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Education and Skills Committee

Secondary Education

Fifth Report of Session 2004–05

Report, together with formal minutes, oral and written evidence

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Footnotes

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Summary

This report marks the conclusion of a two year inquiry into secondary education conducted by the Education and Skills Committee. During this time, we have investigated what we consider to be central elements of secondary education, publishing reports on Diversity of Provision, Pupil Achievement, School Admissions and Teacher Retention and Recruitment. This report brings together what we have learnt from these inquiries.

Our in depth inquiry into secondary education has given us a unique insight into the sector. We have scrutinised the Government's evidence base, the implementation of its policy and its future plans.

We acknowledge and welcome the improvements that have been brought about as a result of this Government's policies. We consider that the recent and planned increases in public expenditure on education are proving broadly effective. Some of its proposals for change are also welcome, such as the introduction of three-year budgets for schools, which will allow schools to plan and deploy their resources more efficiently.

In contrast, we are concerned that some of the Government's flagship policies are based on unexamined assumptions and are not accompanied by measures to test the relationship between cost and effectiveness. The Government hopes that its commitment to diversity and choice will raise standards in secondary education. This cannot be achieved without a rigorous assessment of what works and what does not. Many of these initiatives are expensive (for example, the projected £5 billion that will be spent on 200 Academy schools), yet the evidence that emerges from these programmes is not always properly evaluated and lessons learned before further public funds are committed.

Diversity of Provision: The Specialist Schools programme, and more recently the City Academy initiative, have added new school types to an already diverse system of secondary education. The Government asserts that this policy will lead to a rise in standards, but it has failed to produce the evidence to support the expansion of its diversity initiatives. We acknowledge and welcome the rise in standards achieved by many specialist schools and some Academies, but we caution that the reasons for success must be fully understood in order to be replicated elsewhere. Despite the Government's attachment to evidence-based policy, expensive schemes are rolled out before being adequately tested and evaluated compared to other less expensive alternatives.

Pupil Achievement: We welcome the more widespread use of value-added performance measures, but we continue to be concerned about the Government's focus on national targets as a school improvement tool. National targets have their place, but do not of themselves produce improvements. Practical measures are needed to generate the rise in standards that the Government desires. It should therefore be wary of imposing blanket "one size fits all" targets that some schools find harder to achieve due to the nature of their intake.

School Admissions: We are concerned that the Government seems complacent about the implementation of its objectives for the admissions system. The evidence we took during our inquiry indicates a troubling slide away from parents choosing schools for their children and towards schools choosing the pupils they wish to admit. The Government refuses to acknowledge this trend, let alone to take action to reverse it. Indeed, its proposals for the future of secondary education look likely to compound the situation. In this context, it is doubtful whether Ministers' claims that the admissions system serves to extend parental choice can be justified. We reiterate our recommendations, first expressed in our report on School Admissions, that the main elements of the Admissions Code of Practice should be given statutory force and that the Schools Adjudicator be given powers to investigate. We further recommend that the Government fundamentally reconsider the current arrangements for local ballots to end selection.

Teacher Retention and Recruitment: Further work is necessary to address challenging behaviour in schools. Poor behaviour holds down standards, causes some parents to choose schools outside their locality and causes good teachers to leave the profession. The present Secretary of State for Education has stated publicly that this issue is now a high priority for the DfES. We look forward to seeing actual improvements resulting from these words. In some cases, teachers can be helped to cope with challenging behaviour by means of specialised training programmes, similar to those we have seen in operation on Committee visits, and we urge the DfES to learn from models abroad. In other cases, poor behaviour is so acute that teachers face an impossible task and a more fundamental solution is needed. The Government's proposal that schools should share hard-to-teach pupils more evenly is one possibility, but we are not convinced that it intends to establish robust systems to encourage or ensure this form of collaboration.

The Five Year Strategy for Children and Learners: The *Five Year Strategy* sets out the Government's proposals for education over the next Parliament. Whilst some of the measures in this document are welcome, such as guaranteed three-year budgets for schools, others give rise to serious reservations. We detect a tension between the proposed structure of independent specialist schools and the Government's desire for schools to work more co-operatively in 'partnerships'. The idea of schools working together to share expertise and disruptive pupils is appealing, but we consider that the Secretary of State may be underestimating the challenges involved in realising this vision. Partnerships may not appear equally attractive to all schools and it is hard to see what pressures will be brought to bear in order to persuade all schools of the value of collaboration.

The reshaping of local government's role also gives rise to questions. The *Five Year Strategy* proposes that Local Authorities should provide strategic leadership. In a system where all schools are functioning independently, what levers will be available to Local Authorities to persuade schools to act differently? Additionally, the Government wishes to establish a "strong presumption" that popular schools will be able to create sixth forms and to expand. It is unclear where this leaves existing local planning system, and, indeed the new 'strategic' Local Authorities. It appears that local bodies will only be able to perform their function effectively for as long as their actions accord with the Government's wishes.

We find it difficult to detect a coherent overarching strategy in the Government's proposals

for education. The evidence provided to show that the large sums of money to be spent on the new arrangements will produce significant educational benefits is not convincing enough. Whilst the *Strategy* offers some welcome changes, it also contains much that has not been properly thought through.

1 Introduction

1. This report marks the conclusion of a two-year inquiry into secondary education conducted by the Education and Skills Committee. During this time, we have investigated what we consider to be the most vital aspects of secondary education, publishing reports on Diversity of Provision, Pupil Achievement, School Admissions and Teacher Retention and Recruitment.[1] Other aspects, including curriculum, have been explored elsewhere, for example in our parallel inquiry into 14–19 education. This report brings together what we have learnt from the four inquiries. It is not intended simply to reiterate the conclusions and recommendations of the separate reports. Rather, we wish to highlight areas of ongoing concern, where the Government's response to our report has been insufficient or where policy is still unsound. We also attempt to draw attention to those cases where we believe that the Government has changed its mind following our recommendations and to welcome them.

2. Since our inquiry into Secondary Education began, more than two years ago, there have been a number of developments in education policy. Most recently, in February 2005, the Government published its White Paper 14–19 Education.[2] This followed its *Five Year Strategy for Children and Learners*,[3] a document published in July 2004, which has much to say about the future of education. It proposes some important changes to the system of secondary education, including:

- encouraging all secondary schools to become 'independent specialist schools' and allowing them to adopt foundation status by simple vote of their governing body;
- changing the school funding system to allocate money directly to schools, taking control of budget allocation away from Local Authorities;
- encouraging more schools to establish their own sixth forms;
- encouraging popular schools to expand;
- creating partnerships of schools, which will share expertise as well as disruptive or hard-to-teach pupils.

If implemented, these proposals would have a significant effect on secondary education in England. For this reason, we discuss them in detail in the final section of this report and examine the likely consequences and issues that may arise.

3. The present Government has repeatedly emphasised its commitment to 'evidence-based policy', particularly in education. In all our inquiries, we consider it our task to test this

1 Education and Skills Committee, Fourth Report of Session 2002–03, *Secondary Education: Diversity of Provision*, HC 94; Seventh Report of Session 2002–03, *Secondary Education: Pupil Achievement*, HC 513; Fourth Report of Session 2003–04, *Secondary Education: School Admissions*, HC 58; Fifth Report of Session 2003–04, *Secondary Education: Teacher Retention and Recruitment*, HC 1057. We also published a brief report on our visits to New Zealand and to Birmingham as the Second Report of Session 2002–03, *Secondary Education: Visits to Birmingham and Auckland*, HC 486.

2 Department for Education and Skills, *14–19 Education and Skills*, Cm 6476, February 2005.

3 Department for Education and Skills, *Five Year Strategy for Children and Learners*, Cm 6272, July 2004.

claim. The Government insists that its plans for secondary education, outlined in the *Five Year Strategy*, are part of a long-term policy of choice for parents that will lead to a rise in school standards. In this report we scrutinise the basis for this policy in research evidence and consider whether it is likely to produce an improvement in results.

4. This report also looks at the implementation in schools of other Government education policy. To be effective nationally, proposed changes in education policy must be adopted by thousands of schools throughout the country. The evidence we have taken and our visits reveal the extent to which policy on secondary education is or is not likely to be implemented 'on the ground'. This is particularly important as the present Government has tended to rely on guidance, rather than regulation, to drive change in the secondary sector. We examine the effectiveness of this strategy and the problems that can arise locally.

5. This report is informed by oral and written evidence taken over the course of our inquiries into secondary education, as well as formal and informal evidence taken during visits to New Zealand and around the UK in Birmingham, Slough and Wakefield. In addition, we heard from the Rt Hon Charles Clarke MP, the then Secretary of State for Education, on this subject in a dedicated oral evidence session held in December 2004. We have received a small number of written submissions associated specifically with this report. These are printed as appendices.

6. We are grateful to our specialist advisers, Professor Alan Smithers, Sir Peter Newsam and Valerie Bragg, for their help with this report and throughout our inquiry into secondary education.

2 Diversity of Provision

7. Our first report was on Diversity of Provision. The concept of diversity remains a central plank of the Government's plans for education. Indeed, since our report was published policy has moved even further in this direction. Our report focused largely on the Specialist Schools initiative, a programme giving extra funding to schools that take on a curriculum focus (or 'specialism'), and that have reached acceptable standards. In order to participate, schools themselves must normally raise £50,000 in sponsorship which is then matched by public funds. Originally, the proportion of schools that could gain specialist status was limited. In November 2002, the Government removed the cap on the percentage of schools that could become specialist schools. In early 2005 approximately two thirds of secondary schools were designated as specialist schools and the Government has stated its objective that all but a very few schools should acquire a specialism by 2008.[4] Subject to approval, schools may now also establish two specialisms. The position as we return to this subject is that specialist schools have become the norm rather than the exception and will soon be almost universal.

8. A development which further increases the diversity of secondary schools is the City Academy programme. Academies are new schools, built in areas where educational achievement is persistently low and sponsored by a private donor. When our report was published, only three Academies were in operation, with plans for 30 more by 2006. This programme has since been expanded significantly. The Government now plans to found 200 Academies by 2010, 60 of which will be located in Greater London.[5] The Academy programme has provoked some controversy, and, given the substantial expansion in scope of this programme (and hence, in expenditure) since our report, we now reconsider its implications for secondary education.

Specialist schools

9. As we noted in our original report, the Specialist Schools programme is largely marketed as a school improvement tool. The Government's response to our report stated that "the programme is based around a specialist focus on part of the curriculum as a catalyst for

4 *Five Year Strategy*, chapter 4, paragraph 16.

5 There are currently 17 Academies in operation: The Business Academy, Bexley, sponsored by Sir David Garrard; Greig City Academy, Haringey, sponsored by The Greig Trust and the Church of England; Unity City Academy, Middlesbrough, sponsored by Amey plc; Capital City Academy, Brent, sponsored by Sir Frank Lowe; The City Academy, Bristol, sponsored by a consortium including John Laycock, a Director of Bristol City Football Club, the University of the West of England and Bristol Business West; The West London Academy, Ealing, sponsored by Alec Reed, founder and Chairman of Reed Executive plc; Manchester Academy sponsored by the United Learning Trust (The Church Schools Company) and Manchester Science Park Ltd; The King's Academy, Middlesbrough, sponsored by the Emmanuel Schools Foundation; Djanogly City Academy, Nottingham, sponsored by Sir Harry Djanogly; The City of London Academy, Southwark,, sponsored by the Corporation of London; The Academy at Peckham, sponsored by Lord Harris of Peckham; Walsall Academy, sponsored by the Mercers' Company and Thomas Telford Online; The London Academy, Barnet, sponsored by Peter Shalson, Chairman of SGI Ltd; Mossbourne Community Academy, Hackney, sponsored by Clive Bourne, life president of Seabourne Group plc; Stockley Academy, Hillingdon, sponsored by Barry Townsley, Chairman of stockbrokers Insinger Townsley; Lambeth Academy, sponsored by the United Learning Trust (The Church Schools Company) and Northampton Academy, sponsored by the United Learning Trust (The Church Schools Company).

whole school improvement".[6] Further, its aim for all schools to specialise is justified in the *Five Year Strategy* by reference to improved results, noting that "specialist schools have improved faster that the average, and add more value for pupils regardless of their prior attainment".[7]

10. Specialist schools are said to achieve better examination results and higher added value than schools which do not have a specialism. During our inquiry, both the Specialist Schools Trust and the DfES presented research in support of this claim. This evidence was disputed by others, who suggested that Specialist Schools do not achieve significantly better results once factors such as the socio-economic profile of their intake are accounted for.[8] Most recently, **an Ofsted evaluation has found that specialist schools are performing better than other schools and that they have made significant improvements over the last three years.** Ofsted concluded that:

> "Being a specialist school makes a difference. Working to declared targets, dynamic leadership by key players, a renewed sense of purpose, the willingness to be a pathfinder, targeted use of funding and being part of an optimistic network of like-minded schools all contribute to an impetus and climate for improvement."[9]

11. The fundamental question we posed in our report was whether the addition of a specialism was the main driver of any improvement in the performance of specialist schools, or whether other factors might have a greater influence. A number of factors are involved in gaining specialist status, apart from choosing a curriculum focus, which could account for improved results. Firstly, the designation process involves the attainment of school management and leadership competencies. Secondly, the school must normally raise £50,000. Schools then receive Government funding of £100,000 for a capital project plus recurrent funding of around £126 per pupil per year for four years.[10] **The effect of certified good management practices and of extra funding alone may account for better results regardless of whether a school has chosen to specialise in a particular subject area. We have not received any evidence to resolve this important question. Nor has there been any assessment of levels of achievement in schools before they were awarded specialist status and how that affects subsequent results.**

12. Indeed, Ofsted's recent report on specialist schools found that these schools often achieve better results in subjects outside their specialist area, saying:

> "The rate of improvement in pupils' performance in specialist subjects is levelling off. There are various reasons for this, one of which is that raising standards from above average to well above average calls for concerted use of all the school's resources. In addition, while senior managers are closely involved in setting targets, middle managers, who are most involved in specialist subjects, are not sufficiently involved in the day-to-day work of monitoring and improving the quality of provision. Less

6 Education and Skills Committee, Fourth Special Report of Session 2002–03, *Government Response to the Committee's Fourth Report: Secondary Education: Diversity of Provision*, HC 1096, paragraph 19.

7 *Five Year Strategy*, chapter 4, paragraph 15.

8 For example, oral evidence from Dr Sandie Schagen, *Diversity of Provision* Q 186.

9 *Specialist Schools: a second evaluation*, Ofsted, 16 February 2004, HMI 2362, p 3.

10 Currently £126 per pupil but rising to £129 from September 2005.

> than half the schools met their targets for these subjects. These weaknesses, identified in the last report, have not been tackled with sufficient rigour."[11]

Ofsted recommended that "individual schools should focus on improving results in specialist subjects where results are lower than those in other subjects and targets are not being met."[12]

13. This evidence casts some doubt on the assertion that the acquisition of a specialism is a main driver of improvement in specialist schools. In their response to our report on Diversity of Provision, the Government admitted that, although a number of studies had been carried out to measure the performance of specialist schools compared to non-specialist, no research had been undertaken to determine the effect of specialism itself, as opposed to other factors. For example, no control sample had been set up involving schools that were given extra funding or completed the designation process without specialising. The Government said:

> "The Government regards all three of the features identified by the Committee (funding, management process, nature of the specialist policy) as necessarily integrated elements of the specialist schools programme. Research, surveys and case studies have borne on these three elements but there has been no research attempting to evaluate in quantitative terms the contribution made by each of the separate elements. It is possible that such work, which would be complex, would identify particular significance to one of the elements but the Government sees no reason in the existing literature to expect that any one element would be shown to be unimportant to the whole. On the broader front, the Government will ensure that the achievements of specialist schools continue to be closely monitored and consider what additional research should be commissioned."[13]

14. **We do not accept the Government's assertion that it would be too difficult to measure the relative effect of the various factors involved in the specialist school programme. We believe that it is important to determine whether the extra funding, the specialist focus or the designation process is responsible for the improvement in performance displayed by most specialist schools. We therefore reiterate our call for further research in this area, to ensure that the factors behind the improvement of specialist schools are fully understood**.

15. We also have ongoing concerns that schools in affluent areas find it much easier to raise the sponsorship required to attain specialist status than those in deprived circumstances. Not only does this mean that schools in affluent areas find it easier to become specialist schools, those schools in deprived areas where sponsorship money is scarce also divert significant time and energy into fundraising activities with little apparent return. In their response to our report, the Government said that the Specialist Schools Trust was funded to help schools raise sponsorship and that the Partnership Fund could help in cases of particular difficulty.[14] **Our evidence suggests**[15] **that schools in less affluent**

11 Page 3

12 Page 4.

13 *Government Response to the Committee's Fourth Report: Secondary Education: Diversity of Provision*, paragraph 20.

14 Ibid, Paragraph 1.

areas continue to experience difficulties in raising the funds necessary to attain specialist status and we urge the Government to monitor this issue closely.

16. Furthermore, our report identified problems in areas where some schools had attained specialist status and others had not. We were concerned that the specialist schools programme should lead to improvements across the board, rather than a rise in performance in individual schools to the detriment of others nearby. In their response, the Government admitted:

> "There has been no substantial research into the impact of specialist schools on neighbouring schools. In one sense this becomes less significant with the drive to make all schools specialist but the issue is important and the Government will consider how this should be addressed."[16]

We are unaware of any Government action to address this issue or to commission subsequent research in this area.

17. **If the Government's *Five Year Strategy* is implemented, the Specialist Schools programme will become the universal model for secondary education. We are therefore concerned that the reasons for the comparatively good performance displayed by many specialist schools are still not securely established. This seems to undermine the Government's commitment to evidence-based policy. Without being able to weigh the relative importance of the factors involved in the achievements of specialist schools, the Government cannot be assured that the roll out of this programme will have the desired results, or that the success of the current group of specialist schools will automatically be replicated elsewhere.**

18. We have a more general concern that the Government's rhetoric of diversity regarding specialist schools is often confusing. At times, Ministers champion specialist schools as an expansion of choice for parents, offering "support and choice to pupils with particular aptitudes and interests".[17] The implication here is that parents whose children had, for example, a particular talent for languages, would choose to send them to a specialist language school. Yet all specialist schools must teach the National Curriculum and cater for pupils with no particular aptitude or interest in their specialism. Furthermore, in many cases parents live too far from a school with an appropriate specialism to take advantage of it. This policy tension was evident in a comment made in 2004 by the then Secretary of State, when he stated that the objective of Government education policy was the improvement of all schools and "the encouragement of people to go to their local neighbourhood school",[18] regardless of its specialism. **There is an inherent conflict between the former Secretary of State's stated aspiration that children should attend their local school and the way in which the Specialist Schools model is often presented by Ministers as an expansion of choice for parents.**

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15 *Secondary Education: Diversity of Provision*, paragraph 34.

16 Ibid, paragraph 7/8.

17 *Five Year Strategy*, chapter 4, paragraph 14.

18 Oral evidence to the Transport Select Committee, School Transport inquiry, HC 318–ii, Q 207.

19. Diversity can be provided in a number of ways. One way is to establish a range of different types of schools offering different teaching or subjects for parents to choose between. Another way is to provide diversity within a school, perhaps in the form of a personalised curriculum. **In its public pronouncements, the Government sometimes seems confused about the kind of diversity it wishes to promote in secondary education. In its *Five Year Strategy*, it states that the personalisation of the curriculum will be an important objective. This objective need not necessarily be associated with the existence of different types of school. The Government must therefore demonstrate how diversity in types of school will contribute to its aim of diversity within schools.** The *Five Year Strategy* asserts that this can be achieved via partnerships of specialist schools working together to provide expert teaching and dedicated facilities in a range of curriculum areas. There is no reason why diversity between schools should be at odds with diversity within schools. We welcome this proposal in principle, however we have some concerns regarding the practical operation of partnerships of schools, which will have no statutory basis. We return to this issue later in this report.

Academies

20. The Government's Academy programme is much more limited in its numbers than the Specialist Schools programme, but is much more expensive in its capital costs. Academies emerged from the Fresh Start initiative, in which schools which for three consecutive years failed to achieve five A* to C grades at GCSE for at least 15% of pupils would be considered for closure and replacement with a new school. The DfES describes Academies as "publicly funded independent schools" outside LEA control. They must teach the National Curriculum core subjects and carry out Key Stage 3 assessment tests. Aside from those requirements, they "are free to adopt innovative approaches to the content and delivery of the curriculum", which may be affected by the interests of their sponsor.[19]

21. Academies do not benefit from any extra revenue funding, but they do receive considerable capital funding from the DfES, ranging so far from £13 million to £38 million.[20] In addition, independent sponsors pay up to 10% of the capital costs, capped at a contribution of £2 million. This represents an average of just over £23 million per Academy in public funds, or almost £25 million when the contribution of sponsors is included. Seventeen Academies are so far operating, with another 34 in development. The Government has announced plans for a total of 200 Academies. If future Academies attract a similar level of funding to those so far agreed (and we see no reason why this should not be the case) the total capital cost of the programme would be nearly £5 billion—a significant sum.

22. The capital cost of Academies is significantly beyond that of other new schools. The Academies currently in operation generally provide places for around 1,200 students in each school. At an average cost of £25 million per school, this represents a cost of almost £21,000 per place. In contrast, the Government's basic need cost multipliers for building new secondary school accommodation is just under £14,000 per place.[21] It is equally

19 Ev 30

20 House of Lords written answer, HL 3766, 19 July 2004.

21 Department for Education and Skills, *Education Projects Cost and Performance Data*, April 2003.

important to note that although Academies are planned to take large numbers of pupils eventually, they often begin with small rolls and some build up from a year 7 only intake in their first year of operation. This increases the cost per pupil far beyond the cost per place.

23. These figures are not included in the *Five Year Strategy*. Indeed, none of the proposals are costed in that document. Nevertheless, the City Academy programme represents a significant investment of public funds, which deserves proper scrutiny. **We recognise that secondary education has failed in some inner city areas and we understand the temptation to believe that Academies are the solution. Yet £5 billion is a lot of money to commit to one programme. The Government could have limited the number of Academies to 30 or 50 and carried out an assessment of their effectiveness before expanding the programme so significantly.**[22] **Whilst we welcome the Government's desire to invest resources in areas of educational underachievement, we consider that the rapid expansion of the Academy policy comes at the expense of rigorous evaluation.**

24. We have a number of specific concerns regarding the Academy programme. Our first is that the programme has been expanded without proper evidence to show that the current Academies are working well. We asked Mr Clarke, the then Secretary of State, to describe the evidence base for the DfES Academy programme and what evaluation of existing Academy schools had taken place. He answered:

> "[B]ecause we only have a very small number of academies at this moment, by definition you cannot have had a research programme to look at that relatively small number of academies before moving forward […] I would say that a proper scientific assessment of the impact of academies could not meaningfully take place for two or three years at least, probably six or seven years of a school cohort going through, to assess what happened."[23]

25. The Secretary of State went on to say that "the reason why academies are in a sense a diversion from the whole debate is that it is a very small number of schools out of all the secondary schools in Britain"[24] Although few in number, at an average cost of £25 million per school, Academies represent a significant investment of resources. **The communities that will be served by Academies are particularly vulnerable and have suffered from many years of inadequate education provision. We welcome the Government's desire to invest in the schools serving these communities. But the Government should ensure that the current programme of Academies is thoroughly evaluated, both in respect of the performance of individual academies and the impact on neighbouring schools, before embarking on a major expansion of an untested model.**

26. In later written evidence, the DfES described the system being used to monitor the performance of Academies:

> "The evaluation of the Academies programme is a five year longitudinal study. Price Waterhouse Coopers produced an annual report for DfES in November 2003. The second annual report is due to be delivered in December. The study will be looking

22 It may be useful to compare Academies with CTCs, which are in some respects similar schools and about which much more information is available.

23 Q 50

24 Q 56

> at the impact of Academies on children from disadvantaged areas and their families and communities and the extent to which Academies raise educational standards. We did not publish the first year's report, because it was based on a small number of open Academies, but we will consider publishing the second. We cannot wait five years for the study. These children only get one chance in life and we can't afford to wait that long before we make the radical break with the past, which Academies represent."[25]

The first of these annual reports has been obtained and disseminated by the press through a request under the Freedom of Information Act. We understand that the second annual report is still in the drafting process.

27. We understand that it is difficult to conduct sound research based on a very small sample of schools, particularly when those schools may vary significantly in their profile (some Academies are brand new schools, others are built on the site of a failing school and some have a significant transient population from year to year). **We fail to understand why the DfES is putting such substantial resources into Academies when it has not produced the evidence on which to base the expansion of this programme. We recommend that the Department publish its evaluations of Academies, making clear the limitations of the research due to the small number of schools involved.**

28. Mr Clarke described to the Committee the good results attained by some Academies in comparison with predecessor schools on the same site. He cited the achievements of Bexley Academy, the City Academy, Bristol and King's Academy, Middlesbrough, which have all significantly raised the percentage of pupils attaining 5 A*–C grades at GCSE. **We welcome the success of Academies which have raised educational standards in areas of historical underachievement. However, we observe that other Academy schools seem not to have produced improved results compared to the school that was previously on their site**. Figures published in January 2005 for 11 Academies showed that five have not improved performance at GCSE and that in some cases, the percentage achieving 5 A*–C grades has actually declined.

29. We are also concerned that the good results achieved by some Academies may have come at the price of excluding those children that are harder to teach and reducing the proportion of children in the school from deprived backgrounds (whom they were originally intended to serve). In late 2004, the King's and Unity Academies in Middlesbrough were challenged by Professor Stephen Gorard of York University about their higher than average number of permanent exclusions.[26] The two schools had expelled 61 pupils between them since the start of the school year in 2002 , compared to just 15 from all other secondary schools in the borough. Professor Gorard also found that the number of students entitled to free school meals at Unity was 47%, compared with nearly 60% at its predecessor school.

30. When we raised this issue with the then Secretary of State, he said:

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25 SE 4

26 BBC *File On 4: City Academies:* Tuesday, 23 November, 2004. Transcript available at http://news.bbc.co.uk/nol/shared/bsp/hi/pdfs/fileon4_20041123_academies.pdf

> "the steps which I have announced and which will be carried through which say every school, including academies, has to play its full part in working together, dealing with everybody who is excluded in a particular community, on a fair basis, so you do not get some schools taking an over large proportion and other schools taking very few… I think that is the right policy and collaboration will enable this to happen this way and including academies. The idea that people make academies succeed or specialist schools succeed just by saying 'Okay, come in and let's get rid of X number of pupils and that solves it' is simply wrong. It is not based on what actually happens in any respect whatsoever."[27]

Subsequent written evidence from the DfES claimed that "the percentage of pupils at Unity eligible for free school meals is 49.1% which is practically the same as in the predecessor schools [i.e. 60%] and is well above the LEA average (32.3%) and the national average (14.5%)."[28]

31. **As the Government continually repeats, the development of the Academies programme is still in its early stages. As yet, the evidence for and against the initiative is primarily anecdotal. What evidence there is paints a mixed picture. Despite the paucity of evidence, the Government is enthusiastically pushing forward with the programme and with new Academies. We caution against this approach and urge the DfES to monitor carefully the performance of academies and adjust its policies accordingly. In particular, the Department should consistently measure the proportion of pupils entitled to Free School Meals and the number of exclusions in Academies.**

32. As with specialist schools, we are concerned that the effect of Academies on nearby schools should be monitored. Where new Academies are established, the local school place planning process needs to be carefully managed in order to prevent any adverse effects on existing schools. For example, if a new academy draws pupils away from existing schools, those schools will suffer a reduction in funding and may have to reduce staffing levels as a result. In addition, it is intended that all Academies will have sixth forms. This may result in well-qualified teachers from nearby schools without sixth forms moving to Academies, creating recruitment problems in those schools. **The Government should monitor the effect of Academies on neighbouring schools, in terms of funding (including by the creation of surplus places at neighbouring schools) and staffing (e.g. the loss of well-qualified teachers at one school to a nearby Academy with a sixth form).**

33. The Academy programme has raised controversy in many areas, particularly due to the nature of the sponsors involved in schools. A number of the existing Academies are sponsored by evangelical Christian groups and this has led to allegations that sponsors could have undue influence over the curriculum (for example, giving greater weight to creationism than the theory of evolution). This involvement can be bought relatively cheaply. For less than £1 million, as compared to an average of £25 million in public funds, sponsors can gain considerable influence or control over a school. Whilst we would not wish to suggest that this influence is being used maliciously, this seems a small price to pay, particularly for corporate sponsors.

27 Q 68

28 Ev 29

34. There is a fundamental question mark over the role and function of an Academy's sponsor. What does a sponsor add to a school? Do they stimulate improvement above and beyond that of a school which is not sponsored? When we asked the then Secretary of State what benefits sponsorship brings to an Academy, he responded:

> "If you go through most of the academies so far, you will see a significant education improvement, even by comparison with the predecessor school, in each of those areas. The education benefit is the engagement of the sponsor who is really trying to take it forward […] I would argue—and this goes back to research conducted literally decades ago—that it is the leadership ethos structure of the school which determines its results. […] I think the academies are working to that end and the involvement of the external sponsor has helped that to happen in quite significant ways."[29]

35. The Secretary of State's response implies that good sponsors would be closely involved in "the leadership ethos structure of the school". This raises further questions. Most sponsors do not have a background in education. Should they be involved in day-to-day management of the school, which is normally a matter for the head teacher? Does the sponsor bear any accountability if the school fails? If so, to whom is he or she accountable and how?

36. **We agree that the participation of an enthusiastic and committed private sponsor might benefit a school. But once again, the DfES does not seem to have set up a rigorous enough structure to evaluate the effects of sponsorship. It might be prudent to establish a number of Academies without sponsors so that the effect of sponsorship can be properly monitored and tested, or to examine the role of sponsorship of different characters in CTCs. The Department should also consider allowing donors to sponsor schools which are not Academies on the same basis, in order to measure the effectiveness of sponsorship even more accurately.**

The Rhetoric of Diversity

37. The Specialist Schools and Academy programmes have added to the increasing diversity in the types of secondary school now available. As we noted in our original report on Diversity of Provision, "the present Government has explicitly linked this form of diversity with its efforts to raise standards".[30] We do not believe that the link between diverse types of schools and improved overall standards has been proven. We have similar concerns regarding both the Academy initiative and the Specialist Schools programme. **Despite the Government's proclaimed attachment to evidence-based policy, expensive schemes seem to be rolled out before being adequately tested and evaluated compared to other less expensive alternatives.**

29 Qq 51 and 52

30 Summary, page 3.

3 Pupil Achievement

38. The Government insists that school standards are improving. It introduces its recent *Five Year Strategy for Children and Learners* by claiming that "our education system is now among the best in the world. Our ten-year olds are the third best readers in the world".[31] Others take issue with this view. For example, universities and business leaders complain of falling standards compared to past years, "dumbing down" and students unequipped with the basic skills for higher education or the labour market. Some, such as Dr John Marks, argue that the move to a comprehensive school system is responsible for a decline in standards, pointing to better results at age 16 for students attending both grammar and secondary modern schools.[32] Other studies, including that conducted by Professor Jesson for the NFER, suggests that the most academically able 25% of the ability range performed equally well, if not slightly better, in non-selective schools.[33] Which of these contrasting views is correct? Despite the Government emphasis on standards, we still appear not to know how to compare the educational level of our children to that of other countries' or of past generations in this country.

39. Our report on Pupil Achievement recognised the Government's success in raising levels of numeracy and literacy in the primary phase, but questioned its progress in secondary education. We observed consistent differential achievement associated with ethnicity and gender and found that poverty was often statistically associated with low achievement. We also urged the DfES to make a clear distinction between under achievement, sometimes reflected in schools with good results which could be far better, and low achievement, which can represent the best that could be expected from good schools working in difficult circumstances. In this report, we return to two specific areas: the way in which the Government sets and measures targets for school standards, and the use of international comparisons.

Measuring and Raising Achievement

40. In our previous report, we recommended that the Government develop ways of measuring achievement that were more sensitive to low achievement (e.g. that below the standard five A*–C passes at GCSE). In its response, the Government pointed to the new 'value-added' indicators, which measure pupils' achievement in terms of their previous performance:

> "It is usually helpful to distinguish between low achievement and under-achievement. That is why the Department has invested so heavily in developing

31 *Five Year Strategy*, page 6.

32 John Marks, *The Betrayed Generations: Standards in British Schools 1950-2000*, Centre for Policy Studies, 2000. Marks argues that "pupils in comprehensive schools make up 85% of the age group but obtain only about 75% of good GCSE passes. At A level their proportion of passes falls to about 65% and to about 50% for A grades. Results for selective schools taken together (grammar and secondary moderns) are about 35% better than for comprehensive schools which indicates substantial under achievement by many comprehensive schools and maybe a further 60,000 pupils achieving good GCSEs if we had a selective system" (Page i).

33 *Secondary Education: School Admissions*, paragraph 210.

value added measures of performance as well as raw achievement results. The distinction can be important, but some schools will be characterised by both low achievement and under-achievement."[34]

We welcome the use of value-added measurements, which are a useful addition to the range of data available to parents judging the quality of a school.

41. Value-added measures also facilitate the comparison of schools with similar intake profiles. It is then easier to see when a school is not producing results up to the standards of others in the same category. In his most recent Annual Report, David Bell, Her Majesty's Chief Inspector of Schools, cited the variability in performance of schools in otherwise similar circumstances as one of his major concerns, saying "many of the schools on the outstanding list are very similar to schools making poor progress".[35] For this there can be no excuse. **Struggling schools should not be allowed to lag behind, when their peers are managing to add value.**

42. We have received submissions to suggest that, in some cases, the value-added measurement system could be improved. Grammar schools have complained that they are disadvantaged by the cap on performance measured.[36] For example, the Government's value-added measures only take into account a maximum of eight GCSE grades. Some schools taking high-achieving pupils who achieve more than eight GCSE passes feel that they do not gain full credit for these achievements. **The debate surrounding the merits of the grammar school system is long-standing, but cannot be clarified without a method of performance measurement that all parties agree is fair.**

43. In our previous report, we also questioned the Government's use of targets. We found that targets for the proportion of children attaining five A*–C grades at GCSE were a blunt tool. We recommended that the Department replace national targets with individual progress targets wherever possible, defining targets for all schools in terms of the progress that each child makes through the Key Stages. In its response, the Government said: "appropriate national targets continue to have a vital role. They help to provide focus for the system and raise our expectations. For as long as we want to achieve higher standards, they will continue to have an important place".[37]

44. In the past year, the Government's key targets for GCSE level exam performance in England have all been missed. The proportion of pupils gaining five or more A*–C grades rose by half a percentage point, missing the target of an average annual rise of two points between 2002–06. Of course, **national GCSE targets do not themselves produce improvements. Practical measures are needed to produce the rise in standards that the Government desires.**

45. The Government's response to the Committee's report on School Admissions again confirmed its intentions to persist in the use of national GCSE targets:

34 Education and Skills Committee, First Special Report of Session 2002–03, *Government Response to the Committee's Seventh Report of Session 2002-03: Secondary Education: Pupil Achievement*, HC 147, paragraph 5.

35 Speech by David Bell, HMCI, The Annual Report of Her Majesty's Chief Inspector of Schools 2003/04, press conference opening remarks, 2 February 2005.

36 Ev 36

37 Paragraph 17.

> "we are determined to ensure that every school reaches a minimum standard and have committed in our PSA targets to aim to ensure that in every school at least 20% of pupils achieve five or more A*–C GCSEs by 2004, 25% by 2006 and 30% by 2008".[38]

Currently, around 50% of pupils achieve five A*–C grades at GCSEs. **Some secondary schools may only have 15% of pupils in the top 50% ability range when they enter the school. They can hardly be described as comprehensive. It seems unreasonable to expect 25% of the pupils in these schools to achieve five GCSEs at grades A*–C by 2006.**

46. **Instead of concentrating so much energy on the setting of targets which fail to recognise the nature of a school's intake, we recommend that the Government focus attention on factors more likely to raise achievement.** Chief amongst these are:

- The Key Stage 3 strategy: the weakest Key Stage in terms of achievement.
- The transfer from Key Stage 2 to Key Stage 3, where gains in achievement can be lost.
- The association between poverty and underachievement, currently being addressed through the Government's reform of children's services and initiatives such as extended schools.
- School leadership, which has been identified in Ofsted's Annual Report as an important factor affecting a school's results.[39]

International Comparisons

47. As noted above, the DfES claims in its *Five Year Strategy for Children and Learners* that "our ten-year olds are the third best readers in the world".[40] This claim, as well as many others in the document, is based on the results of recent international comparative studies of educational achievement. Of these, perhaps the most frequently cited is the OECD Programme for International Student Assessment (PISA). In the year 2000, PISA tested 15-year olds in different countries in an attempt to determine how well they applied their knowledge to real-life situations. Along with the 1999 TIMSS (Trends in International Mathematics and Science Study, formerly known as the Third International Mathematics and Science Study) results and the 2001 PIRLS (Progress in International Reading Literacy, testing 10-year olds) study, PISA results are often quoted as a measure of educational achievement in England as compared to the rest of the world.

48. The production of considerable data resulting from these studies has not resolved the standards debate. Commentators seem unable to agree on a single interpretation. **Indeed, the Committee has serious misgivings about the use of figures from international comparison surveys in some documents and the misleading conclusions that have been drawn when the conditions and limitations of these tests have not been respected.**

49. In the *Five Year Strategy*, the Government interprets the PISA results as follows:

38 Page 16

39 Commentary, page 10.

40 *Five Year Strategy*, page 6.

> "The gap between the best and worst performers in our system actually widens as they go through education; and it is both significantly wider and more closely related to socio-economic status in this country than elsewhere".[41]

It adds the following on the proportion of students who stay in education at age 16:

> "the UK's key weakness is the low participation of 16–19-year olds in education and training (The UK participation rate for 17-year-olds is ranked 27th out of 30 countries). In turn this reinforces the historic skills deficit in the adult workforce with the latest comparisons showing we are 18th out of 30 countries in the proportion of adults with level 2 skills (the equivalent of five good GCSEs)."[42]

50. In evidence to the Committee, taken during the Pupil Achievement inquiry, Professor Stephen Gorard interpreted the PISA results quite differently:

> "The UK has below average segregation in terms of all indicators, despite a commonly held but unfounded view that segregation in the UK is among the worst in the world […]The UK has the fourth highest score for the poorest 10% and the third highest score for the richest 90%. In fact, the scores in the UK are so far from polarised that the reading score for the lowest 10% is higher than the overall score for most countries. There is no evidence here of the purported crisis of underachievement in UK education." [43]

51. In a paper entitled *England's Education: What can be learned by comparing countries?* Professor Alan Smithers concurs with Professor Gorard's interpretation:

> "The description of England as a low equity country in which the poor perform worse than in many other countries is not supported by the evidence. The assumption that it is better to have a low spread of scores is also challenged. Higher dispersion, as in England, can arise through the top performers doing particularly well."[44]

He also challenges the Government's gloom regarding staying-on rates at 16:

> "Countries differ considerably in the proportions of their populations shown as having successfully completed upper secondary education, though the criterion for doing so differs from attendance to achieving qualifications at a specified level. England which has one of the toughest criteria has a low rank, particularly for the youngest age group."[45]

52. Overall, Professor Smithers warns against the naïve appropriation of data from international studies for public policy uses:

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41 Page 15

42 Page 15

43 *Secondary Education: Pupil Achievement*, HC 513, Ev 129, paragraphs 3.1 and 3.2.

44 *England's Education: What can be learned by comparing countries?*, Alan Smithers, Centre for Education and Employment research, University of Liverpool, May 2004, page i.

45 Page ii

> "More meaning is sometimes imputed to the results than they hold, such as treating as real ranks the apparent ranks of mean scores which do not differ significantly […]Even if differences can be substantiated, it should not be assumed that they reflect the school system or education policy since they could arise in other ways, for example, from economic conditions or immigration policies. Differences between countries could also be due to such non-school factors as inherited abilities, parental support or cultural values" […] There has been a temptation on the part of both the PISA analysts and politicians to over-interpret the findings. The cloud of data generated becomes a canvas on to which the committed can project what they want to see."[46]

53. **The data supplied by international educational comparisons is both of interest and of use in the formulation of education policy. Nevertheless, individual studies always have their limitations and cannot alone form a sound basis on which to build the foundations of a publicly funded school system. We regret that the Government has sometimes placed too much emphasis on the results of individual studies and has not treated them with sufficient critical distance.**

54. The results of individual studies must be treated with caution, but when multiple studies show similar results, or a series of studies are conducted under the same conditions, we can start to build up a picture of achievement. This is why the Committee had been looking forward to the publication of data from the subsequent round of PISA, which was due in December 2004. The results from this study would have been particularly valuable in either corroborating or mitigating the findings of earlier studies. Unfortunately, the results for England were not included in the OECD publication, as the sample size was too small to be statistically reliable. We were extremely disappointed at this omission and asked the Secretary of State to explain what went wrong. He said:

> "The statistical survey was not carried through correctly in terms of the number of answers they had and the people conducting the PISA study had a set of rules and regulations about what was acceptable and what was not acceptable from that point of view which we unfortunately did not meet. Perhaps I might take the opportunity to express publicly what we said at the time: my very deep regret that this is the case. We have obviously analysed carefully what has happened and we hope we have set in motion a process which means it cannot happen again, but it did happen."[47]

England was included in the TIMSS 2003 results, also published in December 2004, although a similar problem with the sample size for older pupils meant that their results were included only as a footnote. The results for younger pupils showed increases in performance in maths and science, although in maths, England still ranked significantly below most other developed countries.

55. The results of international studies have so far provided little statistical evidence to support the purported 'crisis of underachievement' in English schools, but further research is necessary. **We are concerned that England was not able to be included in the most**

46 Page ii–iii

47 Q 74

recent PISA results, even though the response rate was similar to that of the previous survey. The responsibility for this omission must lie with the DfES. We expect the Government's measures to prevent this from happening again to be secure: it would be unacceptable if this problem were to be repeated at the next round of PISA in 2006.

4 School Admissions

56. Our report on Secondary School Admissions was published in July 2004. It dealt with a contentious area of education policy, which has attracted much media attention recently. Indeed, at the time of our report, commentators reported "epic levels of anxiety" amongst parents attempting to secure a place for their child in the school of their choice.[48] Our report stressed that admissions arrangements need to be clear, fair and transparent in order to work for the benefit of all involved. We made a number of recommendations to ensure that acceptable admissions criteria were applied in maintained secondary schools and advocated legal changes to prevent those practices that the Government considers unacceptable.

57. The Government's response to our report was published in November 2004.[49] We were not satisfied with this response. The Government did agree to make minor changes to some parts of the admissions system and to strengthen its published guidance, but it was complacent regarding the extent to which its guidance on admissions was being followed. The evidence we had found to suggest that best practice is not being implemented in some areas was not taken seriously enough. **Despite the Government's apparent commitment to parental choice in admissions to secondary school, we are concerned that the balance of power is slipping away from parents choosing schools for their children towards schools as admissions authorities choosing the children that they wish to admit.** The root of the problem is the continuing shortage of places in schools which command the confidence of parents. Increased supply of good school places would reduce competition and disappointment. Our specific concerns with the admissions system relate to the continued use of unacceptable oversubscription criteria (i.e. the order in which children will be admitted if there are too more applicants than places); to the arrangements for ending selective admissions in a locality; to the status of the Government's Admissions Code of Practice;[50] and to the cost of appeals against admissions. We discuss these concerns below.

Oversubscription Criteria

58. In our report, the Committee listed what we considered to be acceptable admissions criteria for entry to oversubscribed secondary schools.[51] These included: children with a statement of special educational needs, or with a particular medical or social need; children in public care; children living near to the school; children whose siblings attend the school; children transferring from a feeder primary school. We offered this list as a model for schools' oversubscription criteria. We also called for the most important elements of the Admissions Code of Practice to be issued in the form of regulations, so that all admissions

48 *Secondary Education: School Admissions*, paragraph 16.

49 *The Government's Response to the Education and Skills Committee's Report on Secondary Education: School Admissions*, Cm 6349, November 2004.

50 Department for Education and Skills, *School Admissions Code of Practice* and *School Admissions Appeals Code of Practice*, February 2003.

51 Paragraph 100.

authorities would be required to follow it, rather than simply "having regard" to the relevant provisions.[52]

59. The Government rejected these recommendations, stating in its response that guidance was more appropriate than regulation, as it could more easily be adapted to local circumstances.[53] It did, however, agree to strengthen its guidance:

> "We will, therefore, strengthen the next edition of the Code of Practice to emphasise the importance of all admission authorities following the advice. Following consultation with LEAs and schools, we will also include an annex of oversubscription criteria which reflect good practice and which Schools Adjudicators, who are required to have regard to the Code of Practice, could use in considering objections to admissions arrangements. This will make it clearer to admission authorities which admission arrangements are considered to be in the best interests of parents and children and which are not"[54]

60. **We are not convinced that simply strengthening admissions guidance will eradicate the use of unacceptable oversubscription criteria.** A number of specific admissions practices, about which the Government's response appears complacent, concern the Committee greatly. We now consider these in turn.

Partial selection

61. Partial selection forms part of the admission arrangements for an unspecified number of schools to select up to 50% of their intake on grounds of ability or aptitude. Schools which had these selection procedures in place in 1997–98, are permitted to continue to select pupils provided that there is no change in the methods of selection or the proportion of pupils selected.[55] Our inquiry revealed that the DfES holds no information on the arrangements that were in place in 1997–98, making it difficult for any objection against admission by partial selection to be investigated. We therefore recommended that the DfES undertake an immediate audit of schools selecting on this basis, to establish a baseline position from which schools adjudicators could work when investigating objections.[56]

62. In their response, the Government rejected this recommendation, stating:

> "the Department does not have a reliable means of collecting data on partially selective schools. While schools might designate themselves as partially selective in the PLASC census, we have found in the past that this is unreliable […] where there

52 Paragraphs 48 and 60.

53 p 3

54 p 5

55 1998 School Standards and Framework Act, S 99, prevents schools using selection unless they are grammar schools, or fall into one of the exemption categories. S 100 sets out the exemption under pre-existing selective arrangements: "(1) Where at the beginning of the 1997–98 school year the admission arrangements for a maintained school made provision for selection by ability or by aptitude (and they have at all times since that date continued to do so), the admission arrangements for the school may continue to make such provision so long as there is, as compared with the arrangements in force at the beginning of that year (a) no increase in the proportion of selective admissions in any relevant age group, and (b) no significant change in the basis of selection."

56 Paragraph 202

is existing partial selection on the basis of academic ability, its continuance should be a matter for local discussion and resolution".[57]

This response misses the point. **Partial selection introduced or increased since 1997–98 is unlawful, not a matter for "local discussion". The DfES needs to act to ensure that the facts are available when objections to partial selection are raised. Without this action, objections cannot be properly investigated by the schools adjudicator.**

Aptitude tests

63. In our previous report we noted that specialist schools and other schools which declare themselves to have a specialism may select up to 10% of their intake on the basis of aptitude in their specialist area(s). This option is taken up by relatively few schools. The evidence we collected during our inquiry from distinguished academics in the field led us to doubt that aptitude can reliably be distinguished from ability at the age of 11 in many subjects, although we are aware of views to the contrary.[58] Indeed, the range of subjects in which aptitude testing is permitted is restricted by the Government on this basis. We also found no evidence to suggest that children selected by aptitude achieve better results than their peers who were not selected in this manner. We therefore recommended that the facility for specialist schools to select pupils by aptitude for their specialism be withdrawn.

64. The Government rejected this recommendation, arguing in their response that selection by aptitude would increase choice by enabling "young people with particular gifts and talents to have direct access to high quality specialist provision where oversubscription criteria might otherwise have ruled them out".[59] This argument does not stand up to scrutiny. By reserving places in an oversubscribed school for those with a particular aptitude, the Government is denying choice and "high quality provision" to a corresponding number of parents who would have otherwise been able to obtain a place under the school's oversubscription criteria. These children are not tested for aptitude and so we cannot know whether they might also have benefited from any specialist teaching available. Overall, choice is not increased. Rather, the power to choose is shifted away from parents and towards the school itself, which now selects a portion of its intake.

65. As noted above, the recent Ofsted report on specialist schools found that achievement in subjects outside the focus area often outstripped that within the specialism. It also concluded that provision for gifted and talented pupils was patchy overall and unsatisfactory in one fifth of technology, language and arts schools.[60] This casts further doubt on the assertion that pupils with an aptitude for a particular subject would be likely to achieve more highly in a school with a specialism in that subject.

66. In their response, the Government agreed to "withdraw the option for schools to introduce selection by aptitude in design technology and/or information technology", whilst allowing those schools that currently select in this subject area to continue to do so.[61]

57 p 20

58 *Secondary Education: School Admissions*, 58–I, paragraphs 195-201.

59 p 19

60 p 3

61 *Ibid*, Page 19

We consider this a very minor concession. The facility for specialist schools to select a proportion of their intake shifts the balance from parents choosing schools to schools choosing pupils. Allowing selection in these schools undermines the Government's claim that the Specialist Schools programme is a "mass movement for school improvement",[62] intended to raise standards across the curriculum.

67. **The Committee is disappointed that the Government has not acted to withdraw the facility for specialist schools to select a proportion of their intake. If the Government does not wish to withdraw this facility, it should publish evidence to show that pupils selected in this manner perform better than their peers in other schools and also achieve more highly than pupils in their school who were not selected by aptitude.**

Structured discussions and interviews

68. The School Admissions Code of Practice seeks to prevent the use of interviewing for admission to most publicly funded schools. During our inquiry, we found that a small number of City Technology Colleges (CTCs) were nonetheless allowed to use 'structured discussions' in their admissions arrangements, involving a dialogue between CTC staff and applicants. We could see no valid distinction between 'structured discussions' and well conducted interviews. We therefore recommended that guidance on structured discussions be brought into line with that on interviews and that the funding arrangements for CTCs be altered to reflect this.

69. In their response to our report, the Government stated:

> "The Government has made clear in the Code of Practice on School Admissions that no child should be subject to interview as part of the admission process. The measures allowing the use of structured discussions are to satisfy the funding agreements of City Technology Colleges. […] We want all CTCs to become Academies and some are now doing so: one has already converted and a further five expect to convert by September 2005, with others seriously considering conversion. The Government believes that this is the best route to ensuring that CTCs come within the same admissions framework as Academies and maintained schools."

70. We understand the Government's response to be a tacit admission that 'structured discussions' are not acceptable admissions arrangements and, further, that the place of CTCs in the state secondary system must be reconsidered. **We urge the DfES to ensure that all CTCs are brought within co-ordinated admissions arrangements as soon as possible.**

Grammar school ballots

71. The Government continues to be unwilling to engage in the debate over selection. On the very first page of its *Five Year Strategy*, the Secretary of State for Education dismisses the continuing debate on the merits of selective and non-selective admissions systems as

62 *The Government's Response to the Education and Skills Committee's Report on Secondary Education: School Admissions*, page 18.

irrelevant, claiming that "the debate was still about types of school rather than standards".[63] Responsibility for ending selective admissions arrangements, where they exist, has been placed squarely on local communities via a local balloting mechanism. Only one ballot to end selection has so far been held, which was lost.[64]

72. In our report we found that the current ballot arrangements for ending selection in an area were clearly inadequate and effectively unwinnable. Although it acknowledged some weaknesses in the arrangements for grammar school ballots, the Government rejected our recommendation that the current mechanism should be withdrawn, saying in its response:

> "The Government acknowledges that the expenses incurred in setting petition thresholds have been substantial, and that there have been occasions when there have been requests to set petition thresholds without reference to local demand. However, it is right that a mechanism exists to allow local people to effect change and we do not agree that parents should be denied the opportunity to make these decisions through a withdrawal of the system."[65]

73. We accept and share the Government's view that local parents should determine what kind of schools they want their children to attend. We have never proposed the contrary. It is crucially important that all local parents should have the opportunity to express their opinion on this matter. Yet the current ballot arrangements do not offer them this opportunity. As it stands, the ballot question solely relates to the admissions arrangements of one or more specified grammar schools and does not offer a practical model for local schools after any change is implemented. The electorate includes parents whose children are nearing the end of secondary education, but excludes those with younger children who may have a greater stake in the future of education in their community. Ballots are expensive and difficult to organise and the requirements for petitioners overly exigent. It is for these reasons that the Committee has stated that the present ballot arrangements "ask the wrong question of the wrong people".[66]

74. **The current arrangements for grammar school ballots demonstrate that the Government is not prepared to give all local parents a genuine opportunity to express an opinion on the kind of schools they want their children to attend. The present system does not work. It should therefore be withdrawn and replaced with new arrangements. The Government should consider commissioning a specialised study to determine more appropriate ballot arrangements.**

75. **For some time, the current Government has largely managed to sidestep the issue of selection. This strategy has helped it to avoid the political consequences of endorsing either grammar school or comprehensive secondary education. It is of little help to parents with a genuine wish to change the admissions arrangements in their area. Whilst this issue does not currently have a high profile nationally, falling rolls mean that in selective areas, an ever-increasing proportion of children are being selected by**

63 p 3

64 In 2000, parents voted to retain selection in Ripon.

65 p 21

66 Chapter 5.

grammar schools, who choose a fixed number of pupils each year. This must eventually have significant consequences for education in selective areas, which national Government will no longer be able to ignore.

School Admissions Code of Practice

76. Admissions arrangements are guided by the Government's School Admissions Code of Practice and policed by the Schools Adjudicator. When setting their oversubscription criteria, admissions authorities must "have regard" to the provisions set out in the Code. If a school is thought to be adopting unfair admissions arrangements, in contravention of the Code, an objection can be made to the Adjudicator who will make a judgement on the matter. It is noteworthy that objections must be brought against each school individually; they must be brought by those closely involved in the school's admissions arrangements (e.g. LEAs, primary schools or parents applying for a place for their children); and that decisions reached through adjudication may be challenged after a period of two years.

77. **The Committee is firmly of the opinion that the School Admissions Code of Practice should be given more legal force.** The current situation, where schools are required to "have regard" to this guidance is unacceptable. As a result, many schools do not comply with what the Government considers best practice. The Government rejected this view in its response to our report, saying: "the Government believes that guidance, supported by the independent adjudicator system, does have power and will respond positively to the Committee's suggestions on strengthening the guidance".[67] It also said that the system of adjudication was working well: "the Government does not believe that the existing system is adversarial. All parties can see which arrangements are not in line with the Code of Practice and are required to have regard to that advice".[68]

78. The Government's claim that the current system is not adversarial was thrown into doubt recently, with the case of the London Oratory School. This school was continuing to use interviews as part of its admissions arrangements. An objection was made and upheld by the Schools Adjudicator. The school then appealed against this judgement in the High Court. It argued that it had "had regard" to the Government's guidance on admissions, but that it considered itself to be a special case and that interviewing was vital to preserve the Catholic ethos of the school. The London Oratory won its appeal and resumed interviewing. As with most litigation, this case was both adversarial and stressful for those involved. It again seems to shift the balance of power from parents choosing schools to schools choosing parents, which runs counter to the Government's stated objectives for the admissions process.[69]

79. The London Oratory case is a recent example of what has been evident for some time: legally, schools do not have to comply with Government guidance on admissions. For example, the following judgement on the status of the School Admissions Code of Practice is taken from a High Court case brought by the Metropolitan Borough of Wirral in the year 2000:

67 p 3

68 p 5

69 Uncorrected transcript of oral evidence given by Rt Hon Ruth Kelly MP, Secretary of State for Education and Skills, to the Education and Skills Committee, on 2 March 2005. To be published as HC 405. Qq 14 and 73.

> "[Wirral, the plaintiff] submitted that Parliament intended to do more than simply to draw the attention of adjudicators to the statements in the code and require them to be aware of it. He submitted that the requirement to have regard to the code meant that the code ought to be given substantial weight, and its approach ought to be implemented unless there was clear reason to diverge from it […] In my judgement, that underlying submission is wrong. **The duty is as set out in the statutory language. It is to have regard to the code. It is not a duty to apply the code.** Of course, if there is specific guidance in relation to a particular problem and that guidance is not followed, the duty to give reasons would necessarily entail that reasons be given for that exceptional approach being adopted. But, as I have said, it is inherent in the function of the code and in the breadth of its language that in requires considerable judgement on the part of an LEA or adjudicator as to its application and as to the balance to be struck between the competing considerations which it contains". [70]

80. The requirement for a formal objection to be made before the Schools Adjudicator can investigate admissions arrangements further jeopardises the spread of good practice in this area. The evidence we took during our inquiry suggested that objections are not always made, even when unfair oversubscription criteria are in place. For example, during the Committee's visit to Slough, the Head of Langley Grammar school gave evidence to the effect that looked after children were not given priority in admission to the school and that this had never been the subject of an objection, although the school had been the subject of adjudication for other parts of its admissions arrangements.[71]

81. **Our evidence demonstrates that the Government cannot rely on objections being brought every time admissions authorities adopt unfair oversubscription criteria. The question therefore is whether the Schools Adjudicator should have the power to investigate admissions arrangements on his or her own initiative.**

Appeals

82. In our report, we expressed our concern over the rising number of appeals mounted against admissions decisions and the cost of this process. Although some LEAs were able to produce figures quantifying the cost of admissions appeals at our request, others were not and the DfES holds no data centrally. In its response, the Government stated:

> "we do not have firm data on the costs of implementing school admissions policy because the administrative costs are not disaggregated in LEA outturn statements. However, the Government will consider whether this information can be collected without placing undue burdens on LEAs and schools."[72]

83. **We urge the DfES to press ahead with work to monitor the cost of admissions appeals. This work would enable us to put a price on the failures of the current admissions system.**

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70 Metropolitan Borough of Wirral v The Chief Schools Adjudicator, High Court, 14/12/2000, paragraphs 74–75, emphasis added.

71 *Secondary Education: School Admissions*, HC 58–II, Q 845.

72 Page 16

Co-ordinated Admissions

84. Although there is much to disappoint us in the Government's response to our report on admissions, we do welcome its moves towards a co-ordinated admissions system. This system should reduce the number of children left without the offer of a place and remove much stress and concern on the part of their parents. Nevertheless, the work required to put in place such a system and to ensure its smooth functioning is not inconsiderable. The new co-ordinated admissions system in London issued offers for the first time shortly before the publication of this report. We will monitor the outcome of this project.

The Rhetoric of Choice

85. We have laid out above a number of specific concerns about the operation of school admissions, but we would also urge caution in the Government's use of the rhetoric of choice. Too often, the admissions system is assumed to give parents a choice. For example, in its response to the Committee's report, the Government states: "Admissions law is underpinned by parental **preference** and the Government continues to believe that it is for parents to make **choices** about which school is best for their child.".[73] This sentence confuses the expression of preference with the ability to secure a choice. **In oversubscribed schools, the satisfaction of one person's choice necessarily denies that of another. What is being sought is the satisfaction of parental preference. Open, clear and fair arrangements to determine the order in which parental preferences will be met is the best way of achieving that aim. Our inquiry has focused on the legal, regulatory and administrative arrangements for school admissions. However, these are second to the overriding necessity to ensure that all schools are good enough. All parents want a place in a 'good school' for their child, although they apply different criteria when judging a school's value. In circumstances where a number of schools are perceived by parents to be of comparable standards, parents may prefer a particular school for reasons of ethos, specialism or location for example, but may be reasonably happy if their first preference is not met. In contrast, where schools are perceived to be of very different standing, competition for places at the better schools can be fierce. We recommend that further options for the creation of more places in 'good' schools be explored.**

73 Page 11, emphasis added.

5 Teacher Retention and Recruitment

86. The final strand of our inquiry into secondary education was prompted by high profile reports of a crisis in teacher retention and recruitment. Our report found no evidence of existing systemic problems with retention and recruitment, but we did discover a number of specific problems which pose very real difficulties for those schools affected. These include: teacher numbers in 'shortage' subjects such as maths, science, languages and RE; high drop out rates on some teacher training courses; recruitment and retention in challenging schools; and pupil behaviour more generally as a factor cited by teachers leaving the profession. We also expressed some concern regarding the age profile of the workforce: 50% of secondary school teachers are now aged over 45, and it is likely that many of these will retire before the age of 65. In this report we return to two areas of particular concern: pupil behaviour and the age profile of the workforce.

Pupil Behaviour: Teaching in Challenging schools

87. Pupil behaviour has been the subject of much public debate in recent months. In our report we urged the Government to monitor carefully its strategies for reducing disruptive behaviour and to alter its approach if its initiatives were found to be ineffective. The Government gave the following response:

> "To date there has been solid progress in helping schools to promote good behaviour. A good range of measures are in place to help them with the most difficult children, we have taken strong action against bullies, and have strengthened the hand of schools in preventing and dealing with violent incidents. […] We are expecting the BIP [Behaviour Improvement Programme] evaluation to be completed in the first half of 2005. But we have already learnt a great deal from the interim evaluation report of its first year. Here the London University Institute of Education reported significant increases in primary school attendance across the first 34 participating LEAs. There were also significant reductions in authorised and unauthorised absences and in BIP secondary schools fixed-term exclusions were 11% lower in 2002/03 than in the previous year. The report also showed that where BIP interventions are working well, they were having a substantial positive impact." [74]

88. Ofsted's Annual Report for the year 2003–04 found that pupils' behaviour was unsatisfactory in 9% of schools and, furthermore, that there had been no reduction in the proportion of schools where behaviour overall is unsatisfactory. Disruptive behaviour was found to be almost entirely a feature of secondary rather than primary school education. Launching his report, David Bell HMCI said:

> "Today's Annual Report identifies unsatisfactory behaviour in some 9% of secondary schools, a proportion which has remained fairly static over time. In addition, inspectors also found nuisance behaviour disrupting learning, even in otherwise

74 Education and Skills Committee, First Special Report of Session 2004–05, *Secondary Education: Teacher Retention and Recruitment: Government Response to the Committee's Fifth Report of Session 2003–04*, HC 85, p 7.

> orderly schools. Worryingly, the proportion of schools in which behaviour overall is good or better has also fallen from over three quarters five years ago to just over two thirds in 2003/04."[75]

These remarks must be set in context. Behaviour is satisfactory or better in 90% of secondary school and HMCI also notes that "incidents of serious misbehaviour remain rare; most unsatisfactory behaviour involves low level disruption in lessons."[76] Nevertheless, the definite lack of improvement in a minority of schools gives serious cause for concern. It must be a high priority to prevent, and identify the causes of, such indiscipline.

89. Rt Hon Ruth Kelly MP, the current Secretary of State for Education, has gone on record with what she terms a "zero tolerance" approach to even low-level school indiscipline. She devoted one of her first speeches as Secretary of State to the subject of poor behaviour in schools a recent speech to headteachers, and outlined policies for tackling the problem. She announced that Ofsted would henceforth re-visit every school with unsatisfactory behaviour within the space of a year to check on progress and improvement; that every Local Authority would be asked to undertake a review of local provision for disruptive and excluded pupils; and that schools would be expected to form local partnerships with other schools by September 2007. The Secretary of State said that by working together in groups, schools would be able to share disruptive pupils more evenly and to ensure that no child is left 'on the scrap heap', with no options for continuing their education. Groups of schools would even be able to commission new provision, purchasing it from Local Authorities or from the voluntary sector.

90. **Poor behaviour holds down standards, causes some parents to choose schools outside their localities and some good teachers to leave the profession. Improving Pupil Behaviour requires swift action in schools. We welcome the Secretary of State's public commitment to improving behaviour and we shall monitor with interest the outcomes of her new initiatives.**

91. Ofsted's evidence and our own, gathered throughout our secondary education inquiry, suggests that there are a number of 'challenging schools', where poor behaviour is a particular problem. Disruptive pupils tend to be concentrated in schools which are under-subscribed and therefore take the bulk of mid-year admissions, including those resulting from exclusions. In its response, the Government outlined its plans to resolve this situation:

> "To ensure that we address all aspects of this complex issue, the Government will also address the related issue of schools that are asked to take on large numbers of hard-to-place or disruptive pupils. We will expect groups of schools and colleges, including Pupil Referral Units and special schools, to take collective responsibility for

75 The Annual Report of Her Majesty's Chief Inspector of Schools 2003/04, Press Conference Opening Remarks, 2 February 2005.

76 p 34

> the education of young people in their area, through clear agreements which set out systems for managing excluded and seriously disruptive pupils."[77]

There is a range of disruptive behaviour. At the most extreme, the most suitable form of provision will be a Pupil Referral Unit. Pupils exhibiting lower levels of disruptive behaviour are in a different category. We are concerned that the Government has not yet put in place robust systems either to encourage or ensure collaboration between schools in this area, or to deal with the issue of poor behaviour in other ways. We return to the issue of collaboration between schools later in this report.

92. In some cases, poor pupil behaviour can make a teacher's job impossible. However, we consider that there are some steps that could be taken to better prepare teachers for work in schools where poor behaviour is a particular problem. Challenging schools need good teachers with particular skills adapted to this type of school. This is why we recommended in our report that the Government should set up a specialised training course for those teaching in challenging schools, similar to those we had seen on visits abroad.

93. In its response the Government pointed to a number of training schemes that already exist, including the programme leading to Chartered London Teacher status. It declined to offer anything more than this.[78] When we took up this subject with the then Secretary of State, he expanded on this view, saying:

> "I do not think that simply transporting the experience of California to East London will necessarily do the business. As I understood it, what the Select Committee were saying was that we ought to look carefully at how we train teachers and recognise and validate teachers who can teach in some of the toughest teaching environments. In that spirit, I certainly would seek to be positive rather than negative. I am sorry if my answer was taken as negative. I do think it is a very positive thing and we think we have a number of approaches to try to go down that course."[79]

94. **The Committee has heard from a number of organisations offering training for teachers who wish to work in challenging schools. Many of these programmes are excellent, but they are still not sufficiently widely available, particularly outside London. We still consider that these various schemes should be consolidated into a central, specialised training programme.**

95. One way of encouraging teachers to work in challenging schools could be to offer modules, which could be collected as part of the National Professional Qualification for Headship (NPQH) and to make one of the modules a period of time in a challenging school. Similar modules could be made available to current teachers and teacher training students. **We urge the DfES to give further thought to training structures both to assist those currently teaching in challenging schools and to encourage more teachers to consider teaching in these schools.**

77 p 9

78 p 9

79 Q 140

96. In our report we also recommended that national financial incentives should be offered to teachers who work in challenging schools. In response, the Government said:

> "Schools already have other flexibilities within the pay system to reward teachers in particular circumstances, including challenging ones. This applies, for example, to the setting of pay ranges for members of the Leadership Group and Advanced Skills Teachers, for which governing bodies have the flexibility to take account of factors such as recruitment, retention and the particular challenges of the post."[80]

The Government response further stated that recommendations about the wider use of local pay for teachers are awaited from the School Teachers' Review Body (STRB) in early 2005.

97. The STRB published its report on 22 February, however it decided to postpone consideration of the issue of local pay, until the existing system has had more time to take effect:

> "On localised approaches to pay, there are now four geographically determined pay bands for pay in England and Wales but there remains the issue of how to deal with the situation of individual schools experiencing severe and persistent problems of recruitment and retention. We see no difficulty in postponing further consideration of this issue. There is some force in the argument that we should evaluate the effectiveness of the existing four pay bands and the flexibilities schools already enjoy before considering further refinements of the system. If there is a desire to address localised problems, there will have to be a precise route for money to reach those individual schools. The deprivation component of the funding formula will not address the whole picture."[81]

98. **We consider that financial incentives should be in place to attract good teachers to work in challenging schools and to reward them for their work.** Incentives exist in other areas (for example in shortage subjects) and have been broadly successful. The Government is currently consulting on the recommendations of the STRB and we hope that it will take this issue into account.

Remodelling the Workforce: Falling Rolls and an Ageing Profession

99. Our report found no existing systemic retention and recruitment issues, but since our report was published, two contrasting analyses of the future of the teaching profession have arisen. A recent report by the Centre for Economic Performance at the London School of Economics suggests that a "large shortage of teachers" is in prospect within the next ten years. The age profile of the teaching profession is heavily skewed towards the higher end, leading the authors to forecast mass retirements and subsequent acute shortages in subjects like maths, science and languages as well as larger class sizes.[82] In contrast, in November 2004 the NUT published *Bringing Down the Barriers*, its own five year strategy for

80 p 11

81 *School Teachers' Review Body: Fourteenth Report 2005*, Cm 6431, February 2005, page xiv.

82 Arnaud Chevalier and Peter Dolton, 'Teacher shortage: another impending crisis?', *CentrePiece*, Winter 2004, pp14–21.

education, in which it concentrated on the impact of declining pupil numbers over the next decade.[83] The NUT puts forward the view that falling rolls should not be the pretext for teacher redundancies, but should lead to a review of teaching resources. Lower numbers could thus be seen as an opportunity to improve education, for example by guaranteeing each pupil a certain amount of one-to-one tuition.

100. These problems are likely to have a more immediate and greater impact on the primary school sector, but their implications for secondary schools should not be ignored. In our report, we discussed the age profile of the teaching profession and welcomed the development of alternative routes into teaching, for example, employment based routes including the Graduate Teacher Programme. As we noted, there has been some variation in the quality of training provided in these routes, but they generally display a lower drop out rate than teacher training courses and play an important role in sustaining recruitment. In its response, the Government said:

> "One of the great things about teaching is the opportunity it provides people who want greater flexibility in their lives. Many teachers will therefore take a break in service at some stage during their careers, but we need to be clear that about three-quarters of those who enter teaching are still in the profession 10 years later. Looking towards the latter end of a teacher's career we continue to build in greater flexibility again to enable those who wish to change their working arrangements to do so with confidence."[84]

101. We also welcome the success of Teach First, a scheme to encourage high-performing graduates to spend two years teaching in inner city schools and completing their training "on the job". The first Teach First graduates entered schools in autumn 2003 and there are now almost 350 such teachers in 65 schools in deprived areas. The majority of these teachers have indicated their intention to stay in the profession beyond the two-year scope of the programme and 80% teach in shortage subjects such as maths and science. Teach First is now expanding with a pilot project in Manchester.

102. **We welcome the Government's commitment to developing alternative routes into teaching. This will be particularly important over the coming years as more experienced teachers retire from the profession. We note the success of projects such as Teach First and the Graduate Teacher Programme, but we also take this opportunity to reiterate our recommendation that the quality of training in these programmes should be closely monitored to ensure that trainees have access to a range of school experiences.**

103. Falling rolls are currently affecting the primary sector. It will be some years before this demographic change impacts on secondary schools and the Government therefore has time to plan the necessary redistribution of resources. In *Bringing Down the Barriers*, the NUT claims that "falling pupil rolls should represent an opportunity, not a threat, and they

83 *Bringing Down the Barriers*, NUT, 12 November 2004.

84 p 1

should be used to improve class sizes, the ability of teachers to meet specific learning needs, expand the curriculum and link up with other schools and industries".[85]

104. In its *Five Year Strategy*, the Government introduces its plans for education with the bold claim that "the central characteristic of such a new system will be personalisation – so that the system fits to the individual rather than the individual having to fit to the system".[86] This vision is laudable, but ambitious. **The Government's strategy for raising achievement in secondary education will require significant teaching resources in order to be effective. It is still not clear to us where these resources will come from. We therefore consider that any increase in capacity that may arise from falling rolls should be exploited for its potential to improve attainment. This could be achieved through greater personalisation of the curriculum and more individual attention.**

85 p 36

86 p 4

6 The Government's *Five Year Strategy for Children and Learners*

105. In July 2004, the Government published its *Five Year Strategy for Children and Learners*, proposing some important changes to the system of secondary education. The document sets out the Government's aim that all secondary schools should become independent specialist schools. Schools will be able to become Foundation Schools through a simple vote of the governing body, further disengaging them from Local Authority control and making them their own admissions authority. Funding will be directly allocated to schools, with Local Authorities taking on a 'strategic' role, no longer directly involved with school administration. In addition, more schools will be expected to establish their own sixth forms and popular schools will be allowed, even encouraged to expand. In order that schools might share expertise as well as hard-to-teach or disruptive pupils, schools will be encouraged (but not required) to work together in 'partnerships'. Changes to primary legislation will be necessary in order for these proposals to be implemented.[87]

106. If implemented, these proposals would have a significant effect on the system of secondary education in England. In the final section of this report, we examine some of the their likely consequences and the issues surrounding their implementation. It is our view that the *Five Year Strategy* leaves a number of questions unanswered, particularly concerning local co-ordination and co-operation, and the relative roles of central and local government in a system where the majority of schools are functioning independently.

Independent Specialist Schools

107. The *Five Year Strategy* proposes significantly more independence for secondary schools. It speaks of "creating a system of independent specialist schools".[88] Not only will all schools be allowed, and indeed encouraged to specialise in up to two curriculum areas, they will also be able to become foundation schools by a simple vote of their governing body. They will own their own buildings and land, work with private sponsors, employ their own staff, be their own admissions authority and receive dedicated three-year funding budgets that cannot be altered by their Local Authority.

108. The Government describes the benefits it hopes to derive from this system in Chapter Four of the *Five Year Strategy*:

> "First, every school which is not a foundation school will have the right, by a simple vote of its governing body, following a brief period of consultation, to become one. At present, while national regulations allow schools to take this course, it is only possible to do so through a complicated and time-consuming process of local

87 Specifically, to change the allocation of school budgets and to establish the mechanism enabling all schools to gain foundation status.

88 p 18

> decision-making. We propose to sweep these obstacles away entirely, and all schools which wish to take on foundation status, and are not failing, will be free to do so.
>
> Secondly, we will enhance the flexibility and freedoms available through foundation status. In particular, we will make it possible for schools to strengthen their governing bodies, of their own volition, by for example including more sponsor governors. We will also make it possible for schools to set up charitable foundations which will be able to appoint the majority of the governing body of the school. This will extend generally the opportunity already available to a limited number of schools (which enjoy 'voluntary aided' or 'academy' status) to forge a long-term partnership with an external sponsor, including business, charitable and faith sponsors. This opportunity will be attractive to some weaker and 'coasting' schools as a source of new dynamism, as well as to more successful schools—which is why we are opening the opportunity to all schools except those that are really failing."[89]

109. The Committee generally supports measures intended to give schools professional control of their assets. We consider that it is for schools to decide how to spend the money that is allocated to them. Nevertheless, the system of independent foundation schools described in the *Five Year Strategy* possesses a number of potential difficulties which concern us.

Admissions

110. In its reply to the Committee's report on School Admissions, the Government restates its commitment to a co-ordinated admissions system within and (as far as possible) between Local Authorities. It argues that "co-ordinated admission arrangements will make the process smoother and clearer for parents […] there is no reason why all admission authorities in an area cannot move towards more unified systems".[90] But **the proposals for all schools to become foundation schools, and hence their own admissions authorities, potentially brings into being up to 3,000 new admissions authorities who can set their own admissions criteria. It is difficult to see how this large increase in the number of admissions authorities will make the admissions process smoother and clearer for parents. On the contrary, it is likely to make co-ordination between the different authorities more difficult and add to the complexities parents already face in negotiating the admissions system.**

111. Our inquiry into School Admissions uncovered particular concerns about the operation of appeals panels run by some foundation and voluntary aided schools in contrast with those run by LEAs. A report published during our inquiry by the Council on Tribunals, School Admissions and Exclusion Appeals Panels identified failings in the recruitment and training of school-based appeal panel members and voiced concerns about the expertise of panel clerks. In light of these serious concerns the Council recommended in its report that LEAs should take over responsibility for all appeals in order to increase and maintain the quality and consistency of decision making.[91] The

89 Chapter 4, paragraphs 22 and 23.

90 p 9

91 Education and Skills Committee, *Secondary Education: School Admissions*, HC 58, paragraph 167–68 and Council on Tribunals, School Admissions and Exclusion Appeals Panels, *Special Report*, Cm 5788, May 2003. The Council's recommendation was rejected by the Government.

Government's claim that an increase in the number of foundation schools would still produce a "smoother and clearer" experience for parents is not supported by the available evidence.

112. The *Five Year Strategy* states:

> "Independent specialist schools will have all the freedom needed to succeed in the service of their pupils and communities. They will set the highest expectations for their students and teachers, and put in place the means to achieve them. But they will do so within a system of fair admissions and equality of opportunity for all young people and their families. Our conception of independence is of freedom to achieve for all, not a free-for-all in which more state schools are allowed to ban less able children from applying and turn themselves into elite institutions for the few. Independence, in our policy, will create far more good local schools from which parents can choose; it is not a means for successful schools to start choosing only the brightest children to teach."[92]

113. **We fear that an admissions "free-for-all" is indeed a risk in a system where all schools can become foundation schools through a single meeting of their governing body. The risk is even greater if the Government does not take our advice, expressed above, on strengthening the School Admissions Code of Practice and granting the Schools Adjudicator investigative powers. Without these changes, the Government can have no assurance that the collaboration and co-operation it hopes for will be realised and a system of fair admissions will remain an aspiration rather than a reality.**

Partnerships

114. In oral evidence, the former Secretary of State said that any complexity that might arise when all schools are their own admissions authority can be overcome if schools work together in partnership. He further stated that collaborative working could be the solution to many problems, including the distribution of disruptive pupils and the sharing of specialist expertise:

> "I remain of the view that for schools to work collaboratively is a far better way to proceed in this area than by edict. […]I think these issues can be resolved by that co-operative, collaborative, voluntarist approach more effectively than by recourse to the courts. […] That is why I made the announcement I did last week to the new heads' conference, saying that hard-to-educate children should be shared equally between schools in a particular area, for which I have had a lot of political criticism from others who are saying somehow I am trying to damage good schools. Actually that is completely not the case. I do think it is saying that these responsibilities should be shared by all schools in a locality and that is exactly the direction we should be going."[93]

92 Chapter 4, paragraph 9.

93 Qq 90 and 91

115. In the *Five Year Strategy*, the Government describes how schools in an area will form 'Foundation Partnerships': "to enable schools to group together to raise standards and to work together to take on wider responsibilities—in areas such as provision for special educational needs or hard-to-place pupils".[94] In Chapter Four, some of the functions of Foundation Partnerships are listed, although this does not include admissions arrangements:

> "We intend high-performing specialist schools to play a leading role in new Foundation Partnerships. These will build on the best of our existing collaborative arrangements—including Excellence in Cities and Leading Edge. Foundation Partnerships will enable groups of independent specialist schools to take on wider responsibilities on a collective basis, serving their students better, with funding devolved directly to the partnerships from Local Authorities. We expect that Foundation Partnerships will normally be developed in partnership with Local Authorities, and might cover areas such as:

- responsibility for school improvement across the partnership, with the associated funding devolved from the Local Authority, flexible sharing of resources across the partnership, and freedom about where and what support services to access;
- management of local strategies that require co-ordination, like the 14–19 curriculum offer, or teacher training;
- shared responsibility and devolved resources for provision for excluded pupils (including devolved funding for Pupil Referral Units);
- responsibility for special educational needs assessment and provision."[95]

116. **The idea of schools working together to share expertise and hard to teach pupils is attractive, but we consider that the Secretary of State may be underestimating the challenges involved in realising this vision**. Given the Government's current emphasis on standards and the consequent climate of competition between secondary schools in some areas, who wish to maintain their status in the league tables of results, many schools may not consider it to be in their interests to join partnerships. As the Government does not intend to compel schools to form partnerships, but prefers to rely on a "voluntarist" approach, it cannot be assured that this practice will be adopted nationwide. **The Government needs to decide whether Foundation Partnerships are a preferred route or are genuinely optional.**

117. A number of practical problems to the effective formation of partnerships present themselves. For example, disruptive children or those with particular needs (for example, asylum seeker children, armed forces children or those with English as an additional language) are frequently the subject of mid-year transfers. Where some schools in an area are popular and over-subscribed and others are unpopular and have spare places, these children will almost always be admitted to the under-subscribed schools, compounding their difficulties. **In a system where all secondary schools are independent foundation**

94 Summary, paragraph 8.

95 Chapter 4, paragraph 44.

schools, it is difficult to see how oversubscribed schools will be made to admit children mid-year, particularly when they can point to the fact that they are already 'full'.

118. We also have some questions concerning the operation of Foundation Partnerships. In its response to the Committee's report on Diversity of Provision, the Government stated "it will be possible for schools to recognise their collective responsibility within a federation by publishing the examination results of the federation as a whole as well as the results of the individual schools".[96] **The *Five Year Strategy* does not explain whether Foundation Partnerships, or other collegiate systems, will publish aggregated examination results or whether funding or re-designation of partnerships will be dependent on proven results in all schools within the partnership. Without these mechanisms, it will be all too easy for ineffective partnerships to be formed or for schools to be partners in name only.**

Local Authorities

119. The Government acknowledges in the *Five Year Strategy* that its proposals will entail a change in the role of local government. It suggests that the "new system of independent specialist schools will be underpinned by a new role for Local Authorities, as champions of parents and pupils, acting as strategic leaders of education in their area".[97] This will result in "a completely different kind of local system. Local government and local agencies must offer leadership and strategic direction—with really smart accountability".[98] The changes in the role of local government reflect proposed changes in the schools funding mechanism. The *Five Year Strategy* promises guaranteed three year budgets for all schools from 2006. These budgets will still be channelled through Local Authorities, but their discretion over how much money is actually given to schools will be removed.[99]

120. **We welcome the proposal for guaranteed three year budgets for all schools. This Committee and many others have long called for the schools funding mechanism to be reformed in this way. It will offer more stability and predictability for schools and allow them to plan their spending more efficiently.**

121. In contrast, we are concerned about the role of Local Authorities under the proposed new system. The *Five Year Strategy* states that the role of local government will be "reshaped". Giving Local Authorities less discretion over where the funding goes appears to us to be a reduction in power rather than a realignment. Once more, the Government appears to be asking Local Authorities to take on more responsibilities with reduced funding and little apparent power to achieve its aims.

122. The Government expects Local Authorities to give "strategic leadership" and to act as "champions" for parents and pupils. **We would appreciate some guidance from the Government on how Local Authorities will be able to act as strategic leaders when all schools are independent and receive guaranteed budgets that cannot be varied. In these**

96 p 12

97 p 9

98 p 4

99 Chapter 4, paragraphs 11–13.

circumstances, what levers will be available to Local Authorities to persuade schools to act differently? Further, the Government suggests that Local Authorities should offer "really smart accountability". **The Government should clarify whether Local Authorities are to be held accountable to the DfES or to those who elected them for the effective execution of their re-shaped 'strategic' functions.**

The Department for Education and Skills

123. We are particularly concerned that the "new role" for local government described in the *Five Year Strategy* will result in a greater administrative burden being borne by central government departments. **We do not consider it desirable for the DfES to 'micromanage' schools across the country. The duty of Local Education Authorities has been to manage the school system. Yet the new structure of independent foundation schools, free of Local Authority control and with guaranteed budgets set centrally, would appear to result in all schools ultimately reporting directly to the DfES.**

124. The new funding arrangements could even lead to the creation of an additional layer of bureaucracy. As we observed in our report on Public Expenditure on Education and Skills:

> "if LEAs have no discretion about what they transfer to any given school, it is reasonable to assume that individual complaints about the way funding has been calculated will increasingly be addressed to the DfES as the prime mover. Over time, if this model continues in place, local authorities' role in the distribution of funding might be phased out and some new funding body for schools created. The previous Conservative Government set up the Funding Agency for Schools to oversee the funding of about 1,000 grant-maintained schools. Given the proposed new funding arrangements, coupled with the increased autonomy now promised to schools, it is hard to imagine the DfES being able to cope without a new intermediary body."[100]

125. This structure is all the more surprising coming as it does during the a high profile review of efficiency in central Government departments. The DfES is currently experiencing a staff cut of approximately 30% and the stated aim across Government is to transfer funding and responsibilities away from the centre to the front line. In this context, it seems strange that the current proposals look likely to increase, rather than reduce the burden of administration on the Department.

126. The Committee's visit to New Zealand, at the beginning of our inquiry into Secondary Education, allowed us to experience a system which bears comparison with that proposed in the *Five Year Strategy*. Here, in a system much smaller than England's, all schools are responsible for their own governance and management and work directly with the Ministry of Education. In our report on the visit, we noted that "this system had continuing issues with raising the achievement of underperforming pupils", particularly minority ethnic pupils, and that it had not delivered the desired gains in standards for which it was set up. **When implementing the *Five Year Strategy*, we recommend that the**

100 Education and Skills Committee, First Report of Session 2004/05, *Public Expenditure on Education and Skills*, HC 168, Paragraph 28.

Government closely monitors the effects on standards of its changes to the distribution of responsibilities between local and central Government.

Local Co-ordination

127. Notwithstanding the proposal for Foundation Partnerships, we consider that many of the measures outlined in the *Five Year Strategy* work against local co-ordination rather than fostering a spirit of voluntary collaboration between schools. A sustained effort would be needed to reduce the present disparities between schools, to avoid inefficiencies in provision, and to produce the rise in achievement that the Government wishes to see. We have a number of specific concerns, which we outline below.

14-19 Education

128. In its *Five Year Strategy*, the Government states that it wishes to address the current low staying on rates at the age of 16. If it is serious about this aim, then this is the phase of education that merits the most attention. Our parallel inquiry into 14–19 Education has confirmed the importance of co-ordinated provision to this phase of learning. In October 2004, the Tomlinson Working Group on 14–19 Reform, set up by the DfES, published its final report. It put forward recommendations for the radical overhaul of this sector, including subsuming A levels and GCSEs into an overarching diploma system. Tomlinson found that it was vital to ensure joined-up provision within a local area, catering for those pupils who wished to pursue a vocational course of training, those taking the traditional academic route to higher education and those who wished to mix aspects of the two. The Government's response to Tomlinson's proposals appeared in a White Paper on 14–19 education, published on 24 February 2005.[101] It rejected Tomlinson's proposal to unify the structures of vocational and academic qualifications under a single diploma.

129. The plans in its *Five Year Strategy* specifically affect 14–19 education. It proposes that most Academies should have their own sixth forms and contains a strong encouragement to schools without sixth forms to establish them, stating that:

> "Successful specialist schools without sixth forms will be able to have a stake in sixth form provision, by teaching 16–18 year olds in their specialism, often as part of a partnership with other local schools and colleges to provide a wider range of options between 14 and 19. We will also make it easier for successful and popular specialist schools to establish their own sixth forms, with a strong presumption in favour of their being allowed to do so in areas where there is little sixth form provision, or where there is overall low participation or attainment".[102]

130. Recent A level statistics show that small school sixth forms tend to produce worse examination results than larger institutions such as FE colleges or sixth form colleges. More school sixth forms *per se* are therefore unlikely to improve low participation or attainment, particularly if these are small sixth forms, providing a narrow range of options. Despite this, the *Five Year Strategy* does not prescribe the minimum size of a school sixth form or discuss the minimum offer it should be able to provide in order to give pupils a

101 Department for Education and Skills, *14–19 Education and Skills*, February 2005, Cm 6476.

102 Chapter 4 paragraph 19.

reasonable degree of choice. The creation of many more school sixth forms will also have significant staffing implications. The demand for well-qualified teachers, some in shortage subjects, will rise significantly whereas these teachers are already in short supply.

131. **Evidence suggests that small sixth forms do not perform as well as larger institutions. We therefore recommend that the Government make clear that proposals for new school sixth forms need to achieve a reasonable standard in terms of both quality and range of subject provision in order to have any chance of success. We are also seriously concerned that the Government should consider the effect on staffing if large numbers of new sixth forms are created, particularly in shortage subjects.**

132. The Government says that it will establish "a strong presumption in favour" of successful schools being able to establish their own sixth form. It is unclear where this leaves the established system of local consultation and referral of proposals to the School Organisation Committee. Who will now be involved in the decision to open a new sixth form? How are objections to such proposals to be made? What will be the role of the Learning and Skills Council (LSC)? Is the Government intending to intervene if local parties are unwilling to allow plans to go ahead? When we presented Mr Clarke with our concerns on this matter, he said:

> "It will happen through the StAR process[103] which the LSC is going through […] there is a whole chunk of LEAs where zero schools have sixth forms and a whole chunk of LEAs where 100% of the schools have sixth forms and there is actually, if you go nought, 20, 40, 60, 80 to 100, a very flat distribution. It is very striking how very, very different this is. That is why we put a further criterion into these criteria which have to be looked at of creating a more diverse offer in the situation. If there were a situation where there were already sixth forms throughout the whole of the local authority, then another school getting a sixth form would be not likely to succeed because all the other schools had sixth forms, if you see what I mean. If on the other hand, there were zero, then it would be more likely to succeed as well, as you rightly say, with all the criteria about education performance and so on which are in that as well. The interesting question, and it is certainly a question for local authorities and for the LSC as they conduct the discussion about how the 14 to 19 provision operates, including the sixth forms, is how well they do it. One of my biggest nervousnesses is that it somehow can be done in a ham-handed type of way, which does not enable the right solution to emerge and that has also been the case with LEAs by the way right through the range. I think it is a very appropriate question to ask how this will evolve. I am saying that in areas where there are no sixth forms at all, we are keen to encourage sixth form provision."[104]

We were not reassured by this response.

133. The funding of 14–19 education is an additional issue of ongoing concern. Currently, there is a 10% gap in funding between sixth forms and FE colleges. Understandably, FE colleges have consistently argued that this amounts to unfair discrimination. The *Five Year*

103 Strategic Area Review.

104 Q 63

Strategy steers clear of this issue, but when we spoke to the Secretary of State, we asked him for his comments:

> "There are funding issues about different funding streams going into FE and into schools and we need to get consistency between them. However, those are not the only differences. If you look at the qualified teacher status, for example, there is an issue in the different sectors. It is a very substantial and important issue to resolve. If you look at the effectiveness or otherwise of vocational pathways, they vary between many FE colleges and many schools. There is a whole series of issues, but, as the question […] correctly identifies, the consequence of Tomlinson is that we need to get to a unified framework in all of these ways which carries it forward."[105]

134. **The funding gap between FE colleges and school sixth forms is hard to justify. We welcome the former Secretary of State's commitment to moving towards a more unified framework for 14–19 education and we expect that this principle will be incorporated into the funding mechanisms now proposed.**

School Expansion

135. In its *Five Year Strategy*, the Government notes that "in some areas, parents still lack secondary schools which they regard as acceptable, let alone excellent".[106] It pledges to resolve this problem by creating "more places in popular schools",[107] making it easier for popular schools to expand by directing Local Authorities to look favourably upon such applications. It states:

> "There is no 'surplus places rule' that prevents schools from expanding. All successful and popular schools may propose to expand, and we strongly support them in doing so where they believe they can sustain their quality. We have introduced dedicated capital funding to encourage expansion, and have given strong guidance to local decision-makers that they should allow expansion in all but exceptional circumstances."[108]

136. As the *Five Year Strategy* recognises, the proposal to allow schools to expand also implies the creation of 'surplus' school places. It will not always be possible to exactly balance extra places in one school by the closure of equivalent provision elsewhere. As the *Five Year Strategy* notes, there is no law against the creation of surplus places. However, in recent years Local Authorities have been encouraged to reduce spare places on cost grounds. A 2002 report by the Audit Commission has found that £100 million could be released if surplus school places were removed and that a quarter of LEAs still had too many unfilled places in secondary schools in 2002.[109]

137. The proposal to encourage popular schools to expand raises a number of questions. In many urban areas, popular schools are often located on confined sites with extremely

105 Q 141

106 p 45

107 p 46

108 Chapter 4, paragraph 25.

109 *Trading Places: The Supply and Allocation of School Places*, Audit Commission, 1997, updated 2002.

limited capacity for expansion. Even if land were available, expansion would necessitate extra money: capital for new buildings and the acquisition of additional site area. Does the Government believe it can recoup more than a fraction of these costs by reducing places at neighbouring schools or closing them down?

138. When considering the Government's proposal to add extra places in popular schools, the cost implications must be taken into account. As noted earlier in this report, the 'basic need' capital cost of building additional secondary school accommodation, issued by the Government, is currently just under £14,000 per pupil. If 100,000 extra places were created through the policy of school expansion, this would translate to a cost of around £1.4 billion. If, as recent news reports suggest, the Government and main Opposition party agree that 700,000 extra places are necessary, this would come at a capital cost of nearly £10 billion, excluding site acquisition. These sums of capital expenditure on increasing the number of surplus secondary school places, unrelated to the actual school population, are not insignificant.

139. Despite these costs, a recent article in *Progress* magazine by Rt Hon Stephen Byers MP strongly supports the policy of encouraging popular schools to expand.[110] Byers suggests that the secondary school admissions process should be brought forward by a year, so that schools have time to plan for increases in intake by recruiting extra teachers and building new classrooms if necessary. In this model, popular schools would be given more money and less popular schools would be closed. There are a number of issues that can be raised in response to this article. For example, yearly fluctuations in intake (due to demographic changes or new housing developments) may mean that new school buildings become surplus to requirements in later years. Bringing forward the admissions process increases the likelihood of changes needing to be made as parents alter their plans nearer the time of admission. More importantly, there are significant cost implications. Byers suggests that resources should 'follow the child', but additional building for expanded pupil numbers at one school will not necessarily be offset by savings at the schools that those pupils would have attended. The costs of a school with, say, 1,000 pupils which loses 100 of them are for the most part, not diminished: premises will still have to be maintained and fixed costs such heating met. Staffing costs, too, are largely unaffected. So, revenue costs are likely to increase overall in these circumstances. These are issues that will need to be taken into account if the proposals of the *Five Year Strategy* are implemented.

140. The *Five Year Strategy* also proposes to speed up school expansion: "We will introduce a fast-track process to speed up expansion to take less than twelve weeks (unless there is an appeal); and we will reinforce the existing strong presumption that expansion proposals should be agreed".[111] **The Government does not fully explain how "fast-track" expansion will circumvent the lengthy local planning process, or how long the process might take if an appeal is lodged. It needs to provide more information on this proposal.**

141. It is hard to see the evidence on which the policy of school expansion is founded. Did the Government study successful examples elsewhere, perhaps from the fee-paying sector

110 Rt Hon Stephen Byers MP, 'Head Start', *Progress*, Spring 2005, pp.24-27.

111 Chapter 4, paragraph 26

or abroad? **We would be extremely interested to see evidence of existing successful examples of school expansion to justify the implementation of this proposal.**

142. **There is a danger that the proposal to allow popular schools to expand will lead to popularity being seen as the sole measure of quality. In the Government's expressed view, a school which is over-subscribed must necessarily be a good school worthy of expansion.** This speaks volumes about its commitment to 'choice'. Effectively it is supporting the school chosen by the majority to the detriment of those chosen by lesser numbers of parents. In rural areas, the proposal might tend to create fewer, larger schools, restricting the choices of those parents who would prefer a smaller school for their children. In urban areas, many schools would find it very difficult to increase their size at all. Overall, it is hard to see how this structure would not lead to competition between schools, undermining the spirit of collaboration and partnership between schools that the Government supposedly wishes to instil.

The *Five Year Strategy*: A New Direction?

143. The *Five Year Strategy* describes a new direction for education: one based on individuality: "The central characteristic of such a new system will be personalisation—so that the system fits to the individual rather than the individual having to fit to the system". Many would find nothing new in this proposal and would strongly assert that good schools have been practising 'pupil-centred' education for many years. Nevertheless, the Government presents its proposals in the former Secretary of State's foreword to the document as: "a radically reshaped system for delivering education and children's services [which] depends on Ministers like me holding our nerve and being able to resist the lure of the next initiative in favour of a system that drives its own improvement more and more".[112] This sentence claims a coherent strategy rather than a passing fashion, but if there is a fundamental principle behind the proposals, it appears to be flexible: "The people our whole system depends on—those at the front line—must be given the freedom to shape and reshape the offer to meet different and changing needs".[113]

144. This "radical" new structure for education is contrasted with the outmoded structures of the twentieth century. In his foreword, Mr Clarke looks back at education policy over the past sixty years, saying "we must learn the lessons of the past". He rejects the two main educational systems since the war. First, he condemns the system of selection as "fundamentally elitist". Then, he challenges the move towards comprehensive education due to its "focus on a basic and standard product for all". Supporters of both these systems would probably take issue with the Secretary of State's definitions. They might also argue that both were founded on strong principles and beliefs about how children should best be educated, a debate that continues. Yet the Secretary of State dismisses the arguments as focusing on the wrong things: "the debate was still about types of school rather than standards".[114]

112 Foreword, p 5.

113 Foreword, p 4.

114 Foreword, p 3.

145. We are not convinced by the Government's claim that that the *Five Year Strategy* supersedes all previous systems of secondary education or makes it unnecessary to consider the structure of the secondary system and the effect of adding different types of school to an already diverse system. Firstly, we question the assertion that the *Strategy* is about standards and not types of school. The Government's plans for secondary education seem squarely focused on the type of school that it believes is required: namely, an independent specialist school with foundation status. Secondly, as we noted in our report on School Admissions, the Government has not seriously engaged with the fundamental debate on selective versus comprehensive education. It has refused to allow parents to decide which of these they would like for their children. We concluded then that its secondary school policies appeared "ad hoc and without principle" as a result of this failure to engage in an open debate with parents, area by area.[115] The *Five Year Strategy* offers nothing to alter this view.

146. Despite Mr Clarke's best efforts, **we find it difficult to detect a coherent overarching strategy in the Government's proposals. The evidence provided to show that the large sums of money to be spent on the new arrangements will produce significant educational benefits is minimal. Whilst the *Strategy* offers some welcome changes, it also contains much that has not been properly thought through.** Furthermore, it brings to light a number of policy tensions and contradictions. By making schools more independent, the Government reduces its ability to influence them directly itself, or through the diminished role of Local Authorities. This threatens the success of wider policy agendas such as the 'Every Child Matters' reforms of children's services or the review of 14-19 education, which depend vitally on the participation of schools. We also note that despite the Government's wish to devolve powers to schools and to make them more independent, it is nevertheless willing to pronounce on matters such as school uniform and the use of the house system, which are more properly the domain of headteachers and school managers. In contrast, the proposals of the *Five Year Strategy* inject a significant degree of independence into the secondary system, meaning that the Government will not be able to ensure that its aims for education are met or that Parliament's intentions are acted upon.

115 Summary, p 5.

7 Conclusion

147. Our in depth inquiry into secondary education has given us a unique insight into the sector. We have scrutinised the Government's evidence base, the implementation of its policy and its future plans. Our conclusions are mixed. We support guaranteed budgets for schools and the wider use of value-added performance indicators. Yet, we remain concerned that the Government's recent and planned increases in public expenditure on education are not being deployed in the most effective manner. Many of its initiatives are expensive (for example, the projected £5 billion that will be spent on 200 Academy schools), yet the evidence that emerges from these programmes is not always properly analysed and lessons learned before further public funds are committed.

148. *Diversity of Provision*: The Specialist Schools programme, and more recently the City Academy initiative have added new school types to an already diverse system of secondary education. The Government asserts that this policy will lead to a rise in standards, but it has failed to produce the evidence to support the expansion of its diversity initiatives. We acknowledge and welcome the rise in standards achieved by many specialist schools and some Academies, but we caution that the reasons for success must be fully understood in order to be replicated elsewhere. Despite the Government's attachment to evidence-based policy, expensive schemes are rolled out before being adequately tested and evaluated compared to other less expensive alternatives.

149. *Pupil Achievement*: We welcome the more widespread use of value-added performance measures, but we continue to be concerned about the Government's focus on national targets as a school improvement tool. National targets have their place, but do not of themselves produce improvements. Additional measures are needed to generate the rise in standards that the Government desires. It should therefore be wary of imposing blanket "one size fits all" targets that some schools find harder to achieve due to the nature of their intake.

150. *School Admissions*: The startling complacency of Government regarding the extent to which its objectives for admissions system are being implemented continues to give cause for concern. The evidence we took during our inquiry indicates a troubling slide away from parents choosing schools for their children and towards schools choosing the pupils they wish to admit. The Government refuses to acknowledge this trend, let alone to take action to reverse it. Indeed, its proposals for the future of secondary education look likely to compound the issue. In this context, it is doubtful whether Ministers' claims that the admissions system serves to expand parental choice can be justified.[116] We firmly reiterate our recommendations, first expressed in our report on School Admissions, that the main elements of the Admissions Code of Practice should be given greater legal force and that the Schools Adjudicator be given powers to investigate. We further recommend that the

116 These claims can be found in, for example, the Government's reply to our report on School Admissions: "Admissions law is underpinned by parental preference and the Government continues to believe that it is for parents to make choices about which school is best for their child" (page 11).

Government fundamentally reconsider the current arrangements for local ballots to end selection.

151. *Teacher Retention and Recruitment*: Further work is necessary to address challenging behaviour in schools. Poor behaviour holds down standards and causes good teachers to leave the profession. The present Secretary of State for Education has stated publicly that this issue is now a high priority for the DfES. We look forward to some concrete results from these words. In some cases, teachers can be helped to cope with challenging behaviour by means of specialised training programmes, similar to those we have seen in operation on Committee visits, and we urge the DfES to learn from models abroad. In other cases, poor behaviour is so acute that teachers face an impossible task and a more fundamental solution is needed. The Government's proposal that schools should share hard-to-teach pupils more evenly is attractive, but we are not convinced that it intends to establish robust systems to encourage or ensure this form of collaboration.

152. *The Five Year Strategy for Children and Learners*: The *Five Year Strategy* sets out the Government's proposals for education over the next Parliament. Whilst some of the measures in this document are welcome, such as guaranteed three-year budgets for schools, others give rise to serious reservations. We detect a tension between the proposed structure of independent specialist schools and the Government's desire for schools to work more co-operatively in 'partnerships'. The idea of schools working together to share expertise and disruptive pupils is appealing, but we consider that the Secretary of State may be underestimating the challenges involved in realising this vision. Partnerships may not appear equally attractive to all schools and it is hard to see what pressures will be brought to bear in order to persuade all schools of the value of collaboration.

153. The reshaping of local government's role also gives rise to questions. The *Five Year Strategy* proposes that Local Authorities should provide strategic leadership. In a system where all schools are functioning independently, what levers will be available to Local Authorities to persuade schools to act differently? Additionally, the Government wishes to establish a "strong presumption" that popular schools will be able to create sixth forms and to expand. It is unclear where this leaves the existing local planning system, and, indeed the new 'strategic' Local Authorities. It appears that local bodies will only be able to perform their function effectively for as long as their actions accord with the Government's wishes.

Conclusions and recommendations

Diversity of Provision

Specialist schools

1. An Ofsted evaluation has found that specialist schools are performing better than other schools and that they have made significant improvements over the last three years. (Paragraph 10)

2. The effect of certified good management practices and of extra funding alone may account for better results regardless of whether a school has chosen to specialise in a particular subject area. We have not received any evidence to resolve this important question. Nor has there been any assessment of levels of achievement in schools before they were awarded specialist status and how that affects subsequent results. (Paragraph 11)

3. We do not accept the Government's assertion that it would be too difficult to measure the relative effect of the various factors involved in the specialist school programme. We believe that it is important to determine whether the extra funding, the specialist focus or the designation process is responsible for the improvement in performance displayed by most specialist schools. We therefore reiterate our call for further research in this area, to ensure that the factors behind the improvement of specialist schools are fully understood. (Paragraph 14)

4. Our evidence suggests that schools in less affluent areas continue to experience difficulties in raising the funds necessary to attain specialist status and we urge the Government to monitor this issue closely. (Paragraph 15)

5. If the Government's *Five Year Strategy* is implemented, the Specialist Schools programme will become the universal model for secondary education. We are therefore concerned that the reasons for the comparatively good performance displayed by many specialist schools are still not securely established. This seems to undermine the Government's commitment to evidence-based policy. Without being able to weigh the relative importance of the factors involved in the achievements of specialist schools, the Government cannot be assured that the roll out of this programme will have the desired results, or that the success of the current group of specialist schools will automatically be replicated elsewhere. (Paragraph 17)

6. There is an inherent conflict between the former Secretary of State's stated aspiration that children should attend their local school and the way in which the Specialist Schools model is often presented by Ministers as an expansion of choice for parents. (Paragraph 18)

7. In its public pronouncements, the Government sometimes seems confused about the kind of diversity it wishes to promote in secondary education. In its *Five Year Strategy*, it states that the personalisation of the curriculum will be an important objective. This objective need not necessarily be associated with the existence of

different types of school. The Government must therefore demonstrate how diversity in types of school will contribute to its aim of diversity within schools. (Paragraph 19)

Academies

8. We recognise that secondary education has failed in some inner city areas and we understand the temptation to believe that Academies are the solution. Yet £5 billion is a lot of money to commit to one programme. The Government could have limited the number of Academies to 30 or 50 and carried out an assessment of their effectiveness before expanding the programme so significantly. Whilst we welcome the Government's desire to invest resources in areas of educational underachievement, we consider that the rapid expansion of the Academy policy comes at the expense of rigorous evaluation. (Paragraph 23)

9. The communities that will be served by Academies are particularly vulnerable and have suffered from many years of inadequate education provision. We welcome the Government's desire to invest in the schools serving these communities. But the Government should ensure that the current programme of Academies is thoroughly evaluated, both in respect of the performance of individual academies and the impact on neighbouring schools, before embarking on a major expansion of an untested model. (Paragraph 25)

10. We fail to understand why the DfES is putting such substantial resources into Academies when it has not produced the evidence on which to base the expansion of this programme. We recommend that the Department publish its existing evaluations of Academies, making clear the limitations of the research due to the small number of schools involved. (Paragraph 27)

11. We welcome the success of Academies which have raised educational standards in areas of historical underachievement. However, we observe that other Academy schools seem not to have produced improved results compared to the school that was previously on their site. (Paragraph 28)

12. As the Government continually repeats, the development of the Academies programme is still in its early stages. As yet, the evidence for and against the initiative is primarily anecdotal. What evidence there is paints a mixed picture. Despite the paucity of evidence, the Government is enthusiastically pushing forward with the programme and with new Academies. We caution against this approach and urge the DfES to monitor carefully the performance of academies and adjust its policies accordingly. In particular, the Department should consistently measure the proportion of pupils entitled to Free School Meals and the number of exclusions in Academies. (Paragraph 31)

13. The Government should monitor the effect of Academies on neighbouring schools, in terms of funding (including by the creation of surplus places at neighbouring schools) and staffing (e.g. the loss of well-qualified teachers at one school to a nearby Academy with a sixth form). (Paragraph 32)

14. We agree that the participation of an enthusiastic and committed private sponsor might benefit a school. But once again, the DfES does not seem to have set up a rigorous enough structure to evaluate the effects of sponsorship. It might be prudent to establish a number of Academies without sponsors so that the effect of sponsorship can be properly monitored and tested, or to examine the role of sponsorship of different characters in CTCs. The Department should also consider allowing donors to sponsor schools which are not Academies on the same basis, in order to measure the effectiveness of sponsorship even more accurately. (Paragraph 36)

The Rhetoric of diversity

15. Despite the Government's proclaimed attachment to evidence-based policy, expensive schemes seem to be rolled out before being adequately tested and evaluated compared to other less expensive alternatives. (Paragraph 37)

Pupil Achievement

Measuring and raising achievement

16. We welcome the use of value-added measurements, which are a useful addition to the range of data available to parents judging the quality of a school. (Paragraph 40)

17. Struggling schools should not be allowed to lag behind, when their peers are managing to add value. (Paragraph 41)

18. The debate surrounding the merits of the grammar school system is long-standing, but cannot be clarified without a method of performance measurement that all parties agree is fair. (Paragraph 42)

19. National GCSE targets do not themselves produce improvements. Practical measures are needed to produce the rise in standards that the Government desires. (Paragraph 44)

20. Some secondary schools may only have 15% of pupils in the top 50% ability range when they enter the school. They can hardly be described as comprehensive. It seems unreasonable to expect 25% of the pupils in these schools to achieve five GCSEs at grades A*–C by 2006. (Paragraph 45)

21. Instead of concentrating so much energy on the setting of targets which fail to recognise the nature of a school's intake, we recommend that the Government focus attention on factors more likely to raise achievement. (Paragraph 46)

International comparisons

22. The Committee has serious misgivings about the use of figures from international comparison surveys in some documents and the misleading conclusions that have been drawn when the conditions and limitations of these tests have not been respected. (Paragraph 48)

23. The data supplied by international educational comparisons is both of interest and of use in the formulation of education policy. Nevertheless, individual studies always have their limitations and cannot alone form a sound basis on which to build the foundations of a publicly funded school system. We regret that the Government has sometimes placed too much emphasis on the results of individual studies and has not treated them with sufficient critical distance. (Paragraph 53)

24. We are concerned that England was not able to be included in the most recent PISA results, even though the response rate was similar to that of the previous survey. The responsibility for this omission must lie with the DfES. We expect the Government's measures to prevent this from happening again to be secure: it would be unacceptable if this problem were to be repeated at the next round of PISA in 2006. (Paragraph 55)

School Admissions

25. Despite the Government's apparent commitment to parental choice in admissions to secondary school, we are concerned that the balance of power is slipping away from parents choosing schools for their children towards schools as admissions authorities choosing the children that they wish to admit. (Paragraph 57)

Oversubscription criteria

26. We are not convinced that simply strengthening admissions guidance will eradicate the use of unacceptable oversubscription criteria. (Paragraph 60)

Partial selection

27. Partial selection introduced or increased since 1997–98 is unlawful, not a matter for "local discussion". The DfES needs to act to ensure that the facts are available when objections to partial selection are raised. Without this action, objections cannot be properly investigated by the schools adjudicator. (Paragraph 62)

Aptitude tests

28. The Committee is disappointed that the Government has not acted to withdraw the facility for specialist schools to select a proportion of their intake. If the Government does not wish to withdraw this facility, it should publish evidence to show that pupils selected in this manner perform better than their peers in other schools and also achieve more highly than pupils in their school who were not selected by aptitude. (Paragraph 67)

Structured discussions and interviews

29. We urge the DfES to ensure that all CTCs are brought within co-ordinated admissions arrangements as soon as possible. (Paragraph 70)

Grammar school ballots

30. The current arrangements for grammar school ballots demonstrate that the Government is not prepared to give all local parents a genuine opportunity to express an opinion on the kind of schools they want their children to attend. The present system does not work. It should therefore be withdrawn and replaced with new arrangements. The Government should consider commissioning a specialised study to determine more appropriate ballot arrangements. (Paragraph 74)

31. For some time, the current Government has largely managed to sidestep the issue of selection. This strategy has helped it to avoid the political consequences of endorsing either grammar school or comprehensive secondary education. It is of little help to parents with a genuine wish to change the admissions arrangements in their area. Whilst this issue does not currently have a high profile nationally, falling rolls mean that in selective areas, an ever-increasing proportion of children are being selected by grammar schools, who choose a fixed number of pupils each year. This must eventually have significant consequences for education in selective areas, which national Government will no longer be able to ignore. (Paragraph 75)

School admissions Code of Practice

32. The Committee is firmly of the opinion that the School Admissions Code of Practice should be given more legal force. (Paragraph 77)

33. Our evidence demonstrates that the Government cannot rely on objections being brought every time admissions authorities adopt unfair oversubscription criteria. The question therefore is whether the Schools Adjudicator should have the power to investigate admissions arrangements on his or her own initiative. (Paragraph 81)

Appeals

34. We urge the DfES to press ahead with work to monitor the cost of admissions appeals. This work would enable us to put a price on the failures of the current admissions system. (Paragraph 83)

35. In oversubscribed schools, the satisfaction of one person's choice necessarily denies that of another. What is being sought is the satisfaction of parental preference. Open, clear and fair arrangements to determine the order in which parental preferences will be met is the best way of achieving that aim. Our inquiry has focused on the legal, regulatory and administrative arrangements for school admissions. However, these are second to the overriding necessity to ensure that all schools are good enough. All parents want a place in a 'good school' for their child, although they apply different criteria when judging a school's value. In circumstances where a number of schools are perceived by parents to be of comparable standards, parents may prefer a particular school for reasons of ethos, specialism or location for example, but may be reasonably happy if their first preference is not met. In contrast, where schools are perceived to be of very different standing, competition for places at the better schools can be fierce. We recommend that further options for the creation of more places in 'good' schools be explored. (Paragraph 85)

Teacher Retention and Recruitment

Pupil behaviour: teaching in challenging schools

36. Poor behaviour holds down standards, causes some parents to choose schools outside their localities and some good teachers to leave the profession. Improving Pupil Behaviour requires swift action in schools. We welcome the Secretary of State's public commitment to improving behaviour and we shall monitor with interest the outcomes of her new initiatives. (Paragraph 90)

37. There is a range of disruptive behaviour. At the most extreme, the most suitable form of provision will be a Pupil Referral Unit. Pupils exhibiting lower levels of disruptive behaviour are in a different category. We are concerned that the Government has not yet put in place robust systems either to encourage or ensure collaboration between schools in this area, or to deal with the issue of poor behaviour in other ways. (Paragraph 91)

38. The Committee has heard from a number of organisations offering training for teachers who wish to work in challenging schools. Many of these programmes are excellent, but they are still not sufficiently widely available, particularly outside London. We still consider that these various schemes should be consolidated into a central, specialised training programme. (Paragraph 94)

39. We urge the DfES to give further thought to training structures both to assist those currently teaching in challenging schools and to encourage more teachers to consider teaching in these schools. (Paragraph 95)

40. We consider that financial incentives should be in place to attract good teachers to work in challenging schools and to reward them for their work. (Paragraph 98)

Remodelling the workforce: falling rolls and an ageing profession

41. We welcome the Government's commitment to developing alternative routes into teaching. This will be particularly important over the coming years as more experienced teachers retire from the profession. We note the success of projects such as Teach First and the Graduate Teacher Programme, but we also take this opportunity to reiterate our recommendation that the quality of training in these programmes should be closely monitored to ensure that trainees have access to a range of school experiences. (Paragraph 102)

42. The Government's strategy for raising achievement in secondary education will require significant teaching resources in order to be effective. It is still not clear to us where these resources will come from. We therefore consider that any increase in capacity that may arise from falling rolls should be exploited for its potential to improve attainment. This could be achieved through greater personalisation of the curriculum and more individual attention. (Paragraph 104)

The Government's *Five Year Strategy for Children and Learners*

Admissions

43. The proposals for all schools to become foundation schools, and hence their own admissions authorities, potentially brings into being up to 3,000 new admissions authorities who can set their own admissions criteria. It is difficult to see how this large increase in the number of admissions authorities will make the admissions process smoother and clearer for parents. On the contrary, it is likely to make co-ordination between the different authorities more difficult and add to the complexities parents already face in negotiating the admissions system. (Paragraph 110)

44. We fear that an admissions "free-for-all" is indeed a risk in a system where all schools can become foundation schools through a single meeting of their governing body. The risk is even greater if the Government does not take our advice, expressed above, on strengthening the School Admissions Code of Practice and granting the Schools Adjudicator investigative powers. Without these changes, the Government can have no assurance that the collaboration and co-operation it hopes for will be realised and a system of fair admissions will remain an aspiration rather than a reality. (Paragraph 113)

Partnerships

45. The idea of schools working together to share expertise and hard to teach pupils is attractive, but we consider that the Secretary of State may be underestimating the challenges involved in realising this vision. (Paragraph 116)

46. The Government needs to decide whether Foundation Partnerships are a preferred route or are genuinely optional. (Paragraph 116)

47. In a system where all secondary schools are independent foundation schools, it is difficult to see how oversubscribed schools will be made to admit children mid-year, particularly when they can point to the fact that they are already 'full'. (Paragraph 117)

48. The *Five Year Strategy* does not explain whether Foundation Partnerships, or other collegiate systems, will publish aggregated examination results or whether funding or re-designation of partnerships will be dependent on proven results in all schools within the partnership. Without these mechanisms, it will be all too easy for ineffective partnerships to be formed or for schools to be partners in name only. (Paragraph 118)

Local Authorities

49. We welcome the proposal for guaranteed three year budgets for all schools. This Committee and many others have long called for the schools funding mechanism to be reformed in this way. It will offer more stability and predictability for schools and allow them to plan their spending more efficiently. (Paragraph 120)

50. We would appreciate some guidance from the Government on how Local Authorities will be able to act as strategic leaders when all schools are independent and receive guaranteed budgets that cannot be varied. In these circumstances, what levers will be available to Local Authorities to persuade schools to act differently? (Paragraph 122)

51. The Government should clarify whether Local Authorities are to be held accountable to the DfES or to those who elected them for the effective execution of their re-shaped 'strategic' functions. (Paragraph 122)

The Department for Education and Skills

52. We do not consider it desirable for the DfES to 'micromanage' schools across the country. The duty of Local Education Authorities has been to manage the school system. Yet the new structure of independent foundation schools, free of Local Authority control and with guaranteed budgets set centrally, would appear to result in all schools ultimately reporting directly to the DfES. (Paragraph 123)

53. When implementing the *Five Year Strategy*, we recommend that the Government closely monitors the effects on standards of its changes to the distribution of responsibilities between local and central Government. (Paragraph 126)

14–19 Education

54. Evidence suggests that small sixth forms do not perform as well as larger institutions. We therefore recommend that the Government make clear that proposals for new school sixth forms need to achieve a reasonable standard in terms of both quality and range of subject provision in order to have any chance of success. We are also seriously concerned that the Government should consider the effect on staffing if large numbers of new sixth forms are created, particularly in shortage subjects. (Paragraph 131)

55. The funding gap between FE colleges and school sixth forms is hard to justify. We welcome the former Secretary of State's commitment to moving towards a more unified framework for 14-19 education and we expect that this principle will be incorporated into the funding mechanisms now proposed. (Paragraph 134)

School expansion

56. The Government does not fully explain how "fast-track" expansion will circumvent the lengthy local planning process, or how long the process might take if an appeal is lodged. It needs to provide more information on this proposal. (Paragraph 140)

57. We would be extremely interested to see evidence of existing successful examples of school expansion to justify the implementation of this proposal. (Paragraph 141)

58. There is a danger that the proposal to allow popular schools to expand will lead to popularity being seen as the sole measure of quality. In the Government's expressed view, a school which is over-subscribed must necessarily be a good school worthy of expansion. (Paragraph 142)

The Five Year Strategy: a new direction?

59. We find it difficult to detect a coherent overarching strategy in the Government's proposals. The evidence provided to show that the large sums of money to be spent on the new arrangements will produce significant educational benefits is minimal. Whilst the *Strategy* offers some welcome changes, it also contains much that has not been properly thought through. (Paragraph 146)

Formal minutes

Wednesday 9 March 2005

Members present:
Mr Barry Sheerman, in the Chair

Mr David Chaytor	Helen Jones
Valerie Davey	Jonathan Shaw
Mr Nick Gibb	Mr Andrew Turner
Mr John Greenway	

The Committee deliberated.

Draft Report (Secondary Education), proposed by the Chairman, brought up and read.

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

Paragraphs 1 to 55 read and agreed to.

A paragraph–(*Mr Andrew Turner*)–brought up and read as follows:–

"There is a clear difference of view among the Committee on what approach the Government should adopt on school admissions. The Committee's conclusions are set out in paragraphs 56–85 following. Paragraph 85A summarizes the conclusions of a minority of members."

Question put, That the paragraph be read a second time.

The Committee divided.

Ayes, 2	Noes, 4
Mr Nick Gibb	Mr David Chaytor
Mr Andrew Turner	Valerie Davey
	Helen Jones
	Jonathan Shaw

Paragraphs 56 to 85 agreed to.

Another paragraph–(*Mr Andrew Turner*)–brought up and read as follows:–

"85A A minority of members concluded that:

There was insufficient evidence that the use of what the majority call 'unacceptable oversubscription criteria' [para 60] caused sufficient mischief to justify tougher

regulation or strengthening of the powers of the School Adjudicator to intervene where no complaint had been received. Indeed the evidence was that schools were increasingly compliant with the Government's guidance.

The assertion that use of a particular admission criterion shifts the balance from 'parents choosing schools to schools choosing pupils' is a wrong.

The shortage of places in schools which command the confidence of parents is a much greater evil than particular admission criteria. Government policies to improve the supply of 'good' school places: by improvement and intervention strategies; by promoting new Academies and by encouraging the creation of new sixth forms (see para 132); by permitting independent schools to join the maintained sector, and by their presumption in favour of 'good' schools expanding, and the proposals of the major Opposition party to encourage investment of private capital in school-building and management, and paying for pupils to attend independent schools whose charges do not exceed the cost of a maintained school, should be commended for their potential to redress that shortage.

There is a clear division between, on the one hand, those who think that schools should not be allowed to do anything for which there is no evidence of benefit and, on the other, those who think that schools should be allowed to do anything unless there is overwhelming evidence of disbenefit. The latter position is reinforced by the Government's stated willingness to encourage innovation."

Question put, That the paragraph be read a second time.

The Committee divided.

Ayes, 2	Noes, 4
Mr Nick Gibb	Mr David Chaytor
Mr Andrew Turner	Valerie Davey
	Helen Jones
	Jonathan Shaw

Paragraphs 86 to 122 agreed to.

Paragraph 123 read.

Question put, That the paragraph stand part of the report.

The Committee divided.

Ayes, 6	Noes, 1
Mr David Chaytor	Mr Nick Gibb
Valerie Davey	
Mr John Greenway	
Helen Jones	
Jonathan Shaw	
Mr Andrew Turner	

Paragraphs 124 to 130 read and agreed to.

Paragraph 131 read.

Question put, That the paragraph stand part of the report.

The Committee divided.

Ayes, 5	Noes, 2
Mr David Chaytor	Mr Nick Gibb
Valerie Davey	Mr Andrew Turner
Mr John Greenway	
Helen Jones	
Jonathan Shaw	

Paragraphs 132 to 153 agreed to.

Summary agreed to.

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

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

Ordered, That the provisions of Standing Order No. 134 (Select committees (reports)) be applied to the Report.

Several papers were ordered to be appended to the Minutes of Evidence.

Ordered, That the Appendices to the Minutes of Evidence taken before the Committee be reported to the House.

The Committee further deliberated.

[Adjourned until Tuesday 15 March at 9.30 am

Witnesses

Wednesday 1 December 2004

List of written evidence

Reports from the Education and Skills Committee, Session 2004–05

First Report	Public Expenditure on Education and Skills	HC 168
Second Report	Education Outside the Classroom	HC 120
Third Report	UK e-University	HC 205
Fourth Report	The Work of the Committee in 2004	HC 359
First Special Report	Government Response to the Committee's Fifth Report of Session 2003-04: Secondary Education: Teacher Retention	HC 168
Second Special Report	Government's and Ofsted's Response to the Committee's Sixth Report of Session 2003–04: The Work of Ofsted	HC 206

Oral evidence

Taken before the Education and Skills Committee

on Wednesday 1 December 2004

Members present:

Mr Barry Sheerman, in the Chair

Valerie Davey	Helen Jones
Mr Nick Gibb	Mr Kerry Pollard
Paul Holmes	Jonathan Shaw
Mr Robert Jackson	Mr Andrew Turner

Witness: **Rt Hon Charles Clarke MP,** Secretary of State for Education and Skills, Department for Education and Skills, examined.

Q1 Chairman: Secretary of State, may I welcome you to our deliberations. It is not so long since you were with the Committee, but we wanted to draw together the strands of the year's work we did on secondary education and we are going to publish that as an overall report after Christmas. The main thrust of this meeting is secondary education, but, as we discussed earlier, because of certain publicity about the closure of another chemistry department, at Exeter University, we thought we would have just 10 minutes on that aspect of higher education before we got started. It would be wrong of the Committee to ignore that, given the opportunity we have to have a conversation with you about it. Would you like to say anything on higher education before we get started?

Mr Clarke: I should like to, Chairman; thank you for the opportunity. May I express my appreciation, as I have done before, of the role of this Committee in the education debate, both in the secondary field, which is the main subject of our conversation this morning, but more generally? You have played a major role in enhancing public debate on these issues and I want to express appreciation for that. On higher education, we have been concerned for some time, following the White Paper on higher education, as to how we can develop the national strategic interest in relation to these issues, because we have a very demand-led system and the research assessment exercise (RAE) also operates in that way. At the end of July, as the Higher Education Bill came to its conclusion, I formally consulted Cabinet colleagues to ask them what subjects of national strategic importance they thought we should think about establishing across the university system as a whole. I further discussed that at the universities UK conference in September and we have been having ongoing official discussions with the Royal Society of Chemistry, Institute of Physics and others more widely. I met a delegation from the Royal Society of Chemistry myself much earlier this year to discuss precisely these issues. What I have decided to do—and I have made available a copy of this letter for the Committee through the Committee Clerk—is to write formally to ask for advice from the Higher Education Funding Council for England (HEFCE) on what courses of national strategic significance it might be appropriate to intervene in to strengthen or secure their role within the educational provision of the country. Following discussions with Cabinet colleagues, I have identified five areas which I have asked HEFCE to advise on. Firstly, Arabic and Turkish language studies and other Middle Eastern area studies, former Soviet Union Caucasus and Central Asian area studies, which is mainly for strategic security and inter-cultural awareness reasons. Secondly, Japanese, Chinese, Mandarin and other Far Eastern languages and area studies for business and trade purposes. Thirdly, science, technology, engineering and mathematics, chiefly for maintaining the UK's excellent science base and it is obviously within that context that the chemistry is relevant. Fourthly, vocationally oriented courses of particular interest to employers in industries, which are of growing importance to the UK economy; for example the cultural and creative industries and e-skills. Fifthly, courses relating to recent EU accession countries, especially those in Eastern Europe and the Baltic. The constitutional position is that I am asking HEFCE to give me advice on how we might secure courses of this strategic importance in each of these areas. It is a significant departure, because it is a move away from the purely demand-led position which has existed over recent years.

Q2 Chairman: What do you mean by "demand-led"?

Mr Clarke: It is simply that the funding follows so closely the students who wish to study a particular subject that universities have very little flexibility in the situation and as a kind of inadvertent aspect of that you may find that certain courses which are nationally, strategically important end up not getting the support they need. I hope that the advice HEFCE gives me will enable us to be sure that we are strategically certain in these areas. In the case of chemistry, I know HEFCE are already looking at systems of saying that, for example, in a particular region, say the south west of the country,

there should be a number of chemistry places available throughout that region whatever else happens, whatever particular decisions are taken by particular universities. There are quite difficult strategic questions. If you take the case of chemistry, there are interesting issues about the development of other sciences, for example the biosciences, the environmental sciences, which are moving forward and the relationship between that and chemistry. There are also quite difficult questions about what ought to be the number of chemistry places and where they should be. Should you, for example, have a small number of relatively large chemistry departments in universities or a large number of relatively small chemistry departments? These are difficult questions upon which we need advice, which is why I have asked HEFCE to prepare advice in these areas. The decision of the University of Exeter is a decision for itself of course, but that is the overall context and I am grateful to you for giving me the opportunity to say it. I have issued a Written Answer in the House today, setting out the position I have just described to you.

Q3 Chairman: Let us remain with chemistry for a moment. Do you know how many chemistry departments have closed in universities since 1997?
Mr Clarke: No, I do not have the number to hand.

Q4 Chairman: It is a substantial number though, is it not?
Mr Clarke: There have been several; King's College London, Swansea, Exeter, a number of chemistry departments. There are other chemistry departments which are being kept open at significant cost to the university itself because they have not been economically successful.

Q5 Chairman: Interestingly enough, why I pushed you to clarify what "demand-led" meant, what places like Exeter are saying about chemistry and indeed Swansea have said, is that they are getting plenty of students who want to study chemistry, but because they do not have a five-star rating, they could not use research money to subsidise the teaching of their students. We are in a pretty poor pass, are we not, when we get high demand for a subject but it is so expensive to teach a subject like chemistry that we can only do it economically by transferring across the research budget. There is something wrong out there, is there not?
Mr Clarke: There are two issues involved in this. Issue one is the cost of teaching a particular course and, as you know, HEFCE has a set of different financial indices for the cost of particular subjects according to their assessment of what the cost is. The fee regime we have established also helps look for income streams to help deal with those particular aspects. You then have the RAE exercise which is controversial in some circles. Just to make it absolutely clear, we have said throughout, on the RAE, that a university must decide its strategic approach. If, for example, you have a four in chemistry or a four in architecture, to take another contemporary example, the university can and should take a sensible decision about where it is going. So it can decide to have a strategic view over two or three years to raise the attainment in the exercise from a four to a five or to a five star. That is a perfectly rational course of action to be followed. I do not believe it is acceptable to have a state of affairs where we argue that every university—whatever it is; 120 universities in the country—has both research and teaching in every subject. That is simply not sustainable.

Q6 Chairman: That is true and this Committee accepted that in its report on the higher education White Paper. What we were disturbed at was that you ceased to have the critical mass of chemistry departments when actually, as Lord May said to us and indeed yesterday you might have heard the Provost of University College making the point—
Mr Clarke: Debating with your good self on the *Today* programme.

Q7 Chairman: —to feed bioscience you need chemistry as well. Bioscience is not a replacement: the two have to be there together. Is that not a concern and a worry, that we will not have that critical mass?
Mr Clarke: I am accepting that argument in the letter I have written to HEFCE today. I am accepting the argument of this Committee and saying you cannot simply have what I have described—it may not be the correct language—as a demand-led system. You have to say that there are certain subjects which are of national strategic importance. Chemistry is the example we are discussing today, but I have actually set out a range of subjects where, if we were to lose, in your words, the critical mass, that would be nationally a very serious state of affairs. The question therefore for HEFCE to advise me on, is how to get to a state of affairs in each of these subjects where we do not lose critical mass. There is a further issue which is quite significant: do we believe, for example in chemistry, that there should be a reasonably even regional spread across the country? That is again a matter which HEFCE will advise on and there are issues of that type. I accept the arguments being made, not only by Lord May but by the Royal Society of Chemistry, that it is necessary to act in these areas and that is why I have taken the steps I have in what I think is quite an historic shift in government policy. It is saying that it is the responsibility of the state to have a view about what we need to be studying in this country and that HEFCE is the correct organisation, in my opinion, to advise me on the right way to get to that view.

Q8 Chairman: I do not want to push this for too long, but you will remember that our Committee, back when we looked at the White Paper, did prioritise the Government's views on research: higher than flexible fees or top-up fees as they became known—

Mr Clarke: And you were right.

Q9 Chairman: —for the long-term health of universities. What worried us at that time was that certain voices in the university world were pushing a line of concentration of science excellence in a very small number of institutions which would have meant really a concentration in London and the south east and we very strongly say that there should be at the very least a high science capacity in a university in each of our regions.
Mr Clarke: Of course. Personally I agree with that very much. I was at the opening of the new University of Manchester a couple of weeks ago, an outstanding example of what is a world class university strengthening its position to be able to do precisely that. To those who argue that there are only four or five universities in the country, focused in London and the south east as it happens, which can be our only centres of world-class excellence, I do not accept that. We have to go down the line of having world-class universities in various parts of the country; I think that is the right way to go. What is difficult and not a straightforward point at all is simply to say that for me to say it shall be that university and not the other university and get into that state of affairs is not acceptable. Equally, we need to look at the strategic national interest, which is why I am taking this departure I mentioned earlier on. I think that is the right context to decide how it should be. I know the vice-chancellors who make this argument, but I have never accepted the argument that there are just four or five universities in the country to which one can go to down this course.

Q10 Chairman: With the sort of action you are taking would it be too late to give any hope that the department in Exeter might be saved?
Mr Clarke: That is a matter for the Vice-Chancellor at the department in Exeter. I am not going to comment on that particular case. I would make quite a serious point here. Your Committee correctly identified in the higher education White Paper the fact that we were asking universities to focus more sharply on their most appropriate mission and not to believe that every university can do everything excellently. That is a very hard process; it implies a reform agenda and that is in fact what the vice-chancellors are doing in these various universities. They are trying to come to a view about where they should focus their excellence. You or I might contest the judgment on a particular judgment with a particular course, and one could comment on that, but the universities, and certainly Exeter, are faithfully carrying through the need to look carefully at what their mission is and where they are strong and where they are weak. There are consequences of that which can be painful, as we are seeing in particular areas. The scientific interest of both the Royal Society for Chemistry and more widely right across the country rightly says that what we have to do is to look at the national strategic interest. For the first time in many years I am setting up a process here to get to that national strategic interest in key subjects.

Q11 Chairman: That is your responsibility. The responsibility of universities is rather different: it is to produce a viable institution. It may be that the rules which are set by the research exercise, which are heavily penalising those other departments which do not get a five, but have a four, and because chemistry or other subjects are expensive they are jettisoning those subjects which we really need in the national interest to survive as an institution. Surely it is your responsibility to make sure in that national interest that we do not lose that critical mass.
Mr Clarke: And I am carrying through that responsibility in the way that I say. What is not my responsibility, and let us be very clear about it, it has been a central issue of the relationship between the universities and the state since the foundation of universities, is that if I were to try to second guess a particular university on the decision it makes, then that would be against every historical role of the university in relation to what happens.

Q12 Chairman: If every university gave up chemistry departments would you say "So be it"?
Mr Clarke: No, I would not and that is precisely why I have gone through the process I described just now. Up until today it has conventionally been the case under governments of all parties, that it is a matter for universities to make those decisions and not for the state to make those decisions. This is a delicate issue; it is a very difficult issue. The state's role generally is to give money to the university system and then for universities to decide how best to use it. HEFCE takes advice, as its predecessors, the University Grants Committee and so on going back in time took decisions of this type. The whole establishment of the university funding regime was predicated on the proposition that universities should decide for themselves where their resource should be. I am saying, I think rightly, that we need to look at certain national strategic interests, which is why I consulted my colleagues in the Cabinet on what they saw, from their point of view, as key issues and I am asking HEFCE to advise me on those questions for precisely that reason. No, I am not saying it is a matter of no concern to me. I am saying that, on the contrary, it is a matter of concern and I am glad that HEFCE are already, on the particular Exeter case, looking at the distribution of university places in chemistry in the south west of the country, for example. I am saying that in exercising that interest, to get to a situation where any Secretary of State or anybody else says "You will study chemistry in Exeter but not in Plymouth" or whatever it might be, is a state of affairs which most people in the university world would think of as unacceptable.

Q13 Chairman: You could make it attractive financially for one university in each region to specialise in chemistry.
Mr Clarke: HEFCE already has a series of incentives through its funding regimes. I am saying that in addition to that we should look specifically at these courses of national interest and I am asking HEFCE to identify the right way to go about that by the process I have described. I am asking their advice. It is an important constitutional point just to emphasise. I am asking HEFCE to give me advice on how to proceed and in my opinion that is their correct statutory role.

Q14 Mr Jackson: I am delighted about the response to the BRISMES proposals and that the Secretary of State is consulting on that. I actually chaired the conference we had here on Middle Eastern, Arabic and so forth studies actually in this room, so I am very pleased about it. I wonder whether the Secretary of State could comment on the fact that Persian is not mentioned in this list. It is a very important language. If our diplomacy towards Iran works, it will be even more important. There is a real, serious problem in that area and I hope there is no significance about its omission as a specific mention on that list. I want to make a much more general point and ask the Secretary of State about this. I think he is correct to use the language of demand and supply as an analytical framework for discussing this problem, but I do not think it is correct to characterise this issue as simply a problem of a demand-led system. It seems to me that there are also supply side issues and I want to ask the Secretary of State to comment on this. If you look at chemistry, that seems to me to be a supply side problem: basically there is not enough money going into chemistry courses and they are therefore too expensive to run. The appropriate remedy is probably to take some action on the supply side. On the other hand in these Middle Eastern studies we are talking about the problem is a demand side problem. Basically there are plenty of places available, but there is not enough demand from UK students. The question is how you can boost demand. It seems to me that the answer on the chemistry side is probably to increase the funding on the supply side for chemistry and on the Middle Eastern studies and so forth to increase the demand by, for example, providing bursaries to encourage people to do this, as was done by your predecessor in connection with certain kinds of teacher training. I wonder whether the Secretary of State could comment on this point about the analytical framework, demand and supply.
Mr Clarke: I am very happy to say that Persian is not excluded by this process here and that would be one of the aspects HEFCE looks at. It was, Mr Jackson, part of your own representations on this, with the experience you have had, which led me to feel that we needed to work further in this direction. In terms of the analytical structure, you have four quadrants. You have a demand issue and a supply issue for research and teaching in each of these areas. As you correctly say, and I agree with your analysis, the assessment in each of those areas will be different as to what measures are needed to deal with the particular situation. I am absolutely happy to look at bursaries and other devices to deal with things on that side. I am also happy to look at how money is channelled. It is not correct to say that the money situation is the entire explanation of the chemistry position. The amount of additional funding this government have put in to science is very, very substantial indeed. What I think is more difficult is how to have a conversation about which chemistry departments should be strengthened and which, by implication, not, whether it is on the research or the teaching side. Is one arguing that every university in the country should have a chemistry department and the money should be spent relatively thinly from that point of view? Or is it a relatively small number of universities which are teaching chemistry, or research in chemistry, or both together? I do not think it is therefore a question of total quantum: it is a question of how the money is actually distributed in that way. I think—and I am open to correction on this—that the Royal Society of Chemistry understand that point and in the discussions we had earlier this year, we had quite a long discussion around precisely these types of issues. They are difficult questions; it is not at all straightforward. I think addressing precisely both the demand side and the supply side for chemistry is the thing to do. However, you cannot do it simply on the basis of saying every university has to have a chemistry department.

Q15 Mr Turner: A rather more practical question. I have had a letter from someone who is in the third year of a four-year Eng-Chem course at Exeter and who is currently on industrial placement. He has been advised by the university that he can complete his degree there, but by his tutor to look for another place to do his fourth year because of staff being dismissed or having left. Has a student a right to expect that when he starts a course at a particular university that course can be completed there to a high quality?
Mr Clarke: The student does have a right to expect that and in fact one of the whole reforms we have in the higher education process is to make that expectation more explicit. I have had a large number of e-mails from individual students at Exeter on my screen and I have read them all carefully. I do not reply to every one in the detail they might perhaps wish, but I do read them and I am very interested to see what people are saying. I cannot second guess the advice being given by the tutor in the university, but I do believe that, put at the level of generality, your question is right, that once a contract is entered into to provide a course that a student is going to carry through, then the university should be fulfilling their side of that particular contract.
Chairman: I am conscious that we want to get onto secondary education, but two quick questions.

Q16 Valerie Davey: I welcome the emphasis on minority languages which should not be minority. I just want to add a caveat there that there are British students for whom this is their mother tongue in our schools and perhaps the education department should be enabling those young people to exercise their right to study their own mother tongue and perhaps that would bring forward the demand for the university course. Secondly, in the regional, national dichotomy, to which you were alluding earlier I welcome the reference to "cultural and creative". One of the other departments which is being shut in Exeter is the music department. We met, with the DCMS minister, some of the south west MPs yesterday to learn that the growth in jobs and potential in the South West in that area is amazingly high. How would the region feature in this? Will it be HEFCE who gives some guidance as to where those departments stay open or shut?
Mr Clarke: I very much agree with your first point. By chance I was meeting earlier this morning the Turkish minister of education who happens to be on a visit in this country. We talked about precisely this question in relation to the Turkish and Turkish Cypriot community, about 200,000 in this country, particularly in some parts of London, some of our initiatives, for example the global gateway exchanges, the discussions we had this morning about teacher exchanges. I did not know this until this morning, but there are about 25 teachers, funded by the Turkish Government, helping the Turkish community here. I very much agree with you and our modern foreign languages strategy and the languages ladders we are developing in that and which will start rolling out in schools next September do include a number of the languages you are describing and it will have the effect of building demand in some of these areas. That will not apply to some languages, for example Persian, the example Mr Jackson gave. There are relatively few students there, but in subjects like Arabic and Turkish there are more significant numbers of students involved whom one can see going forward in those areas. On your second point, I agree very much that there needs to be a regional dimension. It was in fact colleagues at the DCMS who made the representation, when I wrote round Cabinet, that we needed to look at the cultural and creative industries and how we should be doing that for exactly the reason you imply. I obviously do not know what the recommendation from HEFCE will be, but I think there is a very strong case for saying that the region is a very good basis for looking at this. We are trying to build stronger relations between universities and the regional development agencies. If I may be absolutely candid, it is also the case that if you look at any region of the country, not all the university relationships with each other in those regions are as mellifluous as one would like. There are occasionally—temporary I am sure—conflicts of view about how to approach some of these matters. I think that HEFCE will take this responsibility on for trying to get people working in a more collaborative way, which is an important thing to do.

Q17 Jonathan Shaw: Last year you took money from some universities and gave it to others in terms of the research assessment exercise. That was against the advice of the Higher Education Funding Council. Now you have a problem you are asking them for advice. Are you going to listen to their advice this time?
Mr Clarke: I am going to listen to their advice. I am not quite sure what you are referring to. I think you are referring to some funding for the fours to fives. Yes, the short answer is that I shall listen to their advice. The reason why I have asked them for advice is to listen to it.

Q18 Chairman: Jonathan makes a fair point.
Mr Clarke: Jonathan always makes a fair point in my experience.

Q19 Chairman: You did not heed HEFCE's advice on that last occasion.
Mr Clarke: I have to put it like this. Mr Shaw made a fair point. You made a fairer point and the fairer point you made to me earlier on was that I, at the end of the day, bear the responsibility for these matters. That is as it should be in a democracy, but I should be properly advised on what I do and that is why I am asking HEFCE for advice. At the end of the day the responsibility will be mine, as you correctly said earlier on. I am happy to assure Mr Shaw that I shall listen very carefully to HEFCE. I have talked to HEFCE officers about this whole question at some length and I am confident that they will take this remit extremely seriously and come up with very positive proposals about how we should deal with these matters. The list of subjects is quite striking. It is a wide range of different issues which are of strategic national importance and it will be very interesting to see what emerges.

Q20 Mr Pollard: Why can you not put a stop on any closures of chemistry departments here and now and say that they must not do it until the review has taken place and you get the advice back from HEFCE. Secondly, we are talking about Farsi as a language, but there are 600,000 Bengalis in this country and 140-odd million Bangladeshis, yet no provision is made at university level. Can we include that as well?
Mr Clarke: On the second point, I shall certainly ask HEFCE to consider the comments of Committee members, both in this session and if they want to write, or you want to write collectively on particular subjects. There is obviously quite an issue about what is national priority in terms of studying anything in the world. On your first point, no, I cannot, is the short answer. I do not run the universities and it is correct that I do not run universities so I cannot say "You will stop".

Q21 Mr Pollard: If it is in the national interest.
Mr Clarke: On the other hand, I am certain that all universities will look with interest at the remit I have given HEFCE in this area. They can make their own judgments in the light of that.

Q22 Chairman: We have had some very interesting information from the Royal Society of Chemistry. I am sure you have seen it, but if not would you like to receive the information we have had?
Mr Clarke: Yes, I should be happy to.

Q23 Chairman: On Exeter in particular.
Mr Clarke: If there is a document going around, I have not seen it.

Q24 Chairman: We have a document and we shall be pleased to let you have it.
Mr Clarke: Fine; delighted, but I have not seen it.

Q25 Chairman: Can we now switch modes into secondary education? Secretary of State, do you want to say anything to open up, or do you just want to take questions?
Mr Clarke: Go straight to questions.

Q26 Mr Gibb: May I ask you about the five-year strategy? In it you correctly criticise this long-standing debate about comprehensive schools versus selective education. You say that the debate is still about types of school rather than standards and I do tend to agree with that. Could you not argue then that actually your policy is now really all about school types and structure, things like independent specialist schools, foundation schools, academies? Does that not directly contradict the foreword and also the 1997 manifesto which said that there had been too much focus on structure and not enough on standards?
Mr Clarke: You could argue that, but it would not be true. The fact is that we focus absolutely on standards at different levels. If I take the specialist schools as an example, one of my first acts as Secretary of State was to lift the cap so that all secondary schools could become specialist schools. I went to the specialist schools' trust conference last Thursday in Birmingham, a very, very impressive event by the way, with very large numbers of schools very motivated, and I said that we now have to shift from looking at individual schools to systemic change. In the same way that we have done for sports specialist schools to develop a relationship for sports right across the whole range, to do the same for languages, arts, music and so on, so there is a network of collaboration which has been very positive. I think that is the whole way we have approached it. I do not accept that we are focusing on school type rather than on the issue of schools standards. On the contrary, we are looking very, very much at how we help schools drive up standards and remove barriers to them doing so.

Q27 Mr Gibb: Are you going to eliminate mixed ability teaching then? Again in the 1997 manifesto it talked about increasing the amount of setting and it has increased marginally, but still 60% of lessons in comprehensives take place in mixed ability classes. Are you going to eliminate those to raise standards?
Mr Clarke: I cannot promise to eliminate anything in that sense. If I were to seek to pass a law which says that there shall be no mixed ability teaching in schools, you and others would say that it would not be an appropriate law to pass. You would probably argue, certainly it is the traditional Conservative position across the House, that actually it should be for teachers and schools to decide how they organise their schools in the best possible way. I certainly believe, in terms of raising standards, that it is for teachers and schools to do that and it is for me as Secretary of State to provide whatever support I can to where they go. It is interesting. If you take the setting issue and take your question of single sex classes, which my colleague the Minister of State raised at a conference of girls' schools the other day. All I can say is that I think this is an important debate to have. It should be informed by proper research, proper evidence, but at the end of the day the decision about how a school organises itself from that point of view, mixed ability teaching, single sex classes or whatever, ought to be a matter for the school and the profession based on that evidence rather than a legal change.

Q28 Mr Gibb: Not necessarily a legal change, but do you accept that ministers have a duty to engage in the debate on these issues?
Mr Clarke: Completely. Indeed I should say that we, as a government, have tried to do that in terms of debate.

Q29 Mr Gibb: If you look at the speech David Milliband made at that conference, that four-year study by Cambridge University into a particular co-ed comprehensive, where they did change the configuration of the classroom and separate out boys and girls for subjects like languages and maths, they had an increase in the results from 68% of that school achieving five or more good GCSEs to 81 and 82%. That is a staggering increase in standards. Does that not reveal first of all that this should be implemented right across the comprehensive sector? Does it not also reveal a huge underperformance, if we can achieve this kind of increase just by that one measure? Does that not reveal a huge underperformance in our comprehensive schools in Britain?
Mr Clarke: As an individual I am a strong supporter of setting. I think it is a right way to go, but I am not universally a strong supporter of setting. What I mean is that I think there are different subjects in which these issues arise in different ways. It is not self evident that you should have setting in all subjects, for example. There are particular subjects where one can make the case very strongly, but, again, I do not think as Secretary of State I should say "You must do this in a particular school". I can stress my view, as I have just done, and the Minister of State can express his views, which he did the other day at that conference. You can express your view. That is part of developing the debate about how to improve the quality of education. I very much want to

encourage that and if there were any sense that as a department we were not encouraging that debate, I should take that as a serious criticism. However, at the end of the day I do not think we should do more than encourage debate about that and we should say the profession must make its judgment on that.

Q30 Mr Gibb: Even if the evidence is overwhelming, as it is in this case, about the configuration of the classroom, boy/girl/boy/girl in a classroom, even if the evidence is overwhelming that you get a staggering increase in educational standards by implementing that configuration, you do not think that national democratically elected politicians have a role or a duty to ensure that is what happens in our schools.
Mr Clarke: With respect, I think you are confusing words. Do we have a role? Yes, we certainly do. Do we have a duty? Yes, we certainly do, to make that argument clear. Then you say "to ensure" and I do not think we can ensure. I do not think I can come to a school in your constituency and say "You have to organise your classes in this way with certain pupils going in certain ways". If I were to do that, not only the profession, but other democratic politicians might say "What's he doing here; it's down to the profession".

Q31 Mr Gibb: If schools refuse to do it and then that is the reason for the poor performance in English state schools, do you not think the public and parents in particular would feel that they had been let down by national politicians?
Mr Clarke: I know that national politicians take responsibility for everything in life including the weather. At the end of the day, I think we are trying to build a balanced society where different people take their own roles, their own rights and responsibilities within that. There is a particular responsibility for professionals, in this case for teachers and it applies in health and other areas as well, to make the right decisions in that way and it is our job to support them in doing that. If there is a blinkered approach to change, it is the job of democratically elected politicians to say "Okay, face up to these issues" and I accept that too. I do not think we are actually disagreeing very substantially about this, unless your argument is—and I do not really believe it can be—that it should be for a minister, a democratically elected politicians or an MP, to say "In this constituency, this is how you will teach". You cannot take it that far. Maybe you are saying that, but I doubt it.

Q32 Mr Gibb: I do think there should be more involvement. If all of us together in the House of Commons can identify a key problem which is causing underperformance, then I think that there is a duty for Parliament and Government to make those changes. So I do slightly disagree with you.
Mr Clarke: I do not say it in any spirit of argument, but there is a real issue here if that is the case. If it is argued that the democratic parliament should pass a law about, for example, setting in schools or mixed ability teaching or single sex classes or whatever, that is a big, big issue and an important role for this Committee.

Q33 Mr Gibb: It is a big issue.
Mr Clarke: I would have to say, certainly on behalf of the Government, that we would not go down that course.

Q34 Mr Gibb: It does not have to be passing a law. At the moment these things are done nationally, they are done by the Teacher Training Agency, by education academics; somebody is determining these policies nationally. All I am saying is that perhaps we in parliament should have a little more say in these issues because the people elect us to run the schools in this country and I think they are being run by people who are not elected. That is all I am saying. If schools become more independent, with more foundation schools, do you think that will lessen the role of LEAs when it becomes universal? Do you think that will help national politicians to take a more strategic view or hinder it?
Mr Clarke: I think it will help it actually. There is a false antithesis between independence and collaboration. There is a lot of evidence that the more independent the institution, the better collaboration you get. Some disagree and say independent goes with competition and that is how that goes. I do not actually accept that argument myself. I think that collaboration, for example in the specialist schools programme, with the requirement that if you are to be specialist you are required to collaborate, has been very positive in lots of different ways. In fact that idea of independent schools in collaboration is an absolutely central theme of the five-year plan and is the right direction to follow. The effect of that will be to have more debate by more authoritative people about the precise issue you are discussing. I suppose it makes it more difficult for either a democratically elected politician professionally or a democratically elected politician locally to say you will teach this in this way at that school. It is not desirable that councillor X or Y person, MP, should say "This is how you teach and this is what you do". We need more professional self-confidence in these areas.

Q35 Mr Jackson: I want to ask the Secretary of State about the continuing role for local education authorities. What view does he take of this? I have a particular concern arising out of Oxfordshire where the authorities identified a serious problem of relatively poor performance in our state secondary schools in the county relative to national indicators and also relative to indicators of comparable authorities. It is also quite clear from the evidence that this does not arise from any question of the relative proportions going to independent schools. That has always been an excuse which has been used in the past. A serious debate is going on in Oxfordshire and the local authority is playing a leading role in stimulating

that debate and encouraging the secondary schools to address the problems. Does the Secretary of State not agree that this shows that there is a very important continuing role, firstly for local education authorities and secondly for target setting and the development of performance indicators which actually enable these points to be measured so that comparisons can be made and judgments concluded.

Mr Clarke: I very strongly agree and perhaps I might take the opportunity to commend the work which I know Oxfordshire County Council is doing to promote this debate. I see at least three vital areas for the local authorities. The first of these is school improvement and curriculum support and a whole range of issues of that kind where the local authorities are particularly well placed to lead, stimulate, encourage improvement in these areas. The second is in the development of the 14 to 19 curriculum, where I believe we shall see more and more collaboration, both between schools and colleges in 14 to 19, but also with employers. The local authority has a particularly important role in establishing and encouraging those relationships. The third is in developing children's trusts and all the things which follow Every Child Matters, where the local authority has an absolutely vital role. All of these are important and essential roles. I reject absolutely those who say that I am somehow trying to reduce the role of the local authority. The reverse is true and I see very good local authorities doing precisely what you have prescribed in different areas to drive standards up. I commend and support and applaud what they do in those areas. What I do not think is so appropriate is to run and manage the education resources, the schools, in that particular area. I want a state of affairs where governors and heads feel confident in their own ability to run their schools and do that in a proper way. Some people see what we are saying as a threat to the local authority role in that regard; that has been a debate. I went to the conference on education and social services in Newcastle of all local government and I made this argument very, very strongly indeed. Local government has a vital central role in those areas I have mentioned and long should it have that. If we did not have local government in that role, we should have to invent it. In fact one of the problems about what has happened with the development of the Learning and Skills Council, Connexions and a vast range of other organisations is that you have quangos which bypass the role of the local authority. It would be far better if that went through the local authority, but that requires local authorities to accept that national government has certain rights and responsibilities in this area and I try to promote this debate more widely. I gave a number of speeches on that very subject.

Q36 Paul Holmes: Carrying on this theme, I am not quite clear. In the five-year strategy you are talking about giving schools much more independence and even allowing one school governing body to opt out and become independent effectively just on the strength of the school governing body. If all the schools are becoming more and more independent, how do you square that with your oft-repeated urging for local authorities to have a strategic role? For example, when we have talked about admissions, you have said that the LEA will make sure that fair admissions take place. How? They have no power now according to the report we did in the last year and under the five-year strategy they are going to have even less power.

Mr Clarke: I do not think it is true that there is less power. The code of admissions and the way that operates, a matter you addressed particularly in your report to which we responded, the issue of how we deal with hard-to-educate children in a wide variety of different ways, are all matters where the local forum has very real powers to determine what happens and carry it through. The reason why we talk about foundation partnerships is that there are many cases, and many heads have talked to me about this—I do not know how it is in Chesterfield, but in other parts of the country—where, if a group of five or six secondary heads, for example, and the schools were able to work together to deal with the education of people with special educational needs or hard-to-educate situations or to run a pupil referral unit or to do a deal on other matters as a group of schools with the money devolved from the local education authority, that would be a strong and positive thing. I have seen examples and I can give you examples where that is happening in a positive way. That is a very strong way to go. The more schools themselves possess this approach, individually and collectively, the more progress you make. The argument was made by Mr Sheerman yesterday in the debate on the Queen's Speech, that there are barons, school barons, heads, who somehow want to break out of the whole of the rest of the system and who need to be reined in by a set of measures of various kinds. That is a legitimate concern, I accept. It is a real issue which needs to be addressed. Firstly, it is a far lesser issue than people actually believe. Secondly, in the five-year plan we are actually giving far greater ability to intervene. By having the single conversation, which we have set up, as a conversation between the alleged baron and the school and the funders, it is quite possible for the funders to say "If you're going to continue behaving like this you'll get less resource in the situation because you have to accept overall collaborative responsibilities". I do not think there are many barons around in any case, but the proposals we suggest in the five-year plan actually make such barons have less power than they have now.

Q37 Paul Holmes: On the other hand you are giving schools direct ring-fenced funding.

Mr Clarke: As we should.

Q38 Paul Holmes: So how are you going to withdraw the funding?

Mr Clarke: They get a funding per pupil which goes to everybody, but they also get a range of other funding at the moment through the standards

fund and all the rest of it, which is for particular purposes. If you imagine this single conversation, your school in Chesterfield, looking at the crooked spire, would say they need to improve their performance in certain subjects, they are actually better in maths, modern languages or whatever it might be, or they have a group of students on that estate whom they are not serving properly and they need to be able to serve them better, or whatever it might be. The local authority and the DfES would put the same question back the other way: are you dealing with that properly, are you dealing with the other properly based on the inspection reports. There is a dialogue and the funding solution—

Q39 Paul Holmes: But the successful oversubscribed school in the leafy suburb which is full and turning people away is not interested in the money for dealing with deprived children; they are fine without that. So what incentive do they have to co-operate?
Mr Clarke: I really do not accept that actually. I think there are very few head teachers—this is a genuine argument between us and in my own party as well—who say they do not care about the welfare of the education system in our overall reality. There are some—I have met them I acknowledge—but they are few and getting even fewer. One of the things which has happened in the specialist school programme we have had is that we have had more collaboration and you have the leafy suburb school applying to be a specialist school required, if it is to be a specialist school, to work with other secondary schools, with special schools, with primary schools in its locality, actually beginning to do so, to work together, and collaboration being encouraged in these ways.

Q40 Paul Holmes: Is it not true that where that co-operation takes place it is almost entirely between a secondary school and what used to be called their feeder primary schools? There is very little between secondary school and competitor secondary school, which is what they are all becoming in the system now; they are all competitors.
Mr Clarke: I really do think that is the reverse of the truth. It may be your experience in Chesterfield is different to mine. In Norwich we have a situation where three secondary schools and the local FE college have made a joint appointment to run jointly the 14 to 19 curriculum between those schools and you actually have a situation—I personally have seen it—where the parents are going to talk to a teacher and the teacher actually says "That school over there has a better course on this than we do. Maybe you ought to think about doing that, or doing it in our school" or whatever. I think those kinds of collaborations will become increasingly common. In fact it is one of the things I hope we will emphasise in our response to Mike Tomlinson's report on 14 to 19. There will be the odd school which will say it is going it alone, trust them and so on. That will be absolutely counter the general trend of what is happening.

Q41 Chairman: May I push you on this? When you said I raised the term "baron" in my speech yesterday, I regret it. I meant more busy managers.
Mr Clarke: I may have misunderstood, I am sorry.

Q42 Chairman: I did in a weak moment use that term. More appropriately I should have said a busy manager of a school, a head, a principal. I find in my visits to schools, large comprehensive schools, the principal, the head is absolutely fully committed, 100% of their time, to running the school. They say to me that they are too busy to deal with partnerships and a whole network of schools and have collegiates. It is a lovely idea but they need someone to do it. Most of them say they want a really good local education authority to do that sort of thing. When you said, if these people do not co-operate, if they are not co-operating with other schools someone is going to do something nasty to them like not give them enough funding –
Mr Clarke: As much.

Q43 Chairman: —as much funding, the only people who can do that are you in the department. It is not going to be local education authorities. They do not have the power to do that. It is going to be a direct relationship between you and individual schools.
Mr Clarke: The key problem at the moment from this point of view, if you are a school head—and I am sure they say to you what they do to me—is that they have a whole range of billing streams and initiatives they have to deal with from a whole range of different bodies. They have the LEA doing it in certain areas, they have the Learning and Skills Council, they have DfES standard fund money, they have to bid on a whole set of different criteria and they get up propositions, whether it is for Excellence in the Cities or for the behaviour strategy or the school sports, whatever, and they have to find an approach to do that. How do we respond to this? I have to say I plead guilty to this government having created many of these funding streams. Why? Because we wanted to incentivise and encourage particular forms of behaviour. Now is the time to say that actually, having done that, without reducing the quantum of money, we want to get it into one dialogue, one approach. Your head in Huddersfield will talk to Calderdale and to the person from the DfES and to the LSC in one conversation, saying this is what they want to do, that is what they want to do. We have been trialling this as an approach and people are very positive about it. It has a large number of benefits and one of the parts of that conversation will be how well you are working with other schools or colleges in your particular locality and what you need. If the head then says in that conversation that they would love to but they cannot run the place, it is just all too much, they do not have time to talk to the school down the road or wherever it might be, then that collaboration will say it is terrible and they have to find a way of making that work better in whatever way. In fact—again I cannot speak for Huddersfield because I do not know—a lot of

dialogue is taking place between heads. I should say it is at an unparallel level. I take the point about the feeder primaries; that is true. I do think it is also between secondary schools and secondary schools and secondary schools and local colleges. I admit that I am talking anecdotally rather than systemically, but I could provide a large number of anecdotes of where those co-operations are happening.

Q44 Chairman: Does the Labour Party and the Labour Government not traditionally believe in locally elected democratic politicians having some say in what happens in these things?
Mr Clarke: That is why the council has a say. Now we are going back to the conversation with Mr Jackson. My offer to local government is: work with me in a partnership and we will see whether we can get more money and more responsibilities going through the democratically elected local authority rather than having our various bypassing structures which exist at the moment. It is possible to do that. The compacts we have with local government give many more possibilities in this.

Q45 Chairman: You seem to have a lot of work to do to persuade people like the Local Government Association.
Mr Clarke: Not as much as you might think. I have a regular meeting with the Local Government Association on an all-party basis and I went to the Local Government Association conference in Newcastle to discuss this. There is a lot of opinion in local government, of all parties by the way, which is very sympathetic to the type of approach I have just described. It is true to say that there is some opinion—you are quite right—which says "Keep off our lawn. We run our schools. Just give us the money and that is it". One has to make a judgment as to whether that is an acceptable state of affairs. I could not put my hand on my heart and say that every democratically elected authority in Britain has done an absolutely stunning job in running the schools in its particular patch. I could say that I completely agree with the question as you phrased it, which is that it is vital there is an important role in running the local education system for the democratically elected local authority and for councillors. I agree with that completely. The question is: what is that role and how does it relate to whatever national imperatives there are as well?

Q46 Chairman: You seemed to be most interested, or perhaps a little defensive, yesterday in the Queen's Speech debate.
Mr Clarke: Defensive?

Q47 Chairman: At the time of the speech of Stephen Dorrell, when he suggested that the real relationships between the new foundation schools and indeed the academies were basically Conservative policies which you had brushed up and shined up a bit; they were really the same policies. This is a pretty dramatic step, both in terms of the number of academies you want to roll up, but also to sticking on foundation schools. You are introducing a piece of legislation in this Queen's Speech which means with one meeting a school can decide they are going to become a foundation school. They will own the property, they will own the whole, I think I said, caboodle. Perhaps I shall regret that like the "barons". Basically you are going to take them into the same sort of status as post-16 institutions, are you not?
Mr Clarke: Firstly, I thought Stephen Dorrell made a very good speech yesterday.

Q48 Chairman: He seemed to irritate you.
Mr Clarke: He did not irritate me at all. I thought he created more questions for the Conservative Party than he did for the Government; let me simply put it like that. He made an intelligent speech on this matter which, with the exception of Mr Gibb, was unusual from the Conservative benches yesterday. It was an intelligent speech and he was trying to make the analysis in a variety of different ways both on education and health. As I said in the speech, the specialist schools are a lineal descendant of one or two of the things, the CTCs and so on, which the last Conservative Government did and we have tried to develop that approach. The whole point about the grant-maintained approach was that it was designed as something which was to be elitist in concept. It was designed for some schools but not others. It is like the approach to grammar schools, for example. Our whole approach on this is universal in style: universally trying to go to specialist schools, universally encouraging people if they wish to do so to go down the foundation route. The issue which really needs to be addressed is that if you look at the resources in a particular school, whether it is a landed property or whatever else it might be, why should a school not have that and be able to say how they should use it in the best way. Is it the case that it is going to be taken away from the public interest? It is not. The property, for example, cannot be disposed of without first going back to the LEA, if that was the route you went down. Getting the decisions to use this resource for improving the education for the children of that particular school must be the right way to go.

Q49 Chairman: You are going to have some time to persuade even your colleagues in the Labour Party about that. One of the things we face in education all the time is the dynamic of demographics, where people live, where people go to school, it is a changing pattern all the time, dramatically in some of our cities. Some cities grow, move to the west from the east and so on. If you petrify the system so that every school owns what it stands on, where are you ever going to get the ability of anyone to say the pattern of schooling is changing, we have to close some schools, perhaps sell some for redevelopment, even, if you accept academies, build an academy here? Where are you ever going to get that strategic ability to do it with all the barons

sitting there saying it is their plot of land and you cannot do it. You have not been very successful with FE, have you? They are on their own.

Mr Clarke: I shall make an FE point separately, if I may. The point you just made is a genuine and correct point. It is the most serious criticism of how we are envisaging this. There are demographic changes. We get new developments; we get people leaving certain areas and so on. It is absolutely right that there needs to be a strategic impact on that which is why I am going back to the answer I gave Mr Jackson earlier on. The LEA does have that strategic responsibility to carry it through. Is it the case that by having more foundation schools, for example, the LEA is not able to exercise that role? I do not accept that at all. I simply do not think it is the case. The most powerful measure of demographic change is pupil numbers. If there are no pupils in that particular area, then the situation will be that the school cannot sustain itself in that position in the model you are describing. That will be under any system: what we have now, what we have in the future. It will still continue to be the case. It is pupil numbers which are the key element in the whole process. As far as further education is concerned, that is a much wider and more substantive debate. Further education through our Success for All programme is facing up better than some people acknowledge to the imperatives of the moment in these questions. There still remain FE colleges which are not facing up to this in the way that they need to. There is a lot of debate in FE about how to take that forward and deal with it in that way.

Chairman: Can I hold it there? I was really talking about the independence of that sector compared with how foundation schools will develop. We will hold that there.

Q50 Helen Jones: Secretary of State, you said in your answer earlier to Nick Gibb that what we do in education should be based on research and we all agree with that in the Committee. What research did the Government do to show that putting money into academies would produce better educational outcomes than putting that money into redeveloping existing schools?

Mr Clarke: Academies are in many cases redeveloping existing schools. They are on that site, they are dealing with a school which has historically been very unsuccessful. The whole point about the academies programme is to be a tremendous booster in an area where educational attainment has been very low. They are not going into the leafy suburbs to give the examples, they are going into inner city areas to try to take that forward. The components of the academy, namely the structure of the school governors, the way in which the new capital money is there, the teaching methods which are used, all of those things have been the subject of various central research. If you are saying, which is the case, that because we only have a very small number of academies at this moment, by definition you cannot have had a research programme to look at that relatively small number of academies before moving forward, that is true. On the other hand I would say that a proper scientific assessment of the impact of academies could not meaningfully take place for two or three years at least, probably six or seven years of a school cohort going through, to assess what happened. If I am asked to say we should just stop everything and come back to it in seven or eight years' time, you just cannot operate in that way. Where you are right is that it is an obligation on me to look at the components of an academy and ask whether there is evidence of the particular elements, take for example brand new buildings, improved quality of education. I would say that does stack up, but I would not accept an argument which simply says you do nothing until six or seven years down the line from where we are.

Q51 Helen Jones: Can we look at those components? Clearly one of those components which is very unusual in the education system is the private sponsor arrangement whereby for putting a small percentage of the cost of the academy the sponsor gains an extraordinary amount of influence. What is the educational benefit of that?

Mr Clarke: If you go through most of the academies so far, you will see a significant education improvement, even by comparison with the predecessor school, in each of those areas. The education benefit is the engagement of the sponsor who is really trying to take it forward. There are different types of engagement. Some of the sponsors are networks of schools, some are individuals, there are different people operating in different ways. If you talk to the sponsors, which I have done a lot, their motivation is to improve educational performance. That is why they are involved in the whole process.

Q52 Helen Jones: I am sure that is the motivation. What we are trying to establish is whether it works. Is there any research evidence to show that it is the engagement of the sponsor which produces an improvement in outcome rather than other things such as more money going into the school, more teachers and so on?

Mr Clarke: I am certain that it is the case that it is not simply resources. Let us just remember in the case of the academies that there are not extra revenue resources compared with comparative schools locally. The extra resource has been capital in most cases and, as you correctly say, the sponsors' money which has been capital money is a relatively small proportion of the total of capital which has gone in. On the revenue basis, there is no significant difference between the revenues for an academy and for other schools in the locality. The issues of more teachers and so on are not tested in that academy context. There is evidence, by the way, that more revenue money does tend, for example in Excellence in the Cities, to deliver better results. I would argue—and this goes back to research conducted literally decades ago—that it is the leadership ethos structure of the school which determines its results. There was a tremendous

report a long time ago, I cannot remember its exact details, which actually said that the key thing was the ethos leadership drive in the school. It did not matter what it was, but there had to be consistency and coherence over behaviour, discipline, everything else right through the whole approach. I think the academies are working to that end and the involvement of the external sponsor has helped that to happen in quite significant ways.

Q53 Helen Jones: You mentioned leadership and the ethos of a school. Bearing in mind that there is a great deal of public money going into schools, are there any sponsors which the DfES would find unacceptable? Should sponsors have an influence on the teaching, to the extent, for instance, that they do in Emmanuel and King's, where we are allowing creationism to be taught in our schools. Is that acceptable in terms of public policy?
Mr Clarke: That is not correct either. Perhaps I could just do a note for the Committee on the question of those particular schools as there is a great deal of confusion about this.[1] Firstly, the national curriculum is taught in all schools; they teach the national curriculum in those schools and that is how it operates in science as in other areas. There is no sense in which children in those schools are somehow brainwashed to believe that creationism is the right way. By the way I am totally against any concept of creationism. I think it is a crazy way of looking at things. The idea that schools are operating in that way is completely wrong. I do not have it with me, but if you would permit me I could drop you a short note on this particular aspect.[2] It is a widespread concern, but it is not well founded. It is not the case that in those schools that is what is happening. There are fears about it which have been whipped up in a variety of different areas, for example in Doncaster when an academy was being considered in that area. I do not think it is substantial. What is impressive about the schools has been their improved educational performance.

Q54 Helen Jones: Can we look at that improved educational performance? There is evidence, is there not, that while some academies have improved their performance by serving very deprived communities well, that is not true of all of them. Is it not the case for instance that King's expelled 37 children in its first year, far more than all the other schools in that town and that the proportion of children in that school claiming free school meals has fallen substantially? Would you agree that it is easy for a school to improve its performance if it gets rid of any children who are difficult to teach? Is that really what we want?
Mr Clarke: Again I need to write to the Committee about this.[3] My understanding is—and I do not have the figures in front of me—that more pupils were excluded by the prior school from that site than by the current school on that site. I would need to check this out because I do not want to mislead the Committee and that is why I am asking whether I might write a note on this question. I do not think it is the case that they have, as it were, excluded their way to success by comparison with previous schools in the area. Secondly, I was not aware, but I will check it in the light of what you have said to me, about the proportion of children with free school meals going down in that particular area. Just look at the improvement in educational performance for children getting good GCSEs. It has gone up absolutely massively at that school and that is why parents want to go to the school and take it forward. Do we not care about that? Do we not put that in the balance in this discussion at all?

Q55 Helen Jones: Yes, we do care about that, but the point I was trying to make to you is that there are various ways of improving educational performance. What we would want to be assured of as a Committee is that these schools are improving the educational performance of children who are in very deprived areas—
Mr Clarke: Of course.

Q56 Helen Jones: —and not simply sending their problems elsewhere in order to do that. Would you agree that if they were doing that, that is not what we are trying to achieve.
Mr Clarke: I do agree and the reason why academies are in a sense a diversion from the whole debate is that it is a very small number of schools out of all the secondary schools in Britain. I can point to specialist schools, also controversial I know, and say that I think they have raised standards very substantially where they have been. In many cases academies are taking on a qualitatively different level of problem because they are often operating in communities where there has just been an absolutely endemic level of low achievement and low participation. The problems they are taking on are very substantial. I should say there are academies which are not succeeding initially in overcoming those problems. There is also a significant number, far more, of academies which are succeeding in overcoming those problems. You are right and I accept the challenge you set down for me correctly. It is precisely: are the academies in the areas where they are of very low educational attainment succeeding in improving educational attainment in that locality and thus hopefully intervening to end a cycle of despair which has been the situation in many of those areas. That is the question to put. As you imply with your question, we will not know the answer to that for some considerable period of time and it will be a matter which is constantly scrutinised, and rightly so, from that point of view. What we can say initially is that there have been some initial very, very positive steps in the academies.

[1] *Note:* See (SE4).
[2] *Note:* See (SE4).
[3] *Note:* See (SE4).

Q57 Helen Jones: If we do not know the answer to that—and I accept your point that it takes some time to know the answers to these questions properly—how then did the Government decide how many further academies it would need? Where did these figures come from of 60 in London and 200 overall?

Mr Clarke: We analysed both the geographical areas and the schools where there were the lowest levels of performance. I do not have the figures in front of me but my recollection is that there are 400 secondary schools in the country which are lower than the level which we regard as appropriate. We considered how we could get a boost into those areas. We set a target, which looked as well at the overall financial position capital programme that we had, to see what a reasonable balance to achieve was. That is why we set the target of 200 by 2010. In the case of London, it was a very scientifically based approach; more so than elsewhere in the country. As a result of the London challenge, we have very, very careful co-operation with the 32 London boroughs about which schools in which particular localities need this kind of investment. In fact already I am very, very encouraged. There are people who are saying they will send their child to the local school rather than go private in ways which were happening before. We are seeing people who had really given up on some of the educational opportunities for their children feeling there were real possibilities. Round London there is a large number of children from all social backgrounds who have been sent away from London to go to schools around the London ring and who are now coming back towards schools in their particular localities. That is a very, very positive aspect and that is how we got the 60 figure for London as such.

Q58 Helen Jones: It is a bit of a leap in the dark though, is it not? We still do not have the research to show whether putting money into the academies is better than putting money into other schools. We are rolling out this programme without the research to justify it.

Mr Clarke: When we are talking about putting money in, academies get no extra revenue money at all compared with any other school in a particular locality.

Q59 Helen Jones: Indeed; but we are using money to set up a different type of school.

Mr Clarke: On the capital side more money is going in and it is self-evident almost that to have a brand new school with brand new facilities and all the rest of it lifts possibilities in those areas compared with the case before. It is only a small part of the overall Building Schools for the Future programme which goes right through the whole area. The academies programme has attracted tremendous controversy and interest in what has happened. Let me be very explicit. I think that the fact that a number of sponsors, donors, whatever you call them, are ready to commit to educational improvement for some of our poorest communities is a good thing not a bad thing and I welcome it. I do not say "Go away, you are a millionaire, we are not interested in you doing this". I think getting their engagement is positive and it is important. For Socialists and those of us on the Committee who describe ourselves in this way, it ought to be something we applaud: the commitment of people right across society to the education of people in the most deprived communities in the country.

Q60 Helen Jones: I think we all would. It is the structures which we are concerned about which do it. With all these academies coming on stream, is it possible to object to an academy being set up? What is the position, if somebody wants to object to the positioning of the academy? You may have, for instance, a good school nearby which is performing very well and it could be that the effect of setting up a new academy would have a detrimental effect on an existing school. It is not possible at the moment, is it, to put that into the equation. People say they do not object *per se*, they object to it being in this particular place.

Mr Clarke: On the contrary, it is the case that there is a very substantial discussion of precisely that type. I can cite London boroughs where the borough has been having exactly that discussion with the academies about their location because of the location of other schools and how it operates and not agreeing to a proposal to be on a particular site for exactly the reason you have said. That is part and parcel of the discussion that takes place. It is not always an easy discussion obviously, but that is part and parcel of the discussion which takes place. It is not that it cannot be discussed, but it is actively being discussed in many places.

Q61 Valerie Davey: Just to take this a little further, and I appreciate all you are saying about the London boroughs and the collaboration you have had and the work that is going on, could you say that generally about LEAs across the country, that they have been consulted about the next 200 academies, that that was part of their ongoing dialogue with the department for the raising of standards in their particular LEA?

Mr Clarke: In general I would answer that question yes, but there is a significant number of specifics where the LEA has not wanted to go down this path at all. In general I would answer the question yes, but I could name LEAs who have not wanted to go down that course in restructuring their own education.

Q62 Valerie Davey: The parent who is looking at their particular child, wanting a place in one of the new academies but realising that everyone does not get in, has a knock-on effect on other schools. While I can see your ideal that all these schools are going to be excellent, the process of getting there needs very careful local management and it is this which many of us feel is vulnerable in the thrust which you are making to bring in academies and then to give other schools where the leadership is strong and things are going well the ability to opt

out as well, which is clearly what a foundation school does, leaving some very vulnerable schools and some very vulnerable children in that process.
Mr Clarke: This is very interesting discussion and a very important issue. The question you raise is how, in a particular location, that is Bristol or Norwich, is there a proper discussion about the future development of provision for all children in that community. The argument which is made, which is a true argument, is that the best people to conduct that discussion are in the local authority, both for democratic reasons, but also because they are nearest to it on the ground. Rather than some officials from my department or anybody else, it should be the local authority which plays that role and carries it through. I agree with that and I positively think that is important. Then I come to a point where I say, as the local authority goes about the process of doing that, it needs to accept that there will be scrutiny of how well it does. I can point to a number of local authorities around the country where one can say how well really have they done this over time. I can point to others and say they have done an absolutely excellent job in addressing these issues very directly and positively. That is a very dynamic and a very tense relationship into which we in the national government have then chucked a series of very important factors. In the Building Schools for the Future programme, where we talk about an entirely systemic chain of capital investment in schools, the devolved capital as part of that entire capital is working in different ways. At the academies, the single conversation approach that we are describing, the efforts to promote collaboration with the specialist schools and the foundation partnerships we develop, this is a challenging set of issues for Bristol or Norwich or wherever it may happen to be in these circumstances. I cannot disagree at all with the principle you adduce that the local authority should have a key role in that process, but I do say that there are serious questions with some local authorities about how effectively they carry out that approach and the way in which they operate. One of my responsibilities is to try to promote local authorities doing that job well. I think of some of the initiatives I have described as going down that course rather than the opposite.

Q63 Valerie Davey: Could we look briefly at the sixth form developments? Those schools which are now saying yes, we would like our own sixth form. On the criteria of them being relatively successful, getting a good number of good five GCSEs, in all those criteria that is fine, but for the overall picture, the wider picture perhaps, who is going to determine whether that happened in that individual school or whether in fact the LSC, which is now responsible for the capital programme and the department, does not come in and say "Hold on, who is finally going to determine that sixth form provision"?

Mr Clarke: It will happen through the star process which the LSC is going through. I was surprised by this and probably the Committee were not, but if you go through and analyse all the local authorities and local education authorities in the country by the proportion of their schools which have sixth forms, which is quite an interesting little exercise, you discover that there is a whole chunk of LEAs where zero schools have sixth forms and a whole chunk of LEAs where 100% of the schools have sixth forms and there is actually, if you go nought, 20, 40, 60, 80 to 100, a very flat distribution. It is very striking how very, very different this is. That is why we put a further criterion into these criteria which have to be looked at of creating a more diverse offer in the situation. If there were a situation where there were already sixth forms throughout the whole of the local authority, then another school getting a sixth form would be not likely to succeed because all the other schools had sixth forms, if you see what I mean. If on the other hand, there were zero, then it would be more likely to succeed as well, as you rightly say, with all the criteria about education performance and so on which are in that as well. The interesting question, and it is certainly a question for local authorities and for the LSC as they conduct the discussion about how the 14 to 19 provision operates, including the sixth forms, is how well they do it. One of my biggest nervousnesses is that it somehow can be done in a ham-handed type of way, which does not enable the right solution to emerge and that has also been the case with LEAs by the way right through the range. I think it is a very appropriate question to ask how this will evolve. I am saying that in areas where there are no sixth forms at all, we are keen to encourage sixth form provision.

Q64 Paul Holmes: The Government says that it believes in evidence-based policy making and we have said, in several of the reports we have done on secondary schools for example, that it would be quite nice to see some evidence of that. The city academies are quite a good example which you touched on earlier. You say that we have a small number of academies which are in their infancy, so we cannot hang around to evaluate how or why they are successful before we have this massive expansion. However, what was the evidence which made you introduce the academies in the first place? What research was it based upon that showed that setting up the academies and handing them over effectively to be run by a private controller would be a good way to go?
Mr Clarke: The particular decision to create the first academies was actually before my time as a matter of fact, but as I understand it the motivation was the different aspects of significant capital investment, relative independence in terms of determining how they run the school and how they operate, the push of a private sponsor getting involved and really driving it forward and the view that that might make a difference. In terms of evidence, by definition any new initiative—and it

was a new initiative—cannot be based on evidence of how that initiative itself works, which is why we have the review proposals all the way through to review how a particular initiative goes. What it can be based on is evidence about a number of factors which we then try to draw together into a particular programme. I do not know the detailed research evidence, but in each of the areas, there is evidence. I will take the new building example, as it is the most dramatic one. There is evidence that a brand new building does actually improve educational performance and that was before the academy programme. There is evidence that having ethos and leadership in a school improves educational performance in the school. The question was and the reason why I support the academies' programme so strongly is that in some parts of the country there is tremendous evidence of people fleeing from a particular locality because they thought the schools in that locality simply would not deliver for them. That had to be contested, or so it seemed to me.

Q65 Paul Holmes: I am still not clear what the evidence is which led you to decide to experiment first of all with about 10 and then 200 academies and put an average of £25 million of taxpayers' money to set up a brand new state-of-the-art school and you hand it over effectively to a private owner. That private owner can pursue some of their own particular philosophical interests using our children as guinea pigs. For example, we were talking about the creationist teaching in some of these academies. I was a history teacher and when I was teaching about the Spanish Armada I used to teach it as an historical curiosity—

Mr Clarke: On that evidence, the history of the Liberal Democrats as well.

Q66 Paul Holmes: —that the Elizabethans believed that they were saved by God from the Spanish Armada or in the First World War that the British and the German armies marched into battle against each other believing God was on their side. It horrifies me to read that history in some of these Emmanuel colleges is being taught from the point of view that we won World War Two because God was on our side. Why hand over to a Christian fundamentalist car salesman control of essentially a taxpayer funded school?

Mr Clarke: As I said earlier, I should like to write a memorandum to you about these particular schools, because there are several really quite false pictures which are being painted, including what is being described here.[4] The best thing for me to do is to set out clearly what the facts are for the Committee to judge and take the discussion forward.

Q67 Chairman: It would be interesting, if they were in London for example, that a number of the academies were not sponsored and the Government put the money in and in a relatively short period of time you could have a balance to judge how much importance the sponsorship brought to the proposal. You would be able to compare sponsored with non-sponsored.

Mr Clarke: Can we get the scale of this right? You correctly described the average capital spend on a particular new academy as £25 million or so. The capital programme next year is £5.5 billion for schools throughout the country. £25 million is a lot of money, but in the great scale of what we are really trying to achieve, it is not so enormous in what we are trying to do. The £2 million, as, by the way, with the specialist schools—and I gather the Liberal Democrats are going to abolish all specialist schools, that was part of the Liberal Democratic conference—the sponsorship which went in there was up to £50,000. It is not the money which is so significant as the commitment and engagement of the people and how it goes. One can make the suggestion that people do this because they are trying to get pupils as guinea pigs or whatever, but I absolutely do not accept the picture which is being described. I could go to academy, to academy, to academy and show you that is absolutely not the case. It is not the motivation of the sponsors, it is not the practice of the sponsors, it is not the way schools operate and that is the fact of it.

Q68 Paul Holmes: Carrying on with the theme of evidence-based policy making, just looking at this comparison between why specialist schools work, why and how they do and why academies work, the Government said in response to our report on diversity of provision that there had not really been any research into where specialist schools exist and what their impact was on neighbouring schools. I would suggest the same is certainly true of academies, which are in their infancy. As I said, I was a teacher and if you recruited any dynamic state head and told him you would build him a brand new state-of-the-art school for £25 million, give him total control over appointing staff, total control over admissions and let him expel as many kids as he likes and dump them on the neighbouring schools with spare places, he would create a successful school; there is no secret about it. Take the schools which are successful specialist schools. We had Sir Cyril Taylor a couple of years ago giving evidence to us about why specialist schools, and the CTs before them, were successful. We asked him why they were successful and he said "I don't know they just are". This is the man who has been overseeing the programme for donkey's years now: "I don't know they just are". There is no secret to it. If you look at the schools which are at the top off the league tables, they take far fewer children than national, local averages who qualify for free school meals and have special educational needs. Anybody can make a successful school by getting rid of the kids who have problems educationally.

Mr Clarke: I think this is very, very interesting. Firstly, on the exclusions point, I do not think the facts are as described in the Middlesborough case.

[4] *Note:* See (SE 4).

Moreover, the steps which I have announced and which will be carried through which say every school, including academies, has to play its full part in working together, dealing with everybody who is excluded in a particular community, on a fair basis, so you do not get some schools taking an over large proportion and other schools taking very few . . . I think that is the right policy and collaboration will enable this to happen this way and including academies. The idea that people make academies succeed or specialist schools succeed just by saying "Okay, come in and let's get rid of X number of pupils and that solves it" is simply wrong. It is not based on what actually happens in any respect whatsoever. In terms of the deeper point about specialist schools, I think there can be no doubt that the specialist schools as a whole have improved their own performance as a group. There is also no doubt that that will extend right across the system as they go forward. I also think there is no doubt that the specialist schools have played a systemic role in improving the quality of education, both in other secondary schools but also in primary schools in their locality in the way they have operated. These are very, very positive things and the position which says "Let's not do anything. Let's abolish the specialist schools" is absolutely blind in this situation. There are things which are happening which are improving the quality of education and that is good. There are people who say they do not want any change, which I deplore. What makes me more angry than any other thing in my whole life in education—and I have heard it said—is people who say you cannot do anything with these kids, there is no hope, that you are somehow branded on your forehead with your free school meal qualification or whatever which says "That's it. Forget it". I cannot tell you how angry that makes me because it is so fundamentally untrue. I simply do not accept the kind of leafy suburbs version of educational attainment, of what goes on.

Q69 Paul Holmes: I think that is what is called setting up a straw man to knock it down. I do not know any political party, certainly not mine, or any teachers' union which says "Just leave everything as it is, we don't need to improve". That is a false story.
Mr Clarke: There are people who say that it is only money which counts.

Q70 Paul Holmes: One final point, which is anecdotal but I could take you there. A school I know very well because in a former incarnation I attended that school in Sheffield as a pupil, was a failing school, it was going to close down, it had a new head, it became a specialist school, it got the extra money and status and so forth and is now doing quite well, given that it serves a very deprived area. I talked to the head and asked why they were now doing well, why they now had full rolls in years seven and eight, where these kids were coming from. He said "It's quite simple. I'm now getting the aspirational parents in the area who were leaving my school, so that school is suffering and that school is suffering". Back to your response to our report on diversity of provision where you said there was no real evidence on the effect of specialist schools on their neighbours and certainly none on the effect of academies on their neighbours. If we are just going to create successful schools at the expense of the others in the area which do not get particular status, the extra money or whatever, then all we are doing is passing the problem on to somebody else.
Mr Clarke: The pool of "aspirational parents" is not fixed. It is not the case that you have a chunk of aspirational parents who switch around. There are large numbers of parents, certainly in my constituency and I dare say in yours too, who actually want to aspire but feel there is no real chance in some kind of way and who want to get it right. Our whole thing is how to change those pools of aspirational parents and get more being aspirational, more children being aspirational and I think that—

Q71 Paul Holmes: How to improve every school and not just a selected minority.
Mr Clarke: Of course; precisely.

Q72 Mr Jackson: This is an argument which is going on among the Left here, but I am interested in the logic of this knock-on argument. Basically the argument is that you cannot have academies or foundation schools because this might be to the detriment of the other schools. The proposition is that you have school A which is a bad performing school. This obviously benefits schools B, C, D and E because the pupils go to those schools, so you cannot improve school A by making them an academy or a foundation school. Is the logic not then that you should give schools B, C, D and E a veto on the appointment of the head of school A because there might be a new dynamic here, you might make that school better?
Mr Clarke: Some would say that is how some of the local authority relationships actually work in relation to some appointments and some processes. Getting the schools more able to make their own decisions is an important thing. There used to be a part of the country where the first check for a head to be appointed did not have a Labour Party card. It was absolutely outrageous. It was decades ago, but that was what happened. Just to clarify though, I think you will find it is the Liberal Democrats and the Conservatives who are fighting for votes in your seat, so it is not an intra-Left discussion.

Q73 Mr Gibb: Just to say that I have looked at Hansard and you did say "barons" and also "baronesses". We did seem to spend quite a lot of time talking about structure, despite the fact that we are not supposed to be talking about structure.
Mr Clarke: You are asking the questions not me.

Q74 Mr Gibb: May I just ask you about PISA? Why did we not get the data in on PISA 2003? Why are English schools going to be excluded from the OECD PISA 2003 study?
Mr Clarke: They are going to be excluded for the reasons we set out when we explained what the situation was. The statistical survey was not carried through correctly in terms of the number of answers they had and the people conducting the PISA study had a set of rules and regulations about what was acceptable and what was not acceptable from that point of view which we unfortunately did not meet. Perhaps I might take the opportunity to express publicly what we said at the time: my very deep regret that this is the case. We have obviously analysed carefully what has happened and we hope we have set in motion a process which means it cannot happen again, but it did happen. The conclusion is as you correctly describe.

Q75 Mr Gibb: Is it the case that the reason why they did not submit the figures was because we only got 64% of the schools which were selected in the sample agreeing to go ahead with the study and that is below the threshold required by OECD?
Mr Clarke: That is the essential reason: the size of the sample was not big enough from their point of view.

Q76 Mr Gibb: Was the size of the sample in the 2000 PISA not even lower, 61%, yet we did agree for that to go ahead?
Mr Clarke: It is not a question of our agreement. It is up to the people conducting the PISA study. They were very clear that our statistical submission was not sufficient for us to be included properly in the tables. That is obviously a matter of regret for us.

Q77 Mr Gibb: Are they not subject to pressure?
Mr Clarke: Subject to pressure?

Q78 Mr Gibb: If you can put pressure on them to accept them, like the United States did with a response rate, I understand, of only 56%. They put pressure on OECD to accept those figures and apparently we did not put pressure on them to accept our figure of 64%. I assume, when we had only 61% for the 2000 PISA study, we had to put pressure on them then to accept our figures. Why did we not put pressure on them this time to accept our figures?
Mr Clarke: I do not entirely accept your picture of the way the OECD gets to this. There is a significant range of professional exchanges between officials in my department and OECD about all these surveys, which goes on all the time, but there has never been a question of pressure, certainly from ministers, in this whole approach. I think it is a matter of them deciding how it should be and how it should be carried through. I do regret it. I think it is bad and it is a failure on my part and my department's fault that we have not fulfilled the data in the way that we should have done. I do not think that trying to get the OECD to bend their rules is necessarily the right way to proceed.

Q79 Mr Gibb: In that case we should exclude the US results as well.
Mr Clarke: That is a question for OECD not a question for us. I do not know the answer.

Q80 Mr Gibb: We shall see the results anyway on the internet. We shall be able to have a look at them.
Mr Clarke: Yes.

Q81 Mr Gibb: Are they good results?
Mr Clarke: It would be wrong for me to pre-state what is going to be published. I cannot remember when they are going to be published. I think at the end of the year; maybe the beginning of next year. They will be available and you will be able to make a judgment on them.

Q82 Mr Gibb: You do not know whether they are good or bad.
Mr Clarke: I do not have the data in front of me; no, I do not.

Q83 Mr Gibb: Okay. We can judge them when they come out. The suspicion is that this particular PISA is about maths results and a lot of the results are not good and the reason why the Government, or whoever it is in the department, ONS or DfES, did not press for these figures to be included was that they were not good, that if they had been included we would have been quite low down in the table, as we are low down in the table in the TIMSS study.
Mr Clarke: With respect, you have the wrong end of the stick. As you correctly said earlier, the data will be published and so everybody will be able to make their assessment and judgment on that basis. It is the OECD which decides what the statistical criteria are for what goes in and what goes out. I have been of the view the whole time on all surveys that it is not for me to press the Office of National Statistics or the OECD or whatever to bend their rules in some particular regard. I very much regret what the situation is, but if the allegation is that we somehow were aware of a poor result and therefore tried to pressurise or not to pressurise the OECD to publish the data in that way, I reject it entirely. We will publish the data we have, but it does not fit the formula which the OECD has for the reasons you have correctly identified.

Q84 Mr Gibb: Neither did we fulfil it in 2000 when it was only 61% response rate, yet those figures were included in the OECD results because, perhaps, they happened to be good.
Mr Clarke: Conspiracy theorists abound, not least in the world of educational statistics, but I am not one of them.

Q85 Chairman: Although it is a failing and you have admitted it is a failing, but I do not suppose anybody is going to resign as ever.

Mr Clarke: That is the cynicism of parliamentarians. Yes, I have admitted it is a failure, but as I said to you before, when you asked me to resign on various different occasions—

Q86 Chairman: I have never asked you to resign.
Mr Clarke: —I firstly seek to be judged across a wide range of performance indicators in a number of areas and I hope there will be a general election soon.

Q87 Chairman: May I put it on the record that I cannot remember asking you to resign? I just sometimes cynically want someone to be demoted in the department or moved away because of their failure to deliver.
Mr Clarke: My memory may be at fault, but it is not a serious point. I recall being asked whether I would resign if we did not fulfil a certain performance indicator in a certain area—I cannot remember which it was.

Q88 Chairman: That is very different.
Mr Clarke: I gave an answer saying I would seek to be judged right across the range of my responsibilities.

Q89 Mr Jackson: These international comparator studies are really of great importance because they are a kind of way of breaking into the secret garden and it is terribly important that they should be carried out. I wonder whether the Secretary of State could just complete this discussion by telling us what steps he is going to take to ensure that we are in a position to meet these OECD criteria for full participation in all these exercises in the future?
Mr Clarke: I have asked for a detailed submission from my officials to answer precisely that question. I believe that I will be able to satisfy the Committee that we will be able to meet those properly in the future in the way you indicate. If you want me at some point as a Committee to produce data for you on how we are approaching these matters, I should be happy to do so.[5] In principle I completely accept the point you make that these international comparisons are a very important vehicle for change. I had a meeting with the ministers of education in the German Länder in this country the other day and the German debate has been utterly transformed by the PISA figures and them asking serious questions about what they are doing and how they are doing it. I accept therefore the importance that you indicate and I am taking steps to ensure we do not fail again.
Chairman: I am afraid we must move on. We want to look at choice and particularly admissions arrangements, on which we spent a lot of time.

Q90 Paul Holmes: In our report on admissions we said—and I paraphrase slightly—that admissions were in a bit of a confused mess and that because most of it was down to voluntary ways of operating there was no way of ensuring that all schools played their fair role in the admissions policy, for example giving looked-after children priority in admissions. That was an aspiration but there was no way of making sure that all schools played their part in that; and the same would apply to children who were ESN, to children with free school meals, etcetera. In your response to the Committee and in the five-year strategy you still seem to be saying essentially that although you would try to improve the guidance to schools and LEAs and LEAs will have a strategic role and so forth, there is no statutory obligation on schools to take part in this.
Mr Clarke: I do not entirely accept that. I did think it was a very helpful report from the Committee and I noted that there were one or two aspects where you felt that we did not respond as fully as you wanted. In terms of the central thrust of what you are saying, which is to increase the authority, standing and the support for the statutory code of admissions, I think we have accepted a lot of what you said to go down that course. You then ask at the end of the day about the legal power issue as to where we go. I remain of the view that for schools to work collaboratively is a far better way to proceed in this area than by edict. Going back to the "barons" point, it is possible in those circumstances that somebody will stand out, but I believe that the powers we take by the various measures I set out in answer to your report, plus the single conversation which we set out in the five-year strategy, give us real power and sanctions to address the matter without going as far as giving lots more resources to the lawyers to fight these cases in that way. I was in a school in Norfolk on Friday where literally the first preference that it gives in its selection is to looked-after children; in fact not being taken up anything like as much as it should be. I think these issues can be resolved by that co-operative, collaborative, voluntarist approach more effectively than by recourse to the courts.

Q91 Paul Holmes: When the Committee were in Wakefield taking evidence on this some of the schools there were talking about the collaborative approach they were trying to develop. However, two of the heads of struggling inner city schools with a very transient population, lots of families who were coming because the father, for example, was in gaol and they were going to be there for a few months or year and moving through, not an ideal school population in many ways. They were saying that they just end up with these because there are other schools in the area which are not going to play their part in finding places for these children.
Mr Clarke: That is why I made the announcement I did last week to the new heads' conference, saying that hard-to-educate children should be shared equally between schools in a particular area, for which I have had a lot of political criticism from others who are saying somehow I am trying to damage good schools. Actually that is completely not the case. I do think it is saying that these

[5] *Note:* See (SE 4).

responsibilities should be shared by all schools in a locality and that is exactly the direction we should be going.

Q92 Paul Holmes: Is "should be" statutory or is it an expression of good intent? A school which is popular and over-subscribed is going to say, as they did in all my experience in teaching, that they cannot take them, they are full and somebody else will have to have them.
Mr Clarke: Again, with respect to you, the landscape has moved forward on this since the time you were a teacher, in the time you have been a member of parliament. I do not mean this in a funny way, but the fact is that the operation of the code of admissions, the role of the adjudicator, all the various questions which arise in this area have changed the landscape in a lot of these conversations. There is a big issue here about how we try to bring about change in the direction which I think probably we would both agree is the right way to go. My take is that the best way to do it is by us strengthening the code, as the Committee recommended, giving better guidance, developing the role of the adjudicator in the way we have set out, trying to move forward on a co-operative and collaborative basis. That is a more effective and more lasting way of achieving the kinds of changes which we are looking for than giving the secondary head in Wakefield whom you describe the right to take the next-door school to court. The idea that the law helps resolve these questions is a very dubious means of getting change in this area.

Q93 Paul Holmes: I am sure we share the same intention, but it is only three and a half years since I was a teacher and we were taking evidence on this only last year in various areas around England, so it is fairly up-to-date research. One question on one other area: selection by ability. Famously the Opposition spokesman on education before 1997 said "Read my lips: no selection by ability". The five-year strategy more recently is saying "We will not allow any extension of selection by ability which denies parents the right to choose". After 1997, the amount of selection by ability in grammar schools doubled in this country. Are you now saying in the five-year strategy that you will not allow any extension of selection by ability fullstop? Or is the bit you add on "which denies parents the right to choose" a get-out which still allows extension of selection by ability.
Mr Clarke: No, it is not a get-out. We took a decision, for which we can be criticised in 1998, that the approach we would take to stop the extension of selection by ability, but not to go down the course of trying to reduce it very substantially by, for example, abolishing grammar schools in a particular area or whatever it might be, was a political decision which the Government took and which I think was the right decision and we have essentially stuck to that position throughout. Some people argue that we should move that line, for example by legislating to abolish all grammar schools, or other people say that we should extend grammar schools. Conservatives say we should do that. I do not think either course is right; I think the course of saying no extension plus a series of relatively small—I hate to say the word—Fabian changes which means that you have less selection by ability, is quite important. The small change we do, for example, on the criteria for specialist schools, which you are familiar with, or the new piece of secondary legislation which we published a year or so ago on the role of the interview in the selection process, are all small steps which I think add up to the "no extension of selection by ability" point and make schools work within a more co-operative framework. I think that is the right course for us to follow.

Q94 Paul Holmes: In terms of backdoor selection by ability through interviews or structured discussions or whatever they are called to avoid calling them interviews, how firm a line will you take against that in the future?
Mr Clarke: We have; we have passed legislation on the matter. The legislation has been passed and there have even been schools which have contested the legislation which we have carried through. We have said that you cannot operate interviews and, by the way, with the full agreement of the churches who are the people most exercised about this and getting to a state of affairs where we could carry it through. There are some schools and heads who do not like that and they have taken that on, but we have changed it already in that way.

Q95 Paul Holmes: Is there no loophole for schools to say they have taken into account the various criteria but they are choosing to go down this route? The London Oratory School is in the High Court at the moment trying to defend its right to select by interview.
Mr Clarke: You are making my point. Peterborough primary school is contesting the London Oratory and there is an adjudicator's decision and a decision by myself—I am not briefed on this particular point, I am speaking from memory. My understanding is that the Oratory has not changed my determination in the area but it has challenged and is seeking to challenge in the courts the adjudicator's decision. That is their right. The fact is that is what they are doing. The law exists. I do not know what the outcome of the court hearing will be but we shall see what happens. I am sure the adjudicator felt that her judgment was well made in that process but you are illustrating the fact that we have changed the law in a way which causes the Oratory to go to court. You are also illustrating my point that resolving all these matters in the courts is not the brightest way of doing things. We should be trying to operate in a relatively collaborative way as we make change.

Q96 Paul Holmes: The CTCs are still outside the system due to a peculiarity of the law. When all the new independent foundation schools start opting out will they be in or outside the system? Will the academies be in or outside the system?

Mr Clarke: Both inside. There are four CTCs which are outside at the moment out of 4,000 schools, not exactly a major issue except for those who enjoy discussing these things. The answer is that the independent specialist schools, the foundation schools, the academies are all part of this admissions code structure, the structure we have, and they have to abide by that.

Q97 Chairman: Coming back to the important point you made when you said it was controversial that every school should have their share of more difficult looked-after children, is it more hope and aspiration? You are not really saying that you are going to flex your muscles and make it happen, are you?
Mr Clarke: Of course; that is what I said the other day and that is the situation. The only thing I regret about the remarks I made the other day is that I did not give sufficient attention to a very important part of the whole strategy that we have, which is to develop more provision, for example in pupil referral units and other forms of educational support. We have already doubled that since 1997 very substantially. It is important that heads should have the ability to deal with children in these positions in a way which is separate from the rest of the children if they need to do that. That is what the pupil referral units have been doing well, where they exist. We do need to extend that and take that forward. I believe the best people to do that are groups of schools working together and looking at how to do it. The basis of what happens, sharing out equally is what is needed and certainly that is what I intend.

Q98 Helen Jones: I understand what you say about trying to get co-operation between schools on admissions. We were particularly concerned when we took evidence at the fact that, because an objection has to be made to the admissions arrangements before the adjudicator can come in, objections are not always being brought when they should be and particularly where the admission of looked-after children is concerned because there is not the political pressure for authorities to object in that situation. What would you say to the view that the code should have statutory force at least where looked-after children are concerned? If we believe that the education of those children has been a scandal in this country for many years, as many of us do, ought we not to legislate to ensure that it improves rather than simply leaving it to chance, depending on what area of the country you happen to be in?
Mr Clarke: This is a very important issue and I agree with you that the education, in fact the whole upbringing, of looked-after children, is one of the greatest scandals there has been. I agree with you completely about that. The question, however, is: what is the best path to solve it? I argue, and we have achieved this in the PSA targets which we have through this comprehensive spending review period, that the absolutely key target is the stability and the life of the looked-after child in an environment which promotes their educational improvement. That is what we have. That requires a major difference in approach to what there has been. The fact is that many looked-after children change schools as often as three or four times a year and in those circumstances to say that a particular school will solve that problem is wrong; I do not think they will. Getting stability for the child is absolutely the core of achieving what you and I agree is the key area we have to move. The other part of my remit in terms of children, social services and so on, is that we are working very, very hard on precisely that. The statistical releases which have either just been published or are about to be published indicate the work which still has to be done in this area to take it further forward. We have 60,000 looked-after children in the country. I regard the key thing for us to focus on is getting a stable upbringing for those looked-after children and education is a part of that. What happens at the moment is that really large numbers are whizzing round the system looking for a place. I do not say it is a formalistic decision; it is not. Actually it is not the admission to the school which is the key thing; it is getting them some base in life to be able to take it forward. I agree with you that if it were proved to me that schools were not actually accepting looked-after children in the way they were, then I would consider looking at the statutory position. I do not really think that is what it is. I think it is the way in which looked-after children are looked after which is at the core of the problem.

Q99 Helen Jones: We did have some evidence to show that schools were not giving looked-after children priority and objections were not being made to it. We are very concerned about that.
Mr Clarke: The real problem was the "full" schools which tend to be the more successful schools. When you have an in-year application the looked-after children end up in the schools which are less successful, because they had places. That is the core issue in the whole approach. I come back to the point that what is crucial to get to is a position where there is stability for the looked-after child. In those circumstances schools will accept the looked-after children right across the range. My statement on this is about all schools taking responsibility for this equally. There is a lot of debate about this which is wrongly focused. I have had a lot of discussions with voluntary organisations on this which say the key issue is the school. I think the key issue is the setting in which the child is looked after and getting that right ought to be educationally supported and carried through.

Q100 Mr Jackson: I want to ask a rather heretical question. When I was an undergraduate at Oxford nearly 40 years ago, lots of my contemporaries were going into education as teachers in state schools. I do not think anybody now at Oxford or Cambridge goes into state school teaching and there is a problem about recruitment of teachers in terms of the quality of degrees, the level of them and so forth. We all know that there are real difficulties,

particularly in some subjects. Does the Secretary of State see any connection at all between that development and the developments over the last 40 years in school structures and school admissions policies?
Mr Clarke: I must admit that I have not looked at this particularly from the Oxbridge or even Oxford angle, but I do not really recognise the picture. I do not think it is the case that people are not going into state education. I think that large numbers are going into state education and we want to encourage more to. The work of Simon Singh, for example, the mathematics writer and his proposals in getting maths and science undergraduates to act as teaching assistants in schools from universities such as Oxford, Cambridge and many others, is actually leading those individuals to say they will go into teaching for a period because it really is exciting compared with what used to be the case before. I do not really accept the central proposition. I will have a look at the statistics to see whether it is borne out.

Q101 Chairman: The best research on this is contrary to Robert Jackson's view that it is none. It is less than we should like, but graduates from Oxford and Cambridge and other fine universities do go into teaching. The best report on this is the Sutton Trust report which does say that too many go into the independent sector and not enough go into the state sector. Before we move to the last section, what worries the Committee, particularly when we took evidence on secondary, is when the Government seems to be using weasel words about things, when we have a minister in front of us, a Minister for Schools, who can defend "structured discussions" as not really being interviews. It just seems to me that if we want to be considered credible, not only by people who support the party you and I belong to, but also by people out there, when they see clearly that this is Sir Humphrey at work, "Minister, for God's sake don't call them interviews, call them structured discussions", it undermines the quality of the debate on education. Surely that is wrong?
Mr Clarke: If that were the case, I would accept it. Maybe I am guilty of weasel words. I certainly try not to be guilty of using weasel words and try to address these questions. We try, maybe we do not succeed, to have straight discussions about what all these situations are. You can get into a very legalistic issue of what is an interview and what is a structured discussion, it can be tested in the courts if one wishes and go through this process, but I do not really accept the description. We are trying very, very hard, even the Sir Humphries or Ms Humphries are working very, very hard, to talk in a clear way about these questions.

Q102 Chairman: Let us give you another example. You know this is my opinion, because I aired it in the debate on the Queen's Speech yesterday. Whatever view you take of grammar schools—and I personally have taken a view that the Government was probably quite right to go round the issue and get on with improving the 95% of schools which are not involved with this. If you actually look at the way in which consultation, the grammar school balance takes place, the evidence given to this Committee shows that it is awful. It goes against any notion of fairness. Yet, on the one hand, as I said yesterday, you could have one meeting and a school could become a foundation school; that is it. Whether you believe in this or do not believe in it, if people want to challenge what happens at 11-plus in a particular area it is palpably unfair and you still preside over a system which you know is unfair, we know is unfair, but you will not do anything about it.
Mr Clarke: Firstly, I do not accept the comparison between a foundation school decision and a decision to go for selective admission of this type. I think they are qualitatively utterly different types of decision.

Q103 Chairman: Perhaps.
Mr Clarke: Therefore different processes arise. Secondly, if you decide you are going to abolish grammar schools, you have three ways you can deal with it. You can do it by national statute, you can do it by giving the local authority the power to do it or you can do it with the local community in some sense taking a decision on this. The decision we have taken, rightly or wrongly, is that it should be a decision for the local community and that is why we have the process. One can then ask what the best process is and that is one of the points to which you are referring in this conversation. To which I say: I understand the point which is being made, but it is not easy to find a significantly better process. You can make criticisms of particular procedures which are used in this case and I understand the criticisms the Committee has made, but getting to a better process is by no means straightforward in trying to see what might be a better way of doing it. That is why we have responded as we have to your report.

Q104 Chairman: So you would like us to come up with an alternative.
Mr Clarke: I always look very carefully at what the Select Committee says on any subject. I am not requesting you to come up with an alternative. I am saying that the reason why we did not go down the path of changing this was because we could not immediately see a better process for local decision taking in this area.

Q105 Chairman: You are out of your comfort zone really, are you not?
Mr Clarke: Out of my comfort zone?

Q106 Chairman: As a government, not you. It is better to leave it alone. It is just too prickly an area, is it not? That is the truth. You know that it is an unjust sort of system. You would really like to change it, would you not, if it were up to you?
Mr Clarke: I am very happy with the state of affairs that we have. In answer to Mr Holmes earlier I described the decision we took in 1998 about

moving this line or not. I accept that people can quite legitimately have different views about moving the line, moving back the other way or extending or whatever, but I think the line we took was the right line.
Chairman: We do not want to make a meal of it because we want to cover some 14 to 19 issues before we finish.

Q107 Mr Turner: Do you think all teachers should have experience of all types of school and all types of pupils?
Mr Clarke: That is an unattainable ambition.

Q108 Mr Turner: But a reasonable ambition.
Mr Clarke: Unreasonable because it is unattainable. For example, the idea that every teacher should have experience of all primary school, inner city, work-based learning and everything in between is not attainable and therefore not reasonable. What I do think, if you are asking me simply about 14 to 19, is that the single biggest challenge we have as between schools, colleges, work-based learning and so on, is how to get some experience across the whole range of teachers in this area. That remains a significant weakness of the system.

Q109 Mr Turner: This is an overlap question. Some paper or other which came before us, and I cannot remember what it was, suggested that teachers should have that broader experience and I realise it is unattainable in pure terms. However, your objective of handing what you now call hard-to-educate and what I thought at the time you called excluded pupils, spreading them out among all schools, means inevitably that they are spread out among all teachers. I think Mr Jackson's point was that some teachers are well able and well prepared to teach motivated pupils and able pupils and some are well prepared and well able to teach less able pupils, not such academic pupils. To demand that whole range of capacity in each individual teacher excludes a lot of people from the teaching profession.
Mr Clarke: I agree with you. However, if you take an average secondary school of 100 to 150 teachers, it is precisely the question of leadership in that school to decide which teachers are best equipped to deal with which pupils and which groups of pupils, where, as you correctly say, different teachers will have different strengths and different weaknesses. Deploying them to the area where they will make the biggest effect is precisely the job of leading the school in a positive way. That is why I was jibbing. I took the question slightly the wrong way; I was not understanding you clearly enough. I was jibbing at the idea that you could have a super teacher who could cover every conceivable form of teaching. That is not a realistic or reasonable ambition. A bit wider experience can be beneficial and it should be encouraged. There are various devices which people are looking at to do that.

Q110 Mr Turner: But not to the extent that it excludes people from the profession who might have a very worthwhile contribution to make.
Mr Clarke: Of course; absolutely.

Q111 Mr Turner: When Mr Tomlinson came before us the other day he told us that one of the reasons why he has made some of his proposals was that he thought basic skills in literacy and numeracy were absolutely key and therefore a student should not be able to get an examination pass if they were unable to demonstrate those basic skills. Do you think that that is a weakness of the existing GCSE?
Mr Clarke: Weakness is too strong a word. I thought you were going to ask me whether I agreed with his view, which I do.

Q112 Mr Turner: I thought you would.
Mr Clarke: I hope that our White Paper early in the New Year will focus on this core skills question. Do I think this is a weakness of the existing GCSE? I think the extent to which it happens varies subject by subject. I would not make a generic remark of that type.

Q113 Mr Turner: He said that these things should be tested at GCSE.
Mr Clarke: At the age of 16.

Q114 Mr Turner: I think he said that marks should be deducted at GCSE.
Mr Clarke: Yes, he did.

Q115 Mr Turner: Do you agree or disagree with that?
Mr Clarke: I agree with that.

Q116 Mr Turner: Why do we have to wait until your decision and the implementation of the Tomlinson proposals before those changes are made in GCSE?
Mr Clarke: I shall publish my response to Tomlinson early in the New Year; hopefully in January. This will go through all of these and will include a detailed timetable of how we intend to approach implementation of the Tomlinson report. It is quite true that there are some aspects that we can look to implement earlier than others in what is carried through. I can say to the Committee that this core skills question to which Mike Tomlinson referred is a key question for us to get right and to address early rather than late. What I am keen to avoid, and it is a big issue for educational reform everywhere, is a sense of permanent revolution at what is going on. It is quite difficult to make the judgments as to how quickly you make change in any of these areas. In fact the single most difficult judgment out of Mike Tomlinson's report is what to implement when, what decisions to take now, what decisions to leave until 2006, for the sake of argument, and so on.

Q117 Mr Turner: May I ask a couple of questions about sixth forms. On the one hand we have a policy which is that those high performing specialist schools without sixth forms will have new opportunities to develop sixth form provision. On the other hand we have LEAs in some places and LSCs more widely which seem pretty bent on amalgamating sixth forms, in some cases transferring all sixth form provision into FE. Do those two different approaches rest conveniently together?
Mr Clarke: I do not really accept the description. There is a very wide range of post-16 provision in terms of the school/FE balance across the country. Our view is that we need more diversity and that is why we take the view we do, for example, about school sixth forms and taking that forward. I am optimistic actually that very creative approaches are being followed. I can think of three schools in rural Norfolk, for example, which are 11 to 16 schools where there is a key issue. There has been a battle about which of them would get a sixth form and how it would be and they are actually coming to a view, working with the local college, that the three schools and an FE college—this is not the group to which I was referring earlier—will jointly establish a sixth form provision which will work together in these ways. These are towns about 10 to 15 miles apart. I think we will find much more creative approaches in this area which will be very positive and that is why I continue to emphasise the collaborative aspects of what is happening.

Q118 Mr Turner: Would it be a fair signal that if you get rid of all the sixth forms and then you have a high performing specialist school, that school would be entitled to open its own sixth form?
Mr Clarke: Yes. The answer is yes. We are saying that the basic position is in an area where there is a very low level of sixth form provision and where you have a successful school, for example a successful specialist school, and where educational attainment has been low, that there would be a presumption in favour of such a school being able to establish a sixth form. Not a right, but a presumption. It is in the process that it would go forward. The LSC[6] would do it in this context.

Q119 Mr Turner: Right; the LSC would decide. Earlier on you pled guilty to creating all these funding streams and you referred, I though in a fairly derogatory manner, to the exclusion of Connexions and Learning and Skills Councils from local democratic accountability. Am I right in concluding that you think those funding streams should continue to be reduced?
Mr Clarke: Firstly, I am in favour of continuing to reduce the number of funding streams and that is the approach we will follow. Secondly, the point I was trying to make is that the history of local government in this country from the establishment of the NHS, which was established as the NHS, not the local authority service, to the Manpower Services Commission, which then became the LSC, to the Connexions service and so on, has actually been about the central state bypassing local government because it did not have confidence in local government to operate in those areas. The challenge I set is to ask whether it is possible to get local government taking more of the responsibility in these areas, which would require local government accepting in those areas more of an acceptance of the overall position from national government and what it is seeking to achieve.

Q120 Mr Turner: I should just like to rewind that last sentence, because I did not understand it.
Mr Clarke: What I was trying to say was that if central government wants to deliver a learning and skills strategy, for the sake of argument, can it rely on a local education authority to do that? If it cannot rely on it, it will find ways to bypass it in my experience, governments of all parties. Therefore there needs to be accommodation and agreement and partnership between local government and central government which works, if it is to be the case that local government is to get more of a role in these areas.

Q121 Mr Turner: How close are we to you being satisfied, because you said that you know which LEAs have run their systems well? How close are we to you being satisfied that most LEAs are in a position to enter into such partnership and perhaps therefore Connexions and the Learning and Skills Councils should be more democratically controlled at local level?
Mr Clarke: Pretty close, if you had used the word "most", most local authorities. We have compacts now with all 150 local authorities, where we share our ambitions, and they are working well in that way and we want to encourage it. There are occasionally LEAs which are not. We will publish a youth Green Paper either just before Christmas or just after, which addresses some of the issues around Connexions. I do not want to give a wrong impression on the Learning and Skills Councils. I may be misleading you; I was talking in a slightly broader sense. The solution I have decided to adopt is to encourage local Learning and Skills Councils to work closely with their LEAs and to go down that course, rather than abolish the LSC and hand it all over to the LEA. That is not the course I think we should follow.

Q122 Mr Turner: So it is more democratic accountability for youth in Connexions.
Mr Clarke: Yes.

Q123 Mr Turner: In answering Nick Gibb you talked about how the profession must make its decisions. You wanted there to be a developing debate, you wanted to have a role, you had a duty to engage in a debate, but you did not think it was right for ministers or members of parliament, or, for that matter, councillors, to say how a subject should be taught or how classrooms should be

[6] The decision about whether a school can open a sixth form under the presumption is actually taken by the School Organisation Committee and not the LSC.

arranged and I must say that I agree with you. However, I am not confident that that responsibility is being taken and I think that is what leads Mr Gibb to come to the conclusions he came to. Do you feel that the quality of inspection and the quality of leadership and the quality of the debate is such that schools are taking the right decisions on matters as diverse as the teaching of reading and the internal management of classrooms?
Mr Clarke: I would say increasingly so, but not absolutely yet. There are still too many people who are worried about the inspection regime or lacking self confidence in themselves, worried about some sense of political correctness about how they teach and what they should do on particular areas. That is why I answered Mr Gibb by saying I thought debate of this kind was very important and a very important participant in that debate is Ofsted. Ofsted in fact can hold its head up and say it is trying to promote good practice in these areas positively in a way that is innovatory rather than simply conservative with a small c. That is where we could go.

Q124 Chairman: Why can Ofsted not communicate with the local education authority when they can perceive systemic failure?
Mr Clarke: I did not know they could not.

Q125 Chairman: They cannot. David Bell told us very clearly that they cannot and it seems quite ridiculous.
Mr Clarke: I am sorry, I think we are talking at cross purposes.

Q126 Chairman: If Ofsted picks up that a number of schools are failing, they say their duty is only to report to the governors of the individual schools, not to say anything at all to the LEA.
Mr Clarke: I beg your pardon, I understand that point. When they publish their reports, all the reports which are published go to the LEA and the LEA can decide what action to take in those circumstances. You are asking a question prior to that. If Ofsted thinks that something is happening, what is the position? That is because of the idea that schools run the situation directly. I will talk to Ofsted about this, if there is a particular role which can be played.

Q127 Chairman: We picked up a feeling of frustration on David Bell's part that he actually could not do that.
Mr Clarke: I will have a look at that.

Q128 Jonathan Shaw: You have followed the Chancellor of the Exchequer in having your five tests, have you not?
Mr Clarke: I follow the Chancellor of the Exchequer in absolutely everything.

Q129 Jonathan Shaw: Your five tests to assess Tomlinson: excellence, vocational education and training, employability, assessment and disengagement of learners. Can you tell the Committee how well you think Mike Tomlinson's proposals stand up and meet those five tests?
Mr Clarke: Pretty well. I did go through them in detail and went right through. Excellence—will it stretch the most able? I think the Tomlinson report is pretty good on that and I think it will lead to changes which succeed. Vocational—will it address the historical failure? I think it does in principle, but the practice of actually establishing vocational routes which work is a massively challenging issue and the engagement of employers is a massively challenging issue; a long way still to go. Employability—will it prepare all young people for the world of work? Pretty good, particularly round the core skills issues we talked about earlier. Assessment—will it reduce the burden of assessment? Yes, it does pass that test. Disengagement—will it stop our high drop-our rate at 16? Yes, the approach he has followed is right, but the key question is whether we can deliver what he has implied. In principle I thought it got pretty good marks on those five tests but set us a number of very serious challenges as to how we implement that.

Q130 Jonathan Shaw: There was a bit of a lukewarm response from business, was there not?
Mr Clarke: This is very interesting. There was and I was disappointed with the CBI's response in particular, particularly as the CBI had been very closely involved in the whole development of the process. If you were to talk to Digby Jones, the Director General of the CBI about this, as I have, his defence of that lukewarm response is that we have not yet done a good enough job of talking to employers throughout the country and explaining what we are really doing so that employers make their response not being fully aware of what we are trying to do and how we go about it. I take that explanation quite seriously. One of our big obligations and indeed Mike has taken this on himself and has been round regional CBI councils and so on, is to try to explain better than we have so far been able to do what the Tomlinson proposals are. I am confident that we will get the full support of the employer community in what we are doing.

Q131 Jonathan Shaw: In order to deliver the serious quality education and training that we want, if we are going to see the aspirations which we all share for Tomlinson's report, then a key component of that is going to be our further education colleges. Do you agree?
Mr Clarke: Indeed.

Q132 Jonathan Shaw: So the concern is—and it is a justifiable one—that where you are seeing a larger increase in colleges, certainly larger than participation rates in schools, you are seeing schools getting a larger increase in terms of funding, yet colleges are receiving 2% despite a 7% handling in terms of the number of students going there. You have to grapple with this funding gap.

This has to be a key part if Tomlinson is going to be delivered, has it not? You have to have the infrastructure there.
Mr Clarke: I agree. It is a central issue and it is a problematic issue. One of our problems in the post-16 phase is our success. We are over-achieving our targets in terms of involvement and engagement. FE colleges are doing very well from that point of view. The consequence of that is that there are serious funding issues for colleges because the overall money available is limited by the CSR settlement. We have a good dialogue with the FE colleges on how to bring this together in various ways, but I agree with your central point, that getting clear funding streams which correctly reward the institutions which do well is a key challenge out of Tomlinson.

Q133 Mr Gibb: You said that when Tomlinson was published you wanted to keep the GCSEs and A-levels as part of the components which make up intermediate and advanced. Can you give a categorical assurance that we will keep the GCSEs and A-levels if Tomlinson is implemented?
Mr Clarke: Yes, that is what we said all the way through. Exams at 16 and 18 are very, very important and my own view is that there are several recommendations in Tomlinson which have to be carried through and then at some point, some future government has to sort out how it wants to approach the development of the diploma in a way that recognises the GCSE and A-level quality, which is a key currency across the whole of the country.

Q134 Mr Gibb: "Recognises the quality". Does that mean keeping the names and the structures?
Mr Clarke: Yes; we said that explicitly and it would need to be a decision. We will set out our detailed proposals in the White Paper.

Q135 Mr Gibb: When we had Tomlinson before us last week he was talking about more teacher assessment right up the intermediate levels, that is the GCSE levels. He wants to have less external examination at the GCSE level and more teaching assessment. He made a parallel with universities that universities can assess their own students' results for their degree. Do you see that happening? Do you agree with that?
Mr Clarke: I see quite a significant evolution of the way assessment has been done. The Qualification and Curriculum Authority is doing a lot of work on this. What I think is crucial is that you have to continue to have external assessment, national moderation and so on. It is quite possible to imagine in certain areas that you can have a nationally moderated system which is then carried out by chartered assessors at a more local level. One could imagine systems of that kind developing. There is a long discussion to be had around these questions as to how it can be taken forward. The national moderation is the absolute key in my opinion.

Q136 Mr Gibb: But if you reduce the amount of external examination and you try to ameliorate that with national moderation, do you not then run the risk of replicating in schools the position we have in universities that the reputation of your degree will depend on the reputation of the institution. A first from Oxford is worth more than, say, a first from my university, Durham.
Mr Clarke: You can assert that: I could not accept that. The fact is that we need a national system which is coherent and that is why GCSEs and A-levels are so powerful: they are accepted as being a currency which runs right across the country.

Q137 Mr Gibb: We do not want the position where a GCSE from an inner city comprehensive is somehow regarded by external people as worth less than a GCSE from a comprehensive in a leafy suburb.
Mr Clarke: Of course. I agree and that is why I have said what I said about GCSEs.

Q138 Chairman: It seems to me there is some quite worrying criticism of the FE sector from the Chief Inspector of Schools recently, almost like a co-ordinated attack on the FE sector. What is going on? Do you agree with the views of David Bell?
Mr Clarke: Firstly, there is no co-ordinated attack. On the contrary, there is a very positive relationship with the FE sector. I was at their conference the other day talking about precisely where we ought to go. Secondly, it is not for me to agree or disagree with Her Majesty's Chief Inspector. He makes his judgement as he does. What is the case, is that I have asked him, and he is carrying this through, to be very rigorous in looking at the quality of education in FE. That is something most of FE absolutely welcomes because it recognises that it needs to have the confidence right across the range and that is the right way to go.

Q139 Chairman: The standard, even in those colleges which were seen to be below a certain level is improving quite rapidly, is it not?
Mr Clarke: Extremely rapidly, as some of the responses to David Bell's remarks articulated very clearly. There has been some outstanding achievement in FE colleges. If you look at the centres of vocational excellence, some of the results in particular areas are very good.

Q140 Chairman: The Committee was rather disappointed in your response to something we picked up a good resonance to and that was what we picked up from Center X in California in terms of training a cadre of teachers, particularly to work in the more challenging environments in our particular schools in our country. Most of the evidence we got is that there are the makings of that kind of focus already. Why not go the further step and do something rather along the lines of Center X?

Mr Clarke: I am sorry if you were disappointed. We think the development of the chartered London teacher status, for example, is an idea to try to respond to the direction of what you are saying. I do not think that simply transporting the experience of California to East London will necessarily do the business. As I understood it, what the Select Committee were saying was that we ought to look carefully at how we train teachers and recognise and validate teachers who can teach in some of the toughest teaching environments. In that spirit, I certainly would seek to be positive rather than negative. I am sorry if my answer was taken as negative. I do think it is a very positive thing and we think we have a number of approaches to try to go down that course.
Chairman: It is good to get that on the record. I am giving Paul one final, last question in this session.

Q141 Paul Holmes: As we have already heard, there is a 10% unit gap on funding between a FE-based post-16 student and a school-based one and that is going to widen over the next two or three years because of the 4% guarantee to school-based sixth forms. The Government is saying that every 16-year-old who is recruited will have a place. It is also saying to colleges that there is no money to fund that growth. How do you square that circle?
Mr Clarke: By ensuring that places are available. The colleges are working very hard to do just that. The point made by Mr Shaw is entirely correct. There are funding issues about different funding streams going into FE and into schools and we need to get consistency between them. However, those are not the only differences. If you look at the qualified teacher status, for example, there is an issue in the different sectors. It is a very substantial and important issue to resolve. If you look at the effectiveness or otherwise of vocational pathways, they vary between many FE colleges and many schools. There is a whole series of issues, but, as the question Mr Shaw asked me and you are again asking me correctly identifies, the consequence of Tomlinson is that we need to get to a unified framework in all of these ways which carries it forward. FE accepts that completely.

Q142 Paul Holmes: But the gap is actually going to get wider in the next two or three years although the assertion has been that it is going to get narrower.
Mr Clarke: I do not think that is true actually.

Q143 Chairman: On that note, Secretary of State, as usual it has been very instructive and useful for us to have you in front of the Committee. I hope you enjoyed yourself.
Mr Clarke: I did; thank you very much.
Chairman: Thank you.

Memorandum submitted by the Rt Hon Charles Clarke MP, Department for Education & Skills

At last Wednesday's Education Select Committee hearing, I promised to write to you on specific points raised about our Academies programme.

I should like to use this opportunity to set the record absolutely straight on a range of misunderstandings about Academies which are regularly repeated but bear no relationship to what is really going on. I am proud of the Academies programme. Academies offer a unique opportunity to end years of bad education in poor schools, which has ruined the life chances of generations of young people in some of our most disadvantaged areas. We are of course due to discuss Academies at the Estimates Day Debate in the House of Commons on Thursday.

In advance of that debate, I attach a document summarising 10 myths which have arisen about the Academies programme. Many of these points came up during the Select Committee hearing and I am sure will be revisited on Thursday. I trust this information will prove helpful in ensuring we have a thorough and well-informed debate.

I understand that you were also interested in figures on the number of schools with sixth forms per LEA. I have enclosed this information and hope you find it helpful.

MYTHS

Myth 1—Academies Receive more Funding than Other Schools

Academies are funded in recurrent terms, at a comparable rate to other maintained schools within their locality. The building plans for Academies are also based on the same cost benchmarks as all other schools whose buildings are approved by the DfES.

Fact:

Academies *do not* receive any more funding than other schools. While they are receiving an initial substantial capital investment in their building, they are simply sharing in the Government's ambitious capital plans to replace or modernise every secondary school in the next 15 years. Most academies are being built on restrictive brown field sites—and involve the cost of demolishing old, often asbestos-ridden buildings, and require temporary accommodation while the building work goes on. We have always been very clear that there must be parity of per pupil funding with schools in the maintained sector that operate in similar circumstances.

MYTH 2—THERE IS NO EVIDENCE TO SUGGEST THAT ACADEMIES ARE DOING ANY BETTER THAN THEIR PREDECESSOR SCHOOLS

Academies are already achieving significant success in raising standards, improving pupils' behaviour and attendance and in attracting applications. Although it is still early days for the programme, there have already been some encouraging results.

Facts:

- Bexley Academy's GCSE results have increased year on year from 7% 5+ A*–Cs in 2002 at the predecessor school to 36% in 2004;
- The City Academy, Bristol's results rose from 26% to 33%; and
- King's Academy, Middlesbrough rose from 22% to 34% this year, just one year after opening. Academies are also popular with parents and pupils and invariably receive far more applications than their predecessor schools, and some are already heavily oversubscribed, and pupil attendance is increasing. Bristol attendance increased from 87.9% in autumn 2002 to 90.1% in autumn 2003.
- The Principal of City Academy, Bristol, was named Head teacher of the Year for the West of England.
- The quality of teaching at the City of London Academy, Southwark is rated by Ofsted as 100% good and 50% excellent.
- Walsall Academy—improved attendance for students from the predecessor school by more than 10% in the first half of the school year.
- Unity City Academy, Middlesbrough—Attendance figures for 2003 have increased to 92.54% from (86.3% and 89.7% in the two predecessor schools in 2002).

For the 12 Academies operating at the start of this year, seven have brought about increases to the percentage of children gaining 5A* – C GCSs since 2002, often significantly, two have seen results decrease slightly—two are inconclusive (one due to a merger with a less performing school) and for final one information is not available.

5+ A* – C GCSE passes

Academy	*2002 (%)*	*2003 (%)*	*2004 (%)*	*increase/ decrease 2004 on 2002*
Greig City Academy	26	35	28	increase
The Business Academy Bexley	7	21	36	increase
Unity City Academy	22/11	16	17	inconclusive
Capital City Academy	14	12.5	28	increase
City of London (Southwark) Academy	n/a	n/a	n/a	n/a
Djanogly City Academy Nottingham	55/21	60	50	inconclusive
Manchester Academy	12	12	9	decrease
The Academy at Peckham	12	16	12	decrease
The City Academy, Bristol	25	26	33	increase
The King's Academy	21/28	15/28	34	increase
The Walsall City Academy	22	49	47	increase
The West London Academy	13	37	34	increase

MYTH 3—PARENTS AND COMMUNITIES JUST DON'T WANT ACADEMIES

Academies are proving hugely popular with parents and students.

Facts:

- The City of London Academy, Southwark, received 780 applications for 180 Year 7 places for September 2004.
- Admissions to the new Northampton Academy were oversubscribed; the academy opened in September 2004 with 1,280 students on roll compared to 750 in the predecessor school.
- Stockley Academy, Hillingdon—First choice year 7 students up by 378% from 37 in 2002–03 to 140 in 2004–05 and 6th form students up by 400% from 17 in 2002–03 to 85 in 2004–05.
- The Academy at Peckham, Southwark—The new sense of purpose improved reporting and efforts to engage parents, have increased attendance at parents evenings from 40% to 80%. The Academy now provides two parents evenings for each pupil per year, compared with one previously.

MYTH 4—YOU ARE PRESSING AHEAD WITH THE PROJECT WITHOUT ANY EVALUATION

The evaluation of the Academies programme is a five year longitudinal study. PriceWaterhouseCoopers produced an annual report for DfES in November 2003. The second annual report is due to be delivered in December.

The study will be looking at the impact of Academies on children from disadvantaged areas, their families and communities, and the extent to which Academies raise educational standards.

We did not publish the first year's report, because it was based on a small number of open Academies, but we will consider publishing the second.

We cannot wait five years for the study. These children only get one chance in life and we can't afford to wait that long before we make the radical break with the past, which Academies represent.

MYTH 5—PRIVATE SPONSORS PROFITTING FROM THEIR INVOLVEMENT

Sponsors do not make a monetary profit from their involvement in Academies. Procurement and payment for services related to establishing Academies are matters for individual Academies. But they have to be in line with legal requirements and conditions attached to Government grants.

Fact:

Sponsorship is purely philanthropic. Sponsors do not make a profit and the schools do not charge fees. Sponsors, like all Academy trustees, are bound by charitable law to act in the best interests of their Academies.

Sponsors contribute to the capital cost of the Academy and that is important. But more important is the successful experience they bring from outside. They also bring personal commitment, energy, drive and ambition, as well as a whole new set of skills and experience.

Fact:

Academy governors are responsible for running the school in the interests of the pupils and community. The Academy must also be run in accordance with the Funding Agreement, which is agreed with the Secretary of State.

ON the allegations that some sponsors have paid their own companies associated with them Government money for services provided for the Academy.

Fact:

During the establishment of a project, the Department funds private sector managers and design teams. In a small number of cases, where sponsors are capable of providing such expertise themselves, they have done so and been paid for this. Such arrangements are only permitted where they meet strict procurement requirements and add value for money.

MYTH 6—ACADEMIES ARE SELECTIVE SCHOOLS AND CAN PICK THE BEST STUDENTS

This is not true. Indicative early findings suggest that the average level of pupil prior attainment at Key Stage 2 in Academies is towards the very bottom of the national distribution and is significantly lower than Academies' neighbouring schools.

The most important point is that Academies are established in disadvantaged areas. Overwhelmingly, Academies' admission arrangements have proximity as a key priority if they are over-subscribed. There are local schools for local people. Before, parents would send their children to schools further away rather than the predecessor school. All local parents will now trust and choose the Academy.

Fact: Academies are required to follow the Schools Admissions Code of Practice and to comply with Admissions law. The code of practise doesn't allow academies to cherry pick pupils. They are not allowed to interview parents or pupils, or to introduce selection by ability, other than fair banding. They may introduce up to 10% selection by aptitude, if they have a specialism in one of the prescribed subjects. This allows children living further away, but who can demonstrate an aptitude in the specialism, to benefit from this specialist provision. Only three of the 17 open Academies do so. Admission arrangements must be clear, fair and objective. They cannot give preference to pupils on the basis of their parent's occupation or the length of time they have lived an area.

Fact: Academies are required by law to cater for children of all abilities. They must take part in local admissions forums and have regard to their advice, to ensure that admission arrangements are co-ordinated locally. They must consult on their admissions arrangements each year. And they must comply with the SEN code of practice and statutory guidance on inclusion.

The table below demonstrates how academies serve some of the most disadvantaged communities.

FREE SCHOOL MEAL ELIGIBILITY

Academy	*Free School Meal eligibility (%)*	*LEA*	*LEA FSM eligibility*(%)*
Greig City Academy	37.0	Haringey	38.2
The Business Academy Bexley	45.9	Bexley	8.5
Unity City Academy	47.7/56.2	Middlesbrough	32.9
Capital City Academy	40.8	Brent	21.9
City of London (Southwark) Academy	n/a	Southwark	46.3
Djanogly City Academy Nottingham	59.0/59.9	Nottingham	31.9
Manchester Academy	71.7	Manchester	41.9
The Academy at Peckham	66.2	Southwark	46.3
The City Academy, Bristol	31.6	Bristol	19.0
The King's Academy	53.7/33.1	Middlesbrough	32.9
The Walsall City Academy	50.9	Walsall	15.0
The West London Academy	39.2	Ealing	28.2
Lambeth Academy	n/a	Lambeth	39.1
London Academy	38.4	Barnet	15.5
Mossbourne Community Academy	47.6	Hackney	41.7
Northampton Academy	17.9	Northants	8.7
Stockley Academy	32.6	Hillingdon	16.6
		England	14.3

(*eligibility for free school meals of pupils in maintained secondary schools)

MYTH 8—UNITY ACADEMY NO LONGER SERVES THE MOST DEPRIVED AREAS OF MIDDLESBOROUGH (UNIVERSITY OF YORK SHOW THAT THE PREDECESSOR SCHOOLS HAD 60% ELIGIBILITY FOR FREE SCHOOL MEALS)

Fact:

The percentage of pupils at Unity eligible for free school meals is 49.1% which is practically the same as in the predecessor schools. It is well above the LEA average (32.3%) and the national average (14.5%).

	2000	*2000*	*2001*	*2002*
Keldholme School	50.9	45.5	57.1	46.8
Langbaurgh School	54.3	56.4	56.2	56.2

MYTH 9—ACADEMIES ARE EXCLUDING THE MOST TROUBLESOME STUDENTS

Fact:

The King's Academy permanently excluded 28 pupils in 2003–04. The Academy publishes clear guidelines on behaviour and these are enforced strictly and consistently.

37 students were referred to Middlesbrough's Pupil Referral Unit in the last year of the predecessor schools, so the Academy's total of 28 students permanently excluded is actually lower than the total of students taken out of the predecessor schools. For fixed term exclusions too, the Academy total of 52 in 2003–04 is significantly lower than the 112 fixed term exclusions of the predecessor schools. This shows that the policy of clear guidance on behaviour is working effectively, to the benefit of morale and a constructive learning environment at the Academy.

Fact:

Manchester Academy—has reduced exclusions in its first year by more than 80%—there were 272 days of fixed term exclusions in the last year of the predecessor school (Ducie High School) compared to 50 in the Academy in 2004.

Fact:

The City Academy, Bristol—Exclusions in the summer term 2004 were down by 80% on the previous year at the predecessor school.

MYTH 10—MILLIONAIRE BUSINESSMEN ARE SETTING THE CURRICULUM—EG VARDY FOUNDATION—CREATIONISM AND ALLEGATIONS OF DISCRIMINATION AGAINST NON CHRISTIANS

Academies must provide a broad and balanced curriculum—this is one of the conditions of their funding agreement, with a specialism in one or more subjects. They must teach the National Curriculum core subjects and carry out Key Stage 3 assessment tests. Aside from those requirements, they are free to innovate.

Fact:

The Vardy Academies do what is required by law. The National Curriculum syllabus for science requires that the theory of evolution is taught and this requirement is fully met. The National Curriculum specifically states scientific data can be interpreted in different ways and produce different theories (eg the theory of evolution). The Vardy Academies' curriculum fully meets these requirements. HMCI is content with the teaching of Science at Emmanuel College.

The Biblical view of creation is taught in RE lessons. Students are taught to consider opposing theories and come to their own, reasoned conclusions. Their approach is consistent with the non-statutory national framework for religious education recently published.

Fact:

The Vardy Academies do not use faith as the basis of their admission policy. Their Academies are open and inclusive to all pupils. The King's Academy in Middlesbrough has a higher share of Muslim students than adjoining schools. Emmanuel College, Gateshead has a much higher proportion of students from other faiths. Teachers are likewise recruited on merit and do not need to be practising Christians. Different faiths are covered in the curriculum.

Fact:

As part of their religious education, pupils are taught about a variety of religions, not just Christianity. They are also encouraged to explore different views, theories and beliefs in many different subjects in the curriculum, using contemporary and historical sources of evidence. No particular view is imposed upon them. Bibles are provided in classrooms as one of the resources used for Tutor Group prayers. Students do not carry Bibles.

One important feature of The King's Academy is that it caters for a very high percentage of students who have special educational needs. Approximately 10% (four times the national average) of the students have visual, hearing, physical or special learning needs.

The Vardy Foundation has a very caring attitude and there is no selection; the Academies are all-ability and will work on achieving the personal best of all their pupils. The King's Academy in Middlesbrough has a disciplined, calm atmosphere which benefits everyone in the school and although it is a Christian environment, the focus is on inclusion and tolerance. This adds up to a good deal for parents.

Further Background

1. *What are Academies?*

Academies provide a radical option for raising standards in areas of poor education and performance that have long failed their local communities. They are publicly funded independent schools which cater for local pupils of all abilities and are established by sponsors from business, faith, or voluntary groups working with partners from the local community. Generally, they replace existing schools with the most intractable problems of low achievement, though some are wholly new schools in areas of low achievement. An important part of the Academy approach is that there is no "off the peg" Academy solution. The nature of the change process in establishing an Academy is rooted in questioning established foundations and beliefs, particularly the culture of denial and underachievement and supporting the development of a unique ethos and vision. The sponsor's role in supporting this process and in creating a positive ethos, is central to transforming education in Academies.

2. *What extra freedoms do academies have?*

Academies are given greater freedom to innovate than the schools they replace. They can create new staffing structures and performance management systems; adopt innovative approaches to the curriculum, including the development of new specialisms and the use of cutting edge ICT; decide the organisation of the school day and term; and develop new partnerships between sponsors, local education authorities, teachers, governors and the community. The curriculum includes a particular focus on one or more areas. Possible specialisms are: science; arts; business and enterprise; computing; engineering; maths and computing; modern foreign languages; performing arts; sport; and, technology.

3. *Current Numbers of Academies*

The first three Academies opened in September 2002: The Business Academy at Bexley; Greig City Academy, Haringey; and Unity City Academy, East Middlesbrough. Nine more opened in September 2003: Capital City Academy, Brent ; The West London Academy, Ealing; The Academy at Peckham, Southwark; The City of London Academy, Southwark; The City Academy, Bristol; King's Academy, Middlesbrough; and Djanogly City Academy, Nottingham, Manchester Academy, Manchester; and, Walsall City Academy, Walsall. Five Academies opened in September 2004: The London Academy, Barnet; Mossbourne Community Academy, Hackney; Stockley Academy, Hillingdon; Lambeth Academy, Lambeth; Northampton Academy, Northampton. There are 36 further partnerships working to establish Academies. We aim to have 200 Academies open or in the pipeline by 2010, around 60 of these will be in London.

MAINTAINED SECONDARY SCHOOLS(1)

Number of Schools and Those With a Sixth Form January 2004

	Number of maintained secondary schools	*Of which have a sixth form (2)*
ENGLAND	3,409	1,772
NORTH EAST	211	69
Darlington	7	2
Durham	36	17
Gateshead	10	8
Hartlepool	6	2
Middlesbrough	6	0
Newcastle upon Tyne	18	11
North Tyneside	15	8
Northumberland	60	15
Redcar and Cleveland	11	0
South Tyneside	10	1
Stockton-on-Tees	14	2
Sunderland	18	3

	Number of maintained secondary schools	*Of which have a sixth form (2)*
NORTH WEST	476	184
Blackburn with Darwen	9	1
Blackpool	8	1
Bolton	16	5
Bury	14	0
Cheshire	45	32
Cumbria	42	27
Halton	8	2
Knowsley	11	2
Lancashire	88	17
Liverpool	32	30
Manchester	22	3
Oldham	15	4
Rochdale	14	5
Salford	14	0
Sefton	22	12
St. Helens	11	6
Stockport	14	0
Tameside	18	2
Trafford	18	9
Warrington	12	7
Wigan	21	2
Wirral	22	17
YORKSHIRE AND THE HUMBER	327	170
Barnsley	14	1
Bradford	28	28
Calderdale	15	13
Doncaster	17	14
East Riding of Yorkshire	18	17
Kingston Upon Hull, City of	15	1
Kirklees	32	8
Leeds	43	34
North East Lincolnshire	12	4
North Lincolnshire	14	3
North Yorkshire	47	23
Rotherham	16	8
Sheffield	27	7
Wakefield	18	5
York	11	4
EAST MIDLANDS	317	172
Derby	13	7
Derbyshire	47	27
Leicester	16	4
Leicestershire	54	18
Lincolnshire	63	33
Northamptonshire	55	36
Nottingham	18	3
Nottinghamshire	48	44
Rutland	3	0
WEST MIDLANDS	415	219
Birmingham	76	40
Coventry	19	19
Dudley	22	3
Herefordshire	14	4
Sandwell	18	10
Shropshire	22	8
Solihull	13	4
Staffordshire	69	48
Stoke-on-Trent	17	3

	Number of maintained secondary schools	*Of which have a sixth form (2)*
Telford and Wrekin	13	3
Walsall	19	18
Warwickshire	37	19
Wolverhampton	18	18
Worcestershire	58	22
EAST OF ENGLAND	427	229
Bedfordshire	57	17
Cambridgeshire	31	11
Essex	80	45
Hertfordshire	82	76
Luton	12	1
Norfolk	52	27
Peterborough	13	12
Southend-on-Sea	12	10
Suffolk	78	30
Thurrock	10	0
LONDON	405	247
INNER LONDON	132	64
Camden	9	9
City of London	0	0
Hackney	8	3
Hammersmith and Fulham	9	3
Haringey	10	7
Islington	9	3
Kensington and Chelsea	4	2
Lambeth	10	6
Lewisham	12	7
Newham	15	2
Southwark	12	2
Tower Hamlets	16	6
Wandsworth	10	7
Westminster	8	7
OUTER LONDON	273	183
Barking and Dagenham	9	8
Barnet	21	18
Bexley	15	13
Brent	13	13
Bromley	17	17
Croydon	21	4
Ealing	12	7
Enfield	17	16
Greenwich	15	7
Harrow	10	0
Havering	18	5
Hillingdon	17	16
Hounslow	14	14
Kingston upon Thames	10	10
Merton	8	2
Redbridge	17	16
Richmond upon Thames	8	0
Sutton	14	14
Waltham Forest	17	3
SOUTH EAST	502	304
Bracknell Forest	6	6
Brighton and Hove	10	4
Buckinghamshire	34	32
East Sussex	27	11
Hampshire	71	10

	Number of maintained secondary schools	*Of which have a sixth form (2)*
Isle of Wight	21	5
Kent	104	89
Medway	19	17
Milton Keynes	10	10
Oxfordshire	34	26
Portsmouth	10	0
Reading	7	7
Slough	11	6
Southampton	14	1
Surrey	53	31
West Berkshire	10	10
West Sussex	39	21
Windsor and Maidenhead	13	9
Wokingham	9	9
SOUTH WEST	329	178
Bath and North East Somerset	13	10
Bournemouth	10	4
Bristol, City of	18	8
Cornwall	31	15
Devon	37	20
Dorset	37	16
Gloucestershire	42	28
Isles of Scilly	0	0
North Somerset	10	6
Plymouth	17	15
Poole	9	6
Somerset	39	9
South Gloucestershire	14	14
Swindon	10	2
Torbay	8	6
Wiltshire	34	19

(1) Includes middle schools as deemed

(2) Schools with one or more pupils in national cirriculum year group 12, 13 or 14.

7 December 2004

Written evidence

Memorandum submitted by the National Grammar Schools Association

BRIGHT PUPILS DO MUCH BETTER IN SELECTIVE AREAS

On Tuesday 20 May 2003, Graham Brady MP received a written answer to a Parliamentary Question about the percentages of pupils gaining five or more A*–A grade GCSEs and five or more grade A*–B grade GCSEs in wholly selective areas, wholly comprehensive areas and nationally for the year 2002. The answer from David Miliband, the schools standards minister, was as follows:

	Wholly Selective LEAs	*Wholly Comprehensive LEAs*	*National Averages*
five or more A*–A grade GCSEs	15.1%	8.6%	9.7%
five or more A*–B grade GCSEs	32.1%	23.1%	24.6%

However, because ministers keep saying that research shows that brighter pupils do as well, or better, in comprehensive schools, Mr Miliband was clearly embarrassed by these stark comparisons. So he added the following rider:

> "The comparisons above take no account of the value added by the LEAs concerned. They are not adjusted for pupils' prior attainment, nor to reflect the fact that selective LEAs, in aggregate, have lower levels of socio-economic disadvantage. 11% of pupils in selective authorities are known to be eligible for free school meals, compared to 17% in wholly comprehensive authorities."

David Miliband's attempt to put a positive government "spin" on these statistics is very telling. NGSA's comments on Mr Miliband's rider are as follows:

> Note the phrases "take no account of the value added" and "not adjusted for pupils' prior attainment". What Mr Miliband is saying here is that these figures are basic, unembellished statistics, which have not yet been subjected to the defective manipulation inherent in the Department for Education's "value-added" method.

Mr Miliband is right to point out that socio-economic factors have an effect on average examination performances, but he produces no evidence to show that the effect of the single economic factor he has chosen is of sufficient magnitude to account for these huge differences in performance between the comprehensive and the selective systems. It is noteworthy, too, that the superiority of the wholly selective areas gets greater as the focus shifts onto the brighter pupils.

Furthermore, Mr Miliband fails to realise that the socio-economic circumstances of the bright pupils, whose results are being compared, cannot be inferred from the figures he gives for estimated eligibility for free school meals, which relate to the pupil population covering the whole ability range. Neither Mr Miliband, nor anyone else, knows exactly what percentage of pupils is eligible for free school meals, because they do not have a record of every pupil's family income—the only figures available on this are estimates of the number of pupils who might be eligible for free school meals. These, of course, may be exaggerated by the educational establishment in order to provide a convenient excuse for failure.

Memorandum submitted by Mark Tweedle, Head of Heckmondwike Grammar School

VALUE ADDED AND GRAMMAR SCHOOLS

What is value added?

This is a measure of the difference between the actual and expected progress of a pupil or cohort in a Key Stage (KS).* Positive value added means that pupils have exceeded expectations, negative value added means that pupils have not achieved the expected levels. The expected performance is based on prior attainment and is an extrapolation based on pupils maintaining their overall level within a cohort. The value added index published in the tables is (100 + calculated value added index). A value added score of 100 represents zero value added, ie a pupil or cohort has achieved in line with expectations.

There are separate value added calculations performed between KS2 and KS3 and between KS3 and KS4. The expectations for KS4 are revised in terms of the outcomes from KS3. The DfES is currently conducting a pilot to measure the value added between KS2 and KS4 which omits the use of KS3 data.

[*Note for parents: KS1 covers ages 5–7, KS2 ages 7–11, KS3 ages 11–14 and KS4 ages 14–16. Pupils do national tests at the end of KS1, KS2 and KS3, and GCSEs are usually done at the end of KS4. The most recent value added tables for KS2 to KS3 (covering ages 11–14) were published in December 2003, and those for KS3 to KS4 (covering ages 14–16) were published in January 2004.]

Why do grammar schools do so well in value added terms between KS2 and KS3?

Given that pupils entering selective schools have in general achieved highly in KS2 tests the expectations for their performance at the end of KS3 are high. On this basis one would expect that it would be difficult to add significant value. Indeed, simply maintaining the good progress achieved so far would represent a good achievement. In fact grammar schools demonstrate very good value added between KS2 and KS3, dominating the recent tables in terms of both attainment and progression. This is because pupils in the selective schools achieve well beyond the normal expectation at the end of KS3 and the grading of the KS3 tests allowed able pupils to demonstrate their very good progress. Pupils achieving level 5 at the end of KS2 are in the top 20% of the national cohort—those who go on to achieve level 7 at the end of KS3 (as many pupils in selective schools do) have progressed to the top 10% of the cohort. In mathematics progress can be more dramatic because pupils are still able to access level 8 and those that do so are in the top 3% of the cohort. In selective schools well over two thirds of pupils achieve a level 7 or better, and that figure rises to over 90% in the highest achieving schools. In value added terms, because so many pupils in selective schools who achieved in the top 20% at the end of KS2 have moved into the top 10% or better, progress is significantly above expectation and there is strong value added.

How did this year's KS3 added value achieved by selective schools compare with last year?

In last year's tables the value added performance of the selective schools was even better than this year because the extension papers for English and Science were still available. These papers, which were designed for the most able, allowed pupils access to level 8 and EP (exceptional performance). Students achieving level 8 in either science or English were demonstrating a level of performance which placed them in the top 1% of the cohort. Sadly, the uptake of the extension papers on a national scale was low and the extension papers were withdrawn this year. The selective schools did however make good use of the extension papers to stretch their ablest pupils and this was reflected in last year's KS3 value added data. Allowing pupils to demonstrate a level of performance which moved them from the top 20% of the cohort to the top 1% gave rise to very significant value added.

The added value data for selective schools seems less good at KS4. Why is this?

This is because the methodology used to calculate added value effectively prevents the most able students in selective schools from adding any value at GCSE. The expected performance of each pupil in KS4 is recalculated on the basis of their achievement in KS3. In 2001 many pupils in selective schools achieved two or more level 8 grades in the KS3 tests, placing them in the top 1% of the cohort. For those pupils to maintain this standard they would have to obtain GCSE grades in the top 1% of the cohort ie A* grades. Because the A* grade represents a ceiling of GCSE achievement, a significant proportion of pupils in selective schools are not able to add value, the best they can do is to break even. The methodology used further disadvantages selective schools by capping GCSE achievement to eight GCSEs and discounting AS and A2 grades taken early.

Are there other problems with the value added methodology?

The performance of pupils in three tests in mathematics, English and Science taken at the end of KS2 is used to predict the performance of pupils in similar tests in the same subjects at the end of KS3. The methodology is valid because the subjects and assessment techniques are the same. This is not true of KS4 where the three KS3 tests are being used to predict performance in a range of subjects assessed by a variety of methods. The correlation between KS3 and GCSE performance is less strong particularly in creative subjects or where coursework is the dominant assessment method.

Are Grammar Schools over reacting to a set of apparently adverse data?

No, the opponents of selection are using this flawed data to discredit grammar schools. Teachers and Governors in selective schools have no argument with league tables and statistics but the methodology used must be fair and transparent. Selective schools consistently attain results which place them in the top 5% of schools. Ofsted say they are well managed and led with high standards of teaching and learning. Value added tables say they help their pupils make outstanding progress in the first three years of secondary education. Why should schools which are noted for their consistently high standards make less progress with their pupils in Key Stage 4? What possible explanation could there be for this surprising conclusion? Is this a function of the schools or the statistical methods used to calculate the added value?

Supporting Data

The 2003 GCSE cohort entered secondary education in 1998. The achievements of this cohort in the KS2 tests is shown in table 1, below.

Table 1

DATA SHOWING THE PERCENTAGE OF THE COHORT ACHIEVING EACH LEVEL IN THE KS2 NATIONAL TESTS IN 1998

Subject/level	*Below 3*	*3*	*4*	*5*	*6*
English	6	26	48	17	0
Mathematics	7	31	42	17	0
Science	4	23	53	16	0

Pupils entering grammar schools in 1998 would typically be in the top 25–30% of the ability range. It is likely that they would have achieved either level 4 or level 5 in the national tests.

This cohort took the KS3 tests in 2001 and their achievements are shown in table 2.

Table 2

DATA SHOWING THE PERCENTAGE OF THE COHORT ACHIEVING EACH LEVEL IN THE KS3 NATIONAL TESTS IN 2001

Subject/level	*Below 3*	*3*	*4*	*5*	*6*	*7*	*8*	*EP*
English	2	9	20	33	22	8	1	0
Mathematics	2	9	18	24	23	17	3	0
Science	2	7	20	32	26	7	1	0

The level 8 grade was only available in Science and English if pupils were entered for an extension paper. Nationally, the uptake for the extension papers was very low (they were abandoned in 2003) but much higher in the grammar schools. Almost two thirds of the levels achieved by grammar school students in the KS3 national tests were seven or above. This figure rose to 90% in the highest achieving grammar schools. The implication is that a significant proportion of the level 8 grades awarded in 2001 went to pupils in selective schools.

Pupils awarded level 8 in the 2001 KS3 tests were achieving in the top 1–2% of the population. The value-added methodology used by the DfES sets KS4 expectations for these pupils based on maintaining this position in the national cohort. To perform at this level requires pupils to achieve A* grades at GCSE. If they achieve the A* grade they will simply maintain the progress already made (ie add zero added value). Because the A* grade is the ceiling of GCSE achievement it is not possible for these students to add further value in KS4. The best that can be achieved in added value terms is zero. The methodology used by the DfES penalises selective schools because they have a high proportion of able pupils who are unable to add value in Key Stage 4 no matter how well they do at GCSE. This is further compounded by the DfES decision to cap GCSE achievement at eight subjects and to discount the results of pupils who take AS and A level examinations in KS4.

Case Studies

	KS2 results	*KS3 results*	*KS4 results*	*KS2–KS3 value added*	*KS3–KS4 value added*
Pupil A	4 4 4	6 6 6	8 B grades	+4	+1
Pupil B	5 5 5	7 7 7	12 A grades	+2	−2

Pupils A and B make the same progress in absolute terms (two levels) between KS2 and KS3, but the methodology used assigns considerably more added value to the lower attaining pupil. In KS4, both pupils again make similar progress in terms of the level of grade in each subject but pupil B achieves greater breadth. The methodology discounts four of pupil B's twelve A grades and results in negative added value. The lower attaining pupil, adds value, whereas the higher attaining pupil subtracts value. A grades or better are typically achieved by the top 10% of the cohort. Despite the fact that pupil B has progressed from the top 20% of the cohort in KS2 to the top 10% of the cohort in KS4, the overall value added is zero (+2 -2). The lower attaining pupil has made the same progress in relative terms but the methodology assigns a value added of +5 (+4 +1) over the two Key Stages.

	KS2 results	*KS3 results*	*KS4 results*	*KS2–KS3 value added*	*KS3–KS4 value added*
Pupil C	5 5 5	7 7 8	12 A grades	+4	−4
Pupil D	5 5 5	7 8 8	12 A grades	+6	−6

Pupils C and D demonstrate the very significant impact of level 8 on KS4 value added. In schools where a significant proportion of pupils achieved level 8, able students who achieved full sets of A grades and better were subtracting value.

In the example below pupils E and F have the same starting and finishing point but pupil F adds substantial value between KS3 and KS4 whereas pupil E subtracts value because of the difference in KS3 performance. Interestingly, if the overall value added in the two Key Stages is calculated (by adding the two component added values together) the DfES methodology assigns more added value to the lower attaining pupil at KS3, although logically there should be no difference.

	KS2 results	*KS3 results*	*KS4 results*	*KS2–KS3 value added*	*KS3–KS4 value added*
Pupil E	5 5 5	7 7 8	12 A grades	+4	−4
Pupil F	5 5 5	6 6 7	12 A grades	−2	+5

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