

# Speech: Amanda Spielman at the Education Policy Institute conference

Good morning. And thank you for inviting me to be here today.

David's invitation specifically asked me to consider what the 'implications of key system wide challenges are for Ofsted'. So, nice and simple!

Of course these challenges are manifold but for the sake of brevity and focus today I want to consider Ofsted's perspective on multi-academy trusts, or MATs.

The rate of change in the school landscape continues: in 2016 to 2017 around 1,200 new academies opened. We are already up to around 900 new academies this year. In addition, around 100 more multi-academy trusts have opened since August last year. This makes for a total of 1,100 in the system, of which 150 are what Ofsted define as large MATs – that is, with at least 9 constituent schools. Existing MATs continue to grow, as the vast majority of new academies join trusts. And on top of that we have more rebrokerage of existing academies, either into a trust for the first time, or to a different trust when things aren't working as they should.

And of course there remain over 14,000 local authority maintained schools, the vast majority of which are good and outstanding. Although to categorise these as LA-run, in the classic sense, is a misnomer, given the amount of autonomy these schools enjoy. And local authorities play a different role in the system to that which they played even a decade ago. It is in part as a recognition of that level of autonomy that we have stopped inspecting local authority school improvement services.

Of course MATs themselves come in many shapes, sizes and range of geographical spread. There is quite a spectrum, from back-office models all the way through to fully-integrated models. Ofsted does not have a preferred model, but there is, I believe, a debate for us to have about scrutinising the range of models and how they are contributing to the delivery of high standards of education. But for the purpose of today's discussion it is the more integrated models that I wish to focus on. These are the MATs where many education-related decisions are being taken at the centre about the curriculum, teaching and assessment, and about policies and actions, planning and governance.

I think it is now generally understood that for MATs, it is the trust itself that is the legal entity. The trust has ultimate responsibility for all the decisions that lead to its pupils receiving a high quality education. Increasingly, trusts tell us that they want to have a joined-up conversation with us about the many cross-MAT decisions they make, rather than repeating essentially the same conversation with a different lead inspector on every inspection of a school in a MAT. We have been doing our best on this within the limitations of our remit. But we do know this falls short of the ideal.

For that reason, I was delighted when the Secretary of State signalled his intention to look at the accountability arrangements for MATs in his speech to the NGA [National Governance Association] last month. And I look forward to our continuing engagement with the department on what a new assessment regime might look like. But it is important for everyone to remember that the line of accountability for MATs flows to the Department for Education (in practice through regional schools commissioners or RSCs) not through Ofsted. They are the managers for academy funding agreements. We bring objectivity and sector expertise in our inspections and reports, and also in our monitoring and risk assessment. This makes us one player in a multipartite system involving RSCs, ESFA and Ofsted.

I am also acutely aware that these conversations will take time. It is appropriate, therefore, that we don't stand still while we wait for them to come to fruition. That's why we are revising our existing methodology and approach to the inspection of MATs, so as to make sure, within the limits of the powers we do have, that we are getting as much insight as we can in the most efficient way.

#### ## Trialling a new approach

During this summer term we are visiting a small number of MATs to trial aspects of a new approach which we hope will improve the inspection experience for MAT leaders, for their academies and for inspectors. In line with our [corporate strategy](#) of more intelligent inspection, our key objectives are:

- to better understand the way MATs are organised, operate, and the role they play in their own right and ensure that our inspection reflects this
- to improve our reporting on the impact that MATs are having, whether this is as part of a MAT focused review or a standalone inspection of an academy or free school that is part of a MAT
- to make focused reviews of MATs more intelligent, through better coordination and through sharing of evidence between inspection teams

We also want to ensure that in individual inspections of MAT schools, the role of the MAT is properly considered.

My inspectors frequently encounter 2 significant misconceptions, sometimes when they are conducting focused reviews of MATs but more commonly when they are inspecting individual schools that are part of a MAT but that do not fully understand their own status within a trust.

First, schools often continue to see themselves as separate from the leadership of the MAT. The trust is something 'out there' that acts on them in a school improvement capacity, in the same manner as local authorities once did. But this is a profound misunderstanding of the MAT model.

Secondly, there are deep confusions about governance. Often local governing bodies are presented to inspectors as responsible for governance, when we know that in reality it is trustees and members who are the governors of the trust. The local bodies may have some delegated responsibilities or may be

purely advisory: often their members are themselves unclear, and don't know to whom, if anyone, they report. The position is sometimes no clearer at trust level. Published schemes of delegation can be confused, with the same names appearing at member, trustee and executive level, so that the oversight and executive functions are entangled. I want all my inspectors to be clear – MAT leadership and management comes from the MAT executive team; governance comes from trustees and (only in the last resort) members.

It is a complicated picture, full of confusions. And our own inspection still sometimes fails to address those misconceptions. It is still too often the case that our individual inspections of these schools, when they aren't part of a focused inspection, make limited reference to the MAT role, something that clearly fails to recognise the significance of that relationship and the responsibilities the trust has for leadership and management. We must do better, and that is why we are beginning a programme of training for Ofsted's school inspectors in the autumn term, to make sure that we are ourselves consistent.

We are also looking at ways of improving the quality of information we hold about MATs. We want inspectors to have a more accurate understanding of the way MATs are set up and operate before they embark on an inspection. We have been engaging with MATs on this and will continue to do so. After all, we can't do a good job of inspection if we don't fully understand the status of the school we are inspecting.

Much of this may come across as a tidying up exercise. But by making these small step changes; and with the changes that may emerge from the departmental review we may arrive at a different model of inspection.

## **The MAT performance picture – why this matters**

Some may ask, indeed some do ask, why we are so concerned about inspecting MATs. After all as long as Ofsted is looking at the constituent schools, isn't that sufficient? But this is to misunderstand the nature of modern school inspection. Because inspection is now done mainly through discussions with leaders about the decisions they take about education, about safeguarding, about how they implement them and how they know they are working in practice. To the extent that those decisions are taken in the MAT, which many of them often now are, for example about curriculum, about teaching or assessment or staff training, the inspection conversation necessarily reaches into MAT. This isn't an expression of an Ofsted preference. It is a statement of fact.

Similarly governance is the function of a MAT board, so we cannot come to a view about the effectiveness of governance without looking at how the MAT board exercises its functions.

Ofsted began focused inspection of MATs back in 2013, and has visited 21 different MATs since then, 6 of them in the last 12 months. It is fair to say we initially focused our resources on the MATs that we felt were performing less well. After all Ofsted exists to be a force for improvement and we aim to direct our efforts in to those areas where we can see most cause for

concern.

As our last [Annual Report](#) laid out, there are a number of common themes, or more bluntly problems, that we find in poorer performing MATs. Generally leaders of these trusts are unable to secure sustainable trust-wide improvement. This is down to a number of weaknesses, including: inconsistent quality of teaching, poor quality middle leadership, inconsistent professional development and training; leadership that did not know the schools they ran well enough and lack of clarity in governance arrangements.

But as Jon Andrews has just shown us, there are also many many high performing MATs that are helping to transform the life chances of pupils across the country.

As previous Ofsted analysis has shown, these MATs also share some common characteristics, such as:

- an ability to recruit and retain strong executive leaders
- a well-planned, broad and balanced curriculum
- a commitment to providing a high-quality education for all pupils
- investment in the professional development of teachers and the sharing of knowledge and expertise across a strong network of constituent schools
- a high priority given to initial teacher training and leadership development to secure the pipeline of talent
- clear frameworks of governance, accountability and delegation
- effective use of assessment information to identify, escalate and tackle problems quickly

This is a powerful template.

## **Education quality and data – the John Patten principle**

One of the characteristics highlighted above was the importance of a broad and balanced curriculum. I would hope it hasn't escaped anyone in this room's attention that this theme of curriculum has been a core component of my first year and a half as Chief Inspector: making sure that we direct much of our attention to education of substance and how it is achieved, not just reported outcomes.

And last year I received an interesting letter from John Patten, who was the Secretary of State responsible for steering Ofsted's creation through parliament. He reminded me that Ofsted had been created:

in deliberate parallel with examination performance tables. They were introduced in tandem to ensure greater transparency, accountability and educational improvement in the interests of children, parents and the wider national community'.

In other words Ofsted, from its very inception, was designed to complement, rather than reinforce, performance data.

To be clear, I am not suggesting that there should be no correlation between what we find about the quality of education on inspection and what the data says about a school's performance. They are, one hopes, clearly related. But inspection asks a different question. We want to know how schools are achieving a good education, not just what the results are.

As I said to the Public Accounts Committee in Parliament last week, while I believe the current performance measures are as good as they ever been, I very much want to make sure that at Ofsted we focus on the 'how', on what performance tables cannot capture, so we can get the clearest view of whether schools, and where relevant the MATs to which they belong, are doing the right things.

Of course we already do this to a considerable extent. If you take the analysis done for my first annual report, where we compared our inspection judgements with Progress 8 outcomes, the charge that 'data is all' is clearly disproved.

More recently, my [data team published research](#) that shows that 'good' schools with a low percentage of white working class children who are eligible for free school meals, so advantaged schools, have a median Progress 8 score of +0.2. Whereas, if you look at the schools at the other end of the disadvantage spectrum, 'good' schools with a high percentage of this group have a median Progress 8 score, is quite a lot lower. It is -0.1. That is a big difference.

The same pattern of difference applies to all our judgements.

Rather than suggesting a bias against deprived schools, if anything, our data shows that inspectors are demonstrating, through their judgements, an awareness that Progress 8 isn't a perfect measure of progress and that it doesn't paint the whole picture of educational quality in a secondary school.

In the new framework, we're thinking about how we can take the inspection conversation even further on education itself and less on data. This is the human element that Ofsted brings to the accountability process. You can't create a precise, codified rule for what good looks like. Data should always be just the start of the conversation that our inspectors have with schools. After all no performance table can tell you what schools aren't doing; they can't reveal what's not happening or who isn't being educated.

It is that interest in 'why and what' that has been driving our work on the curriculum. It has been extremely gratifying that since announcing our new focus on the curriculum there has been virtually no disagreement with my thesis that it is an area that has been given too little attention for too long.

I do appreciate though that any change of emphasis from Ofsted does excite nervousness in the sector. We have an absolute obligation, which we take very

seriously indeed, to make sure that we don't inadvertently create workload or generate misconceptions about Ofsted preferences. We also have to make sure we put plenty of time and resource into developing any changes.

So I want to be reassuring about our new framework. We are not rushing into this. It will be 2 years into my tenure as Chief Inspector before we get to the formal consultation our proposed changes, which won't come into effect until September next year. We are taking our time.

This has allowed us to carry out a thorough, research-based, curriculum review, before going anywhere near inspection practice. We have researched primary and secondary curriculum, undertaken workshops with schools to help develop this further and will be testing ideas in the summer. Alongside our research work, we've already built more about the curriculum into our inspector training, with very positive feedback.

## **Curriculum**

I know that there have been concerns raised in some quarters that a move by Ofsted to define what a good approach to curriculum looks like, will lead, by accident perhaps rather than design, to the creation of an Ofsted-approved curriculum. I can reassure you this will not be the case. We will be interested in why schools make the decisions they make, whether that's about shortening Key Stage 3 or the range of qualifications on offer.

I am in fact firmly of the view that a focus on curriculum will help to tackle excessive workload for teachers and school leaders. Such a focus moves inspection more towards being a conversation about what actually happens in schools. As opposed to school leaders feeling that they must justify their actions with endless progress and performance metrics. Those who are bold and ambitious for their pupils will be rewarded as a result and hopefully the shift will act as a disincentive for some of the more dubious gaming activities we hear too much about.

And as the recent interest in our research into off-rolling shows, there is a great appetite in the system to expose inequity and where schools are losing sight of the purpose of education. And we all know that if Ofsted is clearly focusing on these practices, those tempted to succumb will reconsider.

At the end of the day our job is to look at what decisions are made, how they are translating into practice, and how schools know they are having the intended effect. I cannot stress enough, what we want is a dialogue to help make sure that every child gets a full, deep, rich education.

## **Conclusion**

And where better to end than on that aspiration. This is the basis on which our new school landscape will surely be judged.

Thank you.