political agendas or curricula that other state schools use; the innovation that I enjoy is that of taking a systematic approach to delivering the educational services to my children in a way that suits them, not dictated to me for what would be 18 schools. Currently, there are 18 schools in the borough for which I work, and all have to do it one way. My systems are specific to my community in Walsall.

Q125 Chairman: Thank you. Martyn Coles?

Martyn Coles: My situation is slightly different, because my Academy was formed where there was no predecessor school. It is sponsored by the City of London Corporation. There was a shortage of school places in Southwark in 2002, and the Academy opened with the full co-operation of the local authority in 2003. As Committee members will know, Southwark was a seriously underperforming local authority at that time, and it had two private contractors before the local authority successfully took the authority back in 2006. The shortage of places meant that a school was needed, and to be honest, the local authorities thought that the Academy was a good way of doing it where they did not have to pay for the building, and all credit to them for realising that. There was full co-operation at the time, and one of the governors of the Academy is the leader of Southwark Council. We believe strongly that we are a comprehensive school. I completely agree with Jean's point. I was a local authority head teacher in Tower Hamlets for the previous eight years, and all of my career I have taught in London, but I had never worked in a truly comprehensive school before. There is a banding system in Southwark; it is organised by the local authority. The examinations are taken in the primary schools, there is no Saturday testing, which may mitigate against some pupils; there was no selection. The primary schools organised the banding test, which is a non-verbal reasoning test that is felt to be the fairest to those pupils who speak English as an additional language and those who have special needs of varying kinds. We admit on five equal bands, as do all other schools in the local authority. The local authority took that over this year and it administers all our admissions, so we feel that everything is transparent with the Academy. We feel that we are very much a comprehensive school and part of the local community. One thing that has not been mentioned today, but which is important, is that we are part of local regeneration, too. In inner-city areas such as Bermondsey, where my school is, regeneration is important, whether it is housing, social services or education, and we see ourselves as a full partner in all those things. I do not disagree with anything my colleagues here have said. I have a couple more points, and I am sure your questioners will ask me more if necessary. Lesley King commented on the issue before, and I must say

that I like the idea of our governance. The City of London Corporation nominates eight of the 15 governors, and to give the Committee an example, four are council members in the Corporation and four are nominated from City institutions and businesses. We have someone from the Legal Aid Commission, an architect, someone who works for KPMG and someone who manages their own company. The expertise that those people bring in is quite remarkable. I was a local authority head for eight years and, before that, when I was in Islington, a deputy for seven years. Those people, along with the local authority representative, who happens to be the leader of the council, bring an efficiency and focus to staff, parents, myself and representatives from the Department. That focus has been remarkable, compared with my previous experiences as a local authority head. Meetings are focused and dealt with efficiently. Those are certainly the kind of people who, if they have a question, ring me up beforehand and put me on the spot. It is not necessarily comfortable, but it is what they do and it is much more efficient than it was in my previous school. In terms of governance, that is fine. In terms of independence, it is the independence of choice. I buy in to quite a few of the local authority services and we take a full part in co-operation with other schools. That is not to say that we are the same as the other schools and that our Academy is becoming like local authority schools. We are not. It is just that we have the choice of whether to buy those in. As Graham said, if there are good local authority services, we buy them, which we do. We work fully with other schools in the borough. Indeed, I was chair of the council of Southwark head teachers last year.

Chairman: Thank you. I think that we are sufficiently warmed up by the new witnesses. Over to you, Paul.

Q126 Paul Holmes: I am intrigued by the two heads of Academies, one of which I have visited. They emphasised the absolute incisiveness of having business people as sponsors on the governing bodies. Are you saying that you do not approve of the trend in Academies now of local authorities, universities and other such organisations sponsoring Academies, because they do not have that business incisiveness?

Martyn Coles: No, I would certainly not say that. That higher education and local authorities are getting involved can only be a good thing. They are becoming involved in institutions and Academies that might be new, but given the example and model of other Academies, things are a good deal more focused than they might otherwise have been. The expertise of people from higher education is excellent. Indeed, the City of London Corporation is in partnership with City University in sponsoring the new Islington Academy. It is excellent that City University will have such a level of high input. The links that they can bring in order to raise pupil aspirations will be superb. That is excellent. The fact

that local authorities in many areas of the country are getting involved in Academies must be a good thing. We can learn both ways.

Q127 Paul Holmes: But you are emphasising how bad or indifferent your experience of working with local authority management was, so why would it be a good thing for local authorities to sponsor Academies?

Martyn Coles: Not wishing to be rude, but perhaps you did not take my point completely. When I was a head in Tower Hamlets, I think that I worked in one of the best authorities in the country. It was outstanding and I had a superb time there. I am talking about governance—not necessarily about local authorities. However, I think that Southwark is a good example of a local authority that had poor standards of education for its young people, but which in the last five or six years has changed dramatically. The local authority has taken over education and has done so extremely well. However, the local authority has also supported the creation of six Academies, I think, in Southwark, because it saw that it is a way of raising standards in partnership with the Government.

Jean Hickman: My breadth of understanding is that it is industry, business and education—all of those fields. I might have said business and industry, but I include higher education and local authorities. I agree with Martyn on the higher echelons of business and industrial expertise. You might have misunderstood when I said industry, but I actually meant the industry in its totality.

Martyn Coles: So many different people and organisations can raise pupil aspirations. Jean and I would agree on that in our own schools. On families—not much mention has been made of parents and parental perception of the Academies—I like the idea that parents can see a school in an area where there has not necessarily been a tradition of good education and say, “Actually, this school can do something for my child in a way that has not happened before, which we have not had experience of in our family.”

Q128 Paul Holmes: I want to raise a point that I was going to mention. We are told that the whole point of Academies is that they can innovate in a way that schools within the mainstream system cannot. Can you give examples, from your different experiences, of these innovations that cannot happen in mainstream schools? It intrigued me that you seemed to be saying that one clear example was bringing business people in, although all governing bodies on which I ever served as a teacher governor had people from industry on them. However, now you seem to be saying that such examples can come from other places as well. What shining examples of innovation in Academies cannot happen within the mainstream system?

Jean Hickman: I will give you one, if I may. The terms and conditions of my staff are very different and innovative. If one works under the state sector terms and conditions, one is talking about 1,265 hours per contract and you are, therefore,

committed to a school day. My school day starts at quarter past eight in the morning and works through to quarter past five in the evening. The staff are employed for well over 1,265 hours per year. We work 200 days, not 195 days. So working in the Academy at Walsall, the terms and conditions for staff are slightly different outside the state sector. What does that enable me to do? It enables me to have longer teaching sessions and the children are in school longer. The number of hours per taught child in the local schools is around 25 or 26 hours a week: mine are in school for 31 hours, up to 35. Consequently, with an innovative approach to the employment sector one is able to put in place innovations to enable students to have a better deal.

Chairman: I am being told to turn up the sound a little bit.

Jean Hickman: It is me. I will talk louder. My apologies.

Martyn Coles: We have a longer school day as well. As an Academy, we also have freedom, if we wish, to change the curriculum that we offer. Ironically, the review of the curriculum and the changes coming in over the next two years follow some of the things that some Academies have already been doing. However, that is a choice for the Academy. We certainly have the choice to be able to do those kinds of things. We run an internal fast-track scheme in school, which does not necessarily fit national pay and conditions but is an extremely good development opportunity for younger members of staff to take wider school responsibility: it builds their career and it enhances recruitment and Academy development. That would be much more difficult to do in a local authority school, because it does not fit the standard pay scales in respect of teachers' pay and conditions. That is just another example that Committee members might find useful.

Graham Badman: Can I just add something about pay and conditions? Let us go beyond the start to how it affects the young people. The Marlowe Academy replaced a school in Ramsgate. Incidentally, its head would not forgive me if I did not tell you that it now has 39% five A* to Cs, whereas previously it had 3% and 4%. Because of the flexible day, the year 12 pupils have an option to work four days out of five. So if they have part-time jobs, they can retain them. That is quite important for a lot of young people who want a certain amount of money. Why should they not have the same things in life that other kids have? That keeps them in school, sustains them through years 12 and 13 and enables them to keep their part-time jobs, particularly on a Friday and certainly on Saturday. In another innovation, we put start-up companies on the Marlowe school site. We are currently building pods that will house between 16 and 20 companies. That scheme is jointly backed by a European Union grant and the other school sponsor—Roger de Haan—and Kent County Council. You can think differently about the migration patterns of young people through schooling into further education and employment and use the time more flexibly. So it is not just about how it affects the staff; it affects young people as well.

Lucy Heller: I second everything that has been said. I should like to make it clear that, at least from our perspective, Academies do not have the monopoly on virtue. We are not claiming that Academies are the silver-bullet solution to all problems in education: it is a broadening of the solution spectrum. I find it difficult to understand some of the opposition to Academies. Some say, "It is fine, carry on, there are lots of local authorities doing very good jobs and lots of schools doing excellent, brilliant jobs." Having Academies is one way of doing that. Yes, their independence is an important part of that, and I cannot see why anyone would not want to expand the range of solutions to what is clearly a fairly intractable problem in not only this country, but almost every western country.

Q129 Paul Holmes: You say that lots of local authorities are doing a very good job, but they have to have Academies. They are forced on them by the Government. They have no choice. If they want money from Building Schools for the Future, they must have Academies.

Lucy Heller: If they have schools that hit the hurdle rate.

Paul Holmes: That is one reason—

Lucy Heller: There are, in fact, local authorities that have not had Academies because all their schools come above the hurdle rate. The hurdle rate obviously changes from time to time, but if we are taking roughly the 30% hurdle rate that had been set, we would all agree that that is not an acceptable level for schools to operate at. That is a defensible decision.

Q130 Paul Holmes: I wish to pursue a point that has been made in two of the examples.

Chairman: You accept that as an answer.

Paul Holmes: Not necessarily.

Chairman: But there is a hurdle rate. There are local authorities that do not have anyone below the 30% in respect of A to Cs in GCSE.

Paul Holmes: Except that the Academy programme has now been expanded to bring in independent schools, which do not exactly serve deprived areas, for example.

Lucy Heller: Tower Hamlets—

Paul Holmes: As the previous witness said, the Academy programme is changing rapidly and moving on.

Chairman: I am trying to get you to ask the questions, get the answers and see if you are satisfied.

Q131 Paul Holmes: Lots of local authorities would like the opportunity to reform their schools, but have been told that they must take the Academy route. In Newcastle, for example, the politicians who took over were elected on a programme of being against Academies, and were told categorically by the Government that they would get no money for their reform proposals unless they had Academies.

Lucy Heller: I do not want to argue about a question of policy. As a parent and consumer of education, given the extent to which local authorities have schools that come below that hurdle rate, it seems to

me that it is fair enough to take action after that has been going on for some time—it is not done at the first instance of a school falling below the hurdle rate.

Q132 Paul Holmes: We are told that one of the advantages of Academies is that they appoint more advanced skills teachers, attract and retain good staff by paying them more and provide performance-based bonuses. We have heard the example of having long school days. I do not know whether the staff are paid the same for working longer or more, but there seems to be a number of incentives at Academies that involve spending more money. From where does the extra money come?

Lucy Heller: It does not. The answer is that we are working like every other school on standard budgets. We hope that we manage it better. Some of us might claim that our business sponsors give us an advantage in that, but I would not want to push it too far. It is tough. Anyone involved in education knows how tough it is to balance the budgets that we deal with. It means making sacrifices in other areas. I am sure that all of us would have slightly different accounts of how we make the numbers work to push as much money as we can into teaching. It is perhaps one of the advantages of the multiple sponsors—I think that all of us have sponsors who are involved in more than one Academy. We must have some economies of scale to drive that money back into teaching, but there is no simple answer to the question.

Q133 Chairman: Paul is implying that you get lots more money than regular schools.

Martyn Coles: No, we do not. We get just the same as the other schools in Southwark.

Q134 Paul Holmes: Are they all specialist schools in Southwark?

Martyn Coles: Pretty much so, I think, yes. Indeed, we have two specialisms: business and sport. We only get money for one of them.

Q135 Paul Holmes: So you are better at managing the money even though, in general, Academies have fewer pupils and therefore have a smaller base on which to operate.

Martyn Coles: You may know more about that than me. I do not think that they necessarily have fewer pupils. I manage the budget as best I can. When you look at the age profile of my staff, they might be younger and have not therefore worked so long. They might then not be paid so much and I can then adjust that money to pay some of them more bonuses under the scheme that I mentioned earlier. I manage my budget on a year to year basis and try to look forward for three years. I have just the same money as everyone else.

Jean Hickman: Yes, I have exactly the same. I do not pay my staff any more for working the extra hours. The terms and conditions are different. The salary scales are the same. They have a performance-related payment once a year if they hit the targets that we agree. Other than that, the situation is much

the same. Our financial management is exactly as we would expect it to be from formula funded. My secret is that I have an absolutely superb financial director who is an accountant by training—a business man—who comes in and talks to me all the time about running the business. It has taken me five years to get used to that phrase, because as far as I am concerned it is an educational environment, but he still thinks of it as managing a business. In so doing, he creates a business environment for me to function in. Through that person, there is a quite excellent management of money; it goes a long way.

Q136 Lynda Waltho: Out of interest, I want to talk about terms and conditions. I was a National Union of Teachers rep in a former life.

Jean Hickman: I have been one too.

Chairman: So have I.

Q137 Lynda Waltho: One thing that we tried to do was not increase the working day necessarily. Are you happy that your staff are happy with their terms and conditions?

Jean Hickman: Indeed; as an NUT representative, likewise, I would say that their days are an awful lot easier. When I worked in the state sector, I would go out of school, probably after a meeting, at about 5.30 pm or 5.45 pm, and would take a whole load of work home with me. Whatever level I was working at, I would go home with three hours' worth of marking to do. I try very hard for that not to be the case. My staff leave school at 5.15 pm if they have managed their time properly—and I have facilitated them so to do. They do not have to go home with three hours' worth of work.

Q138 Lynda Waltho: So, you are one of those special principals who allows free time for marking?

Jean Hickman: Absolutely. My staff have 80% contact and 20% non-contact. The 20% non-contact is sacrosanct; it is theirs.

Lynda Waltho: Excellent.

Q139 Chairman: Martyn, do you want to come in on that?

Martyn Coles: I wish that I could say the same. We try to preserve as much as possible. I, too, am a former NUT rep. I would say that teachers choose to work in Academies. They know the conditions before they come—they are made very clear—and choose to come because they feel it is a better job for them and their career development. They make that choice. There is not much more that one can say about that. They could choose to go to another school in the area that is not an Academy.

Q140 Lynda Waltho: Do you both pay bonuses?

Jean Hickman: We do.

Lynda Waltho: Yes, you did mention that.

Martyn Coles: We do not.

Q141 Lynda Waltho: Is that a philosophical decision or is it that you do not have enough money?

Martyn Coles: It is mostly the first and partly the second. I prefer to use the money for the classroom.

Q142 Lynda Waltho: Jean—I hope it is not too simplified to say this—you are paying by results?

Jean Hickman: Yes.

Lynda Waltho: You are.

Martyn Coles: We have not had results yet. When we do, the governors may reconsider, but, hitherto, they have decided not to.

Q143 Lynda Waltho: Do you recognise unions in your schools and have negotiations?

Jean Hickman: Yes.

Martyn Coles: Yes, of course.

Lynda Waltho: I just wanted that on the record.

Q144 Chairman: Graham, do you?

Graham Badman: Yes, indeed, I meet with them regularly. May I come back to funding? There are transition grants that apply to Academies, which taper. It would be disingenuous not to say that they have more money to begin with, on set-up. I think that what Paul Holmes may be getting at is an important issue: as the Academies movement develops, it is important that when an Academy takes its proportional share out of the local authority, it takes just its proportional share. The mistake of the grant-maintained movement that caused such divisions within our schooling system was that they took more than their share. As the number of Academies grows, it will be very important that the formula take-out from what would have been section 52 statements for local authorities is absolutely precise. Otherwise, primary schools and other secondary schools will suffer as a consequence. I do not think that there is any intention to do that, but the situation has to be watched.

Q145 Chairman: Grammar schools in Kent do not get a better proportion than other schools?

Graham Badman: No, they get the same share. The only switch in the formula in Kent, in terms of age-weighted pupil units, is towards areas of disadvantage.

Chairman: Okay. Lynda, have you finished?

Q146 Lynda Waltho: May I go right back to the beginning and ask Graham something, just to satisfy my curiosity? You said that Ramsgate was the lowest school ranked. Was that because of the selective system in Kent? Was it the school where everybody went who could not get into anywhere else?

Graham Badman: It was certainly a school of last resort for many youngsters. However, although there are grammar schools in Thanet, there is a choice of other schools as well, including church and wide-ability schools, so I do not think it was a selective system. What the Academies do is to challenge the concept of a mixed economy of schools and make it work more effectively. I think that the problem of the old Ramsgate school was that it was an awful building with awful teaching, badly led, with a totally dispirited community that did not believe that schooling could do anything for them or their youngsters. One of the great joys of going there

now is that—do go and look at it, we won the British Stirling award for it—it is big and it is yellow and it strikes you right in the face. It is a statement, saying to the community: “We really do want the best for you.” The response has been in accordance with that, but again, I would stress as the heads have done that it is part of the co-ordinated admissions scheme and the Kent admissions scheme, The Academy plays a full part in the local partnership and will be full members of the local children’s trust. In that way, you maintain the integrity of an area. But it was just an awful, awful school.

Chairman: I am the person who has to make sure that we get all the questions in, so I am moving now to Fiona.

Q147 Fiona Mactaggart: Lucy, I think you answered very clearly when you said that we should give the Academies a chance to be a solution, a different way of tackling the problems that we have. It seems that it would be interesting to understand how Academies themselves are different. Some of that is beginning to come out, but if people are saying that there is not a single solution and we have different characters and ways of doing things that we think fit, I would be interested to know, for example, how I would know that I was in an ARK school. Tell me what I will notice when I get through the door. What are the special things? What do you think that you offer that is part of the solution?

Lucy Heller: I want to say in advance that lots of the things that we think are special to us actually apply in different measure across what any good school would do, but given that, there are probably four key characteristics. The first thing that you would notice and that is different from most schools is that we believe in small units. One of the things that came out of the research that we did was that there is now a wealth of evidence that size matters, at least in the inner city. If you are off in leafy suburbs the size of your school has less impact, but in the inner cities being in small units can make a huge difference to performance. We have a “schools within schools” model that is breaking down standard size secondaries into smaller units. The experience of most parents, for instance, is that in primary schools, whatever the problems, most parents feel more or less happy with the primary school; they know it and children feel that they are part of a small unit. We have all had the experience, probably, of sending children off from the relative cosiness of primary school into a huge and impersonal secondary. One of the things that we want to do is to break that down. We have groupings so that within a six, FE (ie six forms of entry in each year) secondary you would see two Key Stage 3 schools, which have their own leaders, and children would work and play within those groups. It is trying to ensure that they really have a group identity. The reason for doing that is, first, to ensure that there is absolute consistency on behaviour. Behaviour policy is overwhelmingly important for two reasons: one is that it is the absolute requirement in order to drive any kind of academic achievement. If you are in small groups where you can develop and impose

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a completely consistent code of behaviour, that is easier than doing it across 100 staff and 1,200 children. It is also easier to drive the culture of aspiration. Part of what you are doing is trying to develop in children a real sense that when they get to 16, or, we hope, 18, they have real choices and that those are based not just on having the qualifications to do whatever they want, but a sense of entitlement. When you are dealing with children who may come from families not just with no history of going to university, but no history of paid employment, it is hugely important to give them a sense that that is their birthright. Size helps deliver that consistency of behaviour and helps drive a culture of motivation and aspiration. The third thing is that we have high aspirations academically—high absolute as well as relative aspirations. One of the depressing things is precisely the LSE-type research which says that it does not make a difference; what comes in goes out. I have talked to governors at my son's school who say: "Well, there's been lots of research, you can't really make a difference at school, can you?" Well, we profoundly believe that we can make that difference. It is the role of the teachers and the adults in the institution to unlock that capability. One way to do so is to focus on the basics: depth before breadth. The key tools for this are literacy and numeracy, and the majority of children, who are in the schools that we are considering taking over as transition schools, normally come in well below where they should be—two or more years below. A substantial portion of children in many of those schools come at 11 with no discernible reading age at all, so the first order of the day is to ensure that you have addressed that problem and that they have those basic tools. The final piece for us would be sustainability. The example of the best of the charter schools in the US, for those who have seen them, has been inspirational. They are doing extraordinary things in the inner city to drive achievement—in areas where, with the class and race apartheid, if that is not too strong a word, the deprivation is extraordinary compared with anything in this country. You saw in many such schools that they depended on an almost evangelical fervour. They are often schools starting from scratch, small, and with young people who are prepared to hand over their lives to it as a mission. Well, we are all trying to do something that is replicable and scalable, so there is a huge emphasis on sustainability, on building the school day that Jean has, with teachers being given 20% of their time to do the non-contact work, such as marking, and on ensuring that you create jobs that real people with families and the rest of their lives to attend to can do. We put a lot of effort into the training and development of staff, and again, rather like Jean, we have a longer than average school year, which is meant to provide additional time for such training and development. That is, in a slightly lengthy nutshell, what characterises an ARK school, but again, I do not want to claim too much. Other than schools within schools, which is different, I expect that many of those things would receive nods from all three colleagues here.

Q148 Fiona Mactaggart: Jean, is there anything that you would say is different about, or specific to, your institution?

Jean Hickman: I have six points. If you were to visit us, which I hope you will, you would come into school, and our school is for our children. Everybody is equal and valued, and there are no labels. If you look at our catchment, our environment, I am sure you will find that we serve a huge deprivation area. No child comes to us who has a label on their head. Teaching and learning is our focus and that is it. Everything is there for the child to learn and for the teachers to teach, and you would find our school is calm and the students are well behaved despite their difficulties from their homes, because they come into an environment where their values are our values. They join in with them, want them and they leave behind the horrors of their lives. We involve their parents very much, and the underachievement of many outside the school gates is something that we wish them to leave behind, beyond the school gates, so that when they come in to us, it is a completely different world of work that they are able to experience. That is mums, dads, grandmothers, grandfathers—it does not matter who—plus child. When underachievement is eradicated and achievement is launched, we celebrate it greatly, because every child is able to achieve something, and their families, too. Consequently, when you start on that achievement ladder, the whole family start on it, and hopefully something will happen to the horrible deprivation that we all, collectively, face with those families.

Q149 Fiona Mactaggart: Thank you. Martyn?

Martyn Coles: Very similar. My school is in Bermondsey-Peckham, and I am sure that Members are aware that what is happening out there is not pleasant, with gang warfare and so on. It is very interesting that when HMI was in school, it commented on how well the different groupings—not necessarily ethnic—got on. I said, "Come and stand with me at the end of school," and then, everybody went off in their own groupings, because out there it is a completely different world. It is interesting that Lucy mentioned the fervour of charter schools in America, because they talk a lot about mission. I am not sure whether I want to use that word, but we are trying to ensure that we can break the circle of that long-time, inner-city deprivation in Bermondsey and Peckham. It is not only because of the recent gang warfare, but things that have happened previously—all of Bermondsey's history has been similar. One thing I say to parents is that our sponsor owns three schools: City of London School, City of London School for Boys and City of London Freeman's School, where people pay many thousands of pounds to send their children. If we can raise the aspirations of the students who come to our school to a level where they feel that, at the age of 18, they have an equal chance to pupils from those schools for which people pay tens and tens of thousands of pounds, and are buying privilege, I will feel that we have done a good job, which is our aim. Within that

we really want, as hon. Members will know—I must be careful here, as a number of you have been in to school as well—to get students involved in and taking control of their education, and for their voice to be heard in the school. It is their school, not mine or the staff's.

Q150 Fiona Mactaggart: That is hard, is it not, in a selective area? How can an Academy operate in the context of selection? Having let me ask you that, I can tell that the Chairman will stop me in a minute, so I will also ask you to answer my question about governance, which you said that you wanted to answer earlier. I am getting two questions in for one.

Graham Badman: Let me add to the list. I have endorsed everything that has been said. I would add the great importance of the arts as a way of expression, because for so many of the young people at these schools—all the Kent Academies are in our most deprived areas—there is a linguistic gap between those who teach them and the language that they have and hold. The arts are very important in the celebration of what they do. Clearly, if there is a fledgling Academy in an area where there are some high-performing grammar schools, one of the challenges is how to get your students to feel the same sense of value as those at the other schools. I think that part of it is about copying them. Give them the sense of ritual; give them the systems and organisation to their lives that some of their predecessor schools did not have, as they were too chaotic. They replicated the chaotic existence of the families. It is not for me to comment about selection, as I have to make the system work. I prefer to call it a mixed economy of schools, where all of them—

Q151 Fiona Mactaggart: Are there children who have passed the 11-plus who go to your non-selective schools?

Graham Badman: Not everyone has to take it. There is a choice whether to take it. It is very interesting that, in one of the partner schools to the Marlowe Academy, no child last year chose to enter for it; no parent chose to enter them. My broader answer would be that we have to seek collaboration between schools. I was intrigued by evidence from a previous sitting, in which people asked what the evidence for collaboration was. I could give you lots of evidence of collaboration in terms of teachers shared to bail schools out of difficulty, of collaboration particularly post-14, and of a new consortium working on the creation of diplomas. That also includes the grammar schools. I am neither advocating nor otherwise a selective system. I am saying that I do not think that being an Academy makes it any more difficult for a school to work within a selective process. It gives some of those deprived communities an edge; a sense of difference; a sense of purpose. In the Folkestone Academy, some of those youngsters go home to third-generation unemployed households. You challenge the aspirations. You actually have to say to them, "You can do this." It is a Norman Foster building,

which is magnificent. There is a house structure within it. There are vocational opportunities the like of which they never had before.

Q152 Chairman: What about governors?

Graham Badman: I think that I have somewhere between 9,000 and 10,000 school governors in Kent. If you were going to design a system, you would not start from there. One of the problems that we face, and why schools such as Ramsgate's predecessor school came into being, is the parochialism of school governors. Part of the remit for the Taylor report of 1977, which was long overdue in terms of reform, was how you deal with unnecessary collaboration between schools. It is extraordinary when we now try to seek neighbourhood solutions for schools working together. Certainly, much of my energy goes into getting grammar schools, high schools, Catholic schools and so on, to work together with their primary schools to manage children's services, including the psychologists, welfare officers and the family liaison officers, to say what the focus of the locality is, of which the Academy can play a part. I have talked a lot about Ramsgate. I could equally talk about Folkestone. The issue is how do you solve the community problems for Folkestone collectively, and where does the existing schooling system, with a given for grammar schools as far as I am concerned, play its part in community renewal and getting the best access. We are trying different things. The head of the Marsh Academy is also head of Folkestone School for Girls. She runs both schools. The Folkestone School for Girls is fantastic for modern languages. The Marsh is not very good, but it has a vocational centre, focusing on robotics with access to electrical engineering. The girls' grammar school has access to that as well. Collaboration can work and bridge the selective schisms that occur.

Q153 Fiona Mactaggart: One of the things that I was very struck by on the issue of governance was how valuable some of you find your business or economic-experienced governors. Such experience is something that most schools do not have. How can we use that lesson for other schools? Has anyone got a quick answer to that?

Chairman: One person can answer that. Who wants to take it?

Lucy Heller: I think that school governance is an issue, and your point was very well taken. It is about the limits of the stakeholder model of representation that seems to be problematic. I do not think that there is an easy answer. One of the reasons that you get the level of people involved in Academies is that those people are held directly accountable, whether that is the Corporation of London or the Mercers and Thomas Telford. That makes a difference to who you can get in. It is tough to get high-level people to be part of a large and unwieldy group of people giving their time to a more amorphous body.

Chairman: I may sound like a hard Chairman, but we have 18 minutes to ask some very important questions.

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Q154 Mr Chaytor: May I pursue the question of collaboration? First, let me clarify the question of funding for Academies. The National Audit Office report suggested that Academies typically cost about £24 million to build, which is about £3 million more than a non-Academy secondary school, and that the transitional funding is £1.5 million for the first four years. May I ask about the specialist schools funding? Is the specialist schools funding in addition to the transitional funding?

Martyn Coles: Yes, it is.

Q155 Mr Chaytor: So, the specialist schools funding is worth about £500,000 over two years?

Martyn Coles: It is £129 a pupil.

Q156 Mr Chaytor: The typical Academy would have an addition to the extra capital cost, which may have something to do with the glossiness of the building—

Lucy Heller: On the capital costs . . . it is difficult to make true comparisons . . .

Q157 Mr Chaytor: Okay. All I am saying is that the National Audit Office report said that it was £24 million.

Lucy Heller: But they are now the same because they are all coming under BSF.

Q158 Mr. Chaytor: I am interested in the revenue because it means that if the specialist schools funding is in addition to the transitional funding in the first four years, the typical Academy would have an additional £2 million of revenue funding. Is that correct?

Martyn Coles: Well, that would depend on the size of the school. When I only had 180 pupils, I did not get quite so much money.

Mr Chaytor: Sixth form entry schools—

Chairman: Let him answer the question.

Martyn Coles: If I had a full school, I would get more. On the other hand, it strikes me as being somewhat unfair for those schools that are specialist not to have the funding.

Q159 Mr Chaytor: Sure, I just want to clarify the scale of the additional funding in the first four years.

Martyn Coles: It is £129 per student per year. Of course, the transition funding tails off to zero. I do not have any more now.

Q160 Mr Chaytor: Of course. But in the first four years, it is significant.

Martyn Coles: But it was under £100,000 last year.

Mr Chaytor: Can I go into the reason I want to raise this?

Chairman: You asked the question. Lucy wants to answer it.

Lucy Heller: On transition funding, all you are doing is giving the 200—the number has expanded now—arguably most disadvantaged schools the chance to transform themselves.

Q161 Mr Chaytor: Of course, but earlier, it was said that there was no difference in the revenue funding between Academies and non-Academies.

Lucy Heller: Studies state that there is not.

Mr Chaytor: I raise this issue—

Chairman: Let me make the rules clear. You ask a question, then I ask someone to answer the question. Then you ask another question. This rapid fire does not give the witnesses a chance.

Mr Chaytor: Can I ask one other question?

Chairman: Let Lucy finish the point she was making.

Lucy Heller: I entirely accept that we could all agree that in those transitional couple of years, Academies get extra funding. We would all argue that they need it in order to make that transformation.

Chairman: Now Graham wants to answer.

Graham Badman: Some Academies get the income from endowment funds. The original Academies had endowments that were attached to them and some of mine have just that. There is an additional income stream from amounts that vary between £1 million and £2, £3 or £4 million, depending on how much they invest.

Q162 Mr Chaytor: Can I come to my next question?

I am sorry to be so persistent. Jean, in your earlier answers, you talked repeatedly about the state sector, and defined your school against schools in the state sector. How do you deal with the increasing requirement from the Government and local authorities to get this collaboration not only between schools, but between schools, social services, health and the criminal justice system, when you are so adamant about defining yourself outside the state sector—

Jean Hickman: No, I did not—

Mr Chaytor: And yet, have a considerable financial advantage that comes entirely from the taxpayer?

Jean Hickman: The definition of my school is as an independent state-funded school. I am not outside the state sector, it is a state school.

Q163 Mr Chaytor: So you are in the state sector? Earlier you described other schools as being in the state sector—

Jean Hickman: I am in the state sector. I am an independent state-funded school.

Q164 Mr Chaytor: So you are within the state sector?

Jean Hickman: I am both. I am in an independent school within the state sector.

Q165 Mr Chaytor: But what does independent mean if you are within the state sector?

Jean Hickman: That is for your good selves to decide. You decided on calling us independent state-funded schools.

Q166 Mr Chaytor: Can I get to the heart of the question which is in the context of the establishment of children's trusts and the development of children's services generally? That was not there in 2002 when the first Academies were established and when autonomy and independence were the

absolute heart of the Academy project. How do today's Academies now deal with the emerging children's services agenda?

Jean Hickman: I was in one of the 2002 schools. I opened in 2003 but I was in post in 2002. The first thing I did was to become part of the secondary head's forum in Walsall. We have governors who transferred across from their predecessor school and we were very insistent that our school was not going to stand alone as an island outside of the state schools, as you wish to call them. Consequently, there are now 18 secondary schools in Walsall, and I am very much part of that group. I collaborate on all fronts. I am no different from any other school except that I am an independent state-maintained school, not an LA state-maintained school. With respect to your point about funding, may we please be very cautious about identifying what the transfer costs are? A capital build is a capital build. We cannot then expect a school to function without laboratory test tubes or without books. That transitional funding is actually resource funding. It is not additional funding to the Academy. Consequently, I will absolutely not agree that we have had any more money than any other school in Walsall since we opened on 1 September 2003. The transitional funding was setting up moneys for books, test tubes and chemicals and so on. A school cannot function without such things.

Q167 Mr Chaytor: No, I am sure, but do new build non-Academies get the same level of transitional funding?

Jean Hickman: Certainly in the world in which I work they did. When I put up new laboratories in Cheshire we had additional funding to put things into those laboratories, so yes they do.

Q168 Mr Chaytor: Is it the same level as the funding—

Jean Hickman: I am sorry, I am way out of date on such things.

Chairman: Anyone else want to come in on that?

Mr Chaytor: May I ask Graham about the issue of—

Chairman: Sometimes I watch to see whether people want to answer the original question. Does anyone want to come in on the first question?

Martyn Coles: I agree with Jean. I see no reason why my school or Academy cannot be fully involved in the wider issues of the Children's Plan and local Children's Trust. We are involved in discussions with social services and the local authority as well, and linking in with those just as much as any other school. We are a state school.

Q169 Mr Chaytor: Can I ask Graham about this from his perspective—the local authority perspective? Is there a difficulty about the autonomy of Academies in respect of the children's services agenda?

Graham Badman: I do not think that there is in the Kent context. Kent is a sponsor, and I am a governor of three, so they are kept within that family in that sense. You probed me about Kent. On the development of locality-based children's services, in

September, the children's trust will have been in being for 18 months and we will have 23 local boards managing everything from the commissioning of tiers 1 and 2 child and adolescent mental health services support through to welfare speech therapy. All will go into that locality structure. That money passes through the local authority and down through the children's trust. It will be multi-agency. Some will come out of health; it does not all come from us necessarily. Where an Academy takes a disproportionate share, we expect it to pay for the services. If there are services above and beyond that which they took out of the local authority, or for which they have not contracted back, we would expect it to contract back. So far, they have all indicated that that would wish to do exactly that. There will be variations between local authorities. In my case, I do not think that their role is a problem. However, I would also argue, if you expect Academies, on their own, to change communities in perpetuity, that they will not. A wrap-around structure of children's services will offer different engagement to families and make a difference alongside what Academies do, which is why I said in my opening comments that you cannot separate what Kent is doing on Academies—I am speaking specifically about Kent—from our anti-poverty strategy, which includes the setting up of credit unions, and the way in which we are developing children's services on a locality model.

Q170 Chairman: Lucy, do you want to come in on that?

Lucy Heller: No.

Q171 Mr Chaytor: One of the examples of collaboration between schools that you mentioned earlier was the transferral and sharing of teachers. I switch this question to Jean or Martyn. Does that happen in your areas? Is there any exchange of teachers? Does the issue of the different conditions of services between Academies and non-Academies create difficulties?

Jean Hickman: We do not exchange teachers, but we have combined professional development opportunities and work with children on a variety of aspects. However, we do not exchange teachers. I do not quite know what you mean by that. However, we work on an awful lot of fronts with teachers from colleague schools.

Martyn Coles: Similarly, we do not exchange teachers, although that will certainly be coming in within the next two years with the 14 to 19 agenda. We will also be working with local schools. We are talking about that at the moment. On your point about pay and conditions, I pay pretty much according to national pay and conditions. That would not be an issue, if it happened.

Q172 Mr Chaytor: Absolutely finally, regardless of the pay and conditions issue, do you detect any effect on recruitment within the local authority area, because of the existence of an Academy?

Martyn Coles: Students or teachers?

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Q173 Mr Chaytor: Teachers. Are the best teachers applying to Academies? How does it impact on the local teacher labour market?

Martyn Coles: I do not think that it has had an impact, but quite a few local schools have now become Academies. It has not had an impact, as far as I am aware.

Jean Hickman: I think that there has probably been an increase in the quality of teachers applying to the borough of Walsall as a result not just of the Academy but of changes in Walsall over the past six years, which the Academies helped to catalyse.

Chairman: Andy, a quick one on this point, otherwise you will have to wait.

Mr Slaughter: I thought we were on four.

Chairman: We are, but you are not down for it.

Q174 Mr Slaughter: It is a bit unfair on you, because I have one of your Academies in my constituency—Burlington Danes. I will have a conversation after the meeting with you about it, except on this one point. I do not think that it is fitting into the LEA network of schools very well. I have hopes for it. It has traditionally been a good school, it is a good site, the building is excellent. Obviously, it lost its head teacher and so on. I have never had any communication at all from ARK. I am in and out of all the other schools all the time. I only get into Burlington Danes when I force myself upon them. I get the impression that you are looking after it as part of a little ARK network of schools, not as part of the LEA network. The LEA is not doing its job, because I think that it has shifted the problem over to you, so it is not trying to integrate you, and I do not feel that you are trying to integrate yourselves. There are knock-on effects on other schools nearby that have a much more deprived intake.

Lucy Heller: I would quarrel on the deprived intake—

Q175 Mr Slaughter: Well, Phoenix High School, which is next to you, has two and a half times the number of free school meals that you have.

Lucy Heller: We have a problem with the under-reporting of free school meals. It is absolutely clear that, from an ARK perspective, we see ourselves as a community school in all but name. We are clear that Burlington Danes, like any other ARK school, is part of the family of local schools and Hammersmith schools. It is equally fair to say—this is the only caveat to add to the discussion about collaboration—that the first order of the day for any transition school is to focus on getting stability in the school. It is fair to say that Burlington Danes' first focus has been on getting things right in the school. We would be delighted to meet you. We are meeting the local authority later this month. So we are very happy to have those discussions. Certainly, that has been our experience in relation to our commitment, and that would be the view of Southwark, Westminster, Lambeth and the other boroughs that we are working with.

Chairman: Sharon, you have been very patient.

Q176 Mrs Hodgson: I have a question about SEN, about which I am particularly interested. PricewaterhouseCoopers found that although the data show that Academies tend to have a higher proportion than average of children with SEN and children from disadvantaged backgrounds, there is a worrying trend towards these proportions falling and it says that this is an issue. The comparison of the 2007 performance data statistics for Walsall and the Southwark Academies is interesting. For instance, the Walsall SEN statistics show a move towards the worrying trend of reducing the number of SEN pupils, with 10% fewer SEN students than average on its roll, compared with the City of London Academy, which shows the more usual trend of having an above-average number of children with SEN: 26% of its pupils have SEN, which is more than 6% above the 19.5% average. Can you comment on these statistics and say whether you agree with PricewaterhouseCoopers' evaluation? I should particularly like you, Jean, to comment on whether having 10% fewer than average SEN students shows a comprehensive intake.

Chairman: Let's go for it, then. However, all answers must be sharp and quick at this time of night, I am afraid.

Martyn Coles: I completely agree with your figures. It is representative of the area, which is the key issue. We talked earlier about us becoming a comprehensive school. Indeed, when I talk to colleagues—head teachers do talk about taking what we might call our fair share of pupils with special needs—I find that those pupils are distributed well across the borough and we take a full part in that. If I were to say that 48 families had nominated the Academy for next year, 48 out of 180 would be a disproportionate amount. However, the local authority is extremely good at distributing, in co-operation with parents and it has worked well. Certainly, in the early years we had even higher numbers—quite a significant number—but it has steadied out now and I am happy with the way that it works. It is about 10% of the intake each year.

Jean Hickman: Ours is representative of Walsall schools. You need to look at Walsall schools, not at Academies. Look at the other 16 comprehensive schools in Walsall and you will find that we take the same proportion of children into the Academy as they do.

Q177 Mrs Hodgson: So Walsall does not meet the national average.

Jean Hickman: It does not, because Walsall does not believe in statementing.

Q178 Mrs Hodgson: Right. But your figures also take in school action and school action plus, which is not about statemented children. The 19.5% figure that I was quoting includes school action and school action plus as well as statemented children. So Walsall does not believe in statementing and does not even believe in identifying children who have special educational needs.

Jean Hickman: Correct.

Lucy Heller: Ours would be much like Martyn's. Our figures tend to be consistent with local averages. We would want to play our part in working with the local authority and seeing that we have the right sort of number and that we do a good job for all children.

Graham Badman: When you have a strong partnership between schools, authorities should not be afraid to use their powers of direction. We can direct admissions where there are special educational needs or looked-after children, and I do. That applies to Academies as well.

Q179 Paul Holmes: Surely you cannot direct admissions to Academies. You can ask them to take the children; you cannot direct them.

Graham Badman: Under the new code, they would find it very hard to refuse the admission of a looked-after child, for example.

Q180 Paul Holmes: None the less, even under the new code, you cannot direct Academies. You can ask but not direct, whereas you can direct mainstream schools.

Graham Badman: Well, please do not tell them in that case.

Q181 Mrs Hodgson: With your permission, Chairman, I have a similar question with regard to exclusions. I do not have any statistics to hand to compare figures on exclusions other than what PricewaterhouseCoopers has found and what I know from my own experience and my own borough, which is that a greater proportion of children are excluded from Academies. The evidence is here; that is a matter of fact. Also, when a child is excluded from a school, another school in the local authority area will often take them, but that may not be the case with Academies. Often that is because Academies are full. I am finding in my borough that the one Academy often totally refuses to play ball and will not take children excluded from another school, although when the Academy excludes children, other schools are expected to take them in, so there is now starting to be a worrying disparity among the schools.

Chairman: We are pressed for time and I know colleagues are getting a little restless, but I must keep a quorum here if we are to finish the last couple of questions, so can you respond briefly to Sharon's question?

Martyn Coles: I have taken pupils permanently excluded from other schools.

Jean Hickman: We are part of the Walsall managed move/transfer policy and we do likewise.

Lucy Heller: The same would be true for our schools.

Graham Badman: We do not have that problem. Unless there is a managed move process, the Academies will not do the job they are meant to do within a locality, so we encourage them all and we have not had any difficulty in getting our Academies to respond to a notion of managed moves where there are exclusions.

Chairman: Last tail gunner, I think we used to call them—Annette Brooke.

Q182 Annette Brooke: I have been reflecting on the relative importance of people in the system and the structures of the system. Let me give just one example. The fact that local authorities manage the admissions policies of schools gives me a lot of confidence, but that is not necessarily common to all Academies, so I would like to leave this meeting convinced that we could have a structure that meant that Academies were genuinely serving the public good. I am assuming that all of yours are, so can you tell me which changes we should have, apart from in the area of admissions policy, to get rid of all the niggly questions round the edges—the Saturday morning test and so on? That worries me. I visited an Academy that did that for the banding. What else is there that would ensure that these dynamic people were serving the public good?

Chairman: Let us start with Graham this time, rather than others leading all the time.

Graham Badman: I will go back to the issue of governance. The heads have made great play of the fact that they have strategic, directive, on-the-ball governors. That is great. It is not necessarily universal. I think we have too many governors and they are too parochial. Within a structure where you are getting school collaboration, you would take out a lot of the parochialism and niggles between schools by having a governance model that enabled schools to have their own governors but also a wider set of governance arrangements, for a town or a neighbourhood, where there was shared ownership of the problems of all the schools within that. Every head, I think, has to take responsibility for all the children, not just those within the purview of their school.

Lucy Heller: I would just refer to time. The Academies movement, perhaps like education in general, has suffered from an overload of initiatives and changes. We have already seen, in the relatively limited time that Academies have had to show their stuff, that things seem to be moving in the right direction. Generally, given time, people in local communities who have been, in some cases, violently opposed to them have come to change their mind once they have seen them in operation. I would say let it be. I would not make changes to anything. I do not see any instant—

Q183 Annette Brooke: You would not clip the wings of the freedom at all?

Lucy Heller: No, I would not. The freedoms are important, but I do not think that they are overwhelming. I do not see any signs that people are misusing them in any way. The change in the curriculum requirement said that Academies must follow the national curriculum in maths, science, ICT and English. I thought that was unnecessary simply because I am not aware of any Academy that has used the freedoms in a way that was at all damaging. It was a response to a question that had not really been asked. I am in favour of leaving

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things as they are and letting them go. Have a look at the next PricewaterhouseCoopers report when it comes.

Q184 Annette Brooke: There are obviously issues in relation to the admissions policies of some Academies, although not those here I am sure.

Jean Hickman: At the time, yes. It is five years since we began and there are certainly great differences now from the provision on the same site for the same community in north Walsall. There also has to be an increased clarity on what we are all about, which is probably why we are here today. The clarity needs to be by definition. There are an awful lot of words attached to every initiative; Academies have endless words attached to them. Those words need to be clearly defined so we all know what we mean when we talk about an independent state-maintained school or a transitional budget. What do those words definitely mean? At the moment, the clarity seems to be that by me defining a specific word, I

have a different understanding of it than someone else. The definitions are not clear and clarity in time is what we need.

Martyn Coles: Indeed. I am almost turning full circle in saying that Academies on the whole have most definitely brought better standards to areas or institutions that have not previously had them—I do not care to comment on the whole country because I do not have experience of that. I agree with you: full and clearly transparent admissions policies should be the case for all state schools.

Annette Brooke: Thank you. Is that a good note to end on?

Chairman: A good note to end on. We wish that clearer and more understandable admissions policies were true right across the piece, not just in Academies. This has been an excellent session and I hope that you have realised how generous the Chairman has been in giving everyone plenty of questions. Thank you very much for the time you have given us. It has been a really good session and we have learned a lot.

Wednesday 12 March 2008

Members present:

Mr Barry Sheerman, in the Chair

Mr Douglas Carswell
Mr David Chaytor
Paul Holmes

Fiona Mactaggart
Mr Andy Slaughter

Joint memorandum submitted by Professor Anne West and Rebecca Allen

INTRODUCTION

This memorandum provides an overview of several pieces of work carried out by Anne West and colleagues at the London School of Economics and Political Science and Rebecca Allen at the Institute of Education, University of London. The common themes across the papers are:

- secondary school admissions policies and processes;
- the social and religious composition of schools; and
- social and ability segregation across schools.

It is important to note that the research used data obtained prior to the 2006 Education and Inspections Act and the 2007 School Admissions Code. Research relating to secondary school admissions criteria and practices for admission in September 2008 is currently being carried out at the LSE for RISE (the Research and Information on State Education Trust) with funding from the Esmée Fairbairn Foundation.

RELIGIOUS COMPOSITION AND ADMISSIONS PROCESSES OF SECONDARY SCHOOLS IN LONDON (PENNELL *ET AL*, 2007)

In 2006, the LSE was commissioned by Comprehensive Future, with funding from the Joseph Rowntree Reform Trust Limited, to carry out a small-scale research project to examine the religious composition and admission processes of publicly-funded secondary schools with a religious character in London. No information was available about the composition of these schools in terms of the religion of the pupils enrolled. London was chosen as the location for this research given its religiously diverse population and the high proportion of publicly-funded religious schools in the capital.

A short questionnaire was sent to all voluntary-aided secondary schools and academies in London that were classified by the Department for Education and Skills as having a religious character (N = 106). This asked for the numbers of pupils on roll at the school that were of different religions or no religion. Fifty schools/academies (47%) provided useable information. A sample of supplementary forms used by schools with a religious character were analysed. The admissions processes used by schools that appeared to be inclusive of other faiths (or no faith) were also examined. Key findings were:

- In Church of England schools, around seven out of 10 pupils were reported to be Christian; just under one in ten were reported to be Muslim and a similar proportion to be of no faith (for the remainder, no information was available).
- In Roman Catholic schools, over nine out of 10 pupils were reported to be Christian. Very small percentages were of other religions or no faith.
- In the three Jewish schools, all pupils were reported to be Jewish. In the two schools of other Christian denominations, around eight out of 10 pupils were reported to be Christian.

Supplementary forms were available for 24 of the 44 Roman Catholic and Church of England schools. All required a reference from a priest/minister/religious leader to confirm that the information provided by parents on their religious background and practice was accurate. Eight out of 10 forms sought information on church attendance; half on involvement in the church and a third asked for proof that a child's religious milestones, such as baptism or first holy communion had taken place.

Comparison of the supplementary forms with the local authority forms found that the former, in general, were more complex than the latter: they were longer and more space was provided for parents to give reasons why they wanted their child to attend the school. In some cases personal information was sought such as

parents' occupation, details of the schools attended by all other children in the family or other schools they were applying to. However, some forms were brief and simple to complete: they asked for basic details about the child, their parents/carers and a church contact so that a religious reference could be sought.

Further analyses were undertaken of the admissions processes used by schools that appeared to be inclusive of other faiths. It was found that they tended to set aside a proportion of places for those of other faiths/no faith, by dividing the available places between "foundation" and "open places." However, it was noted that the school with the highest proportion of non-Christian faiths was a Church of England school that did not set aside places in this way.

Schools that were inclusive of other religions were not necessarily inclusive in other respects. In particular, an analysis of admissions criteria and supplementary information forms used suggested that, in some cases, they offered schools opportunities for social selection.

CHANGES IN ADMISSIONS CRITERIA AND PRACTICES BETWEEN 2001 AND 2005 (WEST *ET AL.*, 2008)

This research focused on admissions criteria and practices between 2001 and 2005 and examined how they had changed in London secondary schools following the introduction of the 2003 Code of Practice on School Admissions.

In community and voluntary-controlled schools, where admissions are controlled by the local authority, the proportion of schools giving priority to children in care increased from 4% to 95%. And the percentage of schools giving priority to pupils whose parent was an employee of the school decreased from 13% to 5%. For voluntary-aided schools there were a number of differences between the two years. There was an increase in the percentage of schools giving priority to children in care (from zero in 2001 to 74% in 2005), to medical/social needs (42 to 54%) and to special educational needs (18 to 26%), along with a decrease in the proportion of schools giving priority to children of former pupils (14 to 4%). However, compassionate factors increased from 8 to 12%. There was a very marked reduction in the use of interviews, which dropped from 52% in 2001 to 6% in 2005 (including pre-admission meetings in 2005); this is significant as the *2003 Code of Practice*, to which admission authorities had to "have regard", stated that religious schools should not carry out interviews, unlike the 1999 Code which had allowed religious schools to carry out interviews to assess religious commitment. The percentage of schools giving priority to pupils with a religion other than that of the school concerned increased from 32 to 48%.

COMPOSITION OF FAITH SECONDARY SCHOOLS (WEST AND HIND, 2007; ALLEN, 2008)

Allen (2008) provides a summary of the socio-demographic characteristics of pupils educated in voluntary-aided (VA) religious schools compared to foundation and community "comprehensive" (ie non-grammar) secondary schools in England. The key observations are that:

- VA religious schools had 13% free school meals (FSM) eligibility, which is slightly lower than community comprehensives (15%) but higher than foundation comprehensive schools (10%).
- VA religious schools had a higher proportion of pupils scoring in the top quarter nationally in KS2 tests at the end of primary (28%) than community (21%) or foundation (24%) schools.
- VA religious schools had a lower proportion of White British pupils (78%), mostly due the increased numbers of Black African and Caribbean ethnicity pupils.

West and Hind (2007) carried out an examination of the composition of London state-funded "comprehensive" secondary schools that were voluntary-aided (mostly religious) and compared them with foundation schools (which like voluntary-aided schools are responsible for their own admissions, but rarely have a religious character) and community/voluntary-controlled schools. They also found that schools controlling their own admissions admitted pupils with higher levels of prior attainment, on average, than those that did not control their own admissions and had, on average, lower proportions of children from low income families and with special educational needs.

The paper also looked at the relationship between admissions criteria that select based on religion or religious commitment and ethnic composition of the school. Because religious affiliation is likely to vary according to ethnicity, certain pupils are more likely than others to be admitted in the event of the school being oversubscribed as the religious criteria will be used to prioritise who should be admitted—in particular, Black pupils in England are more likely to be Christian than are pupils of Pakistani or Bangladeshi origin, who are more likely to be Muslim. This London analysis confirms that there were indeed, on average, more Black pupils in voluntary-aided 'comprehensive' schools than in community/voluntary-controlled schools. There were more Bangladeshi/Pakistani pupils in community/voluntary-controlled schools than in other types of school.

 THE SCHOOL VERSUS NEIGHBOURHOOD COMPOSITIONS OF FAITH SCHOOLS (ALLEN AND WEST, 2007; ALLEN, 2008)

These papers compare a school's composition with the characteristics of pupils living in the immediate neighbourhood. Allen and West (2007) use a very narrow definition of neighbourhood (eg the 150 pupils who live closest to the school if the school cohort size is 150); Allen (2008) combines this with the definition of neighbourhood that covers a wider geographical area. Allen and West (2007) analyse religious comprehensive schools in London and find:

- Almost all religious schools in London have a FSM proportion that is lower than the FSM proportion in their immediate neighbourhood.
- Religious schools have only about 85% of the FSM pupils they would have if they admitted the pupils who lived closest to their schools.
- By contrast, non-religious comprehensive schools in London have only 75% of the pupils who scored in the top quartile nationally in KS2 test that they would have if they admitted the pupils who lived closest to their schools.

The differences between religious and non-religious schools presented in Allen (2008) for England as a whole are less pronounced:

- Religious comprehensives have about 10% fewer FSM pupils than they would if they admitted the pupils from their immediate neighbourhood (and community comprehensives have about 30% more).
- Religious comprehensives have about 25% more pupils scoring in the top quartile nationally in KS2 tests than if they admitted the pupils from their immediate neighbourhood.

Since neither of these papers had access to information on who applied to religious schools in the first place, it is not possible to use this information to ascertain whether or not the admissions policies/procedures of religious schools favour higher ability or more affluent children (whether overtly or inadvertently in the processes of selection by religious adherence). Allen and West (2007) try to overcome this problem by looking at sorting within the group of pupils who attend religious schools in London, and who are therefore likely to have sufficiently proved their religious adherence (the analysis is carried out separately for RC and CofE schools). The paper shows that there exist "élite" RC and CofE schools which appear to systematically favour more able or affluent religious pupils over FSM-eligible or lower ability pupils (of the correct denomination) who live close to the school.

CONTRIBUTION OF FAITH SCHOOLS TO SOCIALLY SEGREGATED SCHOOLING (ALLEN, 2007; ALLEN AND VIGNOLES, 2007)

Many academic research teams have used administrative data (the Annual Schools Census from 1989 onwards and the National Pupil Database from 2001 onwards) to look at the association between the number of faith secondary schools in an area and the level of social segregation between schools. Social segregation is usually defined as the extent to which pupils who are eligible for free-school meals (FSM) are unevenly distributed across schools in an area.

All papers in this field, regardless of the year of data used, find an association between the proportion of pupils in voluntary-aided (VA) schools and the level of FSM segregation in a local authority (Allen, 2007; Allen and Vignoles, 2007; Goldstein and Noden, 2003; Gorard *et al.*, 2002; 2003). However, it should be emphasised that this is an empirical observation with no suggestion of causality. Goldstein and Noden (2003) go further and demonstrate that between the years 1994 and 1999 there was a greater increase in segregation in local authorities where a larger proportion of schools controlled their own-admissions. Allen and Vignoles (2007) report similar findings for the years 1999 through 2004. They show that areas with a higher proportion of pupils at VA schools in 1999 have seen greater growth in segregation. Where these VA schools have grown in size, increasing their share of pupils in the local authority, this is again associated with increasing segregation. Once again, it would be unwise to attribute causation of this phenomenon to the behaviour of VA schools.

Allen (2007) investigates the characteristics of areas where the level of school segregation is significantly greater than the underlying level of residential segregation (calculated by re-allocating pupils to their nearest school). The paper finds that having a high proportion of pupils in the local authority educated in VA schools is associated with a larger gap between school and residential segregation. Again, it is not possible to show why this should be the case using these administrative data. The paper also shows that, although VA schools do appear to be associated with raised levels of school segregation, school segregation caused by the housing market remains the most important contributor to stratified schooling in most areas.

 OVERALL CONCLUSIONS

There are clear differences in terms of the composition of secondary schools of different types. Schools with a religious denomination can be shown to have a more able and affluent intake than community comprehensives, especially once the characteristics of the local neighbourhood are taken into account. This means that areas with many religious schools have higher levels of school segregation. However, we do not know the extent to which this results from patterns of applications made by parents or offers made by schools.

There is a complex interaction between admissions criteria and practices, preferences made by parents and offers made by schools. Taking the potential sources of stratification separately, if parents from particular social backgrounds are not applying to particular types of schools is this because they do not want their child to go to a particular school (maybe because the school is not perceived to be for ‘people like us’) or are they for some reason discouraged from applying? There are many ways in which parents may be discouraged. For example, do they believe that their child will stand little chance of being admitted, because they do not fulfil the criteria? Alternatively, have they found the admissions process too complicated? Are they concerned about travel costs to particular schools?

If, on the other hand, parents from lower social backgrounds applied to a school but were not offered a place, is this because they were not religious or were they unable to achieve a high enough score on the school’s measure of “religious adherence”? For example, were they aware of the appropriate feeder primary school or local church to attend, and did they attend the correct number of Sunday services over the length of time specified by the school?

The current measurement of religious adherence on a “continuum” can be seen to justify the collection of additional information from parents, giving religious schools the means to socially select pupils, should they wish to do so. However, there is no proof that such selection is actually taking place in schools—the apparent social selection may be an entirely inadvertent side-effect of selecting by religious adherence.

One way to simplify the admissions process for these families would be to establish a nationally agreed binary criterion of “religious adherence” that families are deemed to have either met, or not met. Once this is established, religious schools could then rely solely on the presence of a signature on a form from a religious leader to decide who has priority in the admissions process. This would avoid the need for the schools themselves to collect additional background information. Thus, a policy such as this could simultaneously remove the means by which covert cream-skimming is possible, while simplifying the admissions process for parents.

Monitoring is needed to determine which pupils apply to which schools and which are admitted. State-maintained schools in London are publicly-funded, yet access to a significant number of schools is restricted for various reasons: on account of selection by religion and selection via other admissions criteria or practices, all of which privilege some pupils over others.

More generally, if community cohesion is to be fostered, schools with a religious character should be inclusive of all religions (or no faith). At present this is not the case. Major tensions arise in balancing policies that aim to increase the number of faith schools and promote religious inclusion. These are not easily resolved in a pluralist society, but given that public money is used to fund schools with a religious character there is a strong case to be made for such schools to be open to the wider community in the interests of enhancing social cohesion.

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March 2008

Witnesses: **Rebecca Allen**, Researcher, Institute of Education, London University, **Professor Mark Halstead**, Head, Department of Community and International Education, University of Huddersfield, **Professor Audrey Osler**, Research Professor, University of Leeds and Director, Centre for Citizenship and Human Rights Education, and **Professor Anne West**, Professor of Education Policy and Director, Education Research Group, London School of Economics and Political Science, gave evidence.

Q185 Chairman: I welcome Professor Mark Halstead, Professor Audrey Osler, Rebecca Allen and Professor Anne West to our deliberations today. I thank all of you for attending and agreeing to give evidence to the Committee. We know some of you—certainly Audrey and Anne we know well in this Committee. We are also particularly delighted to see you, Professor Halstead, as you are from the University of Huddersfield. With a name like Halstead you must have some Yorkshire origins, as well. I declare an interest: I am the Member for Huddersfield and a visiting professor at the business school in Huddersfield, and I am a governor of the London School of Economics. All my declarations of interest are on the table. I do not have any official relationship with the Institute of Education at the university of London, but as a Committee we have some advisers from the institute, as you know. It is not part of a plot that both the Secretary of State and the Minister for Schools and Learners made statements yesterday on faith schools and related matters such as admissions. It was as much of a surprise to the Committee that those statements were made as it was to the general public. It is interesting what was suggested yesterday. How many of you have seen the statements that were made by the Secretary of State and the Minister for Schools and Learners yesterday?

Professor Halstead: We heard the reports.

Q186 Chairman: Did it cause you great surprise, given that your well-known research is in this area, Professor West?

Professor West: No, it did not cause great surprise. I think that it was to be expected. We have already identified that there are some schools that are their own admission authorities that are using criteria that are not allowed, in research that we are currently undertaking, so it did not come as a surprise. I suspect that there will be fewer now than there were previously. However, while the regulations and the law are as they are, while schools are responsible for their own admissions—or some are—and while the stakes are so high, some schools are likely to use whatever means they can to select their intake. That is not necessarily across the board, but there are likely to be some. What we heard last night supports that, and some of the evidence that we have already gathered also supports that. Things are actually better than they were, in terms of the objectivity of the criteria and adhering to the code and the legislation.

Q187 Chairman: We know the history of this quite well as the Committee, nearly two years ago, had a particular role in looking at admissions, the White Paper and the Bill that developed out of that process. We made some strong recommendations about the admissions code and how to make it effective. Do you remember that particular development, Professor Osler?

Professor Osler: I am not really following admissions issues as part of my own research, but last summer when I was travelling round the country doing work with the Runnymede Trust collecting our data, local communities were expressing concerns about admissions—particularly that it was the most vulnerable children who were not being considered for faith school places.

Q188 Chairman: Just to put it on the record, the Committee recommended that schools should not merely take note of the admissions code, but that it should be obligatory. We said that the code should be strengthened and there should be more ways of calling the adjudicator in to make a judgment on whether schools were playing by that code of admissions. There was a group of recommendations. We believe that most of those recommendations would take effect with this year's intake. Is that a fair summary?

Professor West: I think so, yes. Some academics thought that the Government should take stronger action because of decisions taken by individual schools and because there is no clear accountability. Quite a lot of academics thought that another body that did not have a vested interest in the outcome of the admissions process should be responsible for admissions. However, that was a separate issue and did not form part of the Committee's conclusions.

Q189 Chairman: What has the research shown? I note, Rebecca Allen, that you have recently carried out research in this area. What were your main findings?

Rebecca Allen: The research that I have been writing is on why schools have become socially stratified. To that end, I have been considering the role of the housing market, the role of grammar schools and particularly the role of religious schools in the production of socially stratified schooling. In my most recent research—I have written a paper on England, and a separate paper with Anne West on London—I was able to show that religious schools have higher ability and lower free school meal intakes compared with the neighbourhoods in which

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they are located. To give you an idea of the magnitude of those effects, if we take a community school and a voluntary-aided religious school, both located in a neighbourhood with exactly the same levels of deprivation, the community school is likely to have about 50% more free school meal children than the voluntary-aided school. There are big regional differences; the differences between voluntary-aided and community schools are very marked in London and quite marked in the north-west, but the differences are much less in the rest of the country. Interestingly, I have also looked at foundation schools. Although they are located in relatively affluent parts of the country, on the whole they look much more like community schools than voluntary-aided religious schools in terms of their intake, relative to the neighbourhoods within which they are located. Part of my research links to Anne West's. She has completed surveys of school admissions policies, and I have been able to match the data that I have produced with her data sets on school admissions policies. We are trying to look at the association between particular types of admission criteria, and the extent to which schools have advantaged intakes. We can show that there really is a direct correlation between the number of potentially selective admissions criteria that schools use, and the extent to which their intakes are advantaged.

Q190 Chairman: Anne West, would you like to add anything to that?

Professor West: I do not think so. That was a succinct account.

Q191 Chairman: I am doing the warm-up, and I wanted to ask you before we drill down into the questions. Professor Halstead, what is your view? We have a body of research suggesting that the Government's intention of getting a fair system of admissions seems not yet to be fully effective. Does that concern you?

Professor Halstead: As you know, my expertise relates mainly to Muslim schools and the experience of Muslim students. I certainly think that we have not so far got things quite right in that respect. The broader issue of ethnicity complicates the situation regarding free school meals statistics and the comparison between mainly Church schools and non-religious schools. The Muslims, for example, are among the poorest of the communities in this country, as everyone knows, with nearly 50% of Bangladeshi children being in receipt of free school meals. They will struggle to get into anything other than community schools, so statistics may be affected by the fact that Bangladeshis and Pakistanis are much higher than the average in free school meals; and other minority groups weight the statistics of the community school more heavily. They are mainly Church schools that operate in the voluntary sector.

Q192 Chairman: But does your research compare the experience of Muslim schools with other faith schools?

Professor Halstead: No, it does not do so in that area.

Q193 Chairman: Looking at your CV, you have a wide-ranging research portfolio.

Professor Halstead: Yes, but my discipline is philosophy of education, and I am concerned mainly with looking at issues that affect Muslim children in particular, and minority children more generally, from a philosophical perspective. For example, I might consider how the right of children to an open future can be weighed against their right to some kind of continuity in the values that they receive in school, compared to those they receive at home. There are two kinds of rights, and a philosopher will be interested in balancing them. That issue is very relevant to Muslim children in particular, and to many other children from faith backgrounds.

Chairman: That is very important, and we will drill down on that issue with the benefit of your expertise. I am the warm-up act, as I always say, so let us get moving.

Q194 Mr Slaughter: I direct this question mainly to Anne West, although obviously anyone can answer. I pick up on the point that you have just made about intake and entry to faith schools—the figures that you gave were quite stark in terms of the difference. They are somewhat different from what we heard from other sources and what the schools themselves may say. Why do you think that is? Today, we have seen some evidence that schools themselves are selecting, using crude methods such as charging for admission, and that that happens disproportionately with faith schools. Equally, where choice seems to be more of a factor than it would have been years ago, there seems to be an encouragement to parents of Christian faith, but also from wider faith groups, to seek out their own schools. Why do you think these discrepancies arise, and do you think that they are increasing?

Rebecca Allen: Perhaps I could start by commenting on why I think that people produce different statistics on the extent to which these schools are advantaged. It depends on whether you want to compare the intakes nationally or compare them to their local neighbourhood. For example, we know that religious schools are more likely to be located in urban areas, and that is why, overall, the proportions of pupils that take free school meals are relatively high—they are not as high as in community schools, but they are reasonably high. It is only when you start making comparisons with local neighbourhoods that you get these big patterns in terms of advantaged intakes relative to community schools.

Professor West: Is one of the points you make that parents have different preferences?

Q195 Mr Slaughter: I am trying to understand—quite a stark figure has been given comparing like for like, or as near to that as is possible, but the free school meal intake in a community school could be 50% higher than in a faith school. Is that not quite a shocking figure?

Professor West: There is a range of reasons why we get those differences. Some are to do with parental preferences, and some to do with the criteria that schools use in the event of their being oversubscribed and the practices that they use. There is scope for subjectivity when it comes to making decisions not only about the criteria that schools use, but also how such things are then worked out in practice. We have not done any research into how that practice works within individual schools that are their own admission authority, so we do not know. We do know some of the outcomes relating to school composition, and we know that the legislation and codes that have been introduced over the years seem to have made a difference in terms of published admissions criteria. However, we do not actually know what difference they will make in terms of school composition because the data that we have do not relate to what the intake will be in 2008, or to the composition at present. There is no reason to suppose that there will be a major difference, although there could be from 2008. Does that answer the point?

Rebecca Allen: If I may add one comment to that; we do know something about the social class of people who go to church in England, and that might be a helpful statistic with regard to why advantaged intakes might come about. We know from the British social attitudes survey that churchgoers, particularly in the Church of England, are more likely to be from higher social class groups, and that that figure is more pronounced than for Catholic churches. In a sense it is not surprising that their intakes are advantaged, but that kind of social class gradient in church attendance is relatively slight. It is not enough to explain why the intakes are so much more advantaged. For that we must come back to the idea of what exactly the criterion of religious adherence is, and how it is being decided and administered, and how difficult it is for some families to meet that criterion compared with others.

Q196 Chairman: Professor Osler, did I see you nodding?

Professor Osler: I would just like to add that in the six localities that we visited as part of the research for the Runnymede Trust—I think in nearly all of them—people we spoke to raised concerns about the need for a statement of support from a religious leader, and about the fact that they felt that some people were finding it easier to get that, and that it was a very subjective measure of who was attending church or who was engaged with the mosque, or whatever. They felt that that was one of the most subjective processes.

Q197 Mr Slaughter: Is there research that can possibly provide an explanation? I will quote some figures that I have quoted before in another context, but which I am encouraged to use again: in one of my local authority areas I have eight schools, of which four are faith schools and four are not; the free school meals figures are 2, 6 and 6% for the three faith schools and 20% for the faith Academy, but they are between 41 and 56% for the four community

schools. That is an almost tenfold difference. From what you are saying, that is somewhat untypical, but if that can happen in an LEA area—and you say that a standard difference could be as much as 50%—do not we need more analysis of why that happens? Those are all publicly funded schools, and the differences are significant.

Rebecca Allen: We do, but we need to know who has applied to which schools.

Professor West: We need the data that local authorities have on parental preferences. The Department for Children, Schools and Families will publish some information relating to that, but we do not actually know what the match is, and we do not know what the breakdown is by various background characteristics of the children, either. We tried to get those data a little while ago in relation to London, and we were not able to get access to the data for a range of reasons, probably because it was the first year of the pan-London admissions. There is a lot more that one could do if the data were available.

Q198 Mr Slaughter: Do you think this is an issue that people would rather brush under the carpet because it is too controversial, because the consequences, say, for a family who either are not organised in their religion or do not have a religion, or who live in an area without a religious school of their persuasion, are that they will surely be greatly discriminated against on that basis?

Professor West: Yes, there is an issue there: as you say the schools are publicly funded. This is public money, so there ought to be some transparency about who is applying, who is being offered places and what the outcomes are. It is perfectly reasonable to seek that information and for that information to be made available. It is undoubtedly controversial, but it is a balancing act, is it not?

Professor Halstead: There is a danger in using statistics; you gave an example from one constituency. The general statistics may give one impression, but there may be wide diversity in particular areas. We must be careful not to lose sight of the fact that some faith schools serve a large majority of children from a lower social class, for example. I have lived in Bradford on and off for 35 years, and I taught for 12 years in an inner-city Catholic school where the typical student population was of a very low social class. There are also Church of England primary schools in Bradford that serve an almost exclusively Muslim population, and Muslim voluntary aided schools that have a much higher level of free school meals than surrounding schools. To some extent, the question is where the schools are located. If the church or faith schools are located in the suburbs, they will have a higher social class. If they are located in the inner cities, whatever faith they are and whatever admissions policy they have, they will serve a lower social class and have much higher levels of free school meals.

Q199 Mr Slaughter: I do not want to bang on about my own example, but I represent an inner-city constituency, and as I mentioned, three out of the

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four faith schools there have free school meals levels of 6% and below, down to 2%. That seems anomalous, to say the least. I am not necessarily asking you to comment on that, but where do you think trends are going? You used Muslim schools as an example. If there is a higher proportion of deprivation among the Muslim population, are we likely to see the trend reverse? Equally, the other trend appears to be that faith schools are becoming more fashionable simply because they are victims of their own success. Manipulation of the system continues, and if such schools are seen as more successful—not educationally, as there does not seem to be much evidence of that, but socially—they will attract even more parents and children from higher social classes. Do you see either of those contradictory trends working through?

Professor Halstead: I would like to see them work through, but in practice, how can we manage that? Local authorities such as Ealing, Bradford and others used to bus children about in the 1980s to try to even out the social mix, but no one liked that—neither ethnic minority parents nor white parents, nor anyone—and the system had to be phased out, because it was deemed unjust by all the parties involved even though it was a benign policy designed to even out social class differences. The way to do it in practice is very difficult.

Q200 Mr Slaughter: Does anybody else want to comment on that? Can you see trends in terms of the discrepancies between faith and non-faith schools?

Rebecca Allen: We have observed trends in the data, but it would be unwise to attribute them to causal processes. I can describe the trends. They suggest that areas with a large proportion of children in Church schools, but also increasing proportions of children in Church schools, have increasing free school meal segregation in their local authority. That has been true in the research that I have done from 1999 to 2004, but also in the research that others have done right back to the mid-1990s. Those are just associations, and we would want to be very cautious in suggesting why that is taking place. We are not really sure why.

Q201 Paul Holmes: Professor Halstead, you said earlier that one must look at the context of what neighbourhood a particular school is in, but surely there is now plenty of academic research on faith schools throughout the whole of England showing repeatedly that in general, the majority of faith schools do not take the percentage of free school meals and special educational needs children that the local statistics indicate they should?

Professor Halstead: Perhaps the problem is lumping faith schools together as a group. Different faith schools have different purposes and different intakes. They are different in many ways. Typically, a Catholic school will exist primarily to serve the needs of a Catholic community. Typically, a Church of England school may exist to serve the broader community and to try to bring a Christian ethos to provision for all children. Very often that is the case with Church of England schools. A Muslim school

tells a different story again. By lumping them together, we may be in danger of recommending policies that suit one group or provide more social justice in terms of another group, but not dealing with the wide range of needs that are represented by these different schools.

Q202 Paul Holmes: None the less, you agree that there is a body of academic evidence that the majority of faith schools across the whole of the country do not take the ratios of children on free school meals and with SEN that their local neighbourhood would indicate?

Professor Halstead: Yes, absolutely.

Rebecca Allen: I can add something to that, because in our data we do a breakdown by religious denomination, so we can look at Catholic schools separately from Church of England schools and then from all other religious schools. The patterns are pretty much exactly the same across the different denominations, so it is not true that any particular denomination is more responsible than any other for these very advantaged intakes relative to neighbourhoods.

Professor Halstead: One issue may be whether the faith school is single sex, for example. A single-sex Catholic school will, because it is single sex, attract a very large number of applications from Muslim parents, whereas a mixed Catholic school may not. Often, the nature of the school determines the parental desires to send their children there.

Q203 Paul Holmes: Rebecca Allen and Professor West, you were talking about the problem of getting access to information on who applies to a school and is then rejected. I understand you have tried to do some research whereby you look at, for example, an elite Catholic or an elite Anglican school—that is, one that is very good according to the academic league tables—and you look at the Catholic or Anglican children who live close by but end up having to travel some distance away to another Catholic or Anglican school that is less good according to the academic league tables. The consistent pattern—the common factor—you find is that those pupils who have to travel some distance away to an inferior school that is still a faith school tend to be of lower academic ability and lower income status. Can you explain some of that?

Rebecca Allen: This was analysis that we carried out on a set of London schools that we could see had very advantaged intakes relative to their local neighbourhoods. Our thinking was that we did not have any information on who applied, but what we did know from our data was that there was a whole set of pupils in London who we knew were going to Roman Catholic schools, for example, and therefore had met some criteria on religious adherence in order to attend a Roman Catholic school. We looked at those elite schools and at the pupils who lived close to them but were attending other Roman Catholic schools. We looked at the characteristics that those pupils had. Perhaps not surprisingly, they were more likely to be eligible for free school meals and more likely to be of lower ability in terms of Key

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Stage 2 tests than the pupils who were successful in attending those elite schools. We looked at some of the admissions criteria that those elite schools were using in order to get those very advantaged intakes relative to other Catholic schools in London. We identified the use of things such as school-administered banding, including the use of uneven bands, the use, at the time, of interviews, supplementary forms—all the usual things in order to determine religious adherence, but which inadvertently mean that the school collects social background information on the families.

Q204 Paul Holmes: So the academically good Catholic or Anglican schools you looked at were quite clearly selecting out local Catholic or Anglican children who were not going to do their league table results much good?

Rebecca Allen: They appeared to be. We do not know for certain whether the Catholic children who lived close to the elite school applied, but we would think that they did apply, given that we know that they are Catholic and are attending a Catholic school somewhere, so there is a question about why they did not gain a place, given that they appear to be Catholic and live close to the school.

Q205 Chairman: Have you got it in for faith schools? Is there an ideological axe you have to grind? Do you start off saying, “We are going to get these faith schools”? Behind the stats and research, is there an axe you have to grind?

Professor West: No. When I first started work in this area, my original interest was what was happening post the abolition of the Inner London Education Authority, when banding was abolished in many local authorities. I was particularly interested in what was happening in some voluntary-aided schools because they were introducing their own banding. I thought, “This is interesting. The schools are not getting the intake that they previously were in terms of having an academic balance.” I have looked back at one of the early pieces that I wrote on the subject about a voluntary-aided school that had introduced its own banding. I thought that it was an interesting way to get a balanced intake. My concern has arisen because a significant minority of publicly funded schools, and of those a proportion of voluntary-aided schools, seem to be using practices that enable them to select in certain pupils and select out others, which raises issues of equality of opportunity of access and so on. So, no, I do not have a particular axe to grind.

Q206 Chairman: What about you, Rebecca?

Rebecca Allen: My interest was in the form of grant-maintained schools. At the start of my research, I was very concerned about the effect that those schools had on neighbouring schools. When you look at the data, you cannot help but notice that voluntary-aided schools have a much more marked effect on neighbouring schools than the former grant-maintained schools. That is why I have gradually changed the area of focus of my research.

Q207 Chairman: Do you hope that the research will have the impact of better selection and better value for taxpayers’ money? What is the point of your research?

Rebecca Allen: There are basic equity questions about who gets to go where, and about whether the process is fair. I think that it is as simple as that. My research also looks at things such as spillover effects, or competition effects, and the effects on the efficiency of local schooling systems. However, that is an entirely separate question. The issue of fairness is enough in itself to justify the research.

Professor West: What motivated the research was to see whether there was a way to improve the system and to make it fairer. Evidence suggests that some of the changes have had beneficial effects. For example, certain practices are not permitted. On the basis of Rebecca’s analysis, it looks as though there is a clear association between the use of criteria that are selective and potentially selective and school composition. That issue is worth focusing on and addressing. As a result of the work of the Committee, it is now being taken forward.

Q208 Chairman: Professor Osler, do you want to come in on that?

Professor Osler: In the research that I undertook with the Runnymede Trust, we were concerned about some of the polarised debate around faith schools: faith schools are either good or bad. That is a very simplistic analysis of schooling. We were concerned about how faith schools contributed to community cohesion and good race relations. Are the barriers that they face different from those for other community schools? That was the purpose of looking at faith schools.

Chairman: We will be drilling down in that direction. Hold your breath for a moment, Professor Osler.

Q209 Mr Chaytor: May I clarify the issues around the statistics and put a question to Rebecca? I understand the importance of comparing individual faith schools with community schools in the locality, but for national comparisons, is there an agreed set of statistics for faith schools of different kinds in respect of their SEN intake and their intake of children on free school meals? There seems to be some difference between some of the major faiths and the Secretary of State. Do such figures exist? If so, where are they and can we get hold of them?

Rebecca Allen: They are published as part of the annual school census, so they are readily available.

Q210 Mr Chaytor: Do you have the key stats in your head?

Rebecca Allen: I have for free school meals, but not for SEN.

Q211 Mr Chaytor: What are the statistics for free school meals?

Rebecca Allen: In secondary community schools, about 15% of pupils have free school meals. In Roman Catholic schools, the figure is about 13.5%, and in Church of England voluntary-aided schools, it is about 11%. For other religious schools, the

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figure is lower than that at about 8.5%. That figure includes general Christian schools, with a mixture of Church of England and Catholic pupils, and Jewish schools.

Q212 Mr Chaytor: Picking up on Professor Osler's point about the diversity within the category of faith schools, is there a significant difference between primary and secondary schools?

Rebecca Allen: I do not do any research on primary schools.

Q213 Mr Chaytor: So all your research is on secondary schools?

Rebecca Allen: Yes.

Q214 Mr Chaytor: May I turn to Professor West? Before the new admissions code was introduced, what admissions practices in faith schools do you feel contributed most strongly to covert selection? What were the methods most frequently deployed to select covertly under the old code?

Professor West: There was a range of methods. We were not able to look at those individually because each of them tended to be used in small proportions. We came up with the notion of criteria that were covertly selective or that allowed the potential to be selective. There was a range of such criteria. A lot of them were quite subjective, and some were still in place for 2005 admissions. There were criteria that allowed a degree of subjectivity and some that gave priority to certain groups of children, such as those whose parents attended the school, who had links to governors, and former siblings at the school. The criteria could include compassionate factors or recommendations. There is a huge list of such criteria.

Q215 Mr Chaytor: Under the new code, do you feel that all those mechanisms have been squeezed out, or are there still options for subverting the system? That question is in the context of yesterday's statement.

Professor West: We are carrying out some research funded by RISE—the Research and Information on State Education Trust—with funding from the Esmée Fairbairn Foundation. As part of that, we are looking at admissions criteria and practices that are in place. That research is ongoing, so we have nothing definitive to say, but it looks as though there is more objectivity overall. It looks like much more notice has been taken of the new code across the board. In schools that are responsible for their own admissions, which in the main are faith schools, we are still finding practices such as letters being required from the head teacher, pre-admission meetings, forms asking for parental occupations and letters from parents. Some of those things are not banned by the code, but they allow schools that wish to select opportunities to do so. In quite an interesting case, parents were invited to fill out an expression of interest form. They were invited to collect the prospectus, meet the head teacher, provide evidence of baptism and discuss the

implications of seeking admission to a Catholic school. Such pre-admission meetings are not banned.

Q216 Mr Chaytor: This is all to do with the parent and not the child?

Professor West: Well, it is not even an interview—it is a meeting. One of the issues with the present code is that although it says that certain practices are not allowed, it does not say what practices are permissible. If a school desires a particular type of intake or wants to encourage particular parents, there are ways of trying to get information about their social background.

Q217 Chairman: Have not some schools used a different description of what everyone else would describe as an interview?

Professor West: You could say that.

Q218 Chairman: That was evidence that was given to the Committee.

Professor West: That is certainly something that I have said in the past. There is renaming, yes. Interviews *per se* are not permitted, but meetings—this is a renaming—yes. Or, it seems to be the case; we do not know, because these things take place behind closed doors. We do not know exactly what goes on.

Q219 Chairman: There are two shocking points: the question of whether interviews are still being carried out in some schools, and that of asking for money up front. That is quite astounding, is it not?

Professor West: We have not come across money being asked for up front in our research so far, not yet.

Q220 Chairman: You have not?

Professor West: Not yet.

Q221 Mr Chaytor: On the next code, whenever that might be, what would be the two or three most useful things that the Government could do to tighten up the system?

Professor West: I have two, and Rebecca has another one. My two are a list of the criteria that may be used in the event of over-subscription, and a body that was not a school taking responsibility for the administration of the admissions process.

Rebecca Allen: Specifically, in the case of religious schools, we became particularly concerned during our research about the idea that you apply over-subscription criteria on the basis of religious adherence. Religious adherence is conceptualised as a continuum from meeting lots of criteria to meeting very few, but that necessarily justifies the collection of all kinds of social background data that allow schools to select, should they wish to do so. We are not saying that they do. Our opinion was that it would be desirable to have a binary indicator of religious adherence so that schools could decide—they should be very clear—what criteria a family must meet. For example, they might want to say that you have to attend church at least two Sundays in a

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month over two years, or that you have to have a baptism, so that it is explicit to parents how they meet the criteria of religious adherence, and so that religious adherence becomes a binary thing that a family either has or does not have. The idea of a continuum whereby some families can prove that they are more religious than others is undesirable.

Chairman: I must move the Committee on to consider community cohesion in faith schools.

Q222 Mr Carswell: It is fair to say that the recognition is growing of a public policy problem to do with a lack of community cohesion, or more accurately, perhaps, the political establishment—the political elite—is waking up to what many people have felt for some time. After the Bradford riots, the state officially began to acknowledge the problem. In what sense can one blame faith schools for a lack of community cohesion? I was struck by evidence we heard last year when a witness from a Jewish school said, “We are very much a faith school but we have been producing good citizens since the 1800s.” Given that there is a problem of fragmentation—some might say, caused by the doctrine of multiculturalism—is it fair to blame faith schools? Surely it is the state-sponsored agenda of multiculturalism that is the problem, not the faith schools.

Professor Osler: That is a big one. First, I shall say something about the notion of community cohesion and the way in which it seems to be interpreted in different localities. We found that across the country, other than in one or two London boroughs, local people—I am talking about faith leaders, head teachers, teachers and other groups; we had all kinds of people attending our meetings—felt that the Government’s community cohesion agenda was some way of making them do whatever they wanted them to do. There was suspicion of that agenda. We understand the notion of community cohesion as not an outcome, but a kind of process. What goes on in a particular neighbourhood depends on the problems in that neighbourhood. If far-right political parties are engaged in a neighbourhood and are causing difficulties, the kind of community cohesion processes used to solve that problem might be very different than if young people from different faith groups were in conflict. Community cohesion agendas will be different according to different localities. As far as faith schools and other schools are concerned, when tackling this issue, the first thing to consider is the degree to which they feel that it is their responsibility. The second thing to think about is how it will be monitored from outside. If people in the local community are suspicious about the community cohesion agenda, schools might reflect that, so there might be difficulties in taking that agenda forward. On the other hand, responsibility for monitoring is due to fall to Ofsted, and we have a record of Ofsted not being terribly effective in monitoring how schools perform on race equality and race relations agendas. Ofsted has found it difficult to take that agenda on board, so there are challenges. There can be similar problems within a set of faith schools and within a set of

community schools, depending on the intake. Some faith schools are very homogenous in their intake, as are some community schools, and some community schools and faith schools are very diverse in their intake. You might think that if a faith school is separating particular ethnic groups, it will be more difficult to achieve a community cohesion agenda, and that is true if it is a very homogenous school, but there will be community schools with similar problems. Relatively homogenous community schools in leafy suburbs might also be challenged by the agenda. I do not think that you can say that faith schools have one set of problems and that community schools have another set in terms of the intake of students. Issues regarding the curriculum are slightly different.

Q223 Chairman: Professor Halstead, this is your area.

Professor Halstead: Yes. Let me say something about the riots in 2001, linked to community cohesion and multicultural education. I live in the Manningham district of Bradford, about 100 yd from where the 2001 riots took place, and I have talked to many of the people who were involved. First, let us get rid of the myth that there was a direct link between faith schools and those riots. I followed carefully the trials of people who were involved, and I have talked to a lot of people. As far as I know, there was not one person from a Muslim faith school, either private or state-funded, involved in the riots. The only people involved were those from community schools. Let us take a typical story. One person said at his trial, “I drank a bottle of vodka and I didn’t really know what I was doing. I started pulling up paving stones and throwing them at the police.” Where did he learn to drink a bottle of vodka? Not from his Muslim home, his local community or the mosque. He learned it from his peers at the community school he attended. Perhaps an underlying problem behind the riots and the difficulty with community cohesion is that minority children, particularly Muslim children, are faced with conflicting frameworks of values at home and at school, or in the local community and at school. They are not being given the resources—at least not very often—to deal with those conflicting values and to forge their own identities within the community schools that they attend. So they go through a period of confusion and anxiety—they are pulled this way and that way. The kind of difficulties with community cohesion that we saw on those occasions can arise more broadly.

Q224 Chairman: Professor, what percentage of Muslim children in Bradford go to community schools, and what percentage go to faith schools?

Professor Halstead: I have not got those statistics, but I can give you roughly the national statistics: about 5 to 6% of Muslim children go to faith schools, most of which are private, but a few are state funded. More than 90% go to community schools. Proportionally, there are more private schools in

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Bradford than in the rest of the country. I think that there are currently eight Muslim schools in Bradford, so the proportion is significantly higher.

Chairman: But still small.

Q225 Mr Slaughter: When you say faith schools, do you mean Muslim schools?

Professor Halstead: I meant Muslim schools in that case. Some go to Church of England schools and others go to Catholic schools, although they are competing for places in Catholic schools against other groups. They do not find it easy to get into Catholic schools.

Q226 Mr Carswell: I have one last question. I was interested to hear that we cannot blame faith schools for the lack of social cohesion. I think, Professor Halstead, that you called for education to enhance cross-cultural understanding, and for education on democratic citizenship. What is the reason for this notion of cross-cultural understanding? Surely we should try to ensure that people proclaim allegiance to a common culture, particularly to the notions that separate the role of Church and religion from the state—an idea that is by no means universal. Surely we should try to ensure that people proclaim allegiance to a common culture, not to multiculturalism, which is what has caused the fragmentation.

Professor Halstead: We are a multicultural society in the sense that people from different cultures live in our society. To be a multicultural society involves two elements: to be a society means that we must have something shared—some common values and frameworks of being—otherwise we are not a society at all; but to be a multicultural society means that we must recognise diversity within that common framework.

Q227 Mr Carswell: What if that diversity does not recognise the rights of women? What if that fragmentation does not recognise the rights of people to choose whom they marry? You say that we are multicultural as though it is a universally good thing, but surely this cultural relativism has caused big social problems. You talk about it as though it has been a success, but it has not.

Professor Halstead: I did not talk as though it was a success, but it is an aspiration. We must balance the common identity and shared values that we hope all our citizens have with the legitimate diversity that exists in a society that has people from different faiths, educational backgrounds, traditions and cultures. How we balance those two factors is a matter for careful judgment and argument.

Q228 Chairman: I have just come out of a debate on the European treaty and we were talking about red lines—absolutes—and Douglas asked you about the rights of women. Are they to be accommodated and balanced? In an English educational system, surely that should not be balanced against other things. Do women in England not have certain inalienable rights?

Professor Halstead: Yes, of course they do. For example, girls have the right to education. It is a fact that in this country Muslim girls achieve much more highly than Muslim boys, as do girls in every other cultural or religious group. These things are clear from the statistics. But each individual aspect of women's rights may be raised as different issues. Equally, no one would be happy about a girl being sent off at the age of 13 to Pakistan to be married off—if that actually happens; we need to find out whether it happens first, but then we need to condemn it if it does.

Q229 Mr Carswell: I hope that it would be more than just condemning it.

Professor Halstead: Yes, we would need to take steps to prevent it from happening. This is part of the shared values that being British involves, but there are other issues. A family might prefer their daughters to attend a local university so they can live at home rather than go to a university at the other side of the country. That may be a matter for family negotiation. Some Muslim girls have told me that they have to smile very sweetly at their parents to get them to think about some issues that do not come easily to them. As they start to reflect on the issues and talk to other people within the local community they realise that some of the requests their daughters make are quite reasonable. There is a danger of thinking that the Muslim community is very rigid on a lot of these things. From my experience of talking to my students at the University of Huddersfield and to Muslim families, there is an openness on many issues. We need to encourage that openness, not by a rigid attitude but by conversations, discussions and the involvement of groups in decision-making processes. Gradually, a greater awareness of possibilities from us will develop. I teach more Muslim women students at university than men students.

Mr Carswell: It sounds very relativist to me, but I have no further questions.

Q230 Fiona Mactaggart: I was interested, Professor Osler, in your sense that schools outside London felt that community cohesion was a burden on them. Why do you think they feel this?

Professor Osler: I think that people understood the Government's agenda on community cohesion in different ways. For example, some people felt that it might be an agenda designed somehow to control Muslim communities. In other areas they felt that there were other reasons why this was being imposed upon them. I do not think that they saw it as a process. They saw it as a fixed agenda that they were being told to deliver something on behalf of Government. When we explored with them what they wanted to do with young people, such as getting young people to live together and learn to live with difference and how to address those kinds of issues, there was not necessarily an issue or a difference of opinion. But if they saw it as a Government agenda about which they had no say and which they could not negotiate, then they were concerned.

Q231 Fiona Mactaggart: Is this a reflection of a lack of resources in faith schools to address these issues?

Professor Osler: It was not just in faith schools. There were teachers who said that it was just an extra burden for which they would get no resources. In schools where they had a less diverse intake, they were well aware that the community cohesion agenda might involve working with other schools in the district and engaging in authority-wide activities and that this would place more demands on staff, perhaps not just in terms of monetary resources but in terms of staff time. There were concerns about that, certainly.

Q232 Fiona Mactaggart: Did the teachers feel that they had the curriculum resources to do it, and guidance and things like that?

Professor Osler: In terms of the curriculum, it was not just teachers that I was concerned about who were understanding the agenda in slightly different ways. What I found was that in nearly every area faith groups and inter-faith groups saw the issue solely in terms of religious education. They thought that somehow religious education was going to have to be the subject through which this agenda was delivered. What we noticed was that faith groups were very unaware of the citizenship curriculum, for example, as a means of achieving or working towards this agenda of learning to live together. They saw community cohesion as somehow to do with morals and values, but not necessarily to do with political processes or young people engaging in participation activities. This might be making decisions about what is going on in the local area, or they might have been sports or arts activities. So, faith groups tended to see the whole issue in terms of how the religious education curricula might contribute to this, and they had not really thought about democratic participation, developing young people's skills to deal with issues of difference or values—that this might actually be a skills-based curriculum beyond religious education.

Q233 Fiona Mactaggart: But Professor Halstead, does that chime with your experience? I think what I am hearing—I do not want to misquote you, Professor Osler—is that in faith-based institutions the prism of religion is applied to issues that engage citizenship, tolerance and so on in a way that narrows them. I do not want to misquote, but is that something that seems familiar to you, Professor Halstead?

Professor Halstead: There is a danger, yes, that if children are taught in isolation, without interaction with other faiths or groups, they could develop narrow attitudes. I do not think that community cohesion is a children's problem really. It is an adult problem.

Fiona Mactaggart: Absolutely.

Professor Halstead: To illustrate that, I did a lot of research on the Honeyford affair 20 years ago—you will remember that, I think. I went often to visit the school, and I saw the children playing very happily together—Muslim and non-Muslim children

interacting perfectly. Outside I saw two groups of protesters, the Asian and the white protesters. They stood completely apart, on opposite sides of the school gate. I saw no speaking or interaction between those two groups at all. The children were fine and naturally took to the cohesion—they integrated activities of play—but the adults had problems. Maybe, in talking about community cohesion, we have to think in terms of how to tackle it at the adult level. The children may fall into place very easily. We can facilitate it, obviously. For example, Feversham College in Bradford has joint activities with St. Joseph's College, the Catholic girls' school. They are both girls' schools. They have set up a programme of joint activities to facilitate inter-group understanding. My feeling is that the key is values education—moral education. For children to understand, first they must do, then they must reflect on what they do. If the play goes on naturally in the primary school between different ethnic groups, that is fine. Then they must have a chance to reflect on that and learn from that practice, to understand the principles behind it. That is moral or values education. That is something that Muslim schools take seriously, but sometimes it is squeezed out from other schools, particularly from community schools because of other pressures.

Q234 Fiona Mactaggart: I have no doubt that very young children are more likely to be tolerant than many adults. What I am concerned about is whether our schools teach tolerance, and whether they do that successfully. Teaching tolerance does not require a watering down of any faith or moral code, but it requires tolerance of others. I would like Professors Halstead and Osler to tell me whether they think that faith schools are any better or any worse than other schools at teaching tolerance.

Chairman: May I ask you to be brief as we are short of time?

Professor Halstead: Tolerance is sometimes misunderstood. Tolerance does not just mean easy-going, accept anything, do not care about things too much, just take things as they come. That is not tolerance. Tolerance is a conscious decision not to intervene in things that you do not like or approve of. Tolerance implies that you already have a framework of values and that you make a decision not to impose those values on other people, not to intervene in things that go against those values. The starting point for tolerance has to be that you have your own definite framework of values. That is where faith schools are at an advantage, because they make it clear what they stand for, what their basic core values are. That is a good foundation for developing tolerance. I could say a lot more but should give Professor Osler a chance.

Professor Osler: There are a number of issues. Teachers need support and appropriate training to address a lot of the issues, and both in their initial training and in ongoing programmes there is certainly not enough. There is a particular difficulty when we focus on issues of faith, because many professionals—not just teachers—feel uncomfortable about handling issues of faith. In

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community schools, where they do not have a faith context, that is a particular challenge. They may be more comfortable talking about ethnic or cultural diversity than faith diversity. However we tackle this, we need to move beyond the religious education syllabus to enable teachers of different subjects and from different backgrounds to do that. That is one of the problems. Depending on the type of faith school, for example if they are Academies or voluntary aided schools, they are not bound by a religious education syllabus that insists on world religions or is agreed by a standing advisory council on religious education, so they can go off at their

own tangents. There is a difference between faith schools and that needs looking at. Schools that have complete freedom over their curricula should be thinking about how they are going to address the issue.

Chairman: Thank you very much. That has been most illuminating and valuable. All of you, our esteemed academic witnesses, have certainly lived up to your reputations. Please maintain contact with us. If you think that we cut short your answers or that there were things that you wanted to tell the Committee but did not, we will be happy to receive your communications and have a dialogue with you.

Witnesses: **The Right Reverend Stephen Venner**, Bishop in Canterbury and Bishop of Dover, **The Right Reverend Patrick O'Donoghue**, Bishop of Lancaster, and **Peter Irvine CBE**, Catholic Education Service, gave evidence.

Q235 Chairman: I welcome Peter Irvine, Bishop Patrick O'Donoghue and Bishop Stephen Venner to our proceedings. We are very grateful for your presence—you are our esteemed clerical witnesses. We have two apologies. First, we are a bit thin on numbers because there is another education Committee sitting, and some of our members are involved in a very important private Member's Bill. Although this is still an all-party Committee, there are fewer of us than usual. Secondly, the timing is tight because if we do not finish the session on time, no one will get a seat for the Budget. May I start by asking all my colleagues—David and all of them—to ask pretty tight questions? I want to start with a pretty tight question. I suppose that you would describe me as a Christian—I was the parliamentary church warden of St Margaret's, our parliamentary church, for seven years—so my questions to any of the Christians present are not motivated by a sense of hostility, but by a desire to know. As a Christian and the Chairman of this Committee, it certainly worries me when I look at statistics that seem to suggest that some faith schools—certainly some Christian faith schools—seem to be so adept at keeping out poor children and children with particular special educational needs. I was looking at a news story in the *Financial Times* this morning and I saw that Winchester school was set up in 1382 “to educate 70 poor scholars”, although the article says that “it is more commonly attended now by the sons of City bankers and lawyers.” I just throw that in. Does it not worry you as senior figures in the Christian religions that the sort of evidence that the Committee gets suggests that your schools are very good at excluding poor and less fortunate children?

Rt Rev Stephen Venner: Do you want me to have a go at that? You are well aware of the history. The Church in England was based on education from very early times and had a deliberate policy from very early times of including as many bright children of poor families as it could. The two ways to succeed if you were bright and did not come from a noble family were the armed forces and the Church. In the 19th century, with the advent of the national society, 17,000 schools were built in the poorest parts of the

country. That is the tradition. Since then, from the Church of England's point of view, there have been two directions, which, until very recently, were very different. The first was the independent sector, where there is undoubtedly, in one sense, huge privilege. On the other side, there is the maintained sector, where there has been a deliberate policy of maintaining schools in some of the smallest rural communities and some of the poorest communities around. Interestingly, Winchester was in the paper today—you only quoted one part of the bit about Winchester—because it is sharing in the development of an Academy. From my experience in Kent, I know that one of the first schools to do that was the King's School. During a conversation, the sponsor of the Academy in one of the poorest parts of Folkestone and the head of the King's School realised that they had a huge amount in common, because if you took away the wealth factor, the children suffered from very similar deprivations. They were able to talk to each other and they have done a lot of creative work both ways in building a community. So yes, what you said does trouble me, but I am glad that there are now real ways in which that difference is being addressed.

Rt Rev Patrick O'Donoghue: If that is true, I would be very worried about it. I have been working in Lancaster for the past seven or eight years, and there are 84 Catholic schools there—71 primary and 13 others. Overall, the number of students in Catholic schools who are not Catholic, but of other Christian Churches or Muslim, is 30%. However, in most schools in Preston, it is 50%. In four or five schools in Preston, 80% are not Catholic. It is remarkable. I have just returned from a longish tour of schools in India and found that, in many Catholic schools, 95 to 98% of students were Muslim or Hindu. We will have to be careful how we throw around statistics, given that they differ from area to area.

Peter Irvine: May I first of all plead not guilty to being a cleric?

Chairman: I am sorry about that. I should have noticed the tie.

Peter Irvine: I am here at the invitation of Archbishop Vincent Nichols who is unable to be here because of the death of one of his fellow

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bishops, the funeral and the associated duties going on yesterday and today. He sends his apologies. My brief is specific. I shall talk about the issue that has just been raised. I speak from a background as a member of Her Majesty's Inspectorate for 23 years, and an assessor for specialist schools and Academies. I am still Inspector of Initial Teacher Training for Ofsted and undertake various European assessor projects. I have explained my background to make the point that I have inspected well over 1,000 schools in the course of the past 25 years, the great majority of which were not Catholic schools, although I am here to talk about Catholic schools. I draw the Committee's attention to the summary of the Ofsted reports on Catholic schools during 2003 to 2005, when 500 primary schools and just over 100 secondary schools were inspected. I am not about to go into detail, but it does not entirely bear out the substance of your initial question. It seems to show, in the sample to which reference has been made, that for free school meals, special needs and ethnicity, the schools that we are talking about closely paralleled the national cohort. There were some differences, such as slightly fewer special needs in primary schools, while there were slightly more special needs in secondary schools. There were rather more ethnic minorities in Catholic schools than in community schools generally. There were sometimes rather different ethnic minorities. The figure today would be greater still with the immigration from eastern Europe. However, the figures only go up to 2005. To make reference to an earlier contribution, it does not seem very surprising to me that we have fewer Catholic schools with high proportions of free school meals. We also have fewer with low proportions of free school meals. It works at both ends. That is what we would expect of schools that have much bigger catchment areas generally than community schools. I repeat that the evidence is based on both primary and secondary schools, but I shall talk about secondary schools for the moment. In an inner-city Catholic secondary school, it would be absolutely normal that some pupils would be coming from other areas than the inner city to that school. That is the nature of the catchment areas. Conversely, a Catholic school in the leafy suburbs would have its tranche of pupils coming in from a sector such as the city centre, so that Catholic school would have rather more free school meal pupils than the community schools in the area. I agree with previous speakers. I would deplore it if Catholic schools discriminated in any way against poorer pupils and those who were in any way disadvantaged. It would be a terrible thing, but I am not convinced that there is evidence for that nationally, although the local evidence that we heard quoted earlier would disturb me. I should like to look at it more closely.

Rt Rev Stephen Venner: I just wanted to come back on your opening question, Chairman. I do not know that there is evidence that schools seek to exclude pupils. It was quite an emotive question. I think that the real challenge for oversubscribed schools is how fairly and appropriately—there is a proper debate

about that—to allow in the maximum number that they are allowed. I do not see any policies for excluding people, and I do not think that that is any part of what we do.

Q236 Chairman: I did not say that they do, but that it seems disturbing if that is the end result, by whatever means. It might be an unintended consequence of some kind of human action, which is different.

Rt Rev Stephen Venner: But by definition, if you are oversubscribed, people will feel excluded.

Chairman: We will drill down on those points.

Q237 Fiona Mactaggart: I am interested in how you communicate the things that you want schools to do. The Department for Children, Schools and Families sends out circulars and so on, but I am interested in how you provide leadership for your schools with regard to the curriculum. How do you do it and what have you done it on?

Rt Rev Patrick O'Donoghue: Presumably, I am here in a different role from that of some of the other witnesses. I am here because of a document that is precisely about how we communicate, and I felt that it was very important as a diocese for us to communicate clearly my expectations of a Catholic school in my diocese, which is Lancaster. I wrote this document, *Fit for Mission? Schools*, and circulated it to all the teachers, staff, governors and parents. In some cases it did not reach parents, so the communication broke down in a few places. In it, I tried to set out very clearly our attitude, approach and expectations, setting out clearly the things that I would like to see, sometimes where I did not see them happening. For instance, in extra-curricular activities, religion and religious education were being marginalised and pushed just into the RE department. I would see cohesion spreading into the sciences, the classics and history and all through the school. There would be an emphasis, so that the scientist or the classicist would take up some of the issues. On occasions, I find that rather narrow in approach. It is, as it were, the school saying, "Well, we have this bit of time for RE," so it is marginalised, and I think that there are real dangers there.

Q238 Fiona Mactaggart: I have read your document and find some things surprising, such as the suggestion that schools should ban Red Nose Day and works that contain polemic against religion in general from school and college libraries. That means no Marx or Camus and many books that I think a sixth-former ought to read, even if critically. I think that that is odd.

Rt Rev Patrick O'Donoghue: May I throw the issue of polemic back to you? Suppose you went into a school and found in the library material that said that the Holocaust never took place—and there are such books—what would you do?

Q239 Fiona Mactaggart: Do you refer to books of fiction, as well as non-fiction?

Rt Rev Patrick O'Donoghue: Yes.

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Q240 Fiona Mactaggart: Certainly, I would not expect a school to promulgate material that is lies, but I also think that children should encounter great work even if they need to be given the tools to criticise it. Your advice does not suggest that, but would you advise that such work should be excluded from children's experience?

Rt Rev Patrick O'Donoghue: No, I would not. I would have to look at the material that was being provided, as would others, and ask whether it was legitimate. On your initial question about Red Nose Day and Amnesty International, I have been a member of Amnesty, not all my life but for many years, and I have supported its work in a big way. The problem is not with Amnesty's work, but as a Catholic bishop I am very concerned that its executive has recently taken a decision on abortion that of course I would not agree with at all. I do not object to 99% of Amnesty's work, but I do object to the fact that it should take up a position that is totally alien to me.

Q241 Fiona Mactaggart: Do Catholic schools in your diocese participate in Red Nose Day?

Rt Rev Patrick O'Donoghue: Yes, they have done, and also in Amnesty.

Q242 Fiona Mactaggart: I am more interested in the official mechanisms. I understand that, as a regional bishop, you have used your position to influence the curriculum in the schools in your area, but I think that Peter can probably help on this question. What subjects have you given guidance to schools about?

Peter Irvine: The most recent guidance that will be of interest to you, I guess, is on Catholic schools and community cohesion. It is an attempt to respond to the Government's stated policy and it points out, among other things, that the section 48 inspections of the religious life of the school that are carried out generally at the same time as Ofsted inspections have had community cohesion as a focus for some time. It is not new, so I hope that from September, when Ofsted start inspecting that and including it in reports, that Catholic schools will not be taken by surprise. On the contrary, they ought to be ahead of the game. That is fairly typical of our guidance documents. As a national body, the Catholic Education Service has a broad national perspective and cannot be involved in the day to day promulgation of curriculum policy around the country in individual schools. That is a typical document and we could replicate it in several areas. It looks, for example, at ways that schools might tackle globalisation and sustainability. Notably, what tends to be left out of community cohesion is the problem of old age, and older people. As someone feeling an increasing sympathy for the age group involved, I note that it is striking in our society that old people are generally very neglected. A sobering figure is that last week 10% of 75-year-olds did not speak to a single person. That is a staggering figure, and it is an area in which schools could have an enormous role to play. Many Catholic schools do so, as do many community schools. We have to be

careful not to claim that a concern for the community is unique to Catholic, Anglican or other Church schools. That is far from being the case. I could point you to numerous cases, many of which are cited here, of Catholic schools that play a full part in their local communities. The evidence in the Ofsted inspection document that I quoted from earlier would take you down the same path. Looking at the extent to which pupils are encouraged to play a part in their school and local communities, the Ofsted judgments are strikingly positive.

Fiona Mactaggart: I can tell that the Chair is trying to speed me up, so I will ask you to speed up.

Chairman: I was looking at Peter. I thought that I might have trouble with keeping some of his answers brief.

Q243 Fiona Mactaggart: When you are preparing this kind of guidance for schools, have you found areas of difficulty between Catholic teaching and the national curriculum? How do you address those?

Peter Irvine: I am thinking about that and I cannot easily summon examples. Catholic schools in various parts of the country are very involved in children's centres, for example. Hartlepool is a striking case, where a number of Catholic primary schools act as the base for the children's centres in local areas. That has not given rise to difficulties. Liaison with local services has not been problematic. I cannot think of examples; I do not know if there have been any in the past. I am reminded by a colleague to draw your attention to dioceses. We work largely through dioceses and there is a network of 22 diocesan education offices around the country, as you will know. Our work is largely with the diocesan school commissioners. We have alerted them, for example, on governors' guidance on trafficked children. A letter went out to all the commissioners this week to alert them to the Government guidance and the necessity for them to be aware of it in their dealings with schools.

Q244 Fiona Mactaggart: Bishop Venner, can you tell us about the Church of England?

Rt Rev Stephen Venner: The way in which we are ordered is very similar to the Roman Catholic Church. We have a national board of education, of which I am the acting chair because the Bishop of Portsmouth has been ill with cancer for a couple of years. Our small central group keeps in very close contact with diocesan teams. Some of the advice comes nationally—by *diktat*, as it were—but it actually just explains how national legislation will be rolled out: admissions criteria are a case in point. On the whole, it comes from discussions among the diocesan directors—all 44 of them—and they cover all the things that you would expect. One of the main things is leadership, which is more and more critical to how schools develop. I have jotted down a few things—admissions, which we have been talking about; the development of RE, including how we explore other faith beliefs and people who hold no faith beliefs, and worship. What do we mean by the ethos of a school? That is a slippery concept that

covers so much of what we have been talking about. How do we encourage links with initial teacher training establishments, some of which are Church universities, in order to encourage both teachers to teach within Church schools and Christians to teach as Christians within community schools? Then there are all the broad questions about social cohesion. You know our own history. We have concentrated very much on secondary schools today, but primary schools in particular are at the very heart of many of their communities. Their relationship not just with the Church community but with the wider community is vibrant and it supports and encourages children and the community. It is a two-way relationship. Those are the sorts of things that are going on, and there are lots of others.

Q245 Fiona Mactaggart: You have given guidance on admissions policy. What did you think about what you heard about it earlier? I could see you sitting there.

Rt Rev Stephen Venner: Yesterday?

Fiona Mactaggart: Also during the earlier session. I think that you were sitting in the room then.

Rt Rev Stephen Venner: Yes, I was. What we heard yesterday was interesting. Our response, and my response in public yesterday, was not the slightest bit defensive. If and when what was after all a very small exercise on paper is translated into reality, and if there are instances of Church of England schools falling short of the ideals that we have set them, we will want to know about that at diocesan level. That has already happened. Some of the research is out of date, and we know some of the stories already. We have only picked up one or two in the past 24 hours, but take for example the question of moneys, which you raised earlier, Chairman. The one story that we heard about a school asking for a donation actually involved a primary school that was undersubscribed, so asking for money towards a governors' fund for the life of the school had absolutely nothing to do with admissions. It had to do with the life of the school, and such things need to be unpacked. My reaction, particularly to the two experts on this side, is that most of the research that they were talking about has been around for a long time. It was all secondary—and is something that needs to be repeated over and over again—and an awful lot of it was London based. I think that the evidence from this side of the table is that if you rolled that out, particularly into the north-west—I was the bishop responsible for Oldham, Rochdale and Tameside before I moved to Kent—you would see a very different picture.

Q246 Fiona Mactaggart: Bishop Venner, I love your focus on primary schools—that is one of the things that I normally do—but primary schools generally admit from everywhere in their neighbourhood. That is quite normal, and it is one of the strengths of our primary education. The tussles over pseudo forms of selection happen at 11. It is something that we, as politicians, and you, as people responsible for schools, need to address. You

are right that this evidence comes from before the admissions code and let us hope that the code will make a difference. However, some of yesterday's report suggested that it has not made as much difference as the Government had hoped. If that evidence turns out to be right, what are you going to do?

Rt Rev Stephen Venner: Yesterday we said that we were very happy to work with the Government to see what we could do together. It is a matter of partnership. You asked about things happening. There is a piece of research—we will ensure that you get to see it—dated 2005 that says that some of the research that the two experts on this side spoke about, such as regarding percentages of underprivileged children with social deprivation, is probably true, although it covers the voluntary-controlled sector as well the voluntary-aided sector. There is clear evidence that between 2001 and 2005 there was a significant change in the percentage of children with particular needs of different sorts being admitted to our schools. We are improving the situation. There is statistical evidence to show that that percentage is growing and we will do all that we can to encourage that. May I go back to the primary school issue, although I know that you want to concentrate on the secondary schools? In some senses, we can say that the primary school situation is okay, but for our Church primary schools there is the real challenge, which is then rolled out into secondary schools, of how we can do what Lord Dearing challenged us as the Church of England to do in 2000: to be on the one hand inclusive, but on the other hand clearly distinctive. Keeping those two factors together is the challenge that will be ongoing and that will change as society changes.

Q247 Paul Holmes: I return to the question of statistics. At the start of the debate, both Peter and Patrick talked about the truth of the statistics, and Peter talked about Ofsted showing that Catholic schools were taking people roughly in line with national cohorts of free school meals and SEN. However, the whole point of the academic evidence that we heard in the first session, and all the other reports that I read over the last year, is that if you look at schools in the context of their local community, not national averages, faith schools tend not to take the proportions of children with free school meals and SEN that they should be doing to be representative of their local communities. Are you saying that all that academic research is wrong? **Peter Irvine:** I certainly received some of the evidence that we heard this morning with qualification. It was made clear by the speaker that a lot of the evidence was London based—

Q248 Paul Holmes: Can we stop there? I wrote on the front of my notes, as this was said, that Rebecca Allen mentioned earlier that the most disproportionate differences in intake were to be seen in London and the north-west. We have just heard people saying that the north-west is much better. Actually, it is as bad as London.

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Peter Irvine: To be honest, I would need to look harder at that disparity. Our evidence is from Ofsted. It is not partisan and it uses balanced samples, both primary and secondary. It shows that, across the country, the percentages on free school meals are, I think, 15% in Catholic secondary schools, whereas the national average figure is 16%. There are rather more special needs children in Catholic secondary schools than in community secondary schools, and quite significantly more ethnic minority children in Catholic schools.

Q249 Paul Holmes: Can I stop you there again, as that was specifically dealt with by the people who gave evidence in the first session? They said that if you look at the national figures, faith schools, which tend to be in urban areas, usually have higher percentages for free school meals and special educational needs than the national figures. However, if you look at the neighbourhood that those schools are in, the numbers are lower than for the rest of that neighbourhood. They are higher than the national averages, but lower than for the actual neighbourhoods that they serve.

Peter Irvine: That will be true for some, but you did not let me finish.

Q250 Paul Holmes: No, those are the figures across the whole of England and across all faith schools, not just this one here or that one there.

Peter Irvine: But the natural consequence of that is that there must be many faith schools for which the reverse is true, because otherwise the national averages could not be the same. Correct me if I am wrong.

Q251 Paul Holmes: Go back to the research of Allen and West, for example. It is about London in particular, which, after all, has 20% of the nation's population, so you can hardly say that it does not matter. The faith schools in London educate only 85% of the number of pupils eligible for free school meals that they would if they educated the pupils in their neighbourhood. The figures are for all faith schools, across the board, across London. Three quarters of them have free school meal levels below the London average, and many actually have almost no free school meal pupils. So, many of all the faith schools in London, which has one fifth of the country's population, take almost no free school meal pupils at all. Some will have very high ratios, but it is clear that the majority are massively discriminating in some way against children from poor backgrounds.

Peter Irvine: I am not sure that you have proved that it is the majority.

Q252 Paul Holmes: The statistics say that it is. Are you saying that all the research is wrong?

Peter Irvine: Can you tell me from which research you are quoting? Is it for 2007 to 2008?

Q253 Paul Holmes: It is Allen and West.

Peter Irvine: We have not had the advantage of seeing it in detail. We find it quite hard to comment on the detail without the figures.

Q254 Paul Holmes: There was also research last month—I think that it was from a London university—that looked at the whole of England. It came out with figures on faith schools, and the newspaper reported that religious leaders said, “We don't accept it.” You cannot just not accept it.

Peter Irvine: No, I agree.

Q255 Paul Holmes: One piece of research after another shows the same thing all over the country.

Peter Irvine: I would like to see the disaggregated figures—they have not been disaggregated. The same is true of the research of the National Foundation for Education Research that was published last year, which was for voluntary schools in total. The figures were not disaggregated. We pursued that with the NFER and tried to get disaggregated figures, which were not available, or perhaps could not be made available. Perhaps that is an area that we ought to look at closely. One would expect secondary schools with large catchment areas to go through a sort of regression towards a mean. It is very clear from Ofsted's evidence—nationally, as well as in London—that there will be fewer Catholic schools with a high number for free school meals, but there will also be fewer with a low number because of the broader catchment area.

Q256 Paul Holmes: So when national figures are for all faith schools, you say that they need disaggregating, otherwise we cannot trust them—

Peter Irvine: No.

Chairman: One at a time, please.

Q257 Paul Holmes: Andy Slaughter gave an example from his area of Hammersmith and Fulham borough of a gross distortion between faith schools and local state schools. Somebody wrote to challenge me with the wonderful performance of some faith schools in Southwark, so I looked at some figures. I got my researcher to disaggregate the figures for the faith schools and the state schools that were mentioned. Again, the difference between the proportions of children with free school meals and special educational needs that the high-flying academic faith schools such as Sacred Heart were taking and the proportions that the local state schools at the bottom end were taking was an absolute disgrace. When the figures are disaggregated, you say, “Oh, that is not typical,” and when they are aggregated, you say that we have to disaggregate them before we can evaluate them.

Peter Irvine: No, I am saying that if you can show me examples of clear discrimination involving poor children entering Catholic schools, I would find them deplorable and agree absolutely that action should be taken. You have had the chance, I am sure, to read our statement yesterday in response to the admissions code document. We will not defend

the indefensible. If Catholic schools are not abiding by the admissions code, that is highly reprehensible and should be dealt with. As Bishop Venner said, you sometimes have to look at individual cases pretty closely in order to be sure that you are actually tackling the right problem, but, if that were the case, we would deplore it. However, I repeat that in national terms there seems to be no doubt that for measures such as free school meals, special needs and ethnicity, all of which are used for good—or, sometimes, for ill—as proxies of disadvantage, Catholic schools are absolutely typical of community schools.

Q258 Paul Holmes: That is not what the evidence that we received in the first half of the session said. It said that, on a national level, the general picture across faith schools of all kinds, not just Catholic—we heard specifically that it does not matter whether the school is Catholic, Anglican or any other—is that they are not taking the percentages of local children with free school meals and SEN that the local percentages indicate they should be taking. You cannot just sit there and say that it is clear that nationally this is the picture when all the evidence says otherwise.

Rt Rev Patrick O'Donoghue: I suppose, Paul, that we would have to look very closely at that research and all the other research that has been done. For me, it supports the principle in respect of partnership that Stephen was speaking about a while ago: the faith schools in partnership with the state. We should look at evidence closely and if there are things going wrong, we can do something, working closely together. Otherwise, we would spend our whole morning arguing about an important point. We have seen the evidence and the research.

Q259 Paul Holmes: In that welcome co-operative spirit, we heard from some of the academic researchers earlier that they cannot get hold of the figures in respect of who applies to faith schools, and who gets turned down and who gets accepted. Will you encourage those figures to be released by the Church of England and the Catholic Church so that academic researchers can analyse what is actually going on?

Rt Rev Patrick O'Donoghue: I certainly think that they must be open and that there must be transparency in all of this.

Rt Rev Stephen Venner: The simple answer to that question is yes. We would all be very interested to find out how it worked out and the facts, as long as people's individual privacy was retained. I want to make a couple of points, if I may, in response to Paul. The first interesting statistic is that, focusing on London—you cannot take London out of the situation—we see that 49% of voluntary-aided schools in London are not faith schools. That is quite a significant group and we need to bear that in mind when looking at the London statistics. I mentioned to Fiona the statistics on movement,

which are in Rebecca and Anne's paper on page 2.⁴ Those statistics say that in voluntary-aided schools between 2001 and 2005, the increases in the percentages of schools giving priority to children were as follows: priority to children in care went from 0% to 74%; priority for those with medical and social needs increased from 42% to 54%; and priority for those with special educational needs increased from 18% to 26%. So, we are moving in the right direction. All the help that we can get to improve that would be useful. In the advice that we have sent to dioceses about admissions, we are saying, first, that all new Church of England schools will have a minimum of 25% of children admitted on no faith criteria at all. But we are actually encouraging our schools to look to create different sections within the admissions policy so that we will ensure that there is a proper percentage of people from disadvantaged backgrounds, a percentage of people with other faiths or no faith, as well as a significant percentage of people with Christian faith, to try to provide the sort of community in which children can flourish. Of course, you will always come up against the problem of social engineering. It is going on, sometimes despite us, and sometimes as a deliberate policy by Government and faith communities to avoid certain situations. For example, in a school in an area that is 100% Muslim, you are likely to find that every child in that school is 100% Muslim. Do we accept that or work with it, or do we do something about the take-up of places? That is a real question for the whole of our society.

Q260 Paul Holmes: On a different line, I should like to go back to Fiona's point starting by asking Patrick about his pamphlet, *Fit for Mission? Schools*. In all the years that I was a history teacher and head of year, I regarded it as my job, as a teacher, to encourage children to think critically and to evaluate. But you are saying in your book that Catholic schools should remove all sorts of literature from the school library because it does not fit with, or because it attacks, a Catholic viewpoint. You gave the specific example of the Holocaust. When I taught GCSE history, for example, the textbooks I used had extracts from Holocaust deniers, alongside other academic research, that could be presented to children while saying, "This is what most researchers think; this is what the British National Party says," or whatever. Are you saying that you should not allow that material in school at all?

Rt Rev Patrick O'Donoghue: No, I would not say that.

Q261 Paul Holmes: But you did a few minutes ago. **Rt Rev Patrick O'Donoghue:** If I did, I did not mean it in that way. What I am saying is that I think there has to be a vetting of material, given the age range in schools, from the youngest—four or five years of age—right through. There is certain material you do not put in front of them. If it is very polemic and downright attacking the Church viciously, I think

⁴ See Ev 41.

that there are difficulties. This is probably related to your question, too. I was hoping to raise what I see as fundamental to all the questions that have been asked. Every school has a philosophy, and the philosophy which puts God at the centre and morality as objective is no less powerful than that which says God is irrelevant and morality is up to the individual. From our point of view, the role of democracy is to embrace all views and not to infringe basic human rights, but there is an impression coming across in certain circles. In some areas of politics, the media and elsewhere, some people seem to think that the only true democratic stance is the latter—namely, that God is irrelevant and that morality is up to the individual. There is a huge question for all of us in that area, but that is the impression coming across to very many Christians.

Q262 Paul Holmes: On that specific point, I taught in three different state schools. None of them was a faith school; none of them ever taught that God was irrelevant. However, you say in your publication *Fit for Mission? Schools* that the point of Catholic schools is to develop and deepen their Catholic ethos, that the primacy of purpose is to help everyone in the school to grow in faith and that there should be no false compartmentalisation between religious education and evangelism. In other words, the whole point of a Catholic school is to encourage people in the Catholic faith, so in relation to all the figures you gave us earlier about Catholic schools taking in Hindus, Muslims, Anglicans and presumably even atheists, the whole point would be to get all of them to become Catholics.

Rt Rev Patrick O'Donoghue: You are suggesting proselytisation, then? You are suggesting that all—

Q263 Paul Holmes: You say there should be no distinction between proselytisation and religious education. You are saying it is the same thing. In your pamphlet, that is what you say.

Rt Rev Patrick O'Donoghue: No, I would not agree that that is what I have said. I say that proselytisation is coercion and we would have nothing to do with coercion—forcing others into our beliefs. We are talking about a Catholic school. The parents of people coming in have chosen it and we present the Catholic faith. It is to be evaluated, but there is no coercion. They are presented with the Catholic faith, but we are very concerned about the person who is not Catholic, about not invading or intruding on their consciences, so there is a very—

Q264 Paul Holmes: Except on page 25 of your book you say there should be no false compartmentalisation between religious education and evangelisation, so anybody who attends a Catholic school paid for by taxpayers' money should be evangelised into the Catholic faith.

Rt Rev Patrick O'Donoghue: No, no. They should be evangelised not into the Catholic faith—evangelised on faith. They then have freedom and

they must always have freedom, because our schools are certainly not opportunities for proselytising. As you know, one of the difficulties in Catholic schools is that so many of our students are no longer active Catholics. There are very big questions here.

Q265 Paul Holmes: I have made the point, but you say that you should be challenging what children believe all the time and in a Catholic school the whole point is to develop the Catholic ethos and identity and to evangelise.

Rt Rev Patrick O'Donoghue: And to evangelise—help them in their evaluation of what faith means and their own faith, of course, if they are not Catholics and are from other faith groups. Every Catholic school, for instance, in my area now has a week on Muslim, Buddhist and Hindu matters—one week on those issues.

Chairman: Bishop Stephen wants to come in on this.

Rt Rev Stephen Venner: From an Anglican perspective, what is fundamental to the distinctive Anglican school or distinctive Christian school is that, in all that we do, we acknowledge that there is a spiritual dimension to life that must be taken seriously, whatever answers you take. It is a counter to the utilitarian view that many people have now of existence and of life, and indeed of education—that educating is simply about people for work. Although we are not being exclusive, we would expect that, in our Church of England schools, pupils went out knowing that there is that religious dimension, that there is a set of religious questions that need to be taken seriously on which people will reach very different conclusions, which must be honoured; but then we have the task of learning to live together. You can do that only in a situation where those issues are taken seriously, right across the curriculum and not only in worship and RE.

Chairman: We are running out of time and there are some important questions that we want to ask.

Q266 Mr. Carswell: You have been subjected to some pretty full-on questioning, some of which has had a secular tone. Would you be subjected to questioning about the values that you impart to your pupils if you ran a Muslim school?

Rt Rev Patrick O'Donoghue: I am not sure.

Rt Rev Stephen Venner: Just to answer it a little bit. Having talked with a number of Muslim colleagues, I think that their real concern is that in today's climate, people want to be so careful not to over-challenge or offend that they are actually being made different and distinctive, which they do not want to be. In the educational sphere, I would want to say publicly—I know that Jan, my colleague behind me, and Peter would agree—that relationships between Muslim faith leaders and Christians in the field of education are not only warm; they work together in a very close partnership indeed. That is part of the contribution that we have to make to social cohesion.

Rt Rev Patrick O'Donoghue: I certainly agree with that, but I would go a bit further. Many of our schools, particularly in the Preston area, have a huge percentage of Muslims, who are clamouring to get in. Sometimes, people do not acknowledge what we have in common—in theology, for instance, where Mary is concerned. They are delighted that Mary in the Catholic school is given prominence because she also has a big role in the Muslim religion. There is a real link, as Peter was saying, and not only on the educational side but on the whole faith side. At times, we do not accept that.

Q267 Chairman: A couple of questions must be answered. One of the reasons you were invited was to answer some of these questions. Peter, one of the things that disturbed some Committee members was what seemed to be a certain tendency. The Committee, in its previous guise, went to St. Francis of Assisi Academy in Liverpool, and we were very enthused by this Anglican and Catholic co-operation in the Academy. What would you read into Bishop Patrick's view in his publication? It seemed that he would set his face against that sort of co-operation, and certainly the Bishop of Leeds has made it known that that sort of co-operation across faiths—Anglican and Catholic—was not to be pursued any more. That example of the Academy would not be repeated anywhere else—or is it just that Bishop Patrick's view and the Bishop of Leeds's view is their view, but not the view of Catholic educationalists more broadly?

Peter Irvine: The broad national view is that we are supportive of joint schools. You will know well that there are a number of joint schools—running into the teens, anyway—across the country that operate according to certain criteria. The criteria depend on the wish of the various local communities as well as the feasibility. Likewise, there will be financial questions. Local circumstances will determine outcomes. Nationally, the Catholic community supports such schools if they meet local needs.

Q268 Chairman: Can we get this on the record, Peter? With the new occupant in the Vatican, there has been no change in the possible co-operation of joint faith schools?

Peter Irvine: That is my understanding. I am reminded by a colleague that there is a new Church of England and Catholic Academy opening in Gloucester in 2009.

Chairman: We know about that one.

Rt Rev Patrick O'Donoghue: That would be my understanding as well.

Q269 Chairman: So, would you support a joint initiative in your own Lancaster diocese?

Rt Rev Patrick O'Donoghue: Of course, if certain criteria are met and if parents and others went along that line.

Q270 Chairman: So, you see no difficulties? Have you visited the Liverpool school?

Rt Rev Patrick O'Donoghue: I have not, no.

Q271 Chairman: It is quite close to your diocese.

Rt Rev Patrick O'Donoghue: I have visited lots of schools, but I have not been there as yet.

Rt Rev Stephen Venner: For the record, I am told that there is a second joint Academy in the planning phase in Liverpool, so things are going ahead there. We are also sad because the talks on a joint religious Academy in Oldham between Anglicans and Muslims will not emerge as a faith school as such. However, we are clear that conversations are going on. It would be an exciting development if that school had both Christian and Muslim sponsors. I understand that discussions are going on. *[Interruption.]* Oh, they are not. I thought that the discussions were still going on.

Q272 Chairman: We are talking about state education that is funded by the taxpayer. Is there, unequivocally, a real potential for further co-operation in joint faith ventures across England, or has there been a change, particularly in the Roman Catholic Church, on that matter?

Rt Rev Patrick O'Donoghue: For me, there has not been a change. I am quite clear that if our Catholic schools are to survive, identity, sustainability and mission are imperative, otherwise I do not see any survival of the Catholic contribution—after 1,500 years of Catholic education in this country and after what we have put into it and continue to put into it. There are 800,000 Catholic parents across the country who vote with their feet for these schools. The Government accept such schools as can be seen with the various Acts of Parliament and the European situation. We pay our taxes. Not only do our people pay their tax, but the Catholic church has to find 10% of the capital for buildings. So, we are taxed twice for our schools. There is a third tax as well. Our parents contribute so much to the internal workings of the school throughout the year.

Q273 Mr Chaytor: Does the Catholic Education Service think that the prime purpose of any faith school is achievement of high standards and high value added, or inculcation of the faith?

Peter Irvine: It is all those. It is education of the whole person—the whole person defined within a Christian context. This is a problem that we have, which perhaps you are alluding to. I was involved in the document about performance of Catholic schools, which sets out to show that Catholic schools attain highly academically or in test and examination terms, but in some ways, that is not the central issue. One part of being human is to have a mind, a body and emotions and to develop them, but it is also to be a spiritual being, so Catholic schools ought to be, and very many of them are, highly successful in those terms, too—in spiritual and moral development. The outcomes of Ofsted inspections are positive in that respect.

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Q274 Mr Chaytor: There is a difference between spiritual and moral development and inculcation in a particular faith. That is the issue that you are trying to blur and I am trying to tease out.

Chairman: Peter, are you blurring?

Peter Irvine: I do not think so. We are talking about schools that Catholic parents have chosen to send their children to. They are exerting their freedoms under the Education Act 1944 and the European Human Rights Act 1998 to have their children educated according to their religious beliefs. However, I go into a lot of Catholic schools—perhaps some of you do, too—and they are not places where indoctrination is happening. Yes, children will learn about doctrine, but they will also learn to question. It would be interesting for you to go to RE lessons in Catholic schools, because they are very vigorous debating groups. Catholic teenagers are like teenagers anywhere: they do not accept what the person at the front says just because they say it.

Q275 Mr Chaytor: May I pursue the question of the inclusive and exclusive approach to admissions? Bishop Patrick, in your opening statement, you pointed out quite rightly that very many Catholic schools have very few Catholic children, and will take children from many different faiths or none, and children with many different languages. But how do you reconcile your defence of Catholic schools being so multicultural with the fact that the Catholic Church fought tooth and nail against the former Secretary of State's suggestion that you might consider a quota of children not of the faith? May I move on after to Bishop Stephen? The issue that I want to explore is the difference between the Catholic Church and the Church of England on the question of quotas applied to existing schools, not just to new schools.

Rt Rev Patrick O'Donoghue: You have raised so many questions there. Where to start?

Chairman: Fought tooth and nail—start with that one.

Rt Rev Patrick O'Donoghue: And continue to do so for the Catholic school with an identity. There is a confusion between having a Catholic school, open to all—all religions and none—but not indoctrination. If I get it correctly, there is a feeling among some of the Committee—I come across it regularly—that the Catholic school is indoctrination, but I have never seen that. There is a great recognition of the consciences of people other than of the Catholic faith.

Q276 Mr Chaytor: I do not make any accusations about indoctrination; that does not concern me at all. What concerns me is inclusivity and how you reconcile your strong advocacy of the virtue of a multicultural intake in many of your schools with the Church's absolute resistance to considering broadening the intake in a smaller number of some of your more prestigious schools. How do you reconcile those two positions?

Peter Irvine: If there were an endless number of Catholic schools, there would be no issue, but the fact is that there are not, and in very many places, there are more Catholics than there are school places for them. For that reason, to hand the admissions authority to other bodies—whoever—was, and still is, seen as a mistake, a wrong thing to do, because it would endanger the continuation of those Catholic schools.

Q277 Mr Chaytor: There is an issue about who administers the admissions procedure according to the admission authority's criteria, but Catholic children can travel 15 miles to Catholic schools and get free travel. How do you defend recruiting children from such a long distance, when there are children on the doorstep of your schools who are non-Catholic and cannot get admission to what are very good schools? How do you reconcile with your Christian faith turning away non-Catholic children from poor families on the doorstep of Catholic schools? That is what interests me.

Rt Rev Patrick O'Donoghue: I am not trying to justify it. I should like to find out where it happens and the reasons. If there are Catholics and they are known to be Catholics—it is a difficult question in the sense that there are so many baptised but they are not what we would call practising Catholics. It is difficult if they are not known at all in the community and suddenly you have an admission request and the name appears for the first time and they are unknown. That is one of the problems.

Q278 Mr Chaytor: I have a final question for Bishop Stephen about the Church of England's approach to inclusivity, quotas and admitting children who are not of your faith. What is your view?

Rt Rev Stephen Venner: I go back to where I began the session, with just a brief line of history. Our history, certainly since the National Society in the 19th century, has been to provide high quality education where the name of God is honoured, and what I was saying about the spiritual dimension, for all the people of the community. The particular issues that challenge us at the moment, as we try to express the fact that we are not the Church of the nation but the Church for the nation, is that distinction between primary and secondary. If you look at primary schools, 25.5% of children are educated in Church of England schools and the whole history has been inclusive. We are local, we are earthed in the community. Although there are issues to do with primary schools, they are not the sort that we have been talking about this morning. It is at the secondary level where, because of the number of Anglican schools at the moment, it is only 7.2%. We are very different from the Roman Catholic church. We have far fewer Anglican secondary schools. We are working at it. We have opened a significant number of new ones and we hope that that will continue. But trying to retain the earthedness in the local community, while accepting that there will be Anglican parents,

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Christian parents and Muslim parents who want to send their children to Anglican schools, is difficult. One of our schools in my diocese is in Ashford, where we took over a school in one of the most deprived parts. Fortunately, for once, the Lord in whom we believe was on our side and very soon after moving in the school burned down and so we were able to build a new school.

Q279 Mr Chaytor: This was an act of God, presumably.

Rt Rev Stephen Venner: I did not go quite that far. The school has some particular issues at the moment, but if you look at the story of the school you will find that it was deeply embedded in the local community. The vast majority of children

who went to it were from the local community. They still are, but the percentage of Christian parents choosing to send their children rose gently over the years during which it was open to a point where it was about 25% or 30%, which enabled it to be much more distinctively a Christian school, but still very much within and earthed within the community. That is the vision that the Church of England has as the Church for the nation.

Chairman: Bishop Stephen, Bishop Patrick and Peter Irvine, may I thank you? This has been a stimulating session. We have learned a lot. My colleagues are getting very restless, but they have been very loyal. We have remained quorate even though the Chancellor is calling us in six minutes' time.

Wednesday 7 May 2008

Members present:

Mr Barry Sheerman, in the Chair

Annette Brooke
Mr Douglas Carswell
Mr David Chaytor
Paul Holmes

Fiona Mactaggart
Mr Andy Slaughter
Mr Graham Stuart

Memorandum submitted by Francis Green, Professor of Economics, University of Kent

SUMMARY: SEVEN KEY POINTS

- Independent schools have transformed themselves since the 1960s to become academic powerhouses as well as providing a broad education. They unequivocally boost the academic qualifications of most pupils.
- To make this transformation independent schools have injected enormously increased resources. Their pupil-teacher ratio has fallen year-on-year, and is now little more than half what it is in the state sector.
- On average, those receiving a private education during the 1980s now gain between 16% and 19% higher pay than their counterparts with similar ability and family background. They also benefited from superior non-academic resources at schools (playing fields etc).
- The benefits of private education for today's pupils are expected to be higher because there is a greater demand for highly-educated people, and because the facilities and staffing ratios have been much improved.
- Retirements and school improvements have entailed demands for more teachers: approximately, a flow of 18,049 new full-time teachers have been recruited from outside the independent sector since 2000.
- The majority of this flow (58%) has been experienced teachers from state schools, the rest newly trained teachers and graduates. Compared to the overall numbers of newly qualified teachers, the transfers amount to approximately 7% of the state's investment.
- Since 1980 they have funded these changes by continually raising their fees; now nearly three times as high in real terms. Boarding: £22,059 per annum, Day fee: £9,579. These high fees limit access to the well-off except where sufficient bursaries can be made available; but the extent of their impact on social mobility is under-researched.

THE PROFILE OF THE INDEPENDENT SECTOR AND THE ADVANTAGES THAT A PRIVATE EDUCATION OFFERS

Profile

- ~ 9% of schools; 7½% of pupils; around 14% of teachers.
- Pupil-teacher ratio is 9.6, a little more than half what it is in the state sector (~ 18).
- Much variation of quality and cost in the sector.

Advantages

Academic

- Evidence that private school attendance substantially raises the highest qualification level achieved. Private schools also have higher value-added.
- A *caveat*: once at university, early 1990s private school-educated students do less well. They are 9 percentage points less likely than state-educated students with similar A-levels to get a good degree (at least upper second class honours).

Financial

- Private school students from the 1980s are now earning around 16% to 19% more, on average, than their state-school counterparts, after allowing for differences in family background and for cognitive and non-cognitive abilities at age 5.

- On average, all this premium can be accounted for by the better qualifications achieved.
- However, among the students who would later become more successful, going to a private school gave an extra premium, beyond what can be explained by the qualifications obtained. We think that this is because the more able students will have been selected for the better (more expensive) private schools, and will have gained more of the broad, non-academic advantages that these offer; but this is not yet proved.
- Since the 1980s the demand for highly-educated workers has risen, and the fees have nearly trebled. One can therefore tentatively forecast that today's private school pupils will benefit from a higher premium than those at school two or more decades ago.

Non-Financial

- Large and increasing funds spent on non-academic equipment: swimming pools, playing fields, etc.

Comment: the evidence is quite conclusive that independent schools do provide a substantial return for their money. Their consequent impact on social mobility, however, is questionable, given the high fees which must exclude low-income households unless they have access to bursaries; but this issue needs further research.

THE EXTENT TO WHICH THE INDEPENDENT SECTOR IMPACTS ON THE MAINTAINED SECTOR (EG RE TEACHING STAFF)

In theory, independents schools can have either positive or negative effects on the maintained sector.

Positive benefits

- Competition and emulation could improve standards. Virtually no formal evidence about this, one way or the other.
- Sharing of facilities for public benefit. (It is for the Charities Commission to determine the extent of this).

Negative effects

Competition for teaching staff intensifies with rising demands for teachers as the independent sector lowers its pupil-teacher ratio. The facts, computed from the ISC Census, are these:

- Since 2000 2,608 extra teachers have been added in ISC-member independent schools from outside that sector.
- Together with retirements, this has meant the need for ISC schools to recruit 18,049 full-time teachers from outside the independent sector.
- This has been achieved by recruiting (net, allowing for contra-flows) 10,508 (58%) experienced teachers from state-maintained schools, and 7,541 teachers (42%) from universities and initial teacher training colleges.

In this sense, the state has "lost" since 2000 roughly 2,250 teachers per year, as they either opted out of maintained schools in the first place or subsequently transferred to the independent sector. Compared to the overall stock of teachers, these flows are relatively small. However, compared to the flow of newly qualified teachers (eg 33,190 in 2006) the transfers amount to about 7%. Of course, this "loss" is not an overall reduction of teachers available to society, since it is balanced by an increase in resources for independent schools. Rather, the level of the transfer is one indication of the state's support for the independent sector, partly offset by the fact that the state is relieved of the need to provide teachers for pupils who choose private education.

Negative effects could also come from loss of peer effects from able pupils, but there is little or no formal evidence about how important this is.

Other evidence of Independent/State school teacher differences

Microdata sources reveal that:

- Independent school teachers are more likely than state school teachers to possess a post-graduate qualification, and to be trained in a shortage subject (Maths, Science or Engineering).
- Teachers in independent schools express greater job satisfaction with the intrinsic features of their job, and generally experience preferable working conditions.

- Among men there are no very substantial differences in pay between independent and state school teachers; but women appear to experience a pay penalty for working in the independent sector.
- Teachers in shortage subjects receive a pay premium in the private schools, but not in the maintained schools.

ACKNOWLEDGEMENT

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May 2008

Witnesses: **Professor Francis Green**, Professor of Economics, University of Kent, and **Chris Parry CBE**, Chief Executive, Independent Schools Council (ISC), gave evidence.

Q280 Chairman: I welcome Professor Francis Green and Chris Parry to our proceedings. As you know, we have been looking at diversity of school provision and we are pleased that you are able to give evidence to the Committee this morning. We have divided the sitting into two sections to try to give a fair amount of time to both sets of witnesses. We tend to drop the titles after the introduction, Professor Green, and just go with first names. Is that all right? It is slightly less formal.

Professor Green: Yes.

Chairman: We usually give our witnesses a chance to say a few words, as long as they do not take too long, about their thoughts on the area that we are investigating.

Professor Green: Thank you for this opportunity and invitation. To introduce myself, I am an economist who specialises in labour economics and education economics. A few years ago, when I was on a committee that was advising the Department for Education, as it then was, on what kinds of research it ought to be undertaking, I put my little hand up and said, "How about doing a little bit of research on the independent sector?" That was greeted with stony silence and never got any further, but I am pleased to say that a few years later a colleague at the London School of Economics and I persuaded the Nuffield Foundation to give us a little bit of money to kick-start some research on the independent sector. It was our view that it was an extremely important sector in education but that it had been pretty well neglected by independent researchers for 20 years and by economists for probably a lot longer than that. That is where I am coming from. Our research lasted for about a year, and what I will say today and any answers that I give to questions are based partly on that research and on the research of a few professional colleagues who have been looking at the issue over the past five or six years, generally using large-scale, nationally representative data. The general aim of the research is to cut back from individual examples and political arguments either way and try to look at independent schools from the position of what is happening in the picture at large, using representative survey data and aggregate data, which come out of the Independent Schools Council. I know that you do not want me to go on for any length of time. Briefly, it was our view that the independent schools had really transformed

themselves since the 1960s, a period when they were comparatively under threat, to become academic powerhouses. I need not give you the evidence for that. There is now plenty of formal evidence that private schools unequivocally boost the academic qualifications that pupils receive. They have done that primarily through fantastically increased resources since about 1980 and a pupil-teacher ratio that is now little more than half what it is in the maintained sector. One half of our research involved looking at the benefits that people received in the labour market through having had an independent education as opposed to a state-maintained education. Broadly speaking, our estimates were that for people who had been at school in the 1980s, give or take a slightly broader range, there was a premium of between 16% and 19% on pay. That is not an economic return but a premium. Obviously, the figure does not take into account the costs of the investment. That was the premium that they received in the labour market. It does not include other things, to do with consumption benefits and others. We do not know how the people in the independent schools now will perform in the future. Obviously, that is a matter of forecasting; but it is our opinion that it is likely that the premium, if anything, will be larger than it was for the people who were at school in the 1980s. Why do we think that? Well, the two big things that have changed since the 1980s are, first of all, that there is a yet further increased demand for highly educated—well educated—people in the labour market. We know that from many sources. Secondly, the investment that parents and others have to make for children to go to the independent school has increased immeasurably also, since the 1980s, so both the outlay and the resources, and the demand, have changed. We think that the premium, as it were, for today's cohort of private school people will be substantially greater than the figures I have just given you. That was really addressing the benefit side; the other side, if I may take just one minute more, that we looked at in our research, was to try and kick-start some understanding about the different sides of the teachers' labour market. There is one paper, which I believe has been circulated to members of the Committee, in which we looked at this. We looked at pay conditions and transfers between the two sectors. One of the key issues we tried to put a few numbers on was the issue of the

transfer of teachers between the two sectors, and how it is that the independent sector was, as it were, staffing up. They needed to increase staff in order to increase the teacher-pupil ratio over time, as well as replace retirements, and so on. The figure that struck us—we were using the figures from the Independent Schools Council—was the number of people who were moving from the maintained sector to the independent sector. These figures are relatively small compared with the overall stock of teachers in schools. There are 400,000 or 500,000—I have not got the exact numbers with me; the numbers moving over the years are relatively small compared with that stock, but if you look at them in relation to the number of teachers coming out of our universities and teacher training colleges, they represent about 7% of that flow, averaged over the last seven or eight years. That was as it were the nearest we could get for the moment to putting hard data, that you could find in the papers, on the statistical flows between the two sectors. I am willing to take further questions on that, but also conscious that I have probably used up my few minutes now. We were circulated a list of potential questions, and my expertise, which I am very happy to talk about, really relates to the first two of those questions. I should probably keep a bit quieter about some of the subsequent questions to do with the running of independent schools. Those will have to be passed to some of my colleagues.

Q281 Chairman: Thank you. Chris Parry, you are rather new in your job. You have been there only a couple of months, have you not?

Chris Parry: Seven days.

Chairman: Seven days?

Chris Parry: I know it is a long time in the education sector.

Chairman: After a career organising the defence capability of the country I am sure that you are well able to grasp all the issues affecting independent education in a few days.

Chris Parry: I will rely on your judgment, I think. I, too, welcome the opportunity to give evidence before the Committee. I am aware of the substantial practical and educational experience around the table, and also the mix of maintained school and independent school ex-pupils. I can say, early in post, that I am really proud to represent a world-class sector: 7% of the education community. It contributes substantially to the UK's reputation for high quality education and schooling—and I think there is a difference. The OECD places us at the top of the league table for educational attainment. If you take out the independent sector, it drops significantly—embarrassingly so, in fact. Our strength in this sector is our independence. It is the ability to tailor the requirements of pupils and the ethos to the demands of both local and global forces. Any amount of over-regulation hampers us in our ability to develop dynamically in relation to trends. One of the areas where we have been very successful in developing capability is with special educational needs. We have a considerable programme of links with the maintained sector and we will probably go

into those later. Every school in our area is involved,⁵ and predominately there is an exchange of best practice in a two-way flow, although perhaps not as much as we would want. There is also a long history and good evidence of local community engagement, going back, in some cases, over 400 years. What hampers us is the perpetuation of attitudes and myths that seem to come out of the cold war, if I can mix my sector metaphors. There is a lot of ideology and there is still a sectarian divide between the maintained sector and the independent sector. I would even say there is a bit of prejudice and bullying from the maintained sector, particularly in the teacher training colleges. We also have some confusion over the interpretation of the Charities Act 2006 and perhaps we can discuss that, but all in all we are a confident, vibrant sector. We hope to do more for the rest of the education community. We want to learn more from the education community in the United Kingdom. Only last week, we took on board COBIS, the Council of British International Schools, and that extends our influence, and the UK's influence, abroad by a great measure, into over 40 countries. I think perhaps that is all you need me to say before we get into the questions.

Q282 Chairman: Let us get into the question session. First, may I ask both of you how much effect the independent sector has on education generally in this country. Does it provide an enormous guide to good ways of teaching and how to bring the best out of pupils? What are the things that we can learn from the independent sector in the state sector?

Professor Green: With respect, there are three or four questions in there. How much effect does the independent sector have on education generally? I think a lot. Despite the small size of the sector in terms of pupil numbers—7 or 7.5%—it has enormous influence. That is partly through the ways I was suggesting.

Q283 Chairman: Forgive me, Professor Green, but many schools give evidence to the Committee and with most of the people from the state sector who come here, you can say, “How many free school meals pupils have you in your school and how many special educational needs pupils?” and there will be a balance, but if I have the high master of, say, City of Birmingham Boys School, the answer will be “Not many” in any of those categories, whether it be poor children, SEN children⁶ or looked-after children. It is a very different world, so whatever we can learn, it is a different universe, is it not?

Professor Green: I think that is true of some schools. Inner-city, state-maintained schools are a world away from one of the traditional so-called public schools, but it should be remembered that the independent sector is very diverse in itself, probably more diverse than the state sector. There are great differences in the fees charged and in the type of

⁵ *Note from witness:* Almost every school—ISC cannot be 100% sure that every single school is involved in this practice

⁶ *Note from witness:* The percentage of pupils with SEN at independent schools is between 1–2%, the same as in the maintained sector.

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education offered. There are areas of the country where there are quite a lot of similarities and substitutabilities between the local schools and some of the private schools. My own area is one example of that. In Canterbury, there are several private schools as well as even more state schools, all concentrated in one town, and I know lots of children through my own personal contacts who are at the margins between going to one or the other. To my mind, there are more possibilities for learning between the two sectors than actually take place. There is quite a lot of envy and jealousy and ideology between the two sectors, to which Chris referred.

Q284 Chairman: That is not surprising, is it? The Committee visited a school in Maidstone—a more challenged school—that had 100% free school meals, 65% SEN pupils, and many looked-after children. It is down the road in Maidstone amidst many schools that do not have those challenges. It is not cold war, is it? It is a fact of life.

Professor Green: Yes, I know, but there are things that could benefit the maintained schools. If some of the fantastic science teachers they have in some of the private schools were to go and teach in an inner city school, they might have problems with discipline because they do not have those particular sorts of people skills. They would have to be honed in a well-ordered independent school, and then they could go to a more challenging school. But not all schools are full of ruffian boys and girls, are they?

Chairman: The school that I went to did not have any ruffians, but it had poor children and children with special educational needs.

Professor Green: Indeed, but my point is that there will be a lot of scope for productive learning and teaching if some of the good science teachers that we find in the private schools were to make some of their time available to some of the state schools. I know that there are difficulties, and I know that different skills sets are involved in teaching in private schools and state schools—and it depends what kind of state school it is—but there is some scope for that.

Q285 Chairman: I am the warm-up act; we will drill down on those cases in a moment. Chris Parry, what do you think can be learned from your sector by the state sector?

Chris Parry: I have been in both state and maintained sectors. It is ancient history now, but my experience in both indicates to me that it is the independence and freedom from regulation and the ability to trust professionals that lies at the heart of this. Typically, in the independent sector we have more control over disciplinary regimes, we have more variability over the curriculum, and governance is more independent. That means that people can use their initiative, they can experiment, and they can find out what works. Indeed, the Government recognise that. Lord Adonis said that he wants to copy our DNA—and right at the heart of that helix is this independence and freedom from regulation. Our only worry is that in taking our DNA he does not genetically modify us.

Q286 Chairman: Putting Lord Adonis's remarks to one side, is not one of the problems that it is a very different world? As I said to Francis Green, we have a system of league tables, but some people think that they are rather unfair. Indeed, I see that Eton and other public schools will refuse to co-operate with league tables in future. If you go to one of the more exclusive schools, and most of public schools are exclusive, there are quite high academic barriers to get in, and a high percentage of children will come from very supportive middle-class families, so it would be surprising if the results from that kind of entry were not excellent. In a sense, you can see the resentment in the state sector, in schools that represent the communities in which they sit; in terms of free school meals, and their intake of SEN and looked-after children, they are being unfairly compared with some of the schools that you represent.

Chris Parry: Again, that is an apt question. It represents the ideology that we are one community. We have to see children as children, whether in the independent or the maintained sector. The question that we have to ask ourselves is why people choose to go to the independent sector. There are a number of reasons. I detect that some people simply want a certain type of education for their children. In many cases, it is not an intellectual decision or even a practical decision; it is an emotional one, and they are prepared and able to pay. Other people simply cannot get provision in their local area in the state or maintained sector. Where I come from, the maintained sector is very poor. My wife and I have made sacrifices to send both our children to the independent sector. Ideologically, some people might choose to send them to the maintained sector. If I want, emotionally, the best for my children, I have to pay for it. That means that certain things have to go by the board to allow that. There are hundreds and thousands of families like mine who have chosen to make that commitment, both to their children's future and to the future of this country, and at significant expense, I might add.

Q287 Mr Stuart: Of course, 51% of parents have said that they would send their children to an independent school if they could afford it. I have a question for Professor Green. Your research looks at the transfer of teachers and its economic benefit. As you say in your paper, there is no loss to society overall from the transfer of teachers from the state to the independent sector, but have you examined what role this world-class sector of teaching, which contributes so much to our highest universities, plays in attracting high-quality teachers, people with high qualifications and high motivation into the sector of teaching overall? It would not happen if the independent sector was not there and so could it be that the impact of the independent sector overall is to enrich the whole of the teaching profession by offering diversity as well as high standards?

Professor Green: I do not have any numbers to give you on that, but there will be teachers who go to work in independent schools who probably would

not otherwise have gone to work in the maintained sector. These will be the people largely coming “from industry” and other jobs.

Q288 Mr Stuart: Could some of the outstanding science and maths teachers you talked about never have entered teaching at all if it were not for the independent sector bringing them in? So could there be a net overall positive contribution?

Professor Green: I do not know whether you regard this as positive, but there are fewer barriers to going into teaching in the independent sector because you do not have to be a professionally qualified teacher to teach there. So there will be good science teachers—I have some in my family and I know about this—who are not professionally qualified teachers but are doing a good job of teaching science in an independent school. I do not really think that that is a policy option to say that we will start taking away the need to have a professional qualification to teach in the state sector, but that would be one example—

Mr Stuart: Can I ask why not?

Chairman: Quickly, as David wants to come in here.

Q289 Mr Stuart: I am interested to know why not.

Professor Green: That is my naïve political wisdom, perhaps. You might be able to defend it. You could say that someone with a PhD in science, provided they were properly managed on the teaching side, could really enhance teaching in state schools. Maybe we should think more imaginatively there.

Q290 Mr Chaytor: Can I pick up on Chris Parry’s point? If hundreds and thousands of parents are making huge sacrifices to send their children to independent schools, and if 51% would wish to send their children to an independent school if they could afford it, is that not a powerful argument in support of those who want to introduce a huge expansion in the number of cut-price, cheap-rate independent schools? Does that not completely endorse the Chris Woodhead or Civitas approach to a new sector of more downmarket independent schools?

Chris Parry: The justification for the transfer of DNA to any sort of provider who can give our children a decent education and schooling and a future is entirely justified. We have to do a very careful assessment of the cost, not only in the short term but also in the long term. Once sunk costs are put in, one must factor in the whole scope of a child’s education. Where we have seen real tragedies across both sectors is where a child starts a form of education and then cannot complete it for one reason or another. The investment has to be factored in over 20 years. Strategically—dare I say it—Government Departments are not very good at acting in those time frames. We know why: it is part of a political culture. To invest in the future, we must have a strategic plan that covers both sectors of the community and takes the best of both. To add to what Professor Green has just said, we must remember that the independent sector is 7% of the whole. If we took 7% of the maintained sector, we would find excellence in that as well. There is a

tremendous tendency to do down the maintained sector. I visit a mix of schools both in the independent and maintained sector, and excellence has a virtue all of its own across the whole community. We should be aiming for that, and taking the best of them both. Some fairly unfavourable and unbalanced comparisons can be made. The 93% sector is as diverse in some ways as the 7% that represents the independent sector, and what brings best practice together—innovation—and gives it to our children in my view and if it works, we put it into place.

Q291 Mr Chaytor: Yes, but if there are 1,200 or so schools within the ISC at present, and if your argument is that a significant number of parents are already making sacrifices and a significant other number would like to pay for their children to go to a private school if they could, surely the logic is to double the number of private schools. Would the ISC welcome another 1,200 private schools, the fees of which were more affordable to parents? That is my point.

Chris Parry: In a modern market, if we want excellence we have to pay for it. There is a small pool of excellent teachers. A small pool of apt pupils can maintain those levels. The Academies and trust schools programme is entirely compatible with the independence and the lack of regulation that I have been proposing. Many initiatives in recent years are entirely consistent. It goes back to the tradition of all good schools that delegation of responsibility for teaching and a light load of regulation leads to what you are seeking. We will then see if the costs come down.

Q292 Mr Chaytor: Is not the logic of your argument about the pent-up demand of parents that we need more independent schools and that the fee levels should be lower than the average fee level of the ISC schools? Is that not the absolute corollary of your argument?

Chris Parry: Some of the schools have depressed, in the sense that they have put down levels of fees deliberately.

Mr Chaytor: Things have been going up 6% per year since 2000.

Chris Parry: Yes, but compared with the real rate of inflation in all sectors, that is actually fairly comparable. Against headline inflation rates, of course, it looks silly, but we all know that we can perm those in many ways.

Q293 Mr Chaytor: Do we need another 1,200 independent schools, with average fees of £6,000 a year?

Chris Parry: If that can be achieved. We have to look at the price of pensions, the facilities and the price of regulation. Those things are going up all the time. Every service industry is being hit by high rates of inflation, such as increased fuel bills and food. If we can achieve it at such levels, of course we should welcome 1,200 extra schools. We must also look at the comparative price of a maintained place because that will go up all the time. Currently, the

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Department for Children, Schools and Families says that it is about £5,400 a year. That compares pretty favourably with some of the lower levels of the independent schools anyway. There are more ways in which to calculate it, but again unless we do it for the long term, we shall be saddled with quite a programme, if we are not careful.

Q294 Mr Chaytor: Coming back to the performance of the current independent sector, to what do you attribute the high level of performance? Is it a question of ownership? Is it a question of the market mechanism? Is it the fact that a parent is writing a cheque for the child's education, and the school knows that it is subject to pressure from the consumer? Or is it intake? You have talked about freedom from regulation, and I should like to know exactly what regulations you consider to be particularly burdensome. I am interested in the extent to which you attribute the superior performance to ownership, intake, market mechanism or absence of state regulation.

Chris Parry: As you well know, it is an area of myth for most people. Let us talk first about intake. You will find that the independent sector is open to a wide diversity of abilities, age ranges—obviously—and income levels. The detail of that is quite clear. I think that there is a distinctive ethos in the independent sector based on excellence. Second best is not good enough among teachers. I think that the amount of pastoral and wider education engagement is greater and I think that they see more of their teachers. In the independent sector, more teachers are prepared to get involved in extra curricula and pastoral activities than in the state sector. If I am really honest, I think that the disaggregated nature of the independent sector means that there is strong leadership at local level among teachers, heads of departments and others. The bottom line is that parents pay for the education, as you say.

Q295 Chairman: Sorry, but I said this to your annual conference a couple of years ago: one of the things that offends people outside the independent sector, more than anything, is what you have just said. I see that your head of research, Pru Jones, said it when she talked about paid-for education. That really upsets a lot of people—taxpayers in this country who do pay for their education. It is paid for through taxation. Many parents who send their children into the state sector find it quite offensive when those in the independent sector regularly talk about paid-for education.

Chris Parry: May I say that I find it very offensive that I cannot find provision in the maintained sector for my children? I pay my taxes, which pays for two places in the state sector, and yet I pay out of my taxed income a significant amount of money to ensure that my children are educated.

Chairman: My point is that it is all paid for. Do not try to fudge it by saying that you did not have the choice. It is all paid for; it is paid for through taxation. If you decide to go into independent education and pay separately, that is different. I am

trying to make the point that it is offensive to many people to disregard what people pay through taxation.

Q296 Mr Chaytor: What I am trying to get at is like for like. If we could compare two schools—one independent, one within the state sector—with identical intakes, would there be a higher level of achievement in the independent school, and if so, what would it be attributable to?

Professor Green: I think that I can answer that. My research suggests clearly that it is the extra resources. Not only my research points to that: a major study was carried out by Oxford University using schools within the independent sector, showing that schools that spent more got more out of the children. The high levels of academic qualifications achieved—they really are achieved—by the private sector can, in my view, be attributed mainly to the extra resources and the fact that they have nearly half the pupil-teacher ratio and much greater physical investment in plant and equipment. That does it.

Q297 Mr Chaytor: In terms of public policy, is the most logical conclusion that to get higher levels of achievement across the board, it would be more effective to increase the investment per pupil in the state sector to the level of independent schools, to make all schools independent, or to introduce a voucher system? From your experience, which of those three options would be most likely to raise achievement?

Professor Green: I cannot give you a researched, informed answer. My preference would be to put more resources in the state maintained sector so that people such as Chris would not necessarily have to make the decision on behalf of their children. I made a different decision on behalf of my children, and I was very happy with it. We find lots of different experiences in that respect. For the past seven or eight years, I have been a governor of a local state-maintained school. In my time as a governor, I have to say that although regulations come down from the local authority, the number of times that they appear to constrain what we can do as governors, or what my head teacher can do in his school, is very small—that problem is not on the horizon; it is not part of the way of thinking. My head teacher is able to be very innovative. He has introduced an international baccalaureate—nobody is stopping him doing that—he has control over the curriculum, and he has changed a number of things. Perhaps there are more difficulties when it comes to dismissing teachers, and that might be a difference between the public and state sectors. He may have to be more careful in the dismissal of teachers, but I do not know. I take a different view from Chris Parry about the tremendous effects of the differences in regulation.

Q298 Mr Chaytor: If the funding in state and independent schools was identical, and therefore presumably the pupil to teacher ratio was identical, what would be the advantage of an independent school from your point of view?

Chris Parry: All things being equal, which we have never had? I do not have the evidence to make an intelligent comment about that.

Q299 Mr Carswell: You spoke very movingly about the financial sacrifices that some parents make to buy the best education that they can for their children. To put it bluntly, is that sacrifice—that financial burden—greater than it should be because of price fixing in the independent sector?

Chris Parry: Last year it was proved beyond doubt, through the Office of Fair Trading inquiry and the subsequent work associated with it, that price fixing does not take place. There was a certain amount of exchanging information at the time, but there was no conclusive proof of price fixing. The law of the market applies in the independent sector; parents would not buy into education in certain schools if they were hopelessly priced or controlled by cartels.

Q300 Mr Carswell: My second question builds on a point that David was trying to make. As an economist, I would expect that, as in many markets, such as aviation, when there is a big demand, supply will come along. In the aviation sector there are no-frills providers such as Ryanair and Easyjet. Why are we not seeing in the education system a growing number of middle-range, no-frills schools? Where are the Easyjet or Ryanair-type private schools? Are there constraints on supply, or are there barriers to entry? Could we do something to increase supply? If, for example, we gave every parent in the country a legal right to control their child's share of local authority funding, would that stimulate growth in independent schools?

Chris Parry: There is confusion between fees and resources, which do not directly relate to each other. At the end of the day, resources—both human and material—come from a variety of different sources and the fees do not directly relate. There is a demographic problem, which is that the number of pupils is declining and will decline over the next 10 years. If we look across both sectors, the idea of having what I would call independence or excellence-light—the Ryanair example—is not useful. However, the experiments that we are having with Academies and trust schools should give you the answer within about five or six years. We are on the leading edge of that at the moment, and we have got to see what both the educational and the financial provision are before we can make really clear judgments. Looking across the independent sector, there are certain fixed costs—staff costs, facilities, regulation costs—that take up about 90% of the costs of running a school. There is very little variability or flexibility with that, so having these schools on the cheap would be pretty difficult, although in the maintained sector, with all the infrastructure already in place, there might be some room for that. That is where Academies, trust schools and other such innovations can come in, but I stress that that relies on a certain amount of delegation to the professionals, as they know how to

run schools, and putting in place partnerships that will allow them to run businesses as well. Schools are businesses at the end of the day.

Q301 Chairman: I thought that most of your members were charities?

Chris Parry: I am talking about the maintained sector. With Academies and trusts, there is a chance that if you have good partnerships in place that bring expertise to the governance, you might be able to reduce the equivalent costs in the maintained sector.

Q302 Mr Carswell: Professor Green, I am interested in your thoughts. Why cannot we have Ryanair-type independent schools?

Professor Green: It is a really good question. The glib answer is that Ryanair operates in the for-profit sector, whereas the independents are not-for-profit institutions. The people who run schools are not there to make profits from those schools. They do not have shareholders. I read about a small number of schools that are franchised, but I do not have expertise in that. Although that was the glib answer, none the less, to my mind, there is a bit of a puzzle about the 7 or 7.5%. It was 7.5% back in 1980, yet an enormous amount of money has gone into the sector. You can question the fact that costs go up faster in the education sector than for buying washing machines or something like that, but none the less, in real terms, an enormously increased resource goes in annually and, on top of that, there is the existing wealth of schools. It is puzzling that more schools have not started up.

Q303 Annette Brooke: My first question should be to both Francis and Chris. Are independent schools businesses or charities?

Chris Parry: According to the Charities Act 2006, they are all charities.⁷

Professor Green: That is the legal answer, which is correct. Most private schools provide only relatively limited public benefit; that is my personal experience, and I know many schools in the Canterbury area. My sons are at school, and they benefit because they can use the large hall of the local public school for prize-givings. That is welcome. Whenever my sons' friends see the facilities there, they are always gobsmacked by the fantastic playing fields, halls and so on, but I am afraid that they never get to use them. Such schools are not charities in the sense that they are broadly available for members of the public to use, in my view. That is not a legalistic statement—

Mr Carswell: It is a subjective comment.

Professor Green: Sorry, it is a statement about the people who actually use those schools, who are mainly people from the higher income brackets. That is a statement of fact. In the area that I know about, they are largely not people from working-class estates in the Canterbury district area, and I suspect that that is true throughout the whole country.

⁷ *Note from witness:* This is not true. Almost all independent schools in ISC membership are charities.

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Q304 Annette Brooke: May I just follow that through? Let us take the new legal definition of charitable status, and obviously there are some requirements on independent schools. I think that the ISC suggested that the new regulations presented a threat to independent schools. In what way do they present a threat?

Chris Parry: Thanks for the question. It is not so much the new Charities Act that presents a threat to us, but its interpretation. The definition of public benefit has not changed; only the interpretation placed on it by the Charity Commission has changed. I am really concerned that most trustees will be confused about their role, because it seems that the education mission, which justifies the charitable status in the first place, has become of secondary importance to the social mission implied by some of the guidelines issued by the Charity Commission. Therein lies the threat. In the gap between the legal requirement and the public perception, there might be many flaws.

Q305 Annette Brooke: I want to follow that through. I am a great one for looking on the bright side of life.

Chris Parry: So am I.

Annette Brooke: Presumably, there are opportunities for you to forge stronger links between the independent and maintained sectors. Where do you see the main opportunities?

Chris Parry: First, it is worth saying that many of these partnerships and links already exist, and have done for many years. Independent schools are characterised by their local and community commitment. There are hundreds of partnerships between maintained and independent schools. They share expertise and ideas, especially in shortage subjects. Hampton School in Middlesex, for example—it will be familiar to some members of the Committee—engages extensively with local maintained schools in subjects such as physics, chemistry and biology. It has master classes on the academic side at weekends and half terms. Hundreds of our schools run summer schools, sports clubs and coaching. We have something called Pitchlink that co-ordinates independent schools' pitches. That goes out not only to adult teams, but children's teams as well. We share playing fields and other facilities—Dame Kelly Holmes trained at Tonbridge School when she was at school.⁸ We have 330 Government-sponsored independent state school partnerships, which have grown up over the past 10 years.

Q306 Annette Brooke: Will the ISC be promoting good practice? While I know that there are some good examples around, we could probably all think of instances where there is no real partnership at all. How do you plan to spread good practice?

Chris Parry: That is kind of you. In our sector, one thing that we lack is the ability to go the same way on the same day. I have a certain number of rogue elements in my sector, but I have 1,450 head teachers

who are all independent heads of their own schools. Part of my role in the future will be to disseminate best practice, not just in that area, but in the academic arena. It is something that we have lacked up until now, and the challenge from the Charity Commission will give us an opportunity to do that, particularly in this area. It is important to stress that every head is aware of his responsibilities with regard to his local community. The vast majority of schools are fully engaged with their community and with other maintained schools in their area. We are seeing clusters of schools growing up, and one of the problems with the Academy programme is that it forces a beauty contest in certain local areas, where the independent school has to latch on to a single school—chosen for them in some cases; chosen by them in others—and that leaves the other schools to go to the wire. I am in favour of clusters where independent schools help other schools in their area more generally. That does not mean that the Academy programme is not worth sponsoring—it certainly is—but the beauty contest threatens to reduce influence in local communities.

Q307 Chairman: Chris, let us get this on record. One thing worries me about what you have just said in response to Annette. Has the Charities Act 2006 made a difference to your members in terms of how they see the onus on them to act in a different way to come up to the expectations of Charity Commission? Part of what you said implied that we have always done this, and we are going to carry on as we were. I understand from the Charities Act and from the Charity Commission, which I met recently, that it is looking to you for a marked change in behaviour. Are you saying that most of your members do not see that change?

Chris Parry: No, the Charities Act and its interpretation by the Charity Commission has catalysed people's views. They are looking at better ways of doing what they already do, and I think that you will find that people will be more imaginative in the ways in which they stretch their resources to help their local communities further. To a greater or lesser extent, our members have always done things with the local community; they have always helped the maintained sector. We are going to systematise it better. As Annette Brooke said, we can introduce best practice and make suggestions because we cover the whole of the spectrum. It should not be forgotten that we work in the interests of the whole education community. It is not an "us and them" argument. My organisation is fundamentally interested in the improvement of education across the whole community.

Q308 Annette Brooke: May I ask, Francis, whether all of this is just cosmetic to legitimise the independent sector? Will we really see changes as a consequence of the latest Charities Act?

Professor Green: I do not have great hopes or expectations that it will lead to enormous change. There will be more difficulties in the proposals from the Charity Commission than Chris and colleagues are expecting. However, I am not an expert, and they

⁸ *Note from witness:* Not quite right—it was when she was training for the Olympics.

look at what they do and how they configure their own schools better. As I understand it, public benefit means that people should not be excluded from the opportunity to benefit on the grounds of poverty. I am not saying what should or should not happen, but it may be interpreted in that way. There are millions of people in this country who are excluded from using private schools on grounds of poverty. Look at the fees. It is like the elephant in the room; it is so obvious. I think that the proposals will have some effect, and the effect could be more than cosmetic.

Q309 Mr Slaughter: Boarding fees are probably about the same as the average income—about £20,000 a year. If I was paying that amount per child, I might have some objections. As you said so eloquently earlier on, you have already paid through your taxes and you are now paying a huge, phenomenal sum of money, and the resources that you are paying for are being given away to people who are not paying for them. Is that how parents and governors of independent schools react?

Chris Parry: Each parent, governor and head will have to make their own choice. From my own point of view, there is a social responsibility for all institutions in this country. I spent 35 years in the public service, and if it was about money, I would not do the job, to tell you the truth. This is not about money; it is about community and social responsibility. We also live in a market-driven society.

Q310 Mr Slaughter: That is exactly the opposite to what you said a few moments ago. You gave us a short lecture on why the Government should be providing state schools to which you felt able to send your children and that you were paying a penalty by sending them to independent schools. If the Government or the Charity Commission were then asking you effectively to pay a third time by giving back to the state for the use of other children the resources that you have not only paid for through taxes but through school fees as well, is that not something to which your school would object?

Chris Parry: I cannot speak for the schools; it will be up to them. All I can do is give an opinion. My opinion is that there is a social responsibility and different schools will find different ways of providing that endowment. As you know, Winchester has suggested that it will put an extra rate on the fees. That is the only school so far that has suggested a direct pecuniary penalty to its parents. You will know that some schools have endowments. Christ's Hospital, for example, has a huge endowment. It gives bursaries and scholarships to the tune of 86% of its pupils. It has an endowment that serves a public purpose. Other schools will find ways in which they can extend educational provision. If I could just finish off what Professor Green said—we are in the area of opinion here—and while there is an ongoing consultation with the Charity Commission, none of us can say what the ultimate provision will be. Therefore, it is mere speculation at the moment. All I can say is that the law is very explicit at the

moment about what constitutes public benefit, and that definition has not changed from the previous legislation. The definition of a charity fits every one of our schools at the moment. I am encouraging each of them to write to Dame Suzi Leather to show why they fit that particular charity status.

Chairman: I am conscious that we have two sets of witnesses. Andy, do you want a quick further question?

Q311 Mr Slaughter: I want to go back to the point that Annette was touching on. Is there not a big difference between saying, “You can use our playing fields and facilities when we are not using them”—that is not a great opportunity cost to the private school—and taking on a large project, such as sponsoring an Academy? Is that why you are objecting to that? You say, “Well, we’d rather spread our largesse around in a rather thinner way,” but if independent schools were required to have a project that could take a substantial investment of time, money and dilution of their resources, that would be a sea change. That is what you are opposing, is it not?

Chris Parry: No, I am opposing the idea that each independent school is the same as the others. We have some independent schools that are bumping along, just about able to provide provision with their resources and outputs. You cannot compare Winchester or Eton with some of the smaller schools around the country. Each will be able to contribute in its own way, according to its resources.

Q312 Mr Slaughter: But subject to financial audit or capacity audit, there are clearly independent schools that are hugely well resourced and funded. In the end, it comes down to money and commitment. The idea that seemed to lie behind the Act—unless it was just a bone to throw to Labour Back Benchers—was that if we want to achieve something substantive, we should cut through the failings of schools that are barely able to keep their head above water. A lot of independent schools are highly successful and have huge resources, and could manage to take on a large project of that kind. Do you think that they should?

Chris Parry: Given that you have just explained the flexibility that we require in the interpretation of the Act, I agree with you. That would enable schools to contribute according to their resources and expertise. But we do not know, and part of the problem with the Charity Commission is that some of its guidelines are incredibly confusing and do not give us any hard tack to bite on. Until we get that guidance—

Mr Slaughter: It does not sound to me like we are getting engagement.

Chris Parry: No, we cannot. We are not being given the ammunition to find out what our members can contribute. When we get better guidelines on 11 July, I can come back and give you a more sensible answer, perhaps.

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Chairman: We are very close to our time. Graham.

Q313 Mr Stuart: A quick question, Professor Green: is there a danger that the impact of the Charity Commission could be that fees for those who are already struggling to pay them at institutions that are not so fabulously endowed as the tiny number at the top could be affected, with a detrimental effect on people of modest means who sometimes find their entire family contributing, because they think that local schools will not be able to perform for their children? Is there a danger?

Professor Green: Is there a danger because they might lose their charitable or registered status?

Mr Stuart: I am thinking of the impact on fees. If there were a cost when the new guidelines from the Charity Commission were enforced, while everyone was thinking about the Etons and Winchesters, could people be driven out of small schools providing SEN provision, for instance? It is an enormously diverse sector. Is there a danger that people of modest means in particular circumstances could be driven out of the independent sector because of additional costs imposed on it?

Professor Green: A small danger, yes.

Q314 Mr Stuart: On well-being, Professor Green, do you have any understanding of the comparative well-being of children in the independent sector and the maintained sector? Has there been any work on that?

Professor Green: No independent research that I am aware of. That was not part of our research looking at children currently in school.

Q315 Mr Stuart: Obviously, one of the big issues is that it appears from some research that we have the most miserable children in Europe overall. May I ask Chris Parry whether there is evidence that the sense of well-being is higher in the independent sector? It is not just about qualifications or earnings; it is also about bringing up happy, well-adjusted children.

Professor Green: You will gather that one of my beefs is that here we have a sector that is very important and making a big contribution, yet the investment in it and understanding of it from people who are independent of the independent sector is relatively limited. What we have tried to do is to kick-start something that simply does not exist—people have been frightened off it and stayed away from it—to try to understand better its role in society. We need more research on it, and an additional academic response.

Q316 Chairman: Have you done research on the contextual added value of the independent sector?

Professor Green: Not personally, but there is one study available that shows that the independent sector adds more added value to qualifications than the state-maintained sector.

Q317 Mr Stuart: Can I get an answer from Chris on whether he has any feeling about well-being?

Chris Parry: The critical nexus is between parents, teachers and pupils. What we have achieved in the independent sector is a good relationship between the three. Two of the points of that triangle have a vital interest in the third point, which is the children. Our pastoral and educational strength, I think, complements the schooling that we provide.

Q318 Mr Stuart: On regulation, we know that you were not happy about Ofsted's increased role in the regulation of independent schools, yet when we took evidence from Ofsted, its representatives appeared bewildered that you should have any such concerns. They did not seem to understand what those concerns were. Perhaps, for the benefit of the Committee, you could give us a clearer understanding of the problems.

Chris Parry: We have our own independent schools inspectorate, which has functioned for many years and produces high levels of excellence and achievement. I am afraid that we are sceptical of Ofsted's ability to take on additional schools; it is barely able to deal with the number of schools under its control at the moment. We think that we have different standards of best practice, and we would not welcome a shotgun wedding between Ofsted and the Independent Schools Inspectorate.

Q319 Fiona Mactaggart: Is there anything that the independent sector can learn from the maintained sector?

Chris Parry: Yes, lots.

Fiona Mactaggart: What?

Chris Parry: There is a lot of best practice on both sides of the divide. I am regularly at the National School for College Leadership up in Nottingham, and it is quite clear that there is expertise. What they do not do is talk to each other. I said "sectarian divide" earlier. It is quite severe. There is an ideological problem between the independent and maintained sectors, but when you get people together, they are the same profession. They recognise that, and each realises that the other is human. From my own experience during the cold war, as I said earlier, I know that there are misperceptions about what is going on on the other side of the divide. I personally believe that we need to have more inter-sector transfer, so that people get experience in both sectors. There are different challenges in the maintained sector from those in the independent sector. We need to talk more—that is the first thing—and find out what we have in common, which, after all, is children, and then go on to build bridges. There are different perspectives and different things like that. What specifically can we learn? I think that we can learn things about discipline. It is a real myth that there are no discipline problems in the independent sector. Boys will be boys, and girls will be girls. What I call the 14–18 war always has to be fought by adults with children; there is no question about that. There are lots of things in that area. There are good partnership lessons that we can learn. Certainly, as the Government agenda rolls forward that says that we

must engage more with our communities and increase partnerships, an incredible amount of good practice has come forward from the maintained sector that we can learn from. At the end of the day, it is a single community. The more we can drive the two sectors towards a single community in terms of perception and outputs for our children, the better it will be.

Q320 Fiona Mactaggart: Have the Charities Act 2006 and Government policy reduced what you call the cold war?

Chris Parry: I think that it has produced a flash point along the Berlin wall. I think that it has heightened tensions, because it has made people very nervous about what regulation might do to the independent sector, and it looks like a missile aimed from the maintained sector into the independent sector.

Q321 Fiona Mactaggart: What has the maintained sector got to do with it?

Chris Parry: Most of the people who are baying for the independent schools to do more and putting around interpretations that even the Charity Commission does not talk about come from the maintained sector. I tell you that there is a lot of prejudice, particularly in initial teacher training. If you go into the independent sector, there is bullying and all sorts of influence to stop people going to the independent sector. That sort of thing has got to stop. We are a single community, and the idea of privilege and wealth—

Q322 Chairman: What is the evidence for that? As Chairman of this Committee, I have never heard of that before. What is the evidence for that bullying?

Chris Parry: The evidence is research done by my organisation into last year's outtake from initial teacher training. I can forward that to the Committee.⁹

Chairman: We would appreciate that.

Fiona Mactaggart: I used to be a teacher educator, and I do not recall any such bullying. However, we will leave that there.

Mr Stuart: With your views, that is perhaps not surprising.

Q323 Fiona Mactaggart: I am concerned about your view that the Charities Act 2006 has been a flashpoint. It seemed to me that the duty on schools to show that they do not exclude the broader public, which might not be able to afford the fees, from benefiting from their activities should be quite a gentle pressure towards more collaboration. I do not quite understand why it has not been. Many schools have always accepted the concept of public benefit.

Chris Parry: Again, I would say that we are still in a consultation phase. The guidelines from the Charity Commission are very confused. In my experience,

where there is confusion, there will always be nervousness and antagonism. The friction that is happening is not helpful to the debate.

Q324 Fiona Mactaggart: So your problem is with the guidance, not with the principle.

Chris Parry: The principle of what?

Fiona Mactaggart: Of public benefit having to be shown by those who benefit from the tax release under the Charities Act 2006.

Chris Parry: I have absolutely no problem with the 2006 Act saying that public benefit must be demonstrated, but I am afraid that, currently, it is the discretion that the Charity Commission has arrogated to itself to provide the interpretation of the Act that is causing the problem.

Q325 Fiona Mactaggart: It is still draft guidance. This is the second draft, is it not?

Chris Parry: Yes, but in all our dealings with the Charity Commission, the guidance did not accord with the discussions that had taken place.

Q326 Fiona Mactaggart: So it is cheating?

Chris Parry: No, it may simply be thinking one thing and talking to us on a different level. We do not know. Until the guidelines come out properly on 11 July,¹⁰ anything that I say on this is pure opinion.

Chairman: It sounds like Frankie Howerd's, "Infamy! Infamy! They've all got it in for me!"

Chris Parry: Of course we are nervous because of the open-ended discretion that seems to be applied. I am concerned about schools such as Winchester and Eton, against which all other schools will be judged. We have no assurance that any sort of flexibility or agility in that regard will be in place. If you put a large public school as the benchmark, many schools will not be able to meet those criteria. Vast numbers of people will not be able to afford the education that is given at those schools if charity status is not sustained.

Chairman: One last question, Fiona, because we must move to the next session.

Q327 Fiona Mactaggart: I have a question for Professor Green. You talked about the proportion of advantage that those who had been to independent schools accrued in their later employment. I am still concerned about how you know that that is a causation and not a correlation.

Professor Green: The answer is that it is never 100% certain that it is not a correlation. We are pretty sure because we control for a lot of things. In this study we controlled for family background, for cognitive and non-cognitive abilities at the age of five and for other things. In controlling for those things, we were being statistical in looking at the relationship between people who have been to private schools and those who have not and in looking at their wages later. That is a standard procedure in econometrics. There are all sorts of *caveats* that one needs to bring

⁹ Note from witness: TES, November 2007. Also, *ISC bulletin*, April 2008: http://www.isc.co.uk/publication_8_0_0_31_345.htm##independent_sector_survey

¹⁰ Note from witness: This is not quite right. 11 July is the deadline for response to the current draft guidelines. The next and probably final set should be published in the final quarter.

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to bear; but, frankly, a Committee such as this is not the place to bring them out. I can none the less assure you that the evidence is pretty robust. It stands up to different ways of looking at it. We have done it through three separate data sets, all of which are nationally representative, so it is not just the quirks of one particular set. My general answer to the question is that we are as sure as we normally can be about making such statements.

Q328 Mr Stuart: There is a lot of concern about Diplomas. Someone from Edexcel or OCR said that they were the most complicated qualification that they had ever seen, and there is concern about the speed of implementation. What involvement do your members have with the new Diplomas? Can you throw any light on their likely success or otherwise? The Committee is committed to seeing the Diplomas succeed.

Chris Parry: With your licence, Chairman, may I put it on record that for various reasons we dispute the figures that you just heard about from Professor Green?

Chairman: On record.

Chris Parry: Diplomas are a new initiative. Our members are looking at the moment to see where they would apply. We have some capacity for innovative thinking and taking the initiative. You know that we are looking at Cambridge Pre-U, international baccalaureate and a lot of other things, including Diplomas, to see how they might fit in.

They may be suitable for some schools, but you are right that they are a complex mix of practical and academic subjects. Some schools have indicated that they would welcome the content and curriculum of some Diplomas. We would like to see how they bed in with some of our other qualifications, but most schools have indicated that the classic GCSE, IGCSE and A-level provision remains at the moment a benchmark off which they do not want to wander unless they see the tangible benefits of going into the Diplomas.

Q329 Mr Stuart: On joining partnerships, Diplomas are not being delivered by single institutions. Are some of your members joining in with other schools, perhaps in the maintained sector, to deliver them?

Chris Parry: They are exploring the possibilities with those schools and further education colleges. The biggest problem at the moment is the 10-day practical requirement, which means that people will need to move around quite a bit. We are exploring it. We are adopting a positive approach and seeing when it can benefit our individual schools.

Chairman: That was a very interesting session. We have appreciated your answers to our questions, Professor Green and Chris Parry, so thank you. We will continue this inquiry, so if you did not get the chance to answer fully some of our questions or if there are question that we should have asked but did not, please contact the Committee.

Chris Parry: I will pass you the data that you want.

Witnesses: **Patrick Derham**, Headmaster, Rugby School, and **Stephen Patriarca**, Headmaster, William Hulme's Grammar School, Manchester, gave evidence.

Chairman: Welcome. Sorry for the bit of overrun on that first session, but these things happen. I am glad that you could make it. I hear that you had a delay on your train, Stephen.

Stephen Patriarca: Not too bad.

Q330 Chairman: You are here anyway. Both of you heard that previous session. We are looking at what the independent sector can bring the overall education performance of our country in terms of diversity. Do you have anything to say about that?

Stephen Patriarca: Having heard most of the first session, the first observation that I would make is that I did not recognise some descriptions of the independent sector from my experience of nearly 30 years within it. I spent 23 years at Hulme Grammar School in Oldham and since 2000 I have been principal at William Hulme's Grammar School in Manchester. Since last September, that school has been a city Academy. It struck me that the character and dimension of schools such as those and other northern grammar schools, including the Bury grammar schools, is very different from some of the assumptions that one might build from a knowledge, for example, of southern public schools. It struck me forcibly, living in Oldham, that the riots and the problems that we had in the town were deeply rooted in the educational issues in the town. Having worked

and lived in Oldham all those years, I was very sensitive to the concerns that people had about underachievement, particularly in the ethnic minority populations. That is why in my school, given the stark choices that we faced when the assisted places scheme finished—of becoming an independent school and going for the stockbroker belt or somehow trying to maintain our inner-city catchment—the Academy decision, the Academy project, was of enormous value to us and, I hope, to the city of Manchester as well.

Q331 Chairman: We will drill down on that in a moment, Steve. Patrick, it is always a problem when you have a representative of a sort of trade association in front of you. It is a difficult thing that a person sitting in that seat is doing, because he is answering for an amalgam of 1,200-plus schools, but you two have real knowledge of particular institutions, so that is what we will really value from this session. Did you get that feeling of unreality—that we were talking about your schools in a way that was not quite in touch with the reality of the situation?

Patrick Derham: No, not at all. The most important point that came across is the huge diversity in the independent sector and how difficult it is to generalise from a particular school or viewpoint. I

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have been headmaster of a large day school just outside Birmingham—Solihull—and I am now headmaster of Rugby. Those are two very different sorts of school, but there are huge similarities between them. Certainly from our perspective, the original invitation was for me to come and talk to you about our commitment to widening access and the changes that we have made to our scholarship scheme. If I may, I shall put this in context for you. I shall briefly give some background to the school and perhaps say a little bit about my own story, which I think is important to understanding Rugby's commitment in this area. With 785 pupils, the school is fully co-educational and although 20% of the pupils are day pupils because of our founding commitment to the local community, many people would see Rugby as the leading co-educational boarding school in the country. However, the key point is that Rugby has been committed to widening access since its foundation. It was established in 1567 by Lawrence Sheriff, who was purveyor of spices to Queen Elizabeth I, as a free grammar school, chiefly for the boys of Rugby and Brownsover. Through that original Lawrence Sheriff bequest, we continue to offer local children means-tested awards of up to 100% and help with extras. That is for anybody who lives within 10 miles of the chapel bell, which is a peculiarity of our statutes. Currently, we have 44 pupils who are supported in that way. We also provide endowment to the boys free grammar school within Rugby, which the school started in the 1870s. So Rugby's founding tradition of widening access is integral to our approach, but my own story is important, too. For me, social mobility is not an abstract concept. I was a boy on board the training ship *Arethusa*, which was run by The Shaftesbury Homes, and I was destined to join the Navy at the age of 16. When the ship unexpectedly closed down in 1974, charitable support enabled me to be sent away to an independent boarding school, Pangbourne College. That opportunity transformed my life, and that experience has given me a passionate belief in the transformational power of education. It has been a driving force behind some recent initiatives that we have pioneered, aimed at sharing Rugby education as widely as possible. I shall give some brief examples. In 2004, we were the first school to restrict scholarships to 10%, and at the same time we made them augmentable to 100%, subject to means-testing, so money was being diverted where it was needed. I have already mentioned the Lawrence Sheriff bequest and the bursaries for day pupils, but in 2003 we established the Arnold Foundation for Rugby School to give the same opportunities to boarding pupils. The foundation offers 100% support with fees and extras to pupils who have all-round ability, but most importantly a real need for boarding. To help to find those who would benefit most from that, we have established pioneering links with charities in inner cities. I will mention just two. One, which I suspect many of you will have heard of, is Eastside Young Leaders Academy, and the other is Into University. Both are London-based. I will be happy to talk more about those in a moment. We currently have 20

Arnold Foundation pupils fully supported in the school—since the first boys and girls came, in 2004, 28 have benefited. Coincidentally, tomorrow we are celebrating the fifth anniversary of the Arnold Foundation. We will be announcing plans to raise £30 million, which will enable us to increase the number of Arnold Foundation pupils in the school to 40 over the course of the next decade. That will contribute to our overall aim and target, that 10% of the school should be funded, either through the Lawrence Sheriff bequest or through the Arnold Foundation. I think that we have learned some interesting and useful lessons about widening access in the work that we have done, which I would be happy to share with you. I have concentrated on bursaries, but there are other ways of improving links to the maintained sector, and it was interesting to listen to the earlier conversation. I would be happy to talk about two areas where we have direct experience. One is partnership and outreach work, which we are doing, but also our involvement in curriculum development, which might be of interest to the Committee.

Chairman: We will drill down on those areas in a moment.

Q332 Fiona Mactaggart: I was really interested to hear your progress in widening access, Patrick. One of things that I was wondering about was whether you had put in place any mechanisms to help those pupils there on scholarships and so on not to be seen as the odd ones out, socially and so on. I remember the students in Pimlico School who got there on music scholarships—a public, maintained school—being called by their fellows the melons. They were a completely socially separate group. I wonder what you have done about that in Rugby.

Patrick Derham: One of the key lessons to making it work is that there has to be a real commitment. That is partly shaped by my own experience, of course. I was taken from a completely different environment and put into a school, which was like going to a different planet. I was very mindful of that. What we have done is work with these charities, which deal with the very real issues of underachievement and social exclusion. They help to identify people, but also provide pastoral support in the holidays, which is important. The pastoral relationship in the school is crucial. One of the great strengths of the independent sector is the amount of time and effort that we put into pastoral work. However, the boys and girls who come in on our Arnold Foundation have two additional tutorial support as well. What is also important is the whole family experience—we have a parent mentor, who works closely with the parents to help demystify the whole process. It was interesting that you mentioned that, because we have recently been inspected and one of our Arnold Foundation parents wrote to the reporting inspector, completely unprompted. I thought it would be relevant to read this little bit, given what you said:

“My daughter has never felt uncomfortable in telling her peers that she is an Arnold foundation pupil, and has actually received positive comments from other

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pupils about it. I have been very impressed with this, as I know of other schools in which parents and children in receipt of a bursary have been anxious to ensure that other pupils and parents do not know about it. I believe that it is Rugby school's obvious pride in the Arnold foundation and the way in which the school has given the foundation a relatively high profile which helps to foster this openness".

To me, that is crucial. There is not a problem with them integrating. I am sorry to be giving you such a long answer. Again, picking up on something that Chris was saying earlier about the diversity of the sector, mythology surrounds a school like Rugby—but it is a remarkably broad church. There is no homogeneity to the pupil or parent bodies. An awful lot of our parents are making enormous sacrifices to pay the fees. We are very conscious and mindful of that. That makes it work. Coming back to where I started, there has to be a commitment from the school to make this work, if that is the line that they want to go down. Of course, it has to be what is right for each individual school.

Q333 Fiona Mactaggart: Have any of your colleagues in the sector asked you about how they could model or develop a similar approach? I have not heard the same enthusiasm from the ISC, for example, or other schools.

Patrick Derham: Yes. Schools are increasingly aware of what we are doing. What is important and what I say to them is that they have to believe in it. They must be doing it for the right reasons, and not to satisfy what they might see as the public benefit test. Ours predates it by years, as you heard in my opening statement. Schools are talking to us, and we are very happy to share that experience and the other lessons that we have learnt. The crucial thing is finding the right pupils who will benefit, and that has been the benefit of working with charities that are dealing with the real issues of social inclusion and underachievement. That has been enormously satisfying, and a corollary to that is my becoming a trustee of one of the charities, which has strengthened the link and is an immensely rewarding part of my job.

Q334 Fiona Mactaggart: Stephen, how has your school changed as its status has changed?

Stephen Patriarca: The most obvious change is that it is increasing in size. It is primarily a matter of finance to ensure that the school is viable in the long term and that we can offer the curricular richness that we wish to do. That has been very effective. Other than that, it is quite difficult to pinpoint a significant change in the sense that we have been able to achieve a continuity of values. You must remember that we are only in the very early stages. We are in the first year. I am not complacent; I am aware that it will be a struggle to maintain those values, but it can be done. The most obvious value is aspiration. Our parents are aspirational. If you have 880 applicants for 75 places, there is immediately among parents a sense of achievement if the child is admitted, even though the choice is made pretty much at random, through the banding and so on.

There is still a very strong spirit of independence, and that is what I picked up from the earlier session and what is relevant now. Again, it is where I do not fully see the two sectors in the way that some of the earlier descriptions have suggested. I am not sure that the reality on the ground—certainly in areas like Manchester—is that there are two such divisive sectors. That is not my experience of working there over time. It is certainly not the case with the Academies movement coming in with the independent state schools. As for the philosophy of independence, you are as independent as the principal of an Academy is robust enough to be. There is strong aspiration for children and teachers, and the commitment to breadth is part of the independent sector DNA. For example, we have kept our combined cadet force, our Duke of Edinburgh scheme and our outdoor pursuit centre at Hardraw in Yorkshire. Children go in forms on a bonding weekend or session each year. We can sustain those values at the moment. I see no reason why we cannot sustain them as the school grows fully into an Academy.

Q335 Fiona Mactaggart: The thing that I have heard from you that is most different from what I heard from at least one of our previous witnesses is that neither of you seems to feel bullied by anyone. Both of you seem to be confident in what you are doing; the stuff that the Government are doing or other schools are doing is not getting in your way and you think that you are doing it well. Have I got that right, or is someone doing something that you do not like, bullying you and getting in your way?

Stephen Patriarca: The period of working through the Academy's project was a period of—bullying would be too strong a word—a good deal of robust debate and discussion. That was because nationally the template for Academies was based on the previous model, which was the failing school being brought into the Academies movement or reconstructed as an Academy. We were very lucky in that we could see some models like the CTCs that were transferred to Academy status. For example, we worked closely with Dr. Sidwell who was overseeing the Haberdashers' Academies in south-east London. They were much more like us, where successful CTCs had become an Academy rather than an Academy replacing "a failing school". Naturally, with those templates and a bureaucracy in place that did not fit us, we were struggling, but we had huge support from the Minister downwards—right through the Department, through our advisers and other people in the movement. I think we have made it easier for our successors and that other schools coming into the programme from our background will find it easier as a consequence of the lessons we have learned.

Patrick Derham: We do not feel bullied and that is not arrogant or complacent; we are just confident in what we are doing. I spoke to Dame Suzi Leather—I was asked to talk to her before the second draft guidelines came out—and the point was made that there is some nervousness in the sector. It is difficult for me to generalise about the sector because of the

lack of clarity about what is going to happen. There is a worry that there will be a one-size-fits-all approach. There has to be an element of proportionality and Chris made that point well in the first session. It is very different for schools such as Rugby. You cannot generalise from a microcosmic example and say that that is the right way; there are lots of different ways of achieving public benefit or of working with the maintained sector. This just happens to be the approach that we have adopted and that we think is right. Certainly, at no point have we ever felt bullied. We have felt very supported and people have been very interested in what we are doing—within Government and in educational circles.

Q336 Chairman: There seemed to be a lot of language in the previous session about the cold war, ideology and bullying. You were both running schools in the system for, as you said, over 30 years, and did not recognise that sort of language. I was surprised at that kind of language.

Stephen Patriarca: May I give you a specific example of that? During the project we decided to join the United Learning Trust, which came in as our educational sponsors. The United Learning Trust's sister organisation is the new United Church Schools Trust, which is made up of a number of leading independent schools. When we meet as principals, we meet both sectors—UCST and ULT principals meet termly to discuss educational issues. We have discussed year 7 curriculum and transitional issues from year 6 to year 7 in a room with 50% independent school heads and 50% Academy principals. I do not notice any division or any kind of artificial barrier; quite the contrary—we have a lively, dynamic discussion as a consequence of the so-called two sectors coming together. I simply do not think it is true that leaders from both sectors are not in dialogue; they are in dialogue at a national and local level.

Q337 Mr Chaytor: Could I ask both of our witnesses whether they think that parents who pay fees to independent schools should get tax relief on their fees?

Stephen Patriarca: That is a political issue that I am entitled to answer as an individual. However, if you are asking me to speak as a principal on behalf of my school or the movement, obviously I do not have a view. My personal view is that I can see the argument for it.

Q338 Mr Chaytor: Would it be to the advantage of the education system as a whole in the UK if that policy were introduced?

Stephen Patriarca: From the Academy perspective, I cannot see that it would make any difference to us.

Mr Chaytor: I am asking you to look outside the Academies. That is why I am looking to you to answer as well as Patrick.

Stephen Patriarca: I suppose that if you push me for an answer, I would say that anything that puts more money into the educational system and the

education of children—whether it is put into the public or private sector—is valuable because in the end that money benefits all our children.

Q339 Mr Chaytor: But that would not put more money in, would it?

Stephen Patriarca: Well, yes it would because you are freeing up resources that parents are otherwise committing to school fees, which would strengthen the voluntary sector. When I was an independent school head, I would have found it much easier to go to my parents and ask for extra money for my outdoor pursuits centre or for the bursary fund to help underprivileged children and so on if they were spending less on school fees. That is common sense. Those are value judgements.

Mr Chaytor: The answer is yes.

Stephen Patriarca: The answer is I can see the argument that that would liberate resources.

Q340 Mr Chaytor: If tax relief would encourage more parents to pay fees, and getting more money into the system as a whole is an advantage, then the answer is presumably yes.

Stephen Patriarca: Well, no. The answer is I can see the argument for it, but whether it is yes or no would depend on all sorts of other demands on the Exchequer, which are not within my remit.

Patrick Derham: That is the answer to the question: there are arguments both ways. It is a political issue and I do not think that my views will influence it.

Q341 Mr Chaytor: Could I ask Stephen about charitable status? On the issue of bursaries and scholarships, do you think, from your point of view now, that it would be valuable for independent schools to comply with the Charity Commission's guideline primarily by increasing the number of, essentially, assisted places? And would that be in the interest of your school now?

Stephen Patriarca: Again, my perspective comes from the north-west. I am still associate member—or additional member—of HMC, so I have a lot of contact with independent school heads in the north-west. My experience is that almost all the charitable support that they give with fees is means-tested on a bursary basis. There are not many of the old northern grammar schools—now independent—that are giving scholarships that are not means-tested. Virtually all their resources are bursarial. That has been very much my background and that was how we worked when we were fee-paying. I think that you are preaching to the converted. In the northern grammar schools sector, we were already giving the absolute maximum that we possibly could with the bursary.

Q342 Mr Chaytor: What I am saying is that, leaving aside geography, if an expansion of assisted places were the means by which more schools would be in compliance with the new guidelines, would you argue for an expansion of assisted places into independent schools?

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Stephen Patriarca: When you say assisted places, you are not referring to the assisted places scheme, but you are talking about something else. Is that right?

Mr Chaytor: I am talking about bursaries, which as far as I can see are indistinguishable from the old assisted places scheme.

Stephen Patriarca: Except that bursaries are not funded by the state, are they?

Q343 Mr Chaytor: No, but it would be a means of obtaining the 17.5% VAT. Let us use “assisted places” as a loose term. Would you want to see an expansion of bursaries as a means of complying with the new Charity Commission’s guidelines?

Stephen Patriarca: Again, in my experience and that of the heads I know, independent schools devote as much of their resources to bursaries as they are able to. I think that that is already the case. I do not know anybody in the sector who is not committed to widening access in that way. Obviously in highly selective academic schools those bursaries are also related to ability, but there are plenty of independent schools with very broad-based academic entry that are offering the maximum number of bursaries they can. I think that it is a bit of a myth that that there are these pots of money sitting around.

Q344 Mr Chaytor: If they are giving as much as they can then presumably they are in compliance with the guidelines.

Stephen Patriarca: Well, exactly. I would expect that to be the case.

Patrick Derham: Bursaries are just one way of doing it, that is the whole point. It goes back to what I said earlier about proportionality and the difficulty of generalising across the sector. What schools like ours are doing is just one way of doing it. We happen to believe in it. It goes right the way back and is part of our DNA back to the 16th century, so for us it is very important. I am involved with and know other schools well, and they will approach it differently because it may not be practical. It comes down to a question of resources within that school. All our fundraising now is devoted to providing those opportunities for people who otherwise could not benefit from a boarding education. That was our decision. It is not for us to say that that is what other schools should do; it is what we think is right and proper in the 21st century. I would not dream of suggesting that my colleagues should adopt the same approach. The interesting thing will be when we see on 11 July the next stage of the process. We just need to see a bit more clarity as to what schools need to do. There cannot be one size fits all.

Q345 Mr Chaytor: I know nothing about the situation in Rugby. What is your assessment of the impact on the wider educational network in Rugby of having a hugely privileged long-established and high-achieving independent school in the area? What is the impact of bursaries on the intake of other schools and the overall levels of achievement for young people in Rugby as a whole?

Patrick Derham: The great thing about Rugby is that there is a great deal of choice. There are two grammar schools—a boys’ grammar school and a girls’ grammar school—which are highly selective, as well as some very good maintained schools and ourselves. The thing that has really delighted me is the very close working relationship that we have with my colleagues. We do some fantastic partnership work with local schools and we learn a great deal from them as they do from us. It is very much a two-way partnership, which we have been involved with since 2003. We are benefiting from each other. Of course, as a school in a town, outreach and partnership is much easier for us than for a lot of schools in the independent sector which are not in that position. For us, on a Thursday afternoon when we do our outreach work, it is much more straightforward because everything is within walking distance. The maintained schools in Rugby are all within walking distance. That has been one of the strengths of our partnership work—that we are so close to each and can share things much more easily. In a sense, we have benefited from each other; we can still learn.

Q346 Mr Chaytor: Is your assessment that the divide that we have—a divide between two sectors, and the emergence of a third sector trying to bridge that divide through Academies and trust schools—is an ideal way of organising a national education system? If we were starting from scratch with a blank sheet of paper, would you argue that the existing structure of 7% of pupils in the independent sector and 93% in the state sector and an emerging quasi-independent sector is the best means of raising national levels of attainment across the board? Or are there other models that would more effectively do that? That is a question to you both.

Stephen Patriarca: I would have thought that the UK was unusual in that respect. There are many European models with a greater diversity of provision which we ought to be looking at. One of the great strengths of the Academies movement is that it has broken down the divide, because it no longer makes sense to think of all independent schools as being fee paying. Clearly Academies, as independent state schools, are not fee-paying. So you are beginning to enrich that provision, to increase the diversity of provision. But what we also ought to be doing is looking at diversity of funding, much on the European model, so that you break down the barriers further. My experience, certainly of working in cities such as Manchester and in the south Manchester area, is that there is very much a community across the so-called sectors. If you have an issue that you can get assistance with from an independent school, you might pick up the phone and talk to someone at Manchester grammar school, or if you needed some help from another Academy you would talk to someone at Manchester Academy or another Academy. My staff all have e-mail contact with their equivalents in at least one other Academy and one of the leading independent schools. That is just how we work.

Patrick Derham: That is a very difficult question because it is so theoretical, and schools have such long history and tradition. But of course the basic principle is that parents have a choice, and I think that they exercise that choice for all the reasons that Chris mentioned in the earlier session. I just back up what Stephen has said. The divide is not there for us; we work very closely to the benefit of both types of school.

Mr Chaytor: But—

Chairman: David, I will bring you back in. Paul.

Q347 Paul Holmes: You have already mentioned the independent/state school partnerships. Ofsted pointed out in 2005 that those partnerships seemed to be fairly successful but that not many schools had taken part. Why did you take part?

Patrick Derham: Principally, because we felt that it would be of great benefit to us. We went into it as a genuine partnership between schools in the maintained sector and ourselves. Principally, we were looking at science, maths and ICT, and it was very much putting things on for teachers and technicians as well as pupils. Our pupils were acting as mentors and pupils from other schools were acting as mentors. We taught some maths to a local maintained school year 11 class and did mentoring in that way. We learned a great deal. It was a two-way process. We felt that it was important for us to play our role in the local community. It was based very much on my experience in Solihull, when I was headmaster there and we had enrichment classes for all the primary schools in the borough on Saturday mornings, again because I felt that it was important to provide that stretch and challenge, which my colleagues felt we could give. It has been a huge benefit to us, and we are continuing to work with it in those areas. In recent years, we have run a management and leadership conference for all year 12 pupils in Rugby. That is 600 pupils, and it is fantastic. Again, we think it is important and we want to make it work. Certainly, my experience, talking to colleagues involved with it, is that the benefits would be very much along the lines of what I said—that it is a genuine partnership and that both sectors can learn from each other.

Q348 Paul Holmes: Do you have one or two specific examples of what you have learned from the maintained sector?

Patrick Derham: It is very specific things in terms of the approach to teaching. We are very interested in creative teaching and independent learning, and we have learned a great deal from our colleagues about certain approaches in both science and IT. So there will be benefits in terms of teacher collaboration in that way—and, again, for technicians, of ways of working—and of pupils talking to each other. Yes, in very practical ways there have been benefits. It is all part of demystifying and breaking down the barriers, which are not as stark with us as they clearly are in other parts of the country.

Q349 Paul Holmes: I have a question about diversity, which you both mentioned in different ways. In Rugby, Mr Derham, you said that your school, which is a fee-paying school, takes some of the best local kids on bursaries, and that you have grammar schools and so forth. What about the schools at the bottom of the pecking order in Rugby that do not take grammar school or fee-paying kids? How do they get on in this diverse system?

Patrick Derham: We have a partnership scheme with one of them, and we work very closely with them. May I correct one point? We do not cream off the best pupils locally. That is just what we do not do under the original Lawrence Sheriff bequest. With grammar school entry, if children are successful in the 11-plus, a lot of their parents will obviously go down that route, which is absolutely right. That is parental choice, but at no point are we looking to cream off the best pupils locally.

Q350 Paul Holmes: But to whom do you give bursaries? I presume that people sit an entrance exam.

Patrick Derham: Yes, they do. It is clearly academically selective, but the entry is to a much broader church. I think that you would be surprised. We work very hard to provide the opportunity to as many people as possible, and we work hard with them when they are in the school.

Q351 Paul Holmes: I presume that there are schools in Rugby that do not get the grammar school entrants, your bursary kids or the fee-paying kids, and they will have a more difficult job. The Ridings School in Halifax, which was famous, was right at the bottom of the pecking order. The grammar schools and all sorts of other public schools around took all the best kids, and the Ridings School had all the problems—and it is now to be closed. Are there examples like that in Rugby?

Patrick Derham: One school has just been closed because of a falling roll. The other schools are doing well, and we work with them.

Q352 Paul Holmes: Stephen, you mentioned diversity and having partnerships and links with independent schools and Academies. What about?

Stephen Patriarca: You made a very interesting point—one that we are clear about in Manchester. Probably the most obvious example locally of a school that was seriously struggling was the predecessor school to what is now Manchester Academy. That school was regarded as one of the five worst schools in the country, by whatever criteria inspectors have for making such decisions. As an Academy, it has improved dramatically. Attendance went from 50% to 90% in year 11. HMI reports say that standard teaching and learning are satisfactory or good, and there is a big improvement in GCSE results. That surely is an example of a school that was failing having come into the community as an Academy; it is now working alongside us and other schools in the area with a spirit of independence. It is an incredible commitment to, and aspiration for, children in the

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most difficult circumstances. The student population is transient, with a lot of asylum seekers and a huge ethnic mix and so on—very much like ours. That example addresses your point. Working as a group, whether formally in a sort of partnership, as in Rugby, or perhaps less formally in a mixed environment with the independent and Academy sector and so on, as in Manchester, you can support schools that have those challenges.

Q353 Paul Holmes: One criticism levelled at Academies is that they do not, as is claimed, always lead to a dramatic improvement in performance, as exam results and Ofsted show. You gave the example of your school becoming an Academy, which now has 880 applicants for 75 places. So, obviously, you are attracting the aspirational parents. You also have a banding system, but you are taking 75 of the most aspirational families and pupils out of those who apply. Manchester Academy is also very oversubscribed. Which schools in the area are not getting those aspirational parents?

Stephen Patriarca: Sorry, just to correct you, I do not think that Manchester Academy is oversubscribed, although it is a good deal more popular than its predecessor school. It still has developments to make, but its achievements have been huge on any criteria. Our parents are a genuine mix. Clearly, whole year 6s from local junior schools are being encouraged to apply to our school, so you have whole classes applying and going through the banding system. It would be slightly disingenuous to say that that means that all the parents are aspirational—they are no more aspirational than any other parents. What I think does make a difference is that they get a sense of commitment to the school when the child gets a place, because obviously they are aware of the competition for places.

Q354 Paul Holmes: When it is produced, I think that the record will show that you said that you were getting aspirational pupils and parents—I think that you used those words. That leads on to my final question, which takes us back to a point discussed with the previous panel: the DNA of schools such as yours. Lord Adonis said, “We want to extract the DNA of the independent sector and apply it to the maintained sector.” I have listened very carefully over the past couple of hours, and, as far as I can see, the DNA that we are talking about applying to the state sector, in which I taught for 22 years, would involve doubling funding for the state sector, halving class sizes, paying teachers more, giving them longer holidays and being more academically and socially selective. What other bits of the DNA should we transfer?

Stephen Patriarca: Well, again, I would not recognise much of that—

Chairman: Can I give Patrick a chance to answer?

Patrick Derham: I am not sure that I heard all that being expressed quite in that way in the first session. To me, it is absolutely clear what makes a greater and more successful school, in whatever sector: the importance placed on leadership, aspiration and

values. It is crucial that we have the independence that Chris was talking about over things such as curriculum. It is crucial that we can choose what we think is right and appropriate for our pupils, based obviously on the national curriculum—national curriculum plus, if you like. Obviously, it is important to have control over admissions. Discipline is also a key issue with our pupils. That comes back to a concept that is very difficult to define: the ethos of a school, which is crucial to its success. That comes from a clear sense of vision and the educational values underpinning it.

Q355 Paul Holmes: So, you are saying that the leadership and ethos is most important, not the class sizes of 14 or the massively increased financial resources that Professor Green talked about.

Patrick Derham: No, I am adding to the list that you gave. It is a mixture of all those things. I was fortunate to be involved in a conference in America in 1992 where we looked at educational systems in countries just coming out of communism. We spent four days discussing what makes a great school. At the end of that, it came down to that word “ethos”, which crossed national boundaries, however you wanted to define it. The school had to have that clear sense of vision. Obviously, the other factors that you highlighted will pay a part, but you asked me for things in addition to what you listed.

Q356 Mr Stuart: Following on from that, Professor Green was convinced that the only reason for the improved performance in the independent sector was additional resources. For whatever reason, he did not see that the ethos and other elements were the key contributing factors. Is that because he is uniquely blind, or is there evidence to show that that ethos and leadership adds value over and above the points that have just been picked up? Otherwise, it is an assertion, rather than evidence. There is anecdotal evidence. When William Hague was Secretary of State for Wales, he looked at the school tables—another controversial subject—and saw that some schools went up the table rapidly. He would always ask what had brought about the difference and would be told that there was a new head teacher and that it was down to leadership. Is there something about the independence of the Academies programme that encourages better leadership and encourages leaders to come to the fore?

Stephen Patriarca: Some of that comes back to the point about independence that we spoke about earlier. It is also related to the extra-curricular dimension that is so strong in the independent sector. One of the surprises that I had when we joined the maintained sector was how fewer state schools had Saturday morning fixtures, for example. We have now mixed some of our fixtures with the state sector and some with the independent sector, and that is routine for us. Probably 25% of my staff expect to be in on Saturday mornings supporting school sport, to be there in the evenings running practices or the CCF, or to spend weekends in term time running the Duke of Edinburgh’s award

scheme. When you are working with children, particularly in an inner-city environment such as south Manchester, that is hugely valuable, because clearly when children are involved in structured extra-curricular activity, they are being kept off the streets and away from the kind of environment that is so threatening.

Chairman: Graham, would you be indulgent for just a second? I want to call David for a quick supplementary question because he has to leave to ask the Prime Minister a question. I shall come straight back to you.

Q357 Mr Chaytor: Chairman, I am very grateful. It happened to come out of the hat for Prime Minister's questions today. I just want to pick up on the issue that I asked about earlier and to respond to Patrick Derham's point about choice in all schools, particularly independent schools. Although we operate within the context of the rhetoric of parental choice, surely the reality in all independent schools is that it is the school that decides. All parents in Rugby might wish or aspire to send their children to Rugby school, but Rugby school may choose not to admit all those pupils. Is that not the central issue?

Patrick Derham: But the same argument applies to the grammar schools in the maintained sector.

Q358 Mr Chaytor: Of course. I am just challenging your assumption that we are all operating within a context of parental choice. Surely we are operating within a situation of institution choice.

Patrick Derham: Well, yes. One of the key aspects of the independent sector is that we have control over admissions and can set our own clear and transparent policy on whatever the academic standard happens to be. That is absolutely right, and I am not disputing that.

Q359 Mr Chaytor: Stephen, your decision for your school to become an Academy has been linked to your choice to go for specialist school status in languages, so you have the capacity to select 10% for languages. Is that 10% selection sufficient to maintain the ethos that you referred to earlier? I think that you said in your opening statement that it would be difficult to maintain the ethos, given your new status. What is the cut-off point, and to what extent can you be an open-access school and still aspire to the ethos that you had when you were a reasonably high-end selective school?

Stephen Patriarca: On maintaining the ethos, my point was that we are not complacent. Clearly, I think that it can be done, but it has to be worked at—one must not be glib about that. With regard to the 10% MFL selection, I frankly do not think that it is relevant or that it has any significant impact on pupil ethos at all. I also think that pupils who are in the lowest academic band are just as likely to enthuse and work with the school as those in the highest, and I could give you stacks of anecdotal examples of that. I think that the issue is about not academic ability, but how you induct pupils when they come to the school, get them to sign up to that community and get the parents to do the same. As far as MFL

is concerned, we were aware that it was an issue in Manchester and that there was a problem with language teaching, and well under 20% of pupils across the state sector achieved a GCSE in languages. I happen to think that that is a terrible thing for the future of this country, so I have a personal commitment. I am not a linguist, but I felt and judged that that was important. I do not know whether the FL test will be significant. We have only done it for one year. I am monitoring that and we will monitor the pupils over a period of years. I am very happy for this Committee to have the results of that pilot. We are using an American university's aptitude test. It does not simply take from the top band. Interestingly, two of the pupils who did very well on that aptitude test were in the lowest ability band on the reasoning test.

Q360 Mr Stuart: A good school normally has well motivated, happy teachers who are able to deliver good education for their pupils. What is it about Academies that will make it more likely that we will retain teachers—we are losing so many at the moment—and motivate them better and thus have happier, more secure and better educated pupils?

Stephen Patriarca: It is two things, fundamentally. There is the community and ethos issue that I talked about, which obviously teachers need to be part of, and then there is the flexibility and independence in how you employ and deploy them.

Q361 Mr Stuart: So do you have worries about policy going forward? There seems to be increasing local authority sponsorship of Academies and greater requirements to adhere to the national curriculum. Do you fear that freedom, which is the essence of being able to deliver that, may be constricted by policy?

Stephen Patriarca: Some of those decisions do not apply retrospectively to Academies where the principles are already enshrined in their funding agreement. In terms of issues such as the national curriculum, quite honestly I cannot see what the controversy is. We would want to deliver the core subjects of the national curriculum anyway. If it becomes more prescriptive than that, I would have a problem, but I do not have a problem with it as it is.

Q362 Mr Stuart: I have a quick question for Patrick. Anthony Seldon said that all independent schools should sponsor an Academy. Was he right? Why are you not doing that?

Patrick Derham: I am going back to how I answered an earlier question. It is just one way of reaching out and doing very good work. I have no problem with it at all. It is not right for everybody. Rugby has always believed in the principle of integration, right back to 1567. We think that we can do much more by pupils benefiting from being at the school and from the resources and support that they get from us, and from the knock-on consequences of them being positive role models back in their communities. That is what the charities have said to us about pupils. We seriously looked at the Academies programme, but again we felt that if were to get involved, it would

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have to be something within Rugby. The success of our partnership work has been because we are so close together and have strong working relationships. We are not sponsoring an Academy because we feel that within our resources our priorities are elsewhere, but we are fully supportive of our colleagues who are involved in that.

Q363 Chairman: Patrick, do you or your staff spend any time exchanging with teachers and heads in the state sector? A school like yours is extremely well endowed, although perhaps it is like my old school, which dates back to a similar time and was originally funded for the education of poor Christian souls, although no longer. I am sure that many people in the state sector would look at your school and say if you could not teach these kids and get good results, you should be dragged out into the street and shot. They come from supportive backgrounds and you test them before admission. It is a very special environment, is it not? Do you think it would be a good idea for your staff to spend one or two weeks a year teaching in a state school with a very different kind of clientele?

Patrick Derham: We have a policy of such things if staff want to do it, but it is finding the time to make it work. We have a lot of contact with our colleagues

in the maintained sector through what we are doing already. I agree that it is not the same as doing a one or two-week exchange. We are doing quite a lot in that area, so we learn things from them and they learn from us. The idea is interesting.

Q364 Chairman: Steve, did you ever have any of that sort of experience? Did you go into a state school for a week, imbibe the atmosphere there and give advice to the head?

Stephen Patriarca: Not personally, but there is a good deal of interaction with the staff.

Chairman: Okay. This has been a very interesting and informative session. Please maintain contact with the Committee. We will very pleased if you reflect on what you have been asked—and have not been asked. If you want to help us make our inquiry better than it otherwise would be, we should be grateful for your communication.

Patrick Derham: I will certainly write to you about the curriculum, which I am sorry that we did not have a chance to talk about.¹¹

Chairman: As you know, we are moving on to a separate inquiry into the curriculum. We would value your assistance.

Patrick Derham: Thank you very much.

¹¹ See Ev 83.

Supplementary memorandum submitted by Patrick Derham, Head Master, Rugby School

It was very good to meet you on 7 May and I hope that you, and the Committee, felt it to be a helpful session. We spoke briefly at the end about curriculum. Would you like to see some detail about what we are doing, and in particular with regard to Extended Projects? Enclosed is a copy of a leaflet (and programme)¹² that we have produced for a Conference we held on 13 May. I am quite clear that the approach we are pioneering has the potential to liberate pupils and teachers from the constraints of the traditional exam system that better prepares them for the transition to Higher Education.

May 2008

¹² Not Printed.

Wednesday 12 November 2008

Members present:

Mr Barry Sheerman (Chairman)

Annette Brooke
Mr David Chaytor
Paul Holmes

Fiona Mactaggart
Mr Andy Slaughter
Mr Graham Stuart

Witnesses: **Linda Doyle**, Specialist Schools and Academies Trust, **John Clemence**, Head Teacher at Sharnbrook Upper School, **Phil Neal**, Director of SIMS, Capita, **Professor Ron Ritchie**, Assistant Vice-Chancellor and Dean of the School of Education, University of the West of England, **John Hayward**, Principal Adviser: 11–19, Coventry City Council and **Ken Tonge**, Bothal Middle School and Strategic Head of Ashington Learning Partnership Trust, gave evidence.

Q365 Chairman: May I welcome such a large number of witnesses this morning. I cannot remember ever having six. The Committee will have to be very well behaved. If each member of my team asks a question of each member of the team of witnesses, we shall be here all day. I am sorry to call you a team. This is an important inquiry for us. After a reasonable period of allowing trusts and other elements of diversity to settle, we want to look at the situation, see how it is working and what it is delivering. We now have a chance to do that this morning. In the spirit of inquiry, I shall start with Linda. We shall drop to first names. Is that all right? We will then not have to bother about professors, doctors, dames and knights. Where are we with the whole trust programme? What is its value?

Linda Doyle: Where are we with the programme? At the moment, we have 114 live trust schools and 57 trust projects because, as I am sure you know, schools can work collaboratively with a single trust. The longest that a school can have been a live trust school—we tend to use the term “live”; it does not mean that we consider other schools to be dead—is one academic year from September 2007, following the provisions of the Education and Inspections Act 2006 coming into force in May 2007. Thirty schools have had the status for just over a year. We are working with a further 366 schools, which are actively going through the process. We are supporting them through the legal process, networking and so on. This week was the termly opportunity for schools to register to become a supported school, and a further 104 schools want to start the process.

Q366 Chairman: Is that 104 on top of the 366 schools?

Linda Doyle: Yes, on top of the 366. There are 366 schools in the process and a further 104 schools have just applied to join it.

I work under contract to the Department for Children, Schools and Families and represent the Specialist Schools and Academies Trust. We are working in a consortium with the Youth Sport Trust and the Foundation and Aided Schools National Association. Do you want me to go on?

Chairman: Please do.

Linda Doyle: Secondary, primary and special schools may participate. Of the live trust schools, 84 are secondary, 22 are primary and eight are special

schools. It is open to all community schools to become foundation schools and to acquire a trust. Foundation schools can acquire a trust. Voluntary-aided schools cannot become trust schools, as such, but can be involved with trusts in other ways.¹³ People on the panel have experience of that. The whole process is extremely flexible. The Act offers a legal framework for schools to build from. They can choose their own partners. They can choose who they work with from a school point of view—a single school or a group. A group can be geographical or national. It can be all secondaries, or secondaries and primaries—examples are represented here in the team. The governing body is in the driving seat and leads on who shall join the trust, what its aims are, what its focus will be and what work it will do with the school. Therefore, there is enormous diversity in the make-up of trusts, the make-up of the schools involved, and the work that the trusts are doing. It is still early days, but trusts are developing. Other schools may at a later date apply to join the trust, and other partners may wish to do so. We are seeing some developments there—trusts may start off smaller and grow as they go along. They will change with time.

Q367 Chairman: That was a quantitative answer. What about the qualitative answer? Are the trusts doing any good?

Linda Doyle: That is a very broad question.

Q368 Chairman: Are they improving the education of children?

Linda Doyle: As I say, it is very early days. We hope that we are building on the excellent work already done by specialist schools. Schools have been working with external partners for many years. The specialist schools programme encouraged schools not only to work with sponsors, but to have a community plan, working with other schools and with community groups. Schools often work anyway with higher education, if they are involved with initial teacher training. They already work with businesses because they have work experience plans to make. In this programme they have the chance to

¹³ *Note by witness:* It is legally possible for a Voluntary-aided (VA) school to become a trust school, but it would be difficult in practice for a VA school to do so, since it would have an existing trust that owned the land and buildings.

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bring those contacts together, and to use them to focus on certain issues. They will choose the issues that are important, and which are possibly barriers to raising attainment in those schools and those areas. It is very much a personal solution, a personal recipe, in each case. It is too early to see what will happen. We know from specialist schools that being more outward-looking is successful. Bringing those partners together in the same place is a new idea. Schools often have many disparate contacts, who possibly talk to different people within the school. In this arrangement, from time to time those organisations will be brought together formally, and they will be able to interact with each other and with the school by sitting on the trust. The trust normally includes the head teacher of the school—that was an issue that came up during the consultation period—and very often the chair of governors as well. Therefore, there is a good line of communication between the two.

Chairman: Okay. Let us hold it there and run along.

John Clemence: I am head teacher of an upper school in Bedfordshire, which has 1,800 students. We were one of the original pathfinder schools. The North Bedfordshire Schools Trust was established on 1 September 2007, so it is the oldest trust, at 15 months.

Q369 Chairman: So you are conducting missionary work in that part of the world, judging from your accent.

John Clemence: Very much so. The trust was established by seven schools initially, and was based on the premise of nought to 19 education—initially three to 19 but ultimately nought to 19. It is therefore viewed as covering the full continuum. The aim of the trust was to get all partners involved, and all individual schools—lowers, middles and uppers—represented. It is a three-tier system in Bedfordshire at the moment. One interesting feature is that we have seven lowers that are voluntary aided and voluntary controlled schools, and one of the challenges early on was to find a way through the legislation that would enable them to become full partners. That was critical to us. Those schools are associate members with full partnership and voting rights. We effectively set up a 19-school trust—completed in May 2008—of 15 lower schools, three middle schools and my school, the upper school, each with one trustee. There are faith trustees as well. I am a trustee—I represent the only upper school—and others represent the middle and lower schools. We have four partners, three full partners, each with a trustee—Phil to my left is one of our partners—and the fourth is an associate partner.

Q370 Chairman: Why is he a partner?

John Clemence: When the schools got together to form the trust, we looked at which partners we felt would add value to the work of the trust. The group of schools forming the trust started talking to a number of partners. We had in our minds that we would have partners with local significance, but also some with national significance. I shall explain the local bit in relation to School Information

Management System (SIMS). SIMS is a Bedfordshire company originally, born from Bedfordshire local authority and still with its headquarters there, although Capita is its parent company. There was a strong relationship and a strong feeling that SIMS would be an automatic choice. The second automatic choice was Unilever, which has its research base in Bedfordshire—in fact, it borders my school, which is quite handy. Unilever was automatically a consideration and automatically wished to become involved with the trust. We followed a similar path, so a third partner is Bedford College of Further Education and the fourth Cranfield University, which is based in Bedfordshire. There was some synergy between us in what we were trying to achieve. Equally, if we go back to SIMS Capita, the north Bedfordshire area is quite rural—in case you think that Bedfordshire does not have a rural area—and we cover 400 sq km. We could not build buildings between the 19 schools, but we could link them more strongly using an IT infrastructure and a learning platform. We felt that SIMS in particular could assist us with that, hence the choice of partners being important.

Q371 Chairman: But why were you so enthusiastic about getting into this in the first place?

John Clemence: That is an interesting question. There was a partnership of schools previous to this, to be fair. It needed a shot in the arm and greater commitment—rather than meetings that were a talking shop and led to no change, we felt that we needed greater thrust. The trust development came along at the right time, arguably. In Bedfordshire, it followed a particular local circumstance in relation to the possibility of reorganisation and some destabilisation of schools. Schools felt that we needed to make certain that we were well and truly in control of our destinies and futures. So there were various elements that caused this. The trust development came along at that stage—the schools felt that they had the mechanism to strengthen the collaboration that already existed. It created a legal imperative, for example, and it brought in external partners—a number of factors led to that.

Q372 Chairman: We will drill down into that in a minute, but I shall be in trouble with my team if I do not keep us moving. Phil, you are a partner, and we know about SIMS. Why is it called SIMS Capita these days? You merged with some other company, did you?

Phil Neal: I was one of the original founders of SIMS. My partners decided that they were getting too old and decided to sell the company, but I have stayed. It is as simple as that. We have informal relations with quite a large number of schools, as you can imagine. We have about 50 partner schools, although not in the formal status of trust. We have been working closely with those schools for quite some time, because they are advocates of what we do. We were then approached, first, by South Dartmoor School, to see if it could involve us more formally. It decided to form a trust and invited us to become a trust partner. That was the first school we

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got involved with on a formal basis. We were then approached by Sharnbrook, because there is some historical connection in Bedfordshire, as John says—the chair of governors at Sharnbrook is an ex-director of SIMS, so there is a strong relationship. We felt that the trusts were something that we should do, partly on selfish grounds, because our business is making certain that schools can run and manage themselves properly. What better way of seeing how the new challenges come into play than being much closer and formally involved. That is our payback, if you like. Our involvement with the two trusts is to help them to make the best use of our software, particularly with the *Every Child Matters* agenda, and sometimes to bring expertise in public relations and such matters—things that we are more used to doing than schools are.

Q373 Chairman: So we have quite a cluster. Professor Ritchie—or Ron, as I will now call you—what is your view?

Professor Ritchie: I am an assistant Vice-chancellor at the University of the West of England and my role is to look at the university's wider links with schools and colleges. I am also Dean of the school of education, so I have a day to day job that brings me into contact with schools through initial teacher education and continuing professional development. The University of the West of England is committed in its mission to support local schools and colleges. We recruit a lot of our students from the local area, so raising aspiration and attainment in local schools is very important to us. We see our civic responsibility as contributing directly to school improvement in the area. We also regard ourselves as engaged in knowledge exchange rather than being in an ivory tower doing research. We are out there working with partners. We saw both the academies programme and the trust opportunity as ways of enhancing what we already do with schools. We have partnerships with several hundred schools, and in many cases those partnerships have lasted a long time. We became formally involved by sponsoring an academy—I think we were the first university to do so. We learned a lot from that engagement about how sustained relationships between a university and a school over time can produce new kinds of benefits. We were actively involved in the discussions with the local authority about possible trust arrangements and we were careful to be transparent in the decisions we would make about which schools we would work with. In the event, we are a formal trust partner in two existing trusts and are being approached about others. I am the chair of trustees of the Bridge Learning Campus, a really exciting development where we have brought together in the Hartcliffe area of south Bristol—one of the lowest participation areas in the country—a secondary school, a primary school and a special school. There will also be a pupil referral unit there. The partners are the university, a large further education college—City of Bristol College—which will also have a vocational centre on site, and the local authority. That trust is creating an all-through campus, with Building Schools for the Future new build. In

January of next year these schools will move into new premises. We have been making a variety of contributions to that trust, as we have to the other one, which is the Worle and Westhaven Trust, a community secondary school and a special school which have come together with a particular focus on the *Every Child Matters* agenda. The partners there include the primary care trust, the local authority and two smaller organisations very committed to developing learning in a broad sense. The university sees its contribution in a variety of ways.

Q374 Chairman: Who is your partner in the academy?

Professor Ritchie: It was originally Bristol City football club through one of its sponsors. It is now an individual person contributing. We are the main educational sponsor.

Q375 Chairman: Who put the £2 million in?

Professor Ritchie: The other sponsor.¹⁴

Q376 Chairman: A private sponsor?

Professor Ritchie: Yes.

Chairman: Okay.

Professor Ritchie: I would characterise the contribution we make as including direct support for learners in the schools, so my colleagues and I and students from the university are making a direct contribution to learners. We have a raft of widening participation activities, where we are trying to raise aspirations to make university an option for these young people who would not normally consider it. We try to offer information, advice, guidance and support through a range of activities, getting them up to the university. We work with initial teacher education, enhanced in exciting and new ways that we had not previously used. We offer continuing professional development for teachers and other adults in the school. In one of the trusts we are setting up a centre for professional development with the local authority and the school, where we will provide continuing professional development for other teachers. We are making a major contribution to both the leadership and governance of the school. Senior colleagues of mine are governors, vice-chairs of boards of governors or are actively involved in the governance of those trusts, and we use the opportunities a university can provide for research and knowledge exchange to support the mission of those trust schools. For example, in south Bristol a colleague of mine had done some ground-breaking research on why young people in deprived areas do not aspire to go to university and do not choose to participate. That sophisticated piece of research came up with some interesting findings. We have used the outcomes of that research to create the mission for the new all-through schools, so a university is able, through such sustained partnerships, to work in interesting ways to impact on the work that goes on in the schools.

¹⁴ *Note by witness:* The other sponsor put in the vast majority of the required sponsorship funding.

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Q377 Chairman: It sounds interesting, but when I talk to universities that have gone into partnerships like academies, some universities and some external experts say the problem is that many universities do not have the kind of management capacity to do that. How can you manage that in your university when others say that the vice-chancellor does not have that kind of depth of management to make a real difference in a demanding partnership?

Professor Ritchie: That is a good question, and it is something that universities are still trying to work through. I ran a workshop for universities only last weekend about the way we are trying to do that, what we are learning from it, how difficult it is and where the resourcing problems arise. There are a large number of good models, as 85 universities are involved in trusts in a variety of ways, and we are trying to ensure that we are doing that strategically so that we have a resource allocation for it, a clear rationale and criteria for deciding which trusts we will support and why. It is a whole university link with the whole school, not just the faculty of education or an outreach centre. It tries to combine the resource, energy and expertise of the wider university.

Q378 Chairman: I have to say that it sounds highly suspicious—an extremely well-run university doing such good stuff—so we will hold you there for a moment.

John Hayward: I am the principal adviser for Coventry city council, and my role is to support and challenge secondary schools. We have 19 comprehensive schools in Coventry and they are all for 11 to 19-year-olds. To characterise Coventry in one particular way, we and our head teachers have invested very heavily in a partnership approach to school improvement over the past six years. That focus is on system-wide improvement across the 19 schools, and we have spent a lot of time in networks sharing good practice in a collaborative approach to school improvement. We monitor the impact of that regularly, and I am pleased to say that we have had encouraging improvements this summer in a range of key performance indicators as a result of that partnership approach. We were asked 18 months ago to explore our statutory responsibility to promote diversity and choice, as most local authorities were. We were concerned to ensure that that responsibility was consistent with our collaborative and partnership approach to school improvement across the 19 schools. Over the last 18 months we have supported five of our 19 secondary schools to become individual trusts, and they have all opted for the model by which the governors remain the majority partner in the governing body and the trustees become a minority partner. They have chosen a range of partners from higher education, further education and local businesses. With regard to our role in the partnership, I am pleased to say that all five governing bodies have asked the city council to be a formal trustee to maintain its role in promoting the partnerships. The five schools became trusts this September, so it is probably too early to judge what the outcome will be. We will be doing

three key things in the next 12 months. We are supporting the trustees to develop their role, so we have set up, for example, a forum for trustees of the five schools to meet with the local authority and chairs of boards of governors and heads to explore how they might fulfil their responsibilities. The second thing we will do over the next 12 months is to begin to monitor the impact of the trustees on the performance of the five schools. The third thing we are committed to doing is to ensure that in all of that we continue to facilitate the role of the five trust schools in our local partnerships. From our point of view it would be a key policy objective that they maintain themselves as full partners in the various networks that they are part of.

Q379 Chairman: John, what kind of hierarchy is there in Coventry? Do you report directly to the director of children's services?

John Hayward: There is a head of our education and learning service in between me and the director and a strategic leader for school improvement.

Q380 Chairman: You have vast experience. You are the driving force in the trust relationship, but you are backed by your director and this chap or woman who comes in between you?

John Hayward: Yes, I am backed by those people. It is something that we talked to the director about. It would be fair to say that of the five schools, two were very interested in becoming trusts of their own volition, and we had significant conversations with the other three as a local authority at that time—

Q381 Chairman: You mean you leant on them?

John Hayward: No. We were trying to look at what was best in terms of the future of the system, along with the head teachers.

Chairman: Thank you. Ken, you are last but not least.

Ken Tonge: Good morning, everybody. I will tell you a little bit about our project and hold back on the impact and outcomes until later. I am sure there will be some questions about that. My role is that of strategic head of the Ashington Learning Partnership Trust, which is an organisation of five schools in a three-tier system in Northumberland. We took the initiative in the summer of 2006 to do something about the problems of working in a three-tier system when we learned that the release of BSF funding, which would lead to reorganisation into a two-tier system for Northumberland, would be as late as 2014. A lot of children were going to go through the education system, which we considered imperfect at that time, before we were able to reorganise. In effect, we decided to do it to ourselves before others did it to us. The opportunity of becoming a trust pathfinder seemed like an ideal chance for us to make a change. As you have already heard from another example, we wanted to form an all-age school from three to adult. We have a partnership of five schools which encompass 3,000 pupils. There is a route from first school to middle school to high school, which means that we can have a continuous run of education. We have done a lot

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of work on the curriculum, on assessment and on engaging people in improvements in the schools. Our partners in supporting that have been Northumbria University, Northumberland further education college, the children's centre in Ashington, Wansbeck Business Forum—there are no large industries in our area, but lots of small businesses come together under that mantle—and the local education authority. We have had some considerable success over the last 15 months or so. I will hold back at this stage because I think you will probably have some further questions.

Q382 Chairman: Where are you based in Northumberland?

Ken Tonge: We are in Ashington, which is in south-east Northumberland. Our town is a former mining community. It was formed just for mining and as you can probably work out, as there is no mining now, there are high levels of social deprivation and unemployment.

Chairman: They may be opening them all up again shortly.

Ken Tonge: Yes, scraping the soil off the top.

Chairman: I do like your strategy of do it yourself before others do it to you. Perhaps Graham will translate that into Latin for us. It might be a good motto. Thank you for that, all of you. Now we are going to drill down. I have got you, I hope, warmed up. Paul, you are going to lead on this.

Q383 Paul Holmes: I am wondering whether we can make clear exactly what is new about all this. The background information on Coventry, for example, says: "The Local Authority and each of its 19 secondary head teachers have invested heavily in the development of partnership structures and networks over the last six years." What is new about trusts? The school I worked in 20 years ago had governors from the local university. It had governors from local businesses. What is new about it all? A lot of the things that Linda was saying in her opening comments were "motherhood and apple pie": a secondary school will work with its partner schools, or feeder schools, as we used to call them back then. All this happened anyway, so what exactly is new about trust schools?

Linda Doyle: This is not a revolutionary move, when anybody takes it. As you say, there are partnerships that go on, but this type of relationship is slightly different because it is formalised. It is not the governing body, initially, but another body. That body is not running the school; it is a separate body connected with the governing body. Yes, it can appoint governors—I am sure that you will want to ask about that at some point—but it is a separate body set up by the school or schools, if there is a group, and it formalises organisation to organisation relationships. A lot of partnership working that goes on in schools happens almost by chance, or is based on personalities, where somebody who works for the multinational down the road happens to be on the governing body. That can be an individual to individual relationship. Schools often need important relationships to be

more sustainable than that. If those relationships are organisation to organisation, we hope that they will be more sustainable, where possibly the multinational down the road makes an agreement with the school. They usually draw up a memorandum of understanding, so that everybody knows what to expect from each other. That organisation might be asked to always provide a governor for the governing body of the school, so there is that commitment and, hopefully, continuity.

Q384 Chairman: So it is systemic change—you systematise the thing, rather than having ad hoc personal relationships?

Linda Doyle: Yes, and it is organisation to organisation, rather than individuals. It is also slightly removed from the day to day issues that the governing body has to look at. The governing body is responsible and remains responsible for the running of the school, for the budget, and for the results. The trust can take a slightly longer view, focusing on the issues that it has been asked to focus on by the governing body. It can put the different sets of expertise together on those issues and we are told that the meeting of these different people is extremely useful. So it is a slightly different point of view, which we hope will, for at least the medium to long term, look at issues in the areas that Ken was just talking about. In the area where he is, there is high unemployment and I would imagine that what normally goes with that is a lack of aspiration to go into higher education and all that sort of thing. The trust may address those issues in particular, and it has the time and focus to do that. It does not have to spend most or a lot of its meetings looking at the latest Government regulations for education and that sort of thing, which governing bodies have to do as they have an enormously wide range of issues on their plate every time they meet. This body, which will feed into the governing body and what happens in the school, can focus on the other issues and it will hopefully be able to come up with some effective strategies. It is not going to be instant—nothing in education ever is—but that is the theory anyway, using a different type of relationship. It is a legal relationship and a legal process has to be gone through, but there is a subtle difference in this body compared with the governing body.

Q385 Paul Holmes: John or John, does that imply that the trusts are arm's length, higher-level thinking bodies, rather than bodies involved in the day to day running of the school? Is that right?

John Clemence: Yes, I view the trust as an enhancer of provision within the 19 schools. It adds value to the work of those schools. Just briefly, to give you a perfect illustration, we have always had a strong relationship with our neighbours, Unilever, but it has always been dependent on individuals and personalities. They move off overseas or to another establishment in this country and the relationship breaks down again. What has happened is that we have systemised the process through the trust. We have all heard about the STEM report, and the great concern within universities as well as industry about

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youngsters going into science, technology, engineering and maths. That is a strand that we have been working on very strongly, to ensure that there is work going on in all the schools—lower, middle and upper—to encourage youngsters toward the idea that science is a good area to go into. There is a commitment by the partners to doing that on a regular, not an ad hoc, basis. That has had a major impact in the past 15 months.

Q386 Paul Holmes: We read that the trust owns the school, the land and the buildings and appoints the governors—one third of whom will be parents, so two thirds will not be. What is all that, if the trust is simply a more remote strategic body? It actually owns everything and appoints the governors of every individual school.

John Clemence: The trust owns the land and buildings, but it holds them in trust for the benefit of the youngsters in those schools. It cannot do other things with them, because there are quite strong safeguards—permissions from the local authority, the Secretary of State and so on. There is legal ownership. I have to say that when travelling round to all the governing bodies while we were forming the trust, “Why?” was always a question that came up. That aspect should not get in the way, arguably, of the trust’s mission, which is to improve the quality of schools and the experience of youngsters in the schools, and the partners come in and assist in that. The overall responsibility for the running of individual schools, because they still have 19 separate governing bodies, remains with them: they run the school on a daily basis, they happen to be the employer and so on. I do not know the answer to this, but, certainly as far as my trust is concerned, we set up a minority trust so the partners are in the minority. Each partner organisation has one trustee and there are two foundation trust governors on each governing body, so, again, they are in the minority on those governing bodies, to ensure that no one group is dictating to governing bodies what they should and should not do—just the opposite.

Q387 Chairman: But John, we are politicians; where does power lie within this group? It has been set up for you to ensure that you get your own way.

John Clemence: That is interesting. Frankly, the power lies with the governing bodies because, inevitably, the governors retain the power to stay within the trust or to withdraw if they feel that it is not doing what they wish it to do. The power lies with the governing body, as always. The schools within it are still part of the local authority framework. However, the critical thing is: how do you engage schools to move forward when there are 19 independent schools, all at different states of play but all signed up for this joint venture? It could become a source of frustration in the future. That is the challenge, and how to engage them and move forward together will be a challenge for all trusts that have multiple schools.

Q388 Paul Holmes: Is that pattern the same in, say, Bristol or Coventry? Is the trust a more remote strategic body, which does not have day to day, hands-on control of the school, control over the appointment of the governors and over writing the admissions policy?

Chairman: Who wants to take that?

Ken Tonge: I would be glad to take that. My experience is probably slightly different in that, while, yes, the trust powers the work that we are talking about, power does not rest with the trustees, although influence does. We have a single governing body for the five schools, because we are also hard-federated. That is the real driving force, with the trust acting as a moral conscience but with a very experienced and knowledgeable moral conscience behind it, with lots of key players who can contribute. That last point is important. We now have a formal relationship with some key agencies that can support us and develop our organisation as a virtual all-age school. We are using that as a resource as much a management or governance agent.

Q389 Paul Holmes: In Coventry, all five governing bodies went for the trustees having a minority of places on the governing bodies, so the power remains with the governors. Obviously, there are other models under the national challenge. A suggestion by the National Challenge Trust would involve the trustees becoming the majority on the governing body. That is a different scenario from the one that we have in Coventry.

Professor Ritchie: I want to emphasise the contribution that the partners have made to the trusts that we have been working with. They were involved in the early discussions on the mission of the school and the long-term approach that it would take. The influence that we then have on a more practical basis is through the governors whom we appoint, but we are not just about trying to put so-called experts into a local context. We are also keen to build capacity locally, so, for example, we used the fact that the trust appoints parent governors and tried to find parents in the local area whose children go to the school who are interested in becoming trust governors. We interview them and talk to them about what it means to work with the trust as trust governors and move forward the mission that we have for the school, and we provide them with support. Inevitably, as partners, we also work in a fairly practical way through our organisation with the schools. Therefore, when I am the chairman of trustees and wearing that hat, I make a more strategic contribution and steer the long-term aspirations of the school. I also meet the school leadership team and colleagues from my university to discuss strategically what the various parts of the plan for university support of the schools will be. We also work strategically partner to partner, which, again, is something that I want to reinforce as a huge benefit of longer-term sustained relationships over time. What I have found attractive about the model that we are now operating is that it is not dependent on individuals; it is more about institutional

relationships. It allows us to operate in a very different way with the schools. Often, a university is subject to being invited to be involved with a school. We are there now as an equal partner. Equal partners in a partnership operate in a very different way from someone who is occasionally invited in for short-term projects. We can plan long-term, sustained projects that we hope will make a real difference, and this approach to the structure of schools has allowed us to do that.

Q390 Paul Holmes: I know that you, Ken, spoke about an area where the pits have closed and there was deprivation. In general, across the range of experience, are the trusts there for schools in difficult areas, for schools that are already very successful, or for a mix?

Chairman: May we have one from each side. We cannot take six.

Linda Doyle: We have a mixture of schools involved. Every school has issues that it wants to address. Some schools, for example, wanted to enhance their specialism. I think of a science college in south Devon that wanted to enhance the science in the organisation and use the trust for that, so it is involved with the marine biology department at the local university and with a multinational company that it was working with before—AstraZeneca, which will mentor A-level students and so on. We get down to really practical support. You get agreement at the vision and aims level but then come down to the really practical work that those people can do together. There are very different motivations, and that is the benefit of the flexibility of the system.

Q391 Chairman: Phil, you have been a bit neglected. What is your experience? Is this for struggling schools or for all sorts of schools?

Phil Neal: To be honest, both the schools that I am involved with are not in the category of struggling. We get involved with a large number of schools that are in difficult areas—Easington colliery, for example. There are all sorts of schools in difficulties, but, in terms of trust experience, the two that I am working with are well positioned.

Chairman: John?

John Hayward: It is a mixture of schools.

Q392 Chairman: You said that two were energetically enthusiastic to come under the trust, but the possibilities and potential had to be talked up for three of them. Were the three that were more reluctant the stronger schools, or the struggling schools?

John Hayward: It depends on your definitions. In my view, they were good value added schools, but some of them serve fragile communities. We thought that trusts might have been a way of strengthening partnerships with key local institutions. But they are very successful schools.

Q393 Paul Holmes: With 19 schools in the trust, you are a miniature local authority. What about falling rolls? The Government are telling local authorities that they have to close schools because they will cut

their money—as if they had any anyway. What happens to the schools that are not in your mini-local authority? Will they lose out? Will they be short because you have a good organisation that protects your patch?

Chairman: You are being painted like the Mafia, John.

John Clemence: It is an interesting description of the local authority. There are 5,000 plus youngsters who are served by the trust. We do not have any special treatment. Is that the underlying aspect of the question? If a local authority reorganises or chooses to reorganise, we are treated just the same. I mentioned at the beginning of proceedings that, back in 2006, the trust was developed at a time of consideration of reorganisation. Here we are again in my neck of the woods. The trust will not do that reorganisation. As a local authority school that consultation and proposal will be made by the local authority, and we will be treated no differently.

Q394 Paul Holmes: Your trust of 19 schools owns the land, the buildings, is in charge and so forth, but the local authority can do things to you.

John Clemence: Absolutely.

Chairman: We will move to Graham. He has not translated the Latin, but Latymer Upper School is observing the Committee this morning, so perhaps we could give it the translation.

Q395 Mr Stuart: It is great to have a former Latymer pupil on our Select Committee.

Are there any financial benefits to being a trust school, Linda?

Linda Doyle: If you are thinking about funding from the local authority for the general budget of the schools, none whatever. Things remain exactly the same.

Q396 Mr Stuart: No financial benefits whatever?

Linda Doyle: No. The school is treated in exactly the same way. The capital projects that go on in the authority work in the same way with the school and as we were saying, the school can be closed by the local authority. The schools are maintained schools.

Ken Tonge: On a practical point, it is as much about formal partnership as it is about financial benefit. By the fact that we have formed the single organisation, our purchasing power and our ability to negotiate contracts have been such that, in the first year of tinkering with contracts, we saved £130,000. That is not the result of trust status, but the result of partnership.

Q397 Mr Stuart: All six of you are enthusiasts. We are in the early stages, so you are on the wave of enthusiasm—quite rightly for enthusiasts. What are the weaknesses of the trust model? What would critics say? Who has doubts, or are you all completely convinced that the trust model is the greatest thing that has ever been brought forward?

John Hayward: I suppose that we will be interested in monitoring the impact on our partnerships. There is a potential area where we have to be careful. There are a number of sensitive areas, for example, in

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respect of those aged 14 to 19 where schools are collaborating in admissions and the movement of pupils from school to school in an urban authority. At the moment, we have seen no signs of such matters being adverse, but it is very early days. They are things that we shall need to look at very carefully.

Chairman: Ron Ritchie, you wanted to come in on this.

Professor Ritchie: I am enthusiastic for quality enhanced partnerships with schools. How we create them is less of an issue for me. The university has in a sense pragmatically taken the opportunity that exists through trust schools, rather than saying that we advocate it. We have never gone out searching for trust partners. Schools have always come to us as a way to enhance their work. In answer to the previous question, we—through the criteria that we operate as a university—have chosen to work with schools in challenging circumstances. Bristol has seven national challenge schools, so we are inevitably working with schools that have difficulties.¹⁵

Q398 Mr Stuart: What is in it for you? You have put an enormous amount into this. How are you paid for doing that? How do you benefit?

Professor Ritchie: There are resource questions for us. We use some of the resources that come to us through the Office for Fair Access agreement and the university funding streams. We use some of our continual professional development funding streams to work in particular ways with the schools.

Q399 Mr Stuart: Which funding streams?

Professor Ritchie: The postgraduate professional development streams, for example, that come from the Training and Development Agency for teacher professional development. We have our initial teacher education funding stream, and we can use some of that for enhanced work in schools.

Q400 Mr Stuart: Were those streams available before the trust model? Have they made any difference to that?

Professor Ritchie: Yes, they were available before. Trust has not changed that, but the decisions about how we allocate the funds in particular schools are significant.

Q401 Mr Stuart: So, you are effectively paid for your involvement in schools.

Professor Ritchie: No. There is a serious question about how universities can be properly resourced for the role that I think we could take.

Q402 Chairman: It seems that you are focusing money that you would already have for different programmes in a slightly different way.

Professor Ritchie: That is because we see those opportunities as being more efficient, and as perhaps giving greater benefits than came from the way in which the funds were previously used. So we have become smarter about how we use, for example,

funding that we have for widening participation. We have become more strategic in how we use it. But what I wanted to suggest was that a challenge for us is that since as a university we have chosen to work with schools such as national challenge schools, there is a reputational risk for us associated with that. We really are putting our money where our mouth is, by saying that if we are going to recruit future university students from low participation areas and make that work, we have to make an investment in those areas. With that comes the risk of their not being successful. We have been in this for a long time now; we started in 2001 with sponsorship of the city academy. The academy's results have shown considerable increases, but more importantly we have seen, for example, the number of applicants to university from that inner-city school go from one in 10 to one in four, over the period. It does not matter to us whether they come to just the university of the West of England; what we have are increased numbers of young people taking the opportunity that higher education offers.

Q403 Mr Stuart: That is what it is all about, and you are quite right to bring us back to it. I was trying to scratch away at weaknesses, doubts and fears about this particular model. We have had “systemise”, “legalise” and “formalise”, but “fossilise” comes into my head.

Chairman: Are you talking about the Conservative party?

Mr Stuart: Certainly not, but we do see that in Government, sadly. Is there any risk on that front, because of the formalised system? You say that it is no longer about individuals, but if you formalise certain relationships with certain companies or institutions you prevent enthusiastic individuals from other institutions or companies from coming on board. If people send a representative because they are formally obliged to under the memorandum of agreement, in the early years you get the enthusiasm and the input, but you end up later on with people being sent because someone has to go, and you get the wrong guy sitting on the thing. Is there a risk of that?

Ken Tonge: I wanted to add another “ise”—energist. Just the opposite idea, really. I have been in this business of education for 33 years, and the last two years have been such a wonderful, energetic journey, reinvigorating the staff, governors and partners of all the schools. It has been an exciting process, and the stimulus has been the formation of the trust. Fossilise is the last word that I would use in connection with that.

Mr Stuart: You are all enthusiastic. That is nice to hear.

Chairman: Are you done?

Q404 Mr Stuart: Just to check again, apart from formalising, does the trust model give you any powers or abilities that you did not have under the Education Act 2002?

Chairman: Phil, you are looking energetic.

Phil Neal: I thought that that was an interesting question.

¹⁵ *Note by witness:* This number only includes local authority schools—the number would be higher if academies in Bristol below the floor target would be included.

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Chairman: Who wants to take it? John?

John Clemence: I do not think that it does, other than giving strength through collaboration. We heard earlier about the efficiencies gained through the use of the budget. There are particular gains there, but no particular powers. It is what you make of them and how you use them with your partners. Going back to the fossilisation element, one of the weaknesses could be the frustration there might be if you do not make the pace that you look for. It is about how you would then re-engineer the trust to enable that to happen. I would see our trust having other partners joining at different times, for particular projects, to bring forward and take advantage of particular changes in legislation, education or development, so that you avoid fossilisation. You make it alive—energise it—and keep that going. Another interesting dimension—it happens to be the case in Bedfordshire that a number of trusts are forming, and almost the whole of the authority will probably get there—is the interrelationship between trusts and how they work together. The final element—I am interested in Ken's position up in Ashington—is that it is possible that the trust may lead to a point where schools want to get even closer together, forming some kind of harder federation or arrangement. That is possible through that closer working.

Q405 Mr Stuart: Just scratching away at this, you have trusts, the governing bodies, local authorities—John said, I am glad to say, that there are local authorities in every single one of them, so no relaxation there—and head teachers, especially those of a small “p” political bent, who like this kind of involvement and working with others. From the classroom perspective, is there a danger with this apparatus? I know, from my experience on a governing body, that it seems like a vast, complex apparatus over a simple set of classrooms, which need supported teachers able to concentrate on their job. Is there any danger that the apparatus is a distraction for those who should be focusing on the day job?

Chairman: He is scratching away this morning.

Mr Stuart: We have the wrong set of witnesses to get anyone to give us a negative view.

Ken Tonge: One of the dangers of getting involved in a major project like this is that the system is the focus, and a lot of the operational stuff does not benefit from it. That is where the question is coming from. I alluded to some wins that we have had already. We work in a three-tier system, which means that we have had transition for many years, part way through Key Stage 2 and part way through Key Stage 3. The schools, which were supposedly in partnership, were never really in partnership—we did a lot of good work about the social transfer between schools, but very little about the transfer of good-quality data and information. As a result of being in a trust, we have got beyond just agreeing assessment and moderation protocols, so that we are all reading the same knowledge about the children. We have also reorganised our curriculum structures. We looked at what we were doing and realised that

we had certain skills shortfalls, so we shared across all the schools. We ought to put those into the context of what we were teaching already. I have brought us an example, which I shall be happy to leave as evidence. We formed a skills matrix which addresses, key stage by key stage, what we want to achieve in skills that support learning, personal and social development, and so on. That is the result of a working party involving 30 or 40 classroom teachers over the course of last year. Now it is being implemented for every teacher and every child across the trust. It is already beginning to show results, in terms of not just access to learning, but the quality of autonomous learning that we are creating from our pupils.

Chairman: Ken, what you have just done usually totally confuses *Hansard*—you are waving a pamphlet, so we shall put that on the record. Andy?

Mr Slaughter: Graham has already dealt with one of my lines of questions.

Mr Stuart: Sorry.

Mr Slaughter: No, but it worries me when I think in the same way as you. Do we have another party from Latymer in the Committee room?

Chairman: Latymer also—this is the second party. No, do not speak. Andy went to Latymer—that is why he wants to know.

Q406 Mr Slaughter: Even though it is much more of a fee-paying school than when I went there, I am glad to see that the sixth form is still as scruffy 30 years on as it always was. There is a bureaucracy point, and a point about the language, which Graham has already picked up on. You will probably say that civil servants and politicians are responsible for all this terminology, which we now do not understand fully. However, do parents understand it? Does it matter to them? Do you think that there is understanding there—do they know that they are sending their children to a trust school, does that matter to them and what does it mean to them?

Chairman: Linda, you have been neglected for a while.

Linda Doyle: There is a formal process that schools have to go through, which starts with an informal consultation, covering all the groups you are talking about—staff obviously, pupils, parents, the local authority and everyone you could think of who might be involved. It includes MPs as well, for that matter. All of those groups are consulted. What is happening is laid out very clearly, the foundation status aspect of it, issues of admissions, staff employment and land ownership are one side of it. The other side would be the trust. Who will be invited to be on it? The consultation will not take place until that has been fully discussed because it must show who the partners will be. The school receives feedback on that. The school offers to meet any of those groups. They may hold large meetings or surgeries and they receive reaction and responses to the consultation, which they have to consider formally at one of the governing body meetings. Following that, they will provide a response to anybody who has brought up any issues, and if they

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decide to continue they will then publish formal statutory proposals, again setting out what they are going to do.

Q407 Mr Slaughter: You are going into the process.
Linda Doyle: Which is talking to parents.

Q408 Mr Slaughter: I am sure that there are some parents, the same ones who read all the Ofsted reports, who will do that assiduously. But if I am a parent who happens to live in your catchment area, why would I want to send my child to a trust school? What would I think I was getting out of that?

Chairman: Ron Ritchie wants to answer that.

Professor Ritchie: I have in front of me, for example—

Chairman: No, he is doing it again. This class is incorrigible.

Professor Ritchie: I was going to say that I have in front of me the trust prospectus for the Bridge Learning Campus, which is one of the ways in which we seek to communicate with the community, parents and guardians on what the trust is about. That prospectus explains something about the nature of trust schools but, much more crucially, it talks about the vision of the trust, why there is a trust and what the various partners bring. It also makes it very transparent who the trustees are, what their backgrounds are, what they bring to it and what are the contact points. We have presented at parent evenings. We have had open sessions where parents can come and talk. Crucially, there is a vehicle here for reassuring parents who might have concerns—it is also available to staff and other interested parties—and it ensures that we put at the centre of the process the fact that there is a vision in why we are doing this. It is about inclusivity. It is about all-through learning. It is about pathways to progression, etcetera, etcetera. We make that as transparent as we can.

Chairman: That is more consultation than you get about the third runway at Heathrow.

Q409 Mr Slaughter: A sore point, as you know. Let me try out my other suspicion. I will use my little and dangerous knowledge here and direct this at John Clemence. You have the Pilgrim Trust in Bedfordshire, which is an accumulation of private schools.

John Clemence: The Harpur Trust.

Chairman: You are getting a little bit intimate, you two. Could you speak a little louder so that the rest of us can hear.

Q410 Mr Slaughter: What tends to happen, where you have a big body of private schools is that the state sector starts to segregate as well and you get people bidding for the middle ground. I know that people move near your school to be in your catchment area. Are you setting yourselves up as a sort of halfway house, as academies are sometimes accused of doing, between bog standard comprehensives and the private schools for those parents who choose to or can afford to pay?

John Clemence: Absolutely not. The Harpur Trust has four major independent sector schools. It is in Bedford just down the road from my school. The trust was set up to support the 19 schools and to enrich the opportunities within those schools. We did not give much thought to the Harpur Trust at the time. Having said that, we have a good relationship and some joint working. There is a joint project with the University of Bristol and one of the schools there. The relationship between the two is friendly, but the trust was not set up in competitive mode.

Q411 Mr Slaughter: I do not know whether anyone else wants to deal with that question. It may not be exactly the same situation, but I am sure you would say that you do not aim to do this, but it is nevertheless quite easy to give off these signals. You are effectively saying, “We are something a little apart from the state sector. We can offer you something more.” If we make more of this when we deal with admissions, you are sending out dog-whistle signals to more ambitious parents.

Q412 Chairman: I think what Andy is saying relates to what a witness said to this Committee a long time ago—that the British have a genius for turning diversity into hierarchy. Is that what you are doing, positioning yourself as not quite a grammar school? Is that what you are trying to do, Ken?

Ken Tonge: The school at which I was formerly head, Ashington High School sports college, which is now a member of that partnership, was a high-performing specialist school when we went for trust status, and had 421 expressions of preference for admission for 270 available places. So it was not necessary to reposition the school as a result of being in a trust to make it more attractive. What we wanted—because we are part of this imperative to raise standards—was to look at a new way of structuring ourselves so that we could raise standards. It was not about being in competition with others, it was about making ourselves better.

Q413 Chairman: Phil, you have been a bit neglected. Is that what it is all about?

Phil Neal: I certainly see no evidence of using it as a status-raising vehicle. It is very much to do with getting the schools in the trust to co-operate. A question was asked earlier about what difference is made in the classroom. It does make a difference.

Chairman: It is still a good question. Now, another good question, Fiona.

Q414 Fiona Mactaggart: Ken, you described this as a new way of structuring yourselves, and that is quite impressive. What I hear are the benefits of innovation. You have a new system, you look at yourselves afresh, you do things differently and they improve. My honest concern is whether this is going to last. I have a feeling that this is like the Henry Ford experiment: when he turned up the lights, production improved and then a couple of years later he turned them down and production improved. Change helps. I want you to respond to that.

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Chairman: Ken and then John.

Ken Tonge: I take your question to mean, is the impetus of change creating short-term results that will not be sustainable? Our job is to put the operational systems in place to make sure it is sustainable, so we have implemented new models of leadership and governance that will be the vehicles for carrying out the sustainability of the change we want. The vision does not move. We have the vision—that is what we are aiming. As long as the vision is there, until we achieve it and establish a new vision, I see no reason why that impetus should not continue.

Chairman: You sound a bit like Gordon Brown.

Ken Tonge: Did I really? As dull as that?

Chairman: Ron, would you like to come in on this?

Professor Ritchie: I think it is a good question. We are learning, and have been for the last few years, about how we can establish more effective partnerships with external organisations, with schools. People are testing out ideas and understanding what the benefits might be. For example—wearing my higher education hat—I think we are at a crucial stage of understanding new ways in which universities and colleges of further education may engage in effective, sustained partnerships with schools. A risk we at the university have identified is being associated with something that may not deliver in the way that we hoped at the time. We are monitoring that and looking for robust ways to evaluate. We are undertaking systematic evaluation of some of these projects and crucially trying to ensure that we learn. We would argue that we have cumulatively built up the different partnerships we have formed, some of which are outside any trust arrangement although they are still enhanced partnerships. We are looking at the particular benefits, challenges and opportunities that the different kinds of partnerships offer. This is something we need to continue to evaluate and ensure it is sustained over time, as we suggest it might be.

Chairman: John is keen to come in.

John Hayward: Yes. In terms of the five Coventry schools, however the conversation originally started, I am convinced that the enthusiasm of the five head teachers, together with their governing bodies and the independent judgments that they made, will carry the trusts forward, certainly over the medium term. There is a lot of commitment from the heads, their chairs of governors, and their trustees. Where your question and Graham's question about fossilisation may be of concern to me personally is in the circumstances where, as a local authority, we impose the trust. For example, under the national challenge, if we imposed the trust on a school I wonder whether that same enthusiasm and energy would carry things forward, and whether the relationships in those circumstances would sustain themselves beyond a couple of years. The circumstances would be very different from the sort of buy-in that I have seen in the five Coventry schools, so that is a major caveat for me personally, in terms of the trust landscape. I may be wrong, but I am not yet convinced that that is the same scenario as the one we are describing here.

Q415 Fiona Mactaggart: One of the things that I am quite concerned about is whether it is really true that these relationships are more sustainable than other kinds of relationships. In a period of economic stress, will we see companies who signed up enthusiastically at a time when they obviously had the capacity to deal with it finding it harder later on? What are the prospects of that?

Linda Doyle: That is a point well made, but we try to focus schools' minds on that when they are setting up their trust. It is worth pointing out that, as with the examples represented here, it is normal to have several different partner organisations—four or five, something like that, not counting the representatives of the head teacher and the chair of governors. That is something that needs to be thought about and always has needed to be thought about in partnerships. If you partner with a local small business, they could go out of business, so you need to think about that and continually discuss with the organisation the amount of time that they can give. It tends to be different people at different levels. There will be the trustee from the organisation, if it is providing one, and it may nominate governors. I have to say that every live trust that exists at the moment has chosen the minimum of two trust governors to go on the governing body.¹⁶ It does not have to be someone from that organisation, as Ron has already illustrated—it could be a nominated governor.

The other level is often some of the people from the organisation who are doing hands-on work with the school. If that has to be pulled back, hopefully there are other things that the school can do. It may wish to invite other partners to become involved. The original set-up is not set in stone; schools can modify as they go along and try not to lose that contact. These are difficult times. One assumes that they will get better again, but the schools may need to think about different partners or reining back the involvement.

Q416 Fiona Mactaggart: Are partners readily available? Is this an easy thing to recruit to? Is it something that people are queuing up for?

Linda Doyle: That will vary enormously. Not all partners provide governors, for example. Some partners do not wish to. If you have four or five partners and you are providing just two governors, obviously, not all of those partners will provide governors. Some do not choose to. They do not think that that is their strength or what they want to do with the school. They want to do more hands-on work at a different level. But it will be flexible as time goes on. You asked whether people are queuing up. We have had examples where, after a trust has been set up, partners have been asking to join and then the trust has had to consider whether that is a good idea, or whether it does not chime with the aims and focus that it was hoping to work on.

¹⁶ *Note by witness:* Since the meeting, I have been informed that there is now one operational collaborative trust project that has majority trust governance.

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Q417 Fiona Mactaggart: Are there any organisations that you think would be unsuitable to be part of a trust?

Chairman: Who will take that? No one? Nobody else thinks that there is anyone who is unsuitable?

Professor Ritchie: The criteria that the university has for engaging with its trust include decisions about the appropriateness of other trust partners, so we are very conscious of that and we have not gone with every trust that we have been invited to join. Part of our thinking is, crucially, that the values that bring us into this business are values that must be shared by other partners. So we would look at processes to ensure that that is the case in respect of those we would be associated with, formally, in these arrangements.

Linda Doyle: I am sure that I could think of lots of organisations or individuals who might be unsuitable partners, but one would hope that they would not be selected by the governing body in question. The basic minimum is that any business involved should be undertaking legal activities and, after that, it is down to governing body common sense, community sensitivities and all those issues. For example, a business might be doing business that did not chime with the ethos of the school. That early stage of discussions at the school, which takes a while, is absolutely vital. The more schools that are involved, the longer it would take, possibly. But that situation needs to be clear so that everybody is happy with who they are working with and how they are going to work together. For there to be success, that is vital.

Chairman: Have you finished?

Fiona Mactaggart: Yes.

Chairman: Paul first, then Graham, briefly, because this is Paul's question and I do not want his section to be stolen.

Q418 Paul Holmes: Linda has just said that we need to be absolutely clear, but I am not clear. It is rather like the situation with academies, where we repeatedly asked Ministers certain questions. Do schools have a list from the Department for Children, Schools and Families, circulated through you, showing who is acceptable or not? Is a company that legally publishes pornography acceptable or not? Is a gambling company acceptable or not? Is a millionaire who wants to promote creationist Christian fundamentalism acceptable—clearly, he is, because he runs three academies in the north of England—or not? Is there any list or any guidance? Is there any clarity whatsoever?

Linda Doyle: There is certainly not a list. There is a pool of partners that the Office of the Schools Commissioner has helped to find, which comprises organisations that have expressed an interest in joining schools. Obviously, at the first sort, they are considered to be reasonably suitable. One of the roles within the contract that I am working on is to broker partnerships between those organisations and schools. Some will be a suitable match and some will not. We do not carry out due diligence checks on

all these partners—it would just not be practical to do so—but the governors have the final choice and within the Act—

Q419 Fiona Mactaggart: So who does? Sorry to interrupt you.

Linda Doyle: It is the same system as with specialist schools—the governors choose who they have. Should they regret their choice, the Act will help them. There are provisions to remove a trustee, and to remove the entire trust, should they wish to do so, even if it is a majority on the governing body. As a final resort, the Secretary of State has a reserve power to remove a trustee.

Ken Tonge: We must not forget the consultation process that goes into acquiring a trust, or the fact that the local authority can refer the proposal to the schools' adjudicator if it disagrees with that. So there is some opportunity for local authorities to intervene if they feel that a trust is inappropriate.

Chairman: We do not want to confuse this with the academies.

Q420 Mr Chaytor: Linda, what is the difference between a trust and a registered charity?

Linda Doyle: A trust is an incorporated charity—actually, that name is changing soon under the Companies Act—which is not a new category; it is an existing category. The trust registers, at the moment, both with Companies House and the Charity Commission, so there is dual oversight, if you like. It is responsible for itself and is not responsible for the school. In its memorandum and articles, which it must have, everything it does has to be for the advancement of education; that phrase is written in the Education and Inspections Act. It can be challenged if external organisations feel that it is doing something that is not for the advancement of education.

Q421 Mr Chaytor: Would there not be an advantage for the constituent schools within the trust to be purely and simply a registered charity, not an incorporated charity?

Linda Doyle: I do not think I have the legal expertise to go into that.¹⁷

Q422 Mr Chaytor: They would become eligible for 17.5% VAT exemption immediately.

Linda Doyle: I am sorry, that is not my level of expertise.

¹⁷ *Note by witness:* The advantages of requiring incorporation are that the trust then has legal personality which means the liability of the members is limited (to the amount of the guarantee—or the nominal value of the shares in a company limited by shares) and the company can enter into contracts in its own name and hold land in its own name. In an unincorporated association, the individual members hold the land and enter into contracts (which makes it harder for there to be changes in members). Requiring incorporation gives us certainty over who we are transferring the land to and means that the Trust will be subject to regulations under the Companies Acts.

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Q423 Mr Chaytor: In the 2006 Act, there is a reference to financial contributions from trust partners, and my recollection is that normally that would not be expected. I want to pursue this issue, because it is hard to imagine that if you have a large multinational company as one of the trust partners, in some way or another they will not make a financial contribution to the trust. Perhaps this is a question for John Clemence, John Hayward and Ken Tonge. Could you just talk us through this? Would you say unequivocally, hand on heart, that your private partners in the trust structure have not made contributions either financially or in kind to the working of the school?

John Clemence: First, no request was made of the partners on joining—none whatsoever—and no financial contribution was sought or received afterwards. In fact, because of the vagaries of partners which may have to move away at different times, for example, one of the trust's aims is to be financially independent. Inevitably, what trust partners bring is their expertise, and with that expertise there may well be some gain in kind. Unilever, for example, donated science equipment that it no longer used to the school. That is a perfect illustration of something that happens, but it could happen regardless of whether the school was a trust school. Expertise and training in the use of software, which undoubtedly Phil could discuss, is inevitably finance in kind, but it is not finance on a regular basis or expected.

Q424 Chairman: John, you started off sounding rather defensive. I would think that if your partners gave you £5 million for a new building, you would be daft not to take it.

John Clemence: I would love it. All I am saying is that we did not go out and seek that.

Chairman: I am bouncing this back to David. Is that what you were after?

Q425 Mr Chaytor: Yes. My recollection is that the Act made a reference to that because there was some concern in the original White Paper about the scale of opportunities for large donations to individual trusts which would give them a huge advantage. I believe that it was legislated against. You are saying that there are no explicit financial contributions but that there are contributions in kind, which would be expertise or equipment.

John Clemence: Yes.

Q426 Chairman: Can we add Ron to this? He seems to be pouring a lot of resource in, if it were actually priced.

Professor Ritchie: I understand that the trust guidance states that although there is not a requirement on trust partners to put in resource, there is nothing legally stopping their doing that. Certainly the contribution that the university makes is resource in like. It is undoubtedly the case that the partners make a contribution, but that does not seem in any sense inappropriate. We are not writing

a cheque, but, unless you correct me, I do not think that there is anything to stop a partner from writing a cheque.

Linda Doyle: No. If I could come in here, the situation has not changed. A large company could give a donation to a school anyway, and many schools have charitable status—for example, with the parents' association—so that charitable giving applies. The Act does not change that situation at all, but I do not know of any example where that is happening on any considerable scale. Partners give time, and sometimes access to training courses. I can think of a business that gives school staff access to its IT courses—all those sorts of things. They tend to be small scale. If you added up all the time, I am sure that it would come to quite a large bill, but, legally, the situation has not changed at all.

John Hayward: I think that the answer is both no and yes. No, the trust did not ask for contributions at the time that it was formed, but yes, our head teachers are very entrepreneurial, and I am absolutely sure from speaking to them that they are looking for contributions in kind from trust partners.

Chairman: I am on the board of a university which shall remain nameless, and we rush around begging for money from anyone who will give it to us—apart from one or two, but never mind.

Q427 Mr Chaytor: Ken, what about your trust?

Ken Tonge: I would be absolutely delighted if any of our partners wanted to send some money in our direction, but we engage with them because of their expertise and experience, rather than their money. We receive support in kind. For example Northumbria University has worked with us to form a bespoke masters degree for staff within the schools, and it is giving time and resources to that. That is the sort of thing that we want from it. We have never had any expectation of financial support.

Q428 Mr Chaytor: Do you get equipment as well?

Ken Tonge: We do not get equipment, but it is a good idea.

Q429 Mr Chaytor: I am not saying that it is a good thing or a bad thing. I am only curious to see the pattern and evolution. Maybe Linda is the person to ask this of, but what is the balance of primaries and secondaries among the 114 schools in the existing 57 trusts?

Linda Doyle: I will have to look those figures up. Of the 114, we have 84 secondary, 22 primary and eight special schools.

Q430 Mr Chaytor: So, the pattern of the 57 trusts is a combination. Are there trusts that are solely partnerships among secondary schools?

Linda Doyle: No, there are not.¹⁸

Q431 Mr Chaytor: Do they tend to be clusters of secondaries and primaries?

¹⁸ *Note by witness:* Eleven live trust projects involve two or more secondary schools with their external partners, ie no primary or special schools in those groups at present.

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Linda Doyle: Yes, both exist, definitely. Sometimes they have started with secondaries and primaries come in later. I think that this seems to be a rather larger step to primaries, than to secondaries. They tend to watch for a while. Another type of involvement is other schools being invited to be members of the trust as a first instance. That may develop and they may become trust schools later, if they are eligible; it is not possible if they are voluntary aided schools. That is certainly happening with some primaries, and sometimes independent and special schools, being on trusts. It is often the case with smaller schools. It is a rather large step to consider, and they may wish to be rather more on the outside to start with and then join in. The proportion of primaries is increasing.

Q432 Mr Chaytor: In the 470 trusts that currently have inquiries on the table, is there any change in the balance between primary and secondary?

Linda Doyle: Out of the 366, we have 219 secondaries and 117 primaries. Just to get you up to date on the latest applications, of the 105 schools that sent in initial applications on Monday—this is new—we had 52 secondaries and 47 primaries. That shows an increasing balance and a welcome one. Some of those are quite large groupings of primary schools, with seven or eight primary schools together. It is quite unusual for a primary school to make the move on its own.

Q433 Mr Chaytor: May I ask John about the local authorities' perspective? My recollection is that, as the proposals in the original 2005 White Paper were gradually translated into the 2006 Act, two things happened: the original concept of total autonomy of the trust school became gradually constrained and the strategic planning powers of local authorities were gradually strengthened. Is that fair comment and how has that played out in Coventry?

John Hayward: I think that that is fair comment on the changes. Obviously, we work in partnership with our head teachers, and the enthusiasm of our heads and chairs of governors in all five schools was critical to whether we could take the process forward. We need to keep things under review because it is an area that could change as things develop. I do not think that the relationship among those schools, the heads, the chairs of governors and the local authority has changed in the past 12 months as a result of the five schools becoming trusts. The relationships are pretty much the same, but it is a good question and one which is, perhaps, too early to reach a final view on.

Q434 Mr Chaytor: But given the impact of demographics over the next five or 10 years, most local authorities will be looking to take places out of the system. If your local authority, for example, is faced with that dilemma, how will it deal with the trust school issue? What happens if, hypothetically, there is a trust that includes three or four secondary schools and the local authority decides that one of those secondary schools has to go? What is the legal

process for doing that and what would the impact be on the trust? Who then owns the land occupied by the secondary school that is closing?

John Hayward: That is a good question, but, in terms of Coventry, it is one that I am not best placed to answer. We have done many calculations under Building Schools for the Future and we are expecting an increase in our population over the next 10 or 15 years. I am afraid that we have not had to face that question.

John Clemence: A reorganisation in my area—in other words, where my school is—would lead to some school closures, which would affect the trust schools.

Q435 Mr Chaytor: So is that going through now?

John Clemence: Yes. They will be part of the consultation process and, as a trust school and a trust, we can feed back to the local authority. However, ultimately a trust school could easily close as a result. The land and the proceeds from the land would transfer back to the local authority.

Q436 Chairman: What if you did not want to close? Could you form a hard foundation or some other form of foundation to protect yourself against it?

John Clemence: If we did not want to close, we would try to do everything to stay open, as all schools and parents would.

Q437 Chairman: Yes, but are people looking at trust or foundation status in order to protect themselves from being the one that is picked on to close?

John Clemence: There is a potential belief that it might protect you, but it is an erroneous belief as it is not the case. Certainly, when we were consulting, I went to parents meetings and governing body meetings and that question did come up. People asked, "Will this protect us from having to change the system under a reorganisation?" The answer is it does not; you are part of the consultation.

Q438 Mr Chaytor: But it is not exactly a level playing field, is it? When the local authority publishes its plans and the negotiation and lobbying starts, in terms of influencing the local authority's decision, having a school that has two or three big multinationals behind it and a school down the road that has no one—other than a handful of parents from low-income families—does not exactly create a level playing field, does it?

John Clemence: Arguably, yes.

Q439 Mr Chaytor: Linda, may I ask about the 400 or so schools that are in the pipeline now? Have you made any assessment of the extent to which those schools are enthusiastic about becoming trust schools because they are facing a local reorganisation under which they might lose out?

Linda Doyle: We are very clear about that in the information that we disseminate and when we hold introductory conferences. At the beginning, we say that this is not a way of avoiding closure because we know that some schools look at the process for that reason. We like to make that very clear because it will

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not protect them; they are still maintained schools. At the time the White Paper was going through, there was publicity that said that trust schools would achieve independence from the local authority. That is absolutely not the case. The local authority still runs the school and has a responsibility for standards. It also has a responsibility for educational provision in the authority's area.

Q440 Mr Chaytor: For schools that had made an initial application, if they were within a local authority that published proposals for reorganisation, would you continue to act as a broker for those schools, or would you put that application on ice until the reorganisation plan had been agreed?

Linda Doyle: We have a process that we go through when schools apply to be supported on this. They have to submit an expression of interest and all of our list—we have just put a new one together—will be forwarded to the DCSF, which makes some inquiries in the wider DCSF about what is happening in the areas of all of those schools. We are not allowed to continue to work with those schools where discussions are going on that might change the situation in the near future.

Chairman: Annette, were you going to talk about admissions?

Q441 Annette Brooke: Yes. I direct my first question to Ken and John. What is in it for you to be able to set your admissions policy?

Ken Tonge: It is an important feature of our partnership. In an all-through school, you want to be able to manage the education provision from age 3 to 19, and in our case through to adult education as well, so it makes absolute sense that the cohort of pupils you are working with remains stable. There are many purportedly all-through schools in this country that actually represent one primary school co-located with a secondary school, but many other primary schools feed into that. Our two large first schools feed into two large middle schools, but we have had situations when we have lost people from the middle school because others were able to get into the high school because of the fairly standard oversubscription criteria, such as the need to give places to siblings or to those living closer. As a result of being in charge of our own admissions, we have put as the highest oversubscription criteria on the list, behind the statutory requirement to take children in care, attendance at another school in the trust. Therefore, if you go to one of the first schools, you have the best possible route into the middle school and high school, so that makes for continuity. The second advantage is that, as part of the admissions process, which we found to be a bit invisible when managed at a distance, we eventually receive after a long process lists of pupils who are coming to us and numbers of those who are not. We now have full visibility of who is applying to us, what they represent and how they meet the criteria. We are able to manage that process and the appeals process afterwards.

Q442 Annette Brooke: So once the children are in, they are in.

Ken Tonge: That is the notion.

Q443 Annette Brooke: The initial admissions policy and how it is operated is obviously quite important.

John Clemence: We have a similar process, although that is not a result of the trust, because we had it before. The students are identified with our admissions policy for each of the schools in the catchment areas. That is the next stage, but that was in place before the trust. None of the schools has changed their admissions policy as a result of the trust, but the vision is similar to Ken's. The trust has enabled us to ensure more strategically that the numbers match up, because there was sometimes a mismatch. The number of places available in one of the phases was insufficient. We also have three phases. In the first and third phases in my school we are able to meet the capacity, but not in the middle phase, so we have been working in partnership with the local authority to address that lack of capacity in the middle schools. We have become more strategically involved, although the trust has not led to a direct change in our admissions policy. There has been some increase in the admission numbers in two or three middle schools. All of the schools have decided to retain the admissions services provided by the local authority even though they could have taken it on themselves. They were confident in the service provided by the local authority and felt that it was an administrative burden that they no longer wished to have. Another element was the genuine desire to be seen as neutral in that respect and part of the local authority system, rather than separate from it. That was a definite decision.

Q444 Annette Brooke: That is very interesting, because a point we discussed during the passage of the Bill was that perhaps one would feel more comfortable with an independent admissions policy if it were operated by the local authority. Ken, you indicated that it was a disadvantage to have your admissions policy operated by the local authority. I am not too clear on that, because we have just heard that there are advantages and disadvantages, but will access not be fairer if you do not have knowledge of the individual children at that point in the operation of the admissions policy?

Ken Tonge: We did not manage the process at all, so if someone moved out of the area after our admission limit was reached—270 at the high school, for example—and a place became available, there was no process in place to give the next person on the list access to it. It was just left empty until perhaps a pupil excluded from another school was given the place by the local authority. We did not serve those people who had expressed a preference to come to us in the first place, and now we will be able to. That is an example of an advantage to us.

Q445 Annette Brooke: So there was a disadvantage in a local authority not being speedy in response?

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Ken Tonge: I think so. We are closer to the process. Let me add that the appeals process is still independent, because we are required to appoint an independent appeals panel for those people who consider over-subscription.

Q446 Annette Brooke: I will come back to that point in a moment. I would like to ask John Hayward a question. Have you been working with the Office of the Schools Commissioner in terms of the encouragement that you have been giving to schools becoming trusts?

John Hayward: Yes.

Q447 Annette Brooke: Can you give us some indication of what the process was with your engagement with the schools commissioner?

John Hayward: This is a sensitive area. Obviously, I meet a lot of representatives of local authorities and talk with them about these things, and I think it would be fair to say that the Local Government Association and colleagues would probably feel that the recent exchanges between the Office of the Schools Commissioner and local authorities have changed the relationship between local government and central Government unhelpfully.

Q448 Chairman: In what sense?

John Hayward: I am not necessarily just speaking about the dialogue in Coventry, but I do not think the exchanges have been conducted in a way which local authorities have felt has recognised their long-standing role in trying to raise standards in their communities and representing local democracy.

Q449 Annette Brooke: Those are very interesting comments. What emphasis was placed by the schools commissioner on fair access to any schools that became trust schools?

John Hayward: That did not arise in our conversations.

Q450 Annette Brooke: Can you tell us in what way the schools commissioner was promoting the trust model?

John Hayward: I think it would be fair to say that the schools commissioner and their representatives feel very strongly about the value of diversity and choice, understandably perhaps; I am not seeking to complain about that. They have made their strength of feeling clear to us as a local authority and, I think, to other local authorities they have met.

Q451 Chairman: Reading between the lines, you are suggesting—this is not about Coventry, but across local authority opinion generally in England—that the commissioner has been leaning quite heavily on you.

John Hayward: I am not talking about Coventry. I am here also as a representative of local authorities by proxy, I suppose. I would prefer to stick to my original words. The relationship between central and local government has not been enhanced by the recent exchanges, as I talk to my colleagues—

Q452 Chairman: What recent exchanges are you talking about?

John Hayward: Well, as conversations have gone on between the Office of the Schools Commissioner and local authorities.

Q453 Chairman: Are those on the record?

John Hayward: No, mostly not, I would say.

Q454 Chairman: We would like you to be a little more enlightening on this, because the commissioner reports to Parliament through this Committee and it is our role to talk to the commissioner on a regular basis. If there is that unhappiness in the local government world, we ought to know about it.

John Hayward: Yes, there has been unhappiness in local government about some of those exchanges. I do not want to talk about that in terms of individuals or Coventry's local authority, but you asked the question and I am telling you what my belief is in terms of how local—

Q455 Chairman: But you are here talking about trusts and what you are not telling us is this. Is Sir Bruce Liddington leaning on local authorities to push them in the direction of forming trusts, in a way that they otherwise would not want to go?

John Hayward: You talked about being politicians earlier and you will understand, I guess, that any—

Chairman: Now you are moving into being a diplomat.

John Hayward: I would not want to use the words that you have used, but there is unhappiness about the relationship among local authorities. That is a reasonable way of describing it.

Q456 Chairman: Linda, do you think Sir Bruce is leaning on local authorities to move in a trust direction they do not really want to move in?

Linda Doyle: I do not think that I can bear witness to the conversations that the Office of the Schools Commissioner has been having with local authorities. I presume when John talks about recent discussions, he is putting them in the context of the national challenge. Is that correct, John?

John Hayward: No, I would not want necessarily to suggest that they are in that context. I have been talking to other local authorities for the past 12 months or so about such things.

Q457 Chairman: But John, if trusts are so great, as you have more or less said, it comes as a surprise to us when you suddenly say that Bruce Liddington is pushing them a bit hard. That is what you are saying, is it not? Or is he saying that if you do not do this you will not get an academy, or if you do not do that you will not get school buildings quickly in future? Is that the sort of dialogue?

John Hayward: I do not think I want to talk about it in those terms. I just think that local authorities would want me to say that they would value a more productive relationship with the Office of the Schools Commissioner in connection with such questions. That is probably as far as I feel I can go.

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Q458 Annette Brooke: I am going to move on to the other person—I confess that I mix them up. The Office of the Schools Adjudicator produced a surprising report when he found that admissions policies were not being implemented fairly. I want to return to the earlier point about trust schools setting their own admissions policies. I shall ask Linda to start. Are there likely to be more breaches as you create more and more trust schools?

Linda Doyle: I do not think it fair immediately to link trust schools with the findings of Sir Philip Hunter's report. We have moved from the Bill to a statutory admissions code, and that was not the case when the White Paper was being discussed. It is obvious that schools must obey the law. I believe that Sir Philip's results show that a tremendous number of problems are caused by very small issues. The two greatest, I gather, are the definition of a sibling, and how to measure the distance that a child lives from the school. Those issues were involved in 2,000 breaches. I attended one of Sir Philip's conferences in London on the recent admissions consultation that closed in October. He is working on some fall-back definitions. The statutory safeguards are in place now, and presumably there will be moves to ensure that schools obey them. He said that many breaches were misunderstandings, and presumably they will be sorted out.

Q459 Annette Brooke: Do you think that there is a case for the local authority to administer the admissions codes, that we might then feel more secure, and that anonymity should be introduced so that children are known only by their initials and judged on criteria?

Linda Doyle: I think some of the issues were in the consultation, including whether local authorities should have a strong role. Certainly, at the conference that I went to, opinions between local authorities differed on whether they wanted that role. The important thing is the change—there is a statutory code and it must be obeyed by all schools—and the checks and balances. On the whole, as John described, trust schools are discussing their admissions criteria with their local authorities on the admissions forum. They have representation on the forum, as do all foundation schools. That does not mean that they can have a completely different set of rules, but they can discuss their own opinions. They cannot become selective, although some trust schools become trust schools as selective schools, and then the status quo is maintained.

Q460 Annette Brooke: If trust schools cross a range of local authorities—there is one application on the south coast at the moment—in what way can one be sure that links with the local community will be retained? In what sense will there be cohesion between the school's admission policy and the local authority, when the trust has been formed over hundreds of miles?

Linda Doyle: The admissions code applies to each school. The trust overreaching all those schools is a separate issue, in a way. Remember, we are dealing

generally with separate governing bodies of separate schools, and they will be responsible for their own admissions. Trustees will not have anything to do with that, except that they will have partial membership of the governing body. It will not alter that. I know that the collaborative trust partly involved in your constituency covers schools in four or five different authorities. They will share certain issues, but each school in its own situation will be responsible to its local authority for its admissions code.

Q461 Fiona Mactaggart: We have talked about how being a trust school can strengthen relationships with other organisations. I am concerned, especially with admissions, that it could actually weaken relationships with local authorities. I have with me a letter from a head teacher to a director of children's services. It reads: "I therefore would be grateful if you wish to communicate with us in future that you use an appropriate tone in your letters and communications. There can be no partnership if you continue to confuse us with one of your schools. I am sure that you would not have written to Eton College in this way." That shows a degree of tension between a school and a local authority, including over admissions. I am uneasy about whether that could be a feature of trust schools. What do you think about that, John?

John Hayward: In terms of initial admissions, it is early days, but there is no evidence in Coventry that the five schools went into trust status because they saw it as an area in which they wanted to change their relationship with the local authority. I remain optimistic about that. The other issue with admissions is in-year transfers, which is a particularly sensitive area. One of our schools is looking to become an admissions authority and seeking to explore what in-year transfer procedures they might want. I understand that, but from our point of view, if all five trust schools had their own in-year transfer procedures, it would make it very difficult for the other 14 schools. So that is an area where we are seeking to ensure that the partnerships are maintained, and that we have systems that all 19 heads feel they can operate equally. That apart, however, I see no evidence that heads are looking to change their approach to local authorities.

Q462 Fiona Mactaggart: Does anyone else want to comment?

Ken Tonge: I would be delighted to. I am fortunate, in that I work for an intelligent and enlightened local authority with senior leadership that has recognised the need for diversity in provision, and that for school improvement to happen we must model different kinds of provision for different areas. We have had nothing but support from the local authority. That is equally the case with admissions. There is no tension between us. As a head teacher with 17 years' experience, I must say that my working relationship with the local authority, as leader of a trust partnership, has been closer than ever. It is very interested in what we are doing and keen for us to do well. If we do well, it is to its credit

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as well as ours. A message has come through about antipathy between local authorities and schools, but that has not been the case with us.

Q463 Chairman: And the schools commissioner has been rattling around, has he?

Ken Tonge: The schools commissioner visited us last Friday and the director of children's services, Trevor Doughty, took every opportunity to clear his diary and meet him. There has been a very supportive relationship between the two.

Professor Ritchie: I would like to make an observation about the contribution of partners. In terms of university and further education college partners, where we have relationships with all schools in a local authority, it is really important for us to make sure that the right checks and balances and compliances are in place. Certainly, in the trusts that we have been involved in, we were really clear about the role of the local authority. Because it is a partner anyway, this is almost a non-issue, but I see one of the partner's roles as being to ensure that things are properly conducted. In some respects, in terms of where we sit with the Bridge Learning Campus, with two academies just down the road, the issue is somewhat different, but we are very keen that an appropriate admissions policy is in place. I have checked that, as chair of the trustees, and we know the local authority is fully supportive of that. The trust partners can play a constructive role in ensuring that what you are worried about is less of a concern.

Chairman: I think we must move on. We have one section left to do and Paul is going to lead us.

Q464 Paul Holmes: We have already covered most of the questions I was going to ask. So, just to revisit them briefly, the Government said of trust schools that raised standards will flow from the involvement of partners, whether those partners are business, charity, FE, HE or schools, and so forth. I am still not clear why you have to set up trusts to achieve that. Going back to John's school, our briefing tells us that you have a long, successful history of work experience, links with industry and so on, but you thought that trust status would improve that. Well, why? If you were doing it so well already, why?

John Clemence: The answer is probably that we were doing it well, but we could always do it better. Let me go back to an earlier question about how we sustain the belief. That is a question for all schools: how do they sustain their constant improvement to move forward? I suppose the answer is that some of the systemisation and the guarantees behind the trust have enabled some things to happen which hitherto have not been possible. That may be work experience placements, attending a Unilever lecture scheme, Unilever coming into the school to give a lecture to A-level students, which it is doing next week, or Unilever providing every A-level student with a mentor. All those various schemes are now built into the infrastructure of the trust. They were not there before. It is early days, but they will have

an impact. Equally, the collaborative nature of the trust—it is one based on collaboration like Ken's—means that schools are guaranteeing the entitlement of a curriculum for all the youngsters in that trust, which was not necessarily apparent beforehand, because the staff are working more closely together. We are exchanging staff across schools. We have built in exchanges to ensure that if a school finds itself—I will give you a perfect example—without an English teacher at the start of the term, the other schools assist to avoid situations arising where the youngsters will suffer. That is a more mature form of collaboration than we perhaps had previously, because there is a much stronger bond which is legally driven because of the trust. There are clear areas where it is raising standards through collaboration. Standards have been toughened and sharpened and expectations have been raised.

Q465 Paul Holmes: But you could have done that without the formal status of trust?

John Clemence: Yes, absolutely. We could have done it without, but we did not or, rather, not fully. This has given us fresh impetus and fresh direction. The challenge is to sustain that and constantly redevelop it.

Q466 Paul Holmes: We heard from John about the emphasis from the Government on choice and diversity. How does any of this improve choice? If you are a parent who is not within the catchment area or the admissions policy of the trust, you have no choice, have you? You cannot get into that system. It is not increasing choice in the slightest for parents.

John Clemence: That last bit has been a fascinating part of the discussion, not that the rest of it was not. You are right in many respects. In Bedfordshire the local authority has embraced the trust development. In the initial days, when it was new, we did not understand it, we were going forward on the trust when the legislation was not actually in place, and there was suspicion. No doubt about it, there was suspicion in various areas. There are now three trusts operational in Bedfordshire and three further ones, so there is much more diversity. It is not just north Bedfordshire that has a trust which no one else can join. There are a number of trusts springing up, as well as two academies in the pipeline, so there is diversity, but inevitably, there are still limitations. The people who wished to get into my school previously but lived in a different area and could not access it, still cannot. They would argue that there is no diversity or freedom of choice and so on, but there was none under the previous system either.

Q467 Paul Holmes: The final question is one we have already touched on, so we will go through it quickly. Linda is probably best placed to answer it. The rules say that the trust can control the school and appoint the governors, but you are saying that all or the vast majority of trusts have gone for the minority model, where they just put one or two people on the board of governors?

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Linda Doyle: Every trust school that exists at the moment has chosen the minority route, and most of them choose the minimum number, which is two, in the same way as foundation schools before had two foundation governors. That is what has tended to happen. So that would mean that in most cases, not even every trust partner would be represented. If there is a group of schools, they can make an individual decision as to how many governors they would like to have provided by the trust. It does not have to be the same for everyone. We have always imagined that more governors would be requested by a governing body in areas where that was an issue for that school, because some schools find it difficult to recruit governors.

Chairman: We must go on to *Every Child Matters*. Who is leading? Annette.

Q468 Annette Brooke: I am very enthusiastic about the *Every Child Matters* agenda. There were initially problems with tying schools fully into it, but that has been strengthened by legislation. I think I need to ask this of most people: what evidence is there that the trust model is being used to deliver the *Every Child Matters* outcomes? Perhaps I ought to say to Linda that I am terribly enthusiastic about the trust that has already been formed in my constituency, which certainly does that.

Chairman: Very short answers, as we are pushed for time.

Professor Ritchie: The Worle and Westhaven Trust that I mentioned in my introduction was set up to focus on the *Every Child Matters* agenda. The partners are chosen to ensure that young people's well-being, as well as their achievements, are at the centre of what we do. There is a big drive on notions of learning power and emotional intelligence, which bring in a whole range of different ways of supporting the agenda. The fact that the primary care trust is there as a formal partner reinforces that. The "all-through" Bridge Learning Campus, equally, has the outcomes as a clear driver for choices that we are making, in particular the focus on inclusion. The fact that we have a special school on site and that there will be what we are calling a student support centre, rather than a pupil referral unit, means that multi-agency work will be the name of the game, and that that agenda will be key to what the campus tries to do.

Linda Doyle: For every school that wants to become a supported school on the programme, part of the application is to demonstrate how what it is going to do will add to each of the five agenda items on *Every Child Matters*.

John Hayward: I think all our schools have been very interested in this area. Three of them have directly chosen trustees who can take the agenda forward. Something you might want to explore is the fact that one of the schools was disappointed. It had secured the trusteeship from a primary care trust, but apparently, legally, it cannot do that.

Q469 Chairman: Is that right? Primary care trusts cannot be partners?

Linda Doyle: This would be news to at least 16 primary care trusts.¹⁹

John Hayward: Having said that, it is a very positive area. We will speak afterwards.

Q470 Chairman: May I quickly ask you to the centre, Phil—I feel we have neglected you a little—and Ron. You are both involved, certainly Ron, with both a trust and an academy. Are you involved in an academy, Phil?

Phil Neal: Not directly.

Q471 Chairman: Let us ask your opinion anyway. If you are thinking of getting involved as an institution, as a university, what is the difference between the quality of the relationship with an academy and that with a trust?

Professor Ritchie: As I said earlier, we have tried to learn from the experience that we had with academies to inform the way that we work with trusts. As a university, there really is not a significant difference between the mode of operation and the contribution that we make to academies and trusts. We have different levels of engagement: we are an education partner with one academy and a sponsor for another. In essence, the university's contribution is aimed at being similar. It is strategic, as I have emphasised. We look at meeting local needs and try to negotiate the contribution of the partner to the particular circumstances of either the academy or the trust.

Q472 Chairman: But when you look at what the trust gives you, you are restricted, are you not? Of course you have to meet the admissions policy and pay the normal rates and conditions for teachers. There are great impositions on you to be just like a regular community school. On the other hand, when you are working with an academy, you can fix your own terms of hiring and firing, employing teachers, their hours and all the rest. Is that not something that you would like to do in trusts?

Professor Ritchie: In some respects, the innovation opportunities with academies are greater, but to go back to the point about what we have learned about the nature of innovation in schools with partner involvement, we can find creative ways of being innovative in the trust context. Were the head teachers of trusts or academies to answer that question, they may see it differently. I am saying that from the university's perspective, the contribution that we seek to have is not significantly different across those two different structures.

Phil Neal: When I go into Sharnbrook, I represent Capita and have a responsibility to make a difference, because I am actually tied into that structure. It is important to me when I am there that I am influencing that school. The connections that I have with all other schools are not as strong or formal. That has really been said before.

¹⁹ *Note by witness:* There is nothing in education law that would prevent a PCT from becoming a Trust Member. However, this is not to say that there may not be other restrictions. It is really for the PCT to decide on its own vires.

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Chairman: Thank you very much for this evidence session. I am sure you realise that we have tried to cover a lot of territory, and we have learned a great deal. Will you continue the dialogue? This inquiry is not finished, and if there is anything that you would have liked to say to us but you were not asked the appropriate question, please be in contact with us. Thank you.

Written evidence

Memorandum submitted by James Rogers, Executive Director, Universities' Council for the Education of Teachers (UCET)

I was very surprised at Chris Parry's allegation to the Select Committee (as reported in the *Independent* on 8 May) that "teacher training colleges" bully student teachers into not working in the independent sector. Many teacher education institutions, in fact, routinely use independent schools that deliver the National Curriculum for student teacher placements. Any suggestion that there is a systemic bias against the independent sector is totally unfounded.

I would be grateful if you would share this letter with your committee colleagues. I would also be interested to see the evidence that Mr Parry has promised to send in support of his claims.

May 2008

Further memorandum submitted by James Rogers, Executive Director, Universities' Council for the Education of Teachers (UCET)

Further to my letter of 9 May, I have now seen a copy of the ISC survey that purports to show that "teacher training institutions" are guilty of bullying student teachers who express an interest in teaching in the independent sector.

Leaving aside the survey methodology,²⁰ the results do not support the conclusions drawn. For example, it found that 80% of providers were either neutral or supportive towards their students working in the independent sector, with significantly more being described as supportive (32%) than negative (20%). And it is not even clear what these 20% of supposed negative comments actually entailed. They appear to cover those students whose views were "ignored" (surely a neutral rather than a negative response) as well as those who claim to have experienced a genuinely hostile reaction.

We cannot, of course, rule out the possibility that some teacher educators made negative comments to students expressing an interest in the independent sector, and we would condemn any who did. But this does not constitute systemic "bullying" by the sector as a whole or by institutions as opposed to individuals.

As I said in my earlier letter, many teacher education institutions work closely and productively with the independent sector and we recognise the valuable contribution that the sector plays in teacher education. We would be more than happy to work with the ISC to develop this further.

May 2008

Letter to the Chairman of the Committee submitted by Rosie Chapman, Executive Director of Policy and Effectiveness, The Charity Commission

You may remember we had a useful meeting a couple of months ago to discuss the Charity Commission's guidance on public benefit and the impact on charitable independent schools (and the possible knock-on effect on co-operation between the independent and maintained sectors).

I was interested to hear the evidence Chris Parry, of the Independent Schools Council, gave to the Committee yesterday. As you can imagine we were disappointed by a lot of what he said, but I'm sure the Committee is used to hearing a range of views and opinions!

However I did feel I ought to write to correct one factual error. Mr Parry asserted that the Commission has not given any assurances that the public benefit test will be applied proportionately when dealing with independent charitable schools. We have said time and again that we understand that (as with all charities) one size does not fit all, and that we will not have the same expectations of small schools as of larger schools with substantial endowments. This is made clear in the draft guidance itself on page 13, when we say that, "recognising the different circumstances of different fee-charging charities, we do not expect all fee-charging charities to meet the public benefit requirement in the same way. Nor do we expect small charities with few resources to be in a position to offer the same opportunities to benefit that larger charities with more resources at their disposal might be capable of providing". We also emphasised this point at the Independent Schools Council's recent conference on public benefit, when our Chair Dame Suzi Leather said in her speech, "for the majority of smaller independent schools the major hurdle you face is that of stretched, or dwindling, resources. We understand that, and won't expect you to be able to match the achievements of the wealthier schools."

²⁰ An unrepresentative sample of 757 NQTs (from an annual total of some 20,000) apparently asked questions in open forums organised by the ISC.

Proportionality is of course essential for any modern regulator and our approach to public benefit will be consistent with our general approach, which as you know is to work with charities to enable them to meet regulatory requirements and to expect more of those with more resources and capacity.

I hope this provides useful clarification. As you know we are still consulting on our draft guidance, but if this evidence session has prompted any further questions do let me know how we can help.

May 2008

Memorandum submitted by the British Humanist Association (BHA)

The BHA has many decades of experience in education, working for inclusive and accommodating community schools, for fair, balanced and objective beliefs and values education and for a broad and genuinely educational curriculum. We consider that all of these aspirations are jeopardised by the dismantling of our state education system which the proliferation of Academies and Trust Schools represents.

We know that the Committee will have access to many documents which make objections to the broader Academies agenda, and so we concentrate in this memorandum on the areas in which we have the greatest expertise and most detailed experience since 2001—the proliferation of state-funded Academies and schools controlled by religious organisations. A great number of Academies fall into this category—up to a third so far. As one commentator has put it, “The academies programme is without doubt a means of spreading the influence of faith schools in the education system.”²¹ We agree.

The BHA was in the forefront, in early 2002, of bringing the teaching of creationism in Academies to public attention. We have continued to have serious concerns about the extreme religious agenda of some religious organisations in control of state-funded Academies, and the lower level discrimination operated by the less extreme religious organisations, such as the Oasis Trust, or the United Learning Trust.

Some of the discriminatory and counter-educational practices permitted to state-funded religious Academies are also permitted to state-funded religious schools—discrimination in admissions and employment, for example, or the ability to teach a curriculum of RE different from that taught in schools without a religious character. But all this is exacerbated by the fact that they—like all Academies—stand outside of education law as it has developed in England over the last 60 years. And when a religious Academy is accused of using its money to assist its sponsor’s private endeavours, the justified opprobrium that would attach to a secular sponsor doing so is augmented by the fact that in this case, public money is being used for the promotion of religion. For example, “The Grace Academy in Solihull . . . has paid £53,000 in the past two years to Christian Vision, a charity founded by Mr Edmiston, an evangelical Christian, to promote the religion around the world”.²²

In three specific areas, the growth of religious Academies presents long term problems for the future of our education system: in admissions, in employment, and in the curriculum.

1. DISCRIMINATION IN ADMISSIONS

State-funded religious Academies are not as likely to discriminate in their admissions policies as religious schools but some do:

- In London the Grieg City Academy discriminates in favour of Christians and other religions and the St Paul’s Academy in favour of Christians.
- The St Francis of Assisi Academy in Liverpool discriminates in favour of Anglicans and Catholics.
- The Salford Academy discriminates in favour of Christians.²³

Such selection is divisive and inequitable and research report after research report has demonstrated that it benefits those from higher socio-economic backgrounds.²⁴

2. IMPACT ON TEACHERS

Academies with a religious character are able to discriminate in employment by requiring that certain staff have a commitment to the religion of the organisation in control of the Academy. This has negative consequences for the employment or promotion prospects of teachers who are not of the religion of the organisation—this is particularly inequitable when they may have previously been employed at the community school supplanted by the Academy, and had no intention of ever having to work in a religious school.

²¹ Richard Garner, *The Independent* (18 April 2006) *Expand specialist schools and forget academies*.

²² Rob Evans, Richard Cookson, Matthew Taylor, *The Guardian* (5 March 2007) *Alarm over Academy deals linked to sponsor*.

²³ Source for admissions information is *Times Educational Supplement* (10 February 2006) *Academy Facts and Figures*.

²⁴ See <http://www.humanism.org.uk/site/cms/contentViewArticle.asp?article=1915> for facts and statistics from the last seven years.

Further, it is not in the best interests of pupils and parents—Education Data Surveys’ 22nd Annual Survey of Senior Staff Appointments in maintained schools in England and Wales (2007) showed that over 50% of Catholic schools seeking head teachers could not find one and that Church of England schools also found it more difficult than community schools to find new heads. Academies that discriminate on religious grounds are similarly depriving themselves of potentially effective staff.

The Oasis Trust has stated its intention to discriminate in the employment policies of its Academies, and the employment policies of other Academies controlled by religious organisations have also come in for criticism.

Dr Simon Valentine reported a very unsettling experience when applying for a teaching post at King’s Academy, controlled by the Emmanuel Schools Foundation:

. . . instead of being asked about teaching style he was quizzed on his views on birth control and whether he believed in Noah’s Ark. “They were asking for a missionary, not a teacher,” said Dr Valentine, himself a Methodist lay preacher . . . “. . . they were basically sussing out my views on birth control and the Roman Catholic Church . . . I was cut short by a sarcastic and disturbing comment—“What is the point of sending young people out into the world with 20 GCSEs when they’re going to go to Hell?”²⁵

3. DISTORTION OF THE CURRICULUM AND CREATION OF AN EXCLUSIVE “ETHOS”

Academies controlled by religious organisations are allowed to attempt to impose a religious ethos, which may be marginalising and oppressive for many pupils, staff and parents.

A former pupil of an Emmanuel Foundation sponsored academy has voiced his concerns . . . “I actually attempted to take the option not to attend the assemblies and bible reading sessions,” he said. “However, each time I made this request I was told to ‘consider my actions’ . . .”²⁶

Such a blatant abuse of the human right to freedom of conscience and religion is a disgrace to our education system, but it is a constant concern where Academies are controlled by religious organisations: “[one academy] has been given permission to teach the entire curriculum in a Christian context”,²⁷ reported one journalist last year, and the problem with Academies controlled by the Emmanuel Schools Foundation is made vivid when one reads the material produced by its staff—on science teaching, for example:

we must acknowledge within our grand geophysical paradigm the historicity of a world-wide flood as outlined in Gen 6-10. If the Biblical narrative is secure and the listed genealogies (eg Gen 5; 1 Chro 1; Matt 1 & Lu 3) are substantially full, we must reckon that this global catastrophe took place in the relatively recent past. Its effects are everywhere abundantly apparent.²⁸

or on sex education:

the Biblical position of God’s warnings, advice and heartfelt desire that heterosexual sex is something to be enjoyed fully in its right context within marriage is a perspective that should be positively transmitted and encouraged.²⁹

Concerns over the teaching of creationism in state-funded religious Academies have been well reported for some years, but the influence of religious agendas on the wider curriculum can be just as pernicious and requires further study.

4. CONCLUSION

It is hard to build a complete picture of the practices of state-funded religious Academies. Because they are so autonomous, and their admissions, employment, RE curricula and worship requirements are built into their funding agreements with the Secretary of State, it would require some work to build a full picture. We strongly urge the Committee to discover:

- How many and which Academies discriminate in their employment policies on religious grounds;
- How many and which Academies discriminate in their admissions policies on religious grounds; and
- How many and which Academies do not follow the locally agreed syllabus for RE.

These objectionable practices are not the limit of the damaging effects of religiously-controlled state-funded Academies. Just as grievous can be the imposition of an “ethos” distinctive of a particular religion on a school population which is comprised of many religions as well as of non-religious people. Nothing

²⁵ Will Sutton, *Evening Gazette* (9 March 2007) *Academy denies claim from job candidate*.

²⁶ Blyth and Wansbeck *Today* (3 August 2006) *Academy sponsorship ‘taking power from parents’*.

²⁷ David Singleton, *Children Now* (8 February 2006) *City academies: Ministers’ deals with sponsors mean pupils have fewer rights*.

²⁸ <http://www.darwinwars.com/lunatic/liars/layfield.html>

²⁹ <http://www.christian.org.uk/html-publications/schoolcu.htm#Anchor-47989>

could resolve this concern apart from a change in the law to prevent Academies from having a religious character and requiring them to be fully inclusive and accommodating institutions, and this to we urge the Committee to recommend.

March 2008

Further memorandum submitted by the British Humanist Association (BHA)

The British Humanist Association (BHA) is the national charity representing the interests of the large and growing population of ethically concerned and non-religious people living in the UK. For almost the whole of our existence since 1896 we have been promoting the view that all state funded schools should include and educate pupils of all beliefs together, so that they can learn about and from each other. Because we doubt that religious schools can contribute to social cohesion or fully recognise the rights of all their pupils, we have strongly opposed Government plans since 2002 to expand the number and variety of religious schools. Instead, we have proposed that religious schools be effectively phased out by absorption into a reformed community school system in which the faith communities are offered facilities for voluntary worship, religious instruction and other “accommodations” in line with developing anti-discrimination law.

These policies and our objections to state funded religious schools are explained in full in *A Better Way Forward*, attached as an annex,³⁰ and so we do not replicate them here. We do wish, however, to emphasise three objections to “faith” schools that are particularly relevant to consideration of this sector as it stands. These are admissions, employment and curriculum.

ADMISSIONS

In areas where the only schools nearby are religious schools, parents are often surprised and distressed by the element of religious selection that occurs. One parent contacting the BHA was “shocked when both of [the nearest] schools required us to fill in additional application forms on which we had to categorise our son on religious grounds.” The idea of categorising one’s children in this way is deeply problematic for those who believe in the child’s autonomy.

Another parent discovered that the “nearest school with places for children who are not C of E or Catholic is . . . about three miles away and on the other side of [the town]. The local state school which has no religious denomination is full and has a long waiting list.” The separation of children from the children with whom they have hitherto been growing up, because they are not going to the same school as their peers, can be an isolating experience.

It is also undoubtedly the case, as evidenced by the research of Anne West and others, that selection on religious grounds can often be selection on socio-economic grounds in practice; further, selection on religious grounds in minority faith schools can also be ethnic, either explicitly so in the case of Jewish schools, or indirectly so in the case of (eg) Muslim schools. This can clearly contribute to segregation.

EMPLOYMENT

The ability of “faith” schools to discriminate in this way has actually been expanded very recently. Section 37(1) of the Education and Inspections Act 2006 amended Section 58(4) of the School Standards and Framework Act 1998 to remove the ban on head teachers in Voluntary Controlled schools with a religious character being selected on religious grounds; section 37(2) of the 2006 Act also amended 60(6) of the School Standards and Framework Act 1998 to remove protection from discrimination on the grounds of religion from non-teaching staff at Voluntary Aided schools with a religious character.

In light of such new powers to discriminate and the expansion of “faith” schools, no doubt even more professionals will find themselves in the position of one teacher who recently contacted the BHA: “As a primary school teacher, I have long been aware that I am discriminated against because of my beliefs. So many primaries, perhaps particularly here in the north west, are faith schools that my inability to provide a faith reference has meant that my opportunities for employment are severely restricted. On first moving to the area over 10 years ago I did apply to C of E, Methodist and RC schools even though they stated ‘practising . . . preferred’, as I thought that it might be a formality. However, it soon became apparent that this was not the case, and now I don’t even bother to apply. At one interview, I was asked if I were a Christian and I replied that I tried to live my life according to values which Christians shared. I was told that this was not enough and that to work in their school, I needed to have Christ in my heart. Needless to say, I did not get the position.”

³⁰ Not printed.

 CURRICULUM

One of the defences of state-funded “faith” schools is that they must teach the national curriculum and that it is better, therefore, to have them inside the maintained sector than outside. This defence ignores that fact, however, that the subject which it is most vital that “faith” schools be required to give a balanced education in, Religious Education, is not on the National Curriculum. Instead, voluntary aided “faith” schools teach their own syllabus of RE, unlike community schools which follow a syllabus set by the local authority.

COMMUNITY COHESION

Under the new duty to promote community cohesion, it is not only the treatment of religious beliefs and backgrounds that will be held relevant to the duty but the treatment of non-religious beliefs and backgrounds, as has been made clear by Ofsted and by DCSF guidance on the duty. It would be interesting to know from representatives of “faith” schools how they intend to handle this aspect of the new duty, and we submit that this would be a good question for the Committee to put to any representatives of these schools giving evidence.

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**Memorandum submitted by Ron Glatter, Emeritus Professor in Education, The Open University and
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KEY POINTS

1. The Government’s claim that its policy to extend school diversity is enhancing quality is highly questionable and does not seem to be supported by recent research, at least so far as the specialist schools programme is concerned.
2. A similar point applies to the policy of giving schools such as academies greater “independence”. A previous attempt to do this via the grant-maintained programme was not notably successful according to recent evidence, and it is not clear how “autonomous” schools are to be restrained from pursuing eccentric and possibly irresponsible policies.
3. Academies are overwhelmingly funded by the public purse and the systems of accountability and democratic control applying to them appear rudimentary and unfit for purpose. There is inadequate transparency and this area needs a major review so as to bring academies much more closely into line with other publicly-funded schools.
4. The impact of the diversity policy on parental choice needs thorough scrutiny. There are some indications that it may often actually be restricting rather than enhancing the range of options available to parents and children.
5. There is a significant danger that the new emphasis on sponsorship by universities and elite private schools will have serious unintended consequences in widening the achievement gap between pupils of different abilities and exacerbating differences in performance between schools.

The context: diversity and school autonomy. The issue of Academies should be seen not just in its own terms but in the context of two other key issues of current school governance, diversity and school autonomy (“independent state schools”). On diversity, the specialist schools programme has been studied most intensively. A study by Professor Jim Taylor and Steve Bradley of Lancaster University concluded that “. . . a large proportion of the funding yielded no discernible effect on exam performance. This suggests a substantial misallocation of public funds . . .” (Bradley and Taylor, 2007, p 17). Another recent study, by Jean Mangan and Geoff Pugh of Staffordshire University and Professor John Gray of Cambridge, concluded that extra funding on specialist schools achieves about the same return in terms of exam performance as extra spending for state schools generally, ie any performance effect doesn’t depend on acquiring specialist status. Performance of schools acquiring one of the major specialisms was not significantly different from that of schools generally, except in the case of sport, where specialist schools actually performed worse (Mangan *et al*, 2007). These findings confirm and extend the conclusion of an earlier literature review conducted for the Research into State Education (RISE) Trust that “There is no proven causal link between the improved performance of these schools and their specialist status” (Castle and Evans, 2006, p 2).

Despite this the Children’s Plan has a section on “School diversity” (paras. 4.51 to 4.53) in which it says “we want to see every secondary school working towards specialist, academy or trust status so that all children enjoy the benefits this can bring” (DCSF, para 4.52, emphasis in original). This far-reaching policy is justified in the document simply by the statement that “Greater diversity in the school system is enhancing the quality of education provision and in turn improving the choice of good schools for children and parents . . .” (para 4.51). As we have seen this is a very questionable assertion.

The other issue, of school autonomy, was brought into sharp focus by a report about Folkestone Academy headed “Academy teachers suspended for tying up pupil in class” (Polly Curtis, *The Guardian*, 20 December 2007). This mentioned that “pupils are required to agree to 53 pages of behaviour policies which include “seclusion zones” for misbehaving and holidays for high achievers. In the first three weeks of term 100 pupils were excluded for breaking new rules”. How much “autonomy” to devise eccentric and arguably irresponsible policies should be accorded to schools largely funded by the public purse? Why is “independence” of such schools considered to be in the public interest? Even if the majority of academies act responsibly why should the framework of governance permit such practice? There is also scope here for a continuous stream of bad publicity for the programme, for example the reports in November that among the incentives to be offered to teaching staff at Harris Academy in South Norwood are discounts at the chain of carpet stores that Lord Harris founded (Nicholas Cecil, “Harris to woo teachers with cut-price carpets”, *Evening Standard*, 28 November 2007).

The policy of successive governments has been to give ever greater autonomy to schools and this seems still to be the intention of both main parties. The model seems to be the governance of private (“public”) schools, which are thought to be successful at least in part because of their “independence”. However there is no evidence that this policy will bring the benefits claimed. For example a study of the long-term impact of the grant-maintained (GM) schools policy by Rebecca Allen of the London Institute of Education, comparing schools which won and lost votes to go GM, concluded that “. . . there is no reason to believe that [the] new policies on autonomy will lead to sustained improvement in pupil exam performance since former GM schools perform no better than vote-losing schools, once pupil background is taken into account” (Allen, 2007, p 35).

Key issues of governance and VFM. The key issues surrounding Academies include accountability, democratic control, transparency and the equitable treatment of publicly-funded schools. On the latter, the Public Accounts Committee, in a detailed cost-benefit review, considered that academies were “a relatively costly way of tackling low attainment” (Public Accounts Committee, 2007, conclusion 9). On transparency, as a Fellow of the Royal Society of Arts, Manufactures and Commerce (RSA) I have tried without success to get access to the draft Funding Agreement of the academy which the Society is sponsoring in the West Midlands, raising the question of what “Fellowship” actually means. The RSA’s lawyers have told the management that it cannot be shown to anyone, not even the Society’s members, until it has been finalised. The issues of accountability and democratic control are familiar—how can private sponsors be given control over the curriculum, staffing, premises, admissions, behaviour policy etc. of a school which is almost entirely funded by the taxpayer? It seems entirely illogical and indefensible.

Impact on parental choice. There are also significant issues of parental choice. According to research by the *TES*, Christian ethos schools are becoming the only option in some areas, even ones with very low proportions of believers or church attenders—the report mentions Norwich and West Sussex (David Marley, “Academies preach to the unconverted”, *TES*, 9 November 2007). There seems a rich irony in an apparently market-based initiative restricting rather than enhancing parental choice, but arguably the specialist schools programme has had a similar effect. In most areas of the country for logistical reasons only a very small range of specialisms can be available to parents, and when these are combined with other aspects of diversity, such as faith or being single or mixed-sex the choice presented is likely to seem even more restricted than previously.

University sponsorship. In an apparent attempt to improve the programme’s image the present government has pushed the notion of university sponsorship. At first sight, a university seems a more benign sponsor for a school largely funded by the public purse than a fundamentalist car salesman or a tabloid newspaper (re the latter, see Polly Curtis, “Read all about it: the Daily Mail school”, *The Guardian*, 24 November 2007). But is such sponsorship really in the public interest? Even in an era of widening participation, the distinctive expertise of universities relates to the most academically able students in the population. We do relatively well in educating such pupils at school. By contrast our performance is poor in relation to pupils of lesser academic ability—the so-called “long tail”. For example the recently-published PISA 2006 study of 57 countries identified the U.K. as having a comparatively large gap between higher and lower performing students (PISA, 2007, p 35). So university sponsorship is likely to exacerbate rather than help to solve this long-standing problem.

Furthermore, linking the names of universities with particular academies will give the impression that admission provides a preferential pathway to higher education, thus pushing up parental demand for them. This will probably lead to more dissatisfied parents, because more children will fail to gain admission—the parental choice question again. Also it will widen the gap between these academies and their neighbouring schools.

Similar issues may well arise in relation to the developing area of sponsorship by elite private schools. There seems a real danger that this new aspect of the policy on academies will result in damaging unintended consequences.

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