



House of Commons
Education Committee

Behaviour and Discipline in Schools

Oral Evidence

Wednesday 27 June 2012

*Charlie Taylor, Government Expert Adviser on
Behaviour in Schools and Mr Nick Gibb MP,
Minister of State for Schools, Department for
Education*

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Oral evidence

Taken before the Education Committee

on Wednesday 27 June 2012

Members present:

Mr Graham Stuart (Chair)

Neil Carmichael
Alex Cunningham
Pat Glass
Damian Hinds
Charlotte Leslie

Ian Mearns
Lisa Nandy
Mr David Ward
Craig Whittaker

Examination of Witness

Witness: **Charlie Taylor**, Government Expert Adviser on Behaviour in Schools, gave evidence.

Q1 Chair: Good morning, Mr Taylor. We tend to be fairly informal here and use first names, if you are happy with that, Charlie.

Charlie Taylor: That is fine. Yes, indeed.

Chair: Excellent. We will move smoothly into that. Thank you very much for coming and giving evidence to us today. We should of course congratulate you, because having come in from the Willows School to being the behaviour tsar, you have now ascended to an appointment as head of the Teaching Agency as well.

Charlie Taylor: Thank you very much.

Q2 Chair: When do you start in that post?

Charlie Taylor: September.

Q3 Chair: We have just had a letter. I am told by the Committee, quite rightly, that I should always see things in the most benign light but, for the third time in as many months, we have had documents come into us basically the night before a meeting. I suppose on the one hand that could be seen as polite, in that it is letting the Committee see that; on the other hand, it is not very helpful, because we don't have time to analyse it and thus scrutinise Government. We have your letter.

Charlie Taylor: To the Secretary of State?

Chair: To the Secretary of State, which we got late yesterday afternoon. Could you tell us what it means and what is most important in it?

Charlie Taylor: This is a letter giving the Secretary of State an update on my review of alternative provision that I conducted at the end last year and the beginning of this year. It is really talking about the progress that officials have made in putting the recommendations into place. Generally, I think things are going absolutely in the right direction and that officials have worked very hard to make sure that the recommendations are followed through.

Q4 Chair: You have a paragraph here about the quality assurance of alternative provision. In there it talks about diversity. I wondered how increasing diversity will necessarily assure quality.

Charlie Taylor: I think that there are two things. First of all, we are talking about a group of children here with very diverse needs. One of the big concerns I

had was that, sometimes, these groups of children were put in the same provision, in a one-size-fits-all provision. So you might have a very vulnerable refugee girl put in the same provision as some boys who have been kicked out of school for inappropriate behaviour towards girls or something like that. There is a risk that you put everybody together. The important thing is we have diversity of provision so that we can send children to the right place, in order that they can make progress.

Q5 Chair: As you are coming to the end of your behaviour role, what is the most important single message you have for Government to consolidate the recommendations and the improvements that you are hoping to see?

Charlie Taylor: The most important message, I would say, is that we need to ensure that, with the terrific advances that are made in terms of the academisation programme, in terms of the sponsoring of failing schools and those changes, we don't leave the group of pupils I am talking about in my review here behind us. If we continue to push forward with the recommendations I have made, I am confident that we will change the context for those children and prepare them for successful adulthood.

Q6 Chair: Which of your recommendations is there the greatest resistance to within the Department?

Charlie Taylor: Within the Department, I can honestly say there has been no resistance at all. People have been incredibly helpful and very supportive of the recommendations, and not just within the Department but out there in sector as well; generally, people have been very positive.

Q7 Chair: You have been very productive with improving alternative provision, getting the simple things right and improving attendance at school. Can you tell us a bit more about how you came to those conclusions, what team you had around you, who else you consulted and something about the methodology?

Charlie Taylor: For the checklist of getting things right, there are some basic things that all schools should do when it comes to behaviour. It is not rocket science, in terms of being consistent and setting the

bar high, and I was interested in what was stopping schools from doing that. Just after the riots in September, we got a group of outstanding headteachers from areas that had been affected by the riots. The question I asked them was simply: "What are the four or five things that you did, when you took over your school, that made a real difference?" From that, we effectively extrapolated out the checklist. What became clear was that, if you get those things right and you do them consistently, actually you will get a sea change in the behaviour within the school. That was that one.

In terms of the other two, the review into attendance and the review into alternative provision, I spent most of October, November and December last year charging around the country visiting all kinds of alternative providers, local authorities and Pupil referral units at schools, listening to what they were saying about alternative provision and thinking about what we could do to improve it. I also had some officials working in the Department helping with that process.

Q8 Chair: You had no expert committee around you.

Charlie Taylor: No, the expertise was from the people I talked to out in the field.

Q9 Chair: And then just with officials you came to the conclusions you did.

Charlie Taylor: Yes.

Q10 Chair: Sir Alan Steer was the behaviour tsar of the last Government. Where do you think you and he differ?

Charlie Taylor: I think probably if you put us in the same room together, we would not differ hugely on most of the fundamental things. Sir Alan believes very strongly in high standards of behaviour; so do I. Sir Alan believes that we have to make provision for children who cannot remain in education and have difficulties. Generally, we would not differ. I would say my reviews are rather shorter than his. I am very keen that, certainly when I write a review, it is as short as possible and it is not overwhelming in terms of too much information going to the sector.

Q11 Chair: A big idea of the Government was for schools to continue basically to have responsibility for young people whatever happened to them. They would commission; they would have a continuing duty of care. There were pilots. I have not heard much more about that lately. Can you update us?

Charlie Taylor: There are 11 pilots currently going on in various bits of the country—rural, semi-rural and inner-city. They have just been up and running since September so, in terms of the actual impact of what is going on, it is difficult to say a huge amount about that. Within a year, we should know a little bit more about whether it is doing what we hope it is going to do. What we can say is that there have been some, what you might call, early adopters at local authorities, who started doing this in advance. Some of the things that have happened there have been interesting. The first thing is it is a difficult process. I think all local authorities would say that. This

transferring of responsibility and money is not done seamlessly and requires a lot of talking and negotiation.

For example, in Cambridgeshire they had a huge 700-place pupil referral unit of very low quality with very high levels of permanent exclusions. Actually, we found the pupil referral unit is now only 120 places in size and far more children are being contained successfully in school. I talked to one of the heads about that. I said, "What are you doing? What are your magic formulae that you are putting in place here?" Actually what he said was that some of the solutions are quite simple. You have got a child who constantly disrupts science practical lessons. If he carries on doing it, he could potentially put other children at risk. Potentially he could end up being permanently excluded. Actually paying a teacher a few pounds to stay after school in the evening to teach that child and a couple of other children is a far cheaper and simpler solution, rather than waiting until the child pushes you and pushes you and pushes you, and then reaches the stage when they are permanently excluded. Surrey is doing something similar, and again there are some interesting results, in terms of giving schools the responsibility for commissioning places, and also Leicestershire and Staffordshire; all are telling a positive story on this, but also a complicated story in terms of taking time and negotiations.

Q12 Alex Cunningham: You told the *Times Educational Supplement* last year that you were lucky because your "job description is very broad and I am allowed to stick my nose into anything really". Some of the things you have just said maybe have proved that that has been the case, but do you think that your role was ever extremely clear? Were you an enforcer or a friend of the Government? Were you the friend of the teacher? What was the role?

Charlie Taylor: The role has two functions. I think, first of all, it was to bring to the Department a level of understanding and expertise of what is going on, on a day-to-day level, on the ground with teachers who are having to manage behaviour at the same time as deliver fantastic lessons and great results. At the same time, it was to also work with officials to ensure that policy that was coming out from the Department was going to have a positive impact on children's behaviour within the school system.

Q13 Chair: You were developing your ideas by talking to people in the country and then telling the Government what their reforms should be.

Charlie Taylor: Feeding into Government reforms.

Q14 Alex Cunningham: Not telling them what to do? When you move on to your new role, I just wonder what you will take from your existing role. Are you still going to be this great champion of good behaviour or do you see that as something else?

Charlie Taylor: Yes, I do; I absolutely do. One of the things that I am very interested in is ensuring that we improve the quality of teacher training on behaviour. When you talk to trainee teachers and you say, "What is the thing you are most worried about before you go

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into teaching?" they do not say, "I hope I get assessment right." They don't say, "I hope I get planning right." What they say is, "I am most worried about behaviour and about not being in control within the classroom." We have to make sure the training for behaviour at our teacher training providers is of the highest quality. Actually, when you go to the best providers, they do an amazing job in terms of voice training, in terms of teaching teachers to develop their own individual style, and in terms of understanding the kind of scientific background to the theories of managing behaviour. They do a really brilliant job, but if you talk to NQTs, some of them say the training they got was pretty piecemeal. We need to make sure that is better.

Q15 Alex Cunningham: Do you see a role for supporting in-service staff as well then?

Charlie Taylor: Within schools?

Alex Cunningham: Yes.

Charlie Taylor: Yes, I do. This Government, and I completely understand why, has been reluctant to churn out too much towards schools, in terms of new guidance and new ideas. That is eminently sensible. The important thing here when it comes to CPD is that the best schools are very good at doing CPD. The best schools plan well for the future. They have an understanding of what their training needs are. In some ways, I think the challenge for the Government is, if we get more schools like the best schools, actually to some extent, the CPD problem is solved within schools, rather than solved necessarily by central government. Adding to that, I would say that the work that the National College is doing in terms of local leaders of education, specialist leaders of education and also teaching schools means that the area where I think we have missed out in education, the expertise of our colleagues, will now be tapped much more successfully.

Q16 Alex Cunningham: Some of the toughest problems are in schools that might not be so good and maybe have some of the toughest kids. How do we actually break that mould? You say, "Let's have better schools," but some of them may be some way off.

Charlie Taylor: I take your point. I think the way we do this is with local solutions, where, for example, you have a teaching school that is a hub, which can then work closely with other schools to assess what their training needs are. I think there is a risk when central Government says, "We think you all need to do something this way." Maybe the local area is doing it brilliantly already. What is important is that the message is that teaching schools or schools within the hub of teaching schools are able to take on different areas of CPD in their local area, and to address them as and when they arise.

Q17 Chair: Is there any risk that it could get worse? There has been significant improvement over recent years in what teachers say, from looking at the Department's "Pupil Behaviour in Schools in England" report. It reports that 73% of primary NQTs said that their training for behaviour was good or very good, and 71% of secondary NQTs also said it was

good or very good, which is much higher than it was back in, say, 2003. Are there any dangers in the changes that we might actually go backwards on something that was a fast-improving picture?

Charlie Taylor: I do not think there are, no. I think things will continue to get better and that, in education, we have been very bad. Take the example of my school; we never did enough of teachers actually learning from each other, never as much as we should have done. Also locally, you have similar populations, where school A is doing a fantastic job and coping brilliantly and school B is struggling. Actually, the possibilities for symbiosis between those schools are hugely strong. That is the way forward.

Q18 Neil Carmichael: Hello, good morning. According to some information we have, nearly 1,000 children are suspended every day for abuse or assault or something of that nature. Major assaults on staff have actually reached an all-time high in five years. The question has to be asked: why is it that 79% of schools have been judged good by Ofsted in behaviour? Is it because the mere presence of an Ofsted inspector makes everybody behave better or is there something more fundamental about the Ofsted inspection process?

Charlie Taylor: I think there are two things there. First of all, it is 79% now. It was 87% that were judged good, so there has been a change. The bar has been set higher by ministers, and Ofsted has responded to that in terms of the expectation. That is the first thing I would say. The second thing I would say is you are right, though I would say, generally, the trajectory of behaviour within schools is improving. It is rarer now in schools to have no-go areas—areas where teachers fear to tread at lunchtimes and break times—which was certainly the case when I started teaching in the late 1980s. Things have improved, but I do think there is a group of children who show very extreme behaviour—very difficult, challenging, violent behaviour—often quite young children. I would say, possibly, there has been an increase in those sorts of children. Now, you could still have a school that is good on behaviour and yet have pupils like that within your school, because you are doing a good job with them. Nevertheless, there is certainly a group of children who need extra interventions, more help and more support, for whom the basic standards of a really well-run school are not enough.

Q19 Neil Carmichael: You would agree, however, that the evidence shows that there is a lot to do in terms of behaviour in schools.

Charlie Taylor: Without any doubt at all. The trajectory is in the right direction, but there is a huge amount to carry on doing.

Q20 Damian Hinds: Morning, Charlie. What is your assessment of the content on behaviour and discipline in initial teacher training, and what have your recommendations been to Government on how to improve it?

Charlie Taylor: As part of my new role, one of the things I will be looking into is to ensure that we make sure it is better. The worry I have with some teacher

training is that, effectively, you get institutions where people specialise in different things. You have got the person who specialises in physics, science, English or whatever it is, but actually there is no one particularly specialising in behaviour. That does not particularly matter, as long as everybody within the institution sees behaviour as part of their job. If I am training trainees to teach science, one of the really important things is about training them how to run a science practical in a safe way that means that chaos does not erupt, or the same for the art teacher. In these lessons where things are a bit freer, where there is the potential for things to go horribly wrong, you need to have people who have expertise on that. In the best colleges and the best school-based providers, everybody takes responsibility for behaviour; everybody thinks about behaviour. In the ones that are less successful, it is because actually no one is really thinking about behaviour.

Sometimes behaviour just gets pigeon-holed as a one-off lecture at the beginning of the year, where someone who is an outsider comes in, or sometimes it is one of the people within the institution, who says, "These are the things you should do. These principles will work. Here are the top-ten trips. Take them away and try them." That is all very well, but the important thing about behaviour is that people have to learn to develop their own individual style. What would work for me as a teacher in the classroom would not necessarily work for you as a teacher in the classroom, because of the way we are, because of the context of the children, because of the nature of our voice, because of the nature of whether we are extrovert or introvert. There are key principles to improving behaviour and to be good on behaviour but, out of that, you have to develop your own style. Take the House of Commons—

Damian Hinds: Please don't.

Charlie Taylor: You majestically stand in front of the House of Commons. Actually, if you think of when you first come in as an MP, MPs have different styles. Some MPs with different styles do a fantastic job of holding the House. One of the things you have to do as an MP is develop a style that works for you in the House. I think that is similar for teachers.

Q21 Damian Hinds: I accept that to a point, but in all sorts of personnel development programmes that exist they recognise the existence of introvert character types, extrovert character types and all sorts of styles for different situations. It is still presumably possible, maybe if not to teach, to talk through and to present a range of options. During our original inquiry, we met a lot of teachers who used phrases like "tricks of the trade". Tricks of the trade exist and you learn them. Sometimes they are simple things. One that came up repeatedly was this thing about not repeating the question. If somebody asks a question, I don't repeat it to the rest of the class because, over time, they learn that they don't have to listen to the initial question. Apparently, once you master that, it helps in all sorts of situations. Teachers were saying, "If only someone had told me that when I was starting or it could have happened in professional development."

Charlie Taylor: I will note that tip, thank you.

Damian Hinds: Sorry, this is turning into a long question. I realise—I will stop. A lot of them also complained that the sheer amount of time given to behaviour and discipline in teacher training was poor.

Charlie Taylor: I agree. Things have moved on a long way. When I did teacher training back in the 1980s, we had one lecture on behaviour, and effectively the key message seemed to be that children who misbehave are proto-revolutionaries fighting back against the capitalist state. Therefore, we should somehow kind of encourage this resistance. I think it was called "cultural production"; it was a fashionable word. We have moved on from that, I am glad to say.

Damian Hinds: Not at my school.

Charlie Taylor: What the best people do is spend a lot of time thinking about behaviour. I take your point that the tricks of the trade are really important, and that is part of it: you need to have that kind of basis before you go into the classroom. You then need to test them out for yourself. You then need, towards the end of your course, to reflect on what works for you, what was good and what was not. The behaviour process for a trainee has to be a process; it cannot just be a drop-in.

Q22 Damian Hinds: That sounds like it may become more of a role for mentoring, peer-to-peer support, professional development and teaching schools, presumably, where a lot of these things could be done in class.

Charlie Taylor: Yes. Even with the very best colleges, when you leave, there is an awful lot you do not know. Part of the next few years of your career is about filling in the gaps.

Q23 Damian Hinds: You also work with Government on the behaviour aspects on the revised National Professional Qualification for Headship, I believe. Can you just remind us what the main changes were?

Charlie Taylor: In terms of what I do?

Damian Hinds: Yes.

Charlie Taylor: The influence I have had is ensuring that there is a behaviour component within there, so there is now a solid component in the mandatory part of it, rather than in the bit you could choose. There was a little bit about it before, but I thought, "Actually, this is a fundamental thing. It is a Government priority and a right Government priority, and therefore we have to be sure that we have a solid behaviour component within the NPQH."

Q24 Damian Hinds: But given that the NPQH is itself not mandatory going forward, how confident do you think parents and others can be that new heads in post will have the sorts of leadership skills and knowledge on behaviour and discipline to manage effectively?

Charlie Taylor: At the moment we don't know what the uptake will be now that the NPQH has not been made mandatory. My feeling is that most people will want it and will prefer that headteachers do it, because I think people find it a useful experience. For example, if you have a headteacher who is promoted within a

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school who is already very well inculcated into the excellent systems within that school, it may be that the governors feel they do not need to bother in that case. It may be that, for example, an academy chain that has its own excellent systems of promoting and training its own leaders feels that it is not necessary for them, so it remains there as an important part of the education world, but it is just not mandatory.

Q25 Damian Hinds: Can I turn to the checklist? We get lots of paper in our wodge for these Committee meetings. I must say this is refreshingly short and clear. There is a criticism that it is too focused on primary schools. How do you react to that?

Charlie Taylor: The point of it is that lots of stuff applies to primary schools; lots of stuff does not apply to primary schools. Rather than thinking of it as a checklist, it is better to think of it as a menu. The point of the checklist was, as a result of that meeting with the headteachers back in September last year, to say, "From that menu, choose the things that you think are really fundamental in terms of your school making a difference, in terms of really getting that consistency." It may be that actually people completely ignore what is on my menu and choose their own slightly different things.

I was in a school the other day that was having a real focus—which I think is on the list actually—on meeting and greeting children at the door when they arrive. What they had is chaos out in the corridors, and then the children would come in and it was all difficult. The headteacher said, "I want to have a real focus on teachers being ready, at the door, to greet the children and say, 'Come on, chaps. In you go. Let's get going.'" If they just do that, often that can make a real difference at the beginning of the lesson.

The point of it is just to focus rigorously on it for a period of time, even when you are doing all the other complicated bits of teaching. Often the problem within teaching is that you have fantastic ideas; you have a brilliant lesson you want to teach; and you are full of knowledge. However, you have not planned how you are going to get the children into the room at the beginning of the lesson, up from the playground. How are you going to make sure that they go from the mat to the tables when you deliver the lesson? Sometimes it is the grubby routines of teaching that actually mean that the glamorous bits fall down.

Q26 Damian Hinds: When you constructed this checklist—I know you did it in conjunction with other headteachers—did you have in mind, particularly, schools with challenging intakes or schools that had behavioural issues or—it is going to turn into a mom-and-apple-pie question—were you thinking of the whole range of schools?

Charlie Taylor: I do, because I think that different schools are looking at different things. It may be that you have a school that has some real behavioural difficulties. You just want to get some fundamentals of behaviour management right. You just want to make sure that, if you give a kid a detention, that kid actually gets a detention and there is no wriggle-room within the process. It might be that you are doing it

like that. It might be that you are setting the bar in terms of behaviour. For a school that is brilliant, they might just think, "Actually, you know what? We think we can do a bit better on this." What is important when we are talking generally about the checklist here is this is about the general standards of behaviour. If we think about behaviour within school, you have the spectrum of normal behaviour. At the end of that, you get the 2%, 3% or 5% of more challenging children, and that requires more of a plan B.

Q27 Damian Hinds: Did you think about including more things about standards of dress of pupils, standards of dress of teachers, attitude to litter and things like that? Are they deliberately not emphasised?

Charlie Taylor: Not at all, no. I think all the points you have made are good. I think they could all happily have gone on it. You appreciated the fact that it is a relatively short document, so I think we had to be careful not to go on too long on that. Again, this is not set in stone; this is for schools to take away as a concept to think about and to use.

Q28 Damian Hinds: Can I offer a very unfashionable challenge? I know it is accepted wisdom throughout the teaching establishment and profession—I do not know if anybody would contradict this—but there is this whole idea of behaviour policies and set tariffs, sticking them on the wall. It is very dangerous, I realise, to extrapolate from our own circumstances and say, "This is the way it ought to be," but, when I was at school, I do not think we had a behaviour policy or tariff. If there had been one, it would have been, "We expect you to behave. If you do not and you get caught, you are in trouble." In a funny sort of way, that made you learn right from wrong. Seeing something that says, "If I do this, I get a yellow card. If I do it again, then exactly this will happen," prepares you, I suppose, for the realities of the criminal justice system, but not necessarily for other circumstances in life. Actually, if you misbehave, if you step out of line, if you do not do the right thing, bad stuff will happen to you, but you cannot necessarily predict what it will be. I wonder if, by prescribing so much and systematising things, we might be removing some of that critical judgment formation.

Charlie Taylor: I think it is a very good point. We are talking about different contexts of schools here. For some schools, because of the nature of children who come their way, because of the backgrounds that some of those children come from, because there is not that covenant of support between parents and home that used to be in place, it is not there.

Q29 Damian Hinds: That was what was behind my question earlier about whether you had in mind certain schools. I totally accept that, if you have a really difficult set of kids, and maybe you do interact at the margin with the criminal justice system, you have a clear and present imperative to impose some order. But if you introduce children to this kind of system as: "This is the way the school works and, by

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implication, the way society works,” I just wonder what message that sends.

Charlie Taylor: It’s a good point. Ultimately, what schools want to be doing is what good or outstanding behaviour is, which is children taking responsibility for themselves and doing it themselves. What you want is schools teaching children on behaviour so well that children make the right moral choices and have the right values when they are away from the school, not just when they are constrained by the school. With some of the children in some of our schools, you have to keep things really tight initially. Take Westminster School. The boys there are just outside the Department for Education. They slightly slop around with their ties slightly undone, but what you know about the majority of them is, actually, if you said “Snap to,” they could all sort themselves out and would probably be okay, so I don’t know what people’s views are on it, but that school does not feel it needs to be as tight, perhaps, as other schools do on those sorts of standards. I think that is the point. Am I allowed to take my jacket off?

Q30 Damian Hinds: I certainly hope so, otherwise we are in trouble. I just wonder if Nick Clegg might read the transcript of this and be on the phone to his old school to complain about the sloppy way they are wearing their ties. Finally from me, you have suggested that schools are reluctant often to ask for help, particularly on behaviour and discipline issues. I wonder what your thoughts are on the implications of that for making sure that schools that do need support either ask or, in some other way, support comes to them. What can Government do to help facilitate that?

Charlie Taylor: In terms of support for—?

Damian Hinds: I suppose on behaviour and discipline, management and putting in place systems. I know you have your toolkit, but there is the human aspect as well, isn’t there?

Charlie Taylor: One of the things is about the stuff that was in the Education Act around things like no-notice detentions, the powers of search and no-touch policies. These things are not going to transform things overnight, but I think it is important for Government to set the mood music for the context in which teachers deal with discipline and behaviour. If there is a sense that there is a box-ticking clipboard chasing them around the place whenever they deal with an issue of behaviour, and that they will not be trusted to do it, then I think you get people who are reactive, who do not think and who just simply follow the policy, whatever it might be, rather than people who actually think, “What is in the interest of this child at this time, and therefore what is my professional judgment of the best thing to do?”

Q31 Chair: Can I just press you on that? It was a good answer, but not to that question, which was about the implications of schools with the most serious problems that are reluctant to ask for help. We are moving to a peer-to-peer mutual support system. What are the implications of those two things?

Charlie Taylor: Ofsted becomes very important in this. The fact that a quarter of Ofsted’s remit is now

to look at behaviour and safety in schools means that behaviour is now more important. We know that fewer schools are getting a good rating on behaviour. We know that now 1%, I think, of the new primary schools under Ofsted have been rated as failing for behaviour, so Ofsted is being tighter on behaviour and the bar is being raised in terms of the expectation. Once a school goes into a category, then there are other options in terms of either support locally or a sponsored academy solution.

Q32 Chair: What if they are not in a category? What if there is just low-level disruption? If there is this reluctance, how do we create a system in which there is the self-confidence among professionals to put their hand up and say they need help, in a system that has also made it easier and quicker to get rid of them if they are failing? How do we get the right balance and self-confidence for people to ask for help, if we are going to make this peer-to-peer system, which is attractive as a concept?

Charlie Taylor: One of the interesting things about the peer-to-peer system is that it is not just asking for help locally. That can be quite difficult. If you are a small market town and there two schools, and you are both competing effectively for places, the head in one school is not going to go to the other head and say, “We are struggling on behaviour here.” What they may want to do is go elsewhere. What is interesting about the local leaders of education, the national leaders of education and the teaching schools is that you don’t have to look for help locally. If it is something that you would rather not discuss locally, you can go elsewhere and talk to other people for help.

Q33 Pat Glass: In the Government’s SEN Green Paper, it has signalled that it is looking at the category of BESD, which has changed many times. It was EBD in my day and now it is BESD.

Charlie Taylor: I have not got used to the change.

Pat Glass: This has been around for a long time. The behaviour is the same but the cause of it may be different. It is separating out those children where there is a neurological or mental health cause, so separating out autism, depression, etc., from children with exactly the same kinds of behaviour but who are classified or considered to be delinquent, disaffected, sometimes criminal teenagers, sometimes from disaffected, delinquent, criminal families. Where do you sit on this and on the argument that that area of gangs, criminality, etc., is not actually special needs and should be classified as something separate?

Charlie Taylor: The point here is that we must make sure that, before a child is simply categorised as having behavioural difficulties, there is a thorough assessment to make sure that there is not some underlying issue. In the nursery in my school, we got a lot of children turning up with all kinds of really extreme behaviour—throwing stuff around, biting, kicking and fighting. They are very aggressive and difficult. Actually, by doing a thorough assessment on them, what you find out is that some of them have, for example, a major language disorder or they have Asperger’s and autism. We have to make sure that

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there is a thorough assessment done and we don't just immediately leap to the conclusion that this is all about behaviour.

Having said that, we cannot get away from the idea that there is behaviour. If you said to a teacher, "We are not going to talk about behaviour any more," at the moment that a chair flew across the room, that is behaviour at that moment, so we are not going to get away from behaviour. It is what we see on a day-to-day basis in the classroom. What is important is that we find out what the causes are as early as possible, because often it is symptomatic of something else that is going wrong. If we can deal with those symptoms, then we will get less of the cause.

Q34 Pat Glass: What about the more criminal behaviour? I am talking about teenagers now. Is that SEN or should that be handled separately—gang-related behaviour and that kind of thing?

Charlie Taylor: I think it is difficult to start making distinctions like that. You say, "Okay, you have a child here who has joined a gang and is getting into violence and antisocial behaviour. Therefore, we are going to categorise it as criminal behaviour." It might turn out, and is quite likely to turn out, that child has a special need as well. We know the number of children in prison who cannot read. We know the number of children in prison who have a speech and language delay and disorder is enormous. So it is not unreasonable to keep them within the same area. It is risky to start saying, "You go into that category. You fit in there and you fit over there." You have children who are behaving very badly, they are being very challenging towards the system, so the system needs to find ways to support those children to modify and change their behaviour.

Q35 Pat Glass: You are not in favour of rushing towards a breaking-up of the categorisation of BESD.

Charlie Taylor: My own feeling is that it will stay. There is no point in just inventing another acronym. We must make sure that, before children end up being placed in that category, schools, educational psychologists and other people have done all the thinking around what may be contributing to that behaviour.

Q36 Pat Glass: If you have a child, for instance, who turned up to your school from another school, and you ultimately looked at them and that child got a diagnosis of Asperger's, that would be a failing on the part of the school that the child came from—a massive failing.

Charlie Taylor: It is, but I will give you an example. A girl came to our school who had incredibly annoying behaviours. Every time the teacher's back was turned, she was jabbing people with pencils and that kind of thing. She was incredibly disruptive and very sly. She really put people's backs up and was very hard to like. She was apparently very personable. If you talked to her, she would talk a very good game. She was used to being surrounded by adults in her home life and she was very good at talking to adults. Actually, it was only when our speech therapist did a full assessment on her that we found she could just do

these very glib conversations with adults. Below that, she was functioning below the first percentile when it came to speech and language. So it was a very difficult one for schools to pick up. The point I am making is that I think you need expert advice when you are confronted by that sort of behaviour, just to make sure that it is not something else.

Q37 Pat Glass: We have heard a lot in the Committee about the failings of the CAMHS system. I think we published a report that said it was "scandalous". It has been called a national scandal. Has that changed and, when you were talking to schools, what was the feeling in schools around CAMHS?

Charlie Taylor: There are certainly still concerns out there about what happens.

Chair: Just as this is being broadcast, it is the Child and Adolescent Mental Health Services.

Charlie Taylor: Yes, indeed. There are certainly concerns out there still. The concern sometimes is you get children who are at the extreme end of what schools feel they can cope with in terms of behaviour/mental health—they are often two sides of the same coin—and yet they do not meet the threshold for CAMHS interventions. Therefore, they sit in this hinterland in between what schools can deal with and what CAMHS do. In areas where it is successful, there is no hinterland because the services are very joined-up and work very well, but there is still a concern out there that that is not always the case. One worker described it to me the other day as a gulf in his local area. The picture is varied.

Q38 Pat Glass: I think we were seeing more extreme examples than that. We were seeing children with extreme behaviour who could not get access to CAMHS. We were told that it was not just about a lack of resources in the system; it was about really poor management in the system. You are not seeing any improvement.

Charlie Taylor: I think we are seeing an improvement in the way that people are thinking about this; I have a group of CAMHS specialists coming to see me, next week I think, and I talked to a load of headteachers the other day. It is one of those things: had I stayed in place for longer, it is something I would have got stuck into more. It is this interface between behaviour, mental health and what schools should be doing on the behaviour side, and what health should be doing on the health side. There is more work that needs to be done. The Department of Health is doing stuff on it, but we need to go further on this. It is one of things I am sorry to be leaving in my job.

Q39 Craig Whittaker: Good morning. Your report, as Damian has already said, focuses on attendance in primary schools and has been broadly welcomed. What should the Government do to support secondary school parents, particularly those who have poor attendance and do not qualify as troubled families?

Charlie Taylor: The best schools do a huge amount to support parents. They understand that having good relationships with their parents, having good partnerships with their parents, is often the way to get

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the children more engaged within the system and to be more successful within the school. They do a huge amount, in terms of welfare support or in terms of outreach to parents, in ensuring parents who are reluctant to go through the school gate because of their own experiences of schools feel welcome and part of the school, and that they have somewhere to go and get support. There is that. There are the things that the best schools do in terms of supporting parents. You then have local authority Education Welfare Service, which again can be brought in. I think people think of education welfare as being the stick end of the spectrum. Actually, it starts off as being very supportive and helping parents to get things sorted, to find out what the problem is and to move things on. When things continue to not improve and the school feels they have done everything else, then the Education Welfare Service can take punitive measures in order to ensure that the parents do start bringing children to school.

Q40 Craig Whittaker: So therefore the Government don't need to do anything else?

Charlie Taylor: In terms of what to do—?

Craig Whittaker: My question was: what can Government do to help these families that don't fall into this category? You have just said to us what schools and the Education Welfare Service are doing. I presume from your answer that there is no need for Government to do anything else.

Charlie Taylor: I think this is for schools to do, and the best schools do it incredibly well.

Q41 Craig Whittaker: Government don't need to support these families at all then; it is being done.

Charlie Taylor: I think it is one of these things. For example, with things like the Early Intervention Grant in local authority areas, it may be that local authorities choose to do that. I don't think it is likely that we are going to have a Government policy for the 100,000 families, and then another policy for the families just above that, and another band of policy above that. There are a group of families who don't quite meet the threshold that nevertheless are very challenging. There are social care and school systems in place as well, but I don't think Government can keep having different policies for different tiers of deprivation, effectively.

Chair: Giving the time, which is passing on, if I could ask for short sharp questions and answers, we will get through more material. Thank you.

Q42 Craig Whittaker: The Government has not accepted your recommendation on recovering unpaid fines for poor attendance, through child benefit for example. What reason have ministers given you for not accepting that?

Charlie Taylor: They haven't not accepted it; they are considering it at the moment.

Q43 Craig Whittaker: Children with poor attendance often come from families experiencing, as you said in your report, multiple difficulties. Won't fining parents by deducting money from child benefit risk compounding the issues that they have?

Charlie Taylor: I think the point on this is that this is not where schools want to be. At the moment, we have a system that can be played and be gamed. As any headteacher knows, if you have a punishment and you can get off that punishment, then certain children will try to play the system. That is what happens with some parents: word gets out that this is a system to be played. In order for it to have an effective deterrent effect, which is the most important thing about this, it has to be watertight, it has to be swift and it has to be certain. At the moment, there is too much wriggle-room.

Q44 Craig Whittaker: Aren't we compounding the issue for these families? Obviously a lot of them are incredibly dysfunctional; there are issues around the children, the families and worklessness. By deducting money, which is in very short supply in a lot of these families anyway, aren't we making it worse for the whole family?

Charlie Taylor: I think we are compounding all those things you described by not getting children into school. We know the best way of getting out of poverty is succeeding educationally.

Q45 Charlotte Leslie: You have recommended that the Government should set out clearer standards on the commissioning and use of alternative provision for schools, and that has often been an overlooked area in the education debate. How should this differ from the guidance on commissioning alternative provision produced by the previous Government? What is going to be the main difference?

Charlie Taylor: For starters, it is going to be considerably shorter. At the moment, we are working with Ofsted looking at that to ensure that we have some clear standards about what good looks like and the ways to get to good, but not pages and pages of guidance about how people need to go through that process to get there. "These are the outcomes that we want and this is what good looks like. How you get there is up to you."

Q46 Charlotte Leslie: How should the Government ensure that more schools have effective quality assurance in place for the alternative provision? Isn't there a risk that schools will just not check?

Charlie Taylor: One of the recommendations is about Ofsted, as part of its subject survey programme, looking into the schools' commissioning of alternative provision. If schools think that Ofsted is potentially going to come and look at that, then they will raise their game in terms of ensuring that the commissioning and quality assurance is happening. Also, under the new Section 5 framework, there is an expectation that schools will ensure that children are placed appropriately in alternative provision. Therefore, that twin-track approach from Ofsted will mean that schools can potentially be held to account for sending children to the wrong provision. That is really important because, too often, the most vulnerable children have been sent to low-quality unsafe provision, out of sight, out of mind—the children who end up costing all of us the most in terms of social and financial cost.

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Q47 Charlotte Leslie: You don't think there is a need for a national quality framework structure?

Charlie Taylor: One of the recommendations that we got rid of, which used to be on the DfE website, was a list of all the providers. When you looked into it, there was no real accreditation for it. The danger was that you have a list on the DfE website and, therefore, people think that, because it is there, it has been quality assured by someone. Actually, it had not. What is much more important is that, locally, people make sure that the arrangements are in place and it is being done—whether it is done by your PRU, by your local authority, or by your local teaching school—and that the commissioner, i.e. the school that is sending the child to alternative provision, is making sure that quality assurance process has been done. They do not have to do it themselves, but they have to make sure that it has been done, so they know the place is safe and will be doing the things that they expect of it.

Q48 Charlotte Leslie: I have just one final thing. I want to take you back to the early diagnosis and early intervention that we talked about with behavioural difficulties. Are you satisfied that the Government's SEN Paper does enough to specify the need for early intervention and early assessment, with exclusion as a trigger for that kind of assessment?

Charlie Taylor: The feeling was that the Government did not want to impose the way that schools got to these arrangements. It is obviously good practice that, before you permanently exclude a child, you make sure an assessment has been done. What the Government did not want to do was micro-manage that process within schools, but I think the SEN Green Paper makes it very clear that assessment of need is one of the most important things. If we get it right, then we get the intervention in place earlier, before a special need has dissolved into behavioural difficulties, which is what can often happen.

Q49 Ian Mearns: Good morning, Mr Taylor, and apologies for my lateness; I will serve my penance later with the appropriate punishment.

Charlie Taylor: See me afterwards.

Ian Mearns: To take you back a couple of questions to this issue about withholding child benefit, have you thought about trying to put a deterrent and an incentive in that by, say, withholding child benefit and then paying it back if attendance targets are met?

Charlie Taylor: Yes, we did think of that. To some extent, I was drawn to that idea. The risk, I thought, was that then the system became more complicated. The reason why I went for the recommendation I made is that, at the moment, the system is incredibly complicated and labyrinthine in terms of how you get from A to B. What I thought was essential was that we have a system that is absolutely swift, certain and clear, so that parents, teachers, schools and local authorities understand how the process works. I think what you are suggesting would have made it a bit murkier.

Q50 Ian Mearns: I think part of the problem with the process at the moment is that at the ultimate end of things, the sharp end, magistrates courts get involved. Quite frankly, sometimes after months and months of interventions, parents go to court and get them conditional discharges, when children have missed months of school, or £25 fines. It actually undermines the value of education in society, I would have said, so that needs to be addressed really.

Charlie Taylor: Yes. I could not agree more.

Q51 Ian Mearns: How should local information about alternative provision be co-ordinated in order to avoid duplication of effort by several schools commissioning the same provider? Wouldn't the local authority play a useful organisational role in that?

Charlie Taylor: Not necessarily, because it depends on who in the local authority is doing it. At the moment, if you go to somewhere like Wolverhampton, they do a fantastic job on quality assuring locally; the City of Manchester does some really good stuff in terms of quality-assuring provision. They have people who have time dedicated towards doing that. The risk is that, in another area, there may be no one who really has the expertise or the time. The risk is that you then get tick-box quality assuring, which is not good enough. I did not want to stipulate specifically who had to do it. It is just that the commissioner, whoever it is, has to make sure that somebody is doing it.

Q52 Ian Mearns: From that perspective, how do we go about ensuring that there is an appropriate commissioner in each area?

Charlie Taylor: A quality assurer, you mean. Again that is up to schools locally. If schools are held to account more by Ofsted for the quality of alternative provision and the outcomes for children that they send to alternative provision, then it immediately becomes in their interests to make sure that they are getting someone to do that quality assurance for them.

Q53 Ian Mearns: How should Government go about the duty of increasing the accountability of commissioners, whether they are schools, local authorities or even PRUs themselves? Have you taken advice from anyone as part of your review, for instance Ofsted?

Charlie Taylor: Yes, I talked to Ofsted and our officials are talking to Ofsted now about looking into the idea of having a subject survey, as part of the subject survey process, to look into the way that schools commission and use alternative provision. This is only a very small proportion of the education world and it is very easy to think it does not really matter that much, but in terms of the cost, the impact on these children, and the impact of us not getting it right, it is an enormous cost. It does not feel like much, but it is hugely important.

Q54 Ian Mearns: Do you think there are many children who are in alternative provision that is not regularly inspected by Ofsted?

Charlie Taylor: That should be inspected? You hear stories of some providers that should be registered

with Ofsted that, for whatever reason, have not got themselves registered. If the responsibility stays with commissioners in terms of alternative provision, they must make sure, if someone should be registered by Ofsted because they have five full-time pupils and one looked-after pupil, that is done. They should not send a child to an unregistered place if it should be registered.

Q55 Ian Mearns: I think there is going to have to be somebody at the very top who is going to pull all these strands together and make sure the different organisations are doing what they should be doing, so that everything is covered.

Charlie Taylor: In a way, if you just take all of this back down to the school that is commissioning the place, and say to that school, "You need to make sure that the systems are in place to ensure that the quality of commissioning is good," if that school is held to account for that process, that is where it comes. It comes bottom-up rather than top-down.

Q56 Ian Mearns: You suggest that inspection may provide information about providers to avoid duplication of effort by multiple commissioners using the same provider. If providers are inspected against different frameworks or not at all, how can that work?

Charlie Taylor: Talking to Ofsted about this, they are changing the independent non-sector schools inspection framework, and they are making sure that is much more similar to the Section 5 inspection framework, so that there will be an easy read-across between a school Section 5 inspection and an independent school's inspection as well. They will be much tighter and closer together and, therefore, easier to compare.

Q57 Ian Mearns: The thing that concerns me a little, in terms of accountability and making sure that everything gets done appropriately, is that we are expecting all reasonable people to behave reasonably. The trouble is there is an awful lot of stuff that is going out there that is not right at the moment. How are we going to improve it all?

Charlie Taylor: Again, this comes down to accountability. We in schools are very responsive to Ofsted; we are nervous about the effect an Ofsted inspection can have on our school and on us, reputationally. Therefore, if the inspection regime is shining the light into the right corners of the education world, then that will drive improvements.

Q58 Pat Glass: You have recommended that the Government should look at a payment-by-results trial for alternative provision. People at the National Children's Bureau have raised some real concerns about that and said, "If you have payment by results, there will be a tendency for those children who are less able academically to get into these provisions." We know that headteachers will react to what they are measured on. The Association of School and College Leaders has suggested that we should not necessarily be judging and measuring the outcomes on the basis of just GCSE results, but upon whether children are NEET and, perhaps over a period of time, whether

those children are going through the judicial system or not. How do you think a payment-by-results system would work and would it not have these negative outcomes?

Charlie Taylor: The point of running a trial is to address exactly the issues that you have raised, and the concerns that you have raised are potentially the concerns that I would have: that, for example, people would just pick the low-hanging fruit, the easy wins, and the most difficult children would not get picked up. Therefore, what I am recommending is a trial to look at whether this is something that is worth pursuing—whether this is going to be effective.

What is important here is that it is not really about the providers. It is actually as much about the commissioners really thinking about what they want from the provision. At the moment, too often, it is like, "Oh, we have this kid who is a bit like that and we'll put him over in that provider over there," instead of thinking, "Actually, what do we want from that provider? What are we hoping to get? What can change for this child? How will we know when we have reached success?" To sharpen up the commissioning process, payment by results may be very effective, but it is important that it is done as a trial to make sure that you do not get the unintended consequences that you have raised.

Q59 Pat Glass: You have suggested that the PRUs may be more successful if they were academies. I have a concern about this. I just don't understand it really, and I need to ask the Secretary of State about this later. We have seen the recent Mossbourne decision, where an academy can say, "No, I'm sorry. I am not having that child." PRUs have always been almost the provision of last resort. Would there not be a danger that, if PRUs were academies, they could actually turn some children away, and the responsibility for educating all children would rest with another body, which would be the local authority?

Charlie Taylor: There are two things on that. First of all, there are some children who end up in PRUs who should not be there. If PRUs were turning some children away, that would be eminently sensible. If they were turning back to commissioners and saying, "You know what? It is completely wrong that this child is being sent to this provision," that may be a positive.

Q60 Pat Glass: If that child is permanently excluded, Charlie, what happens to them? I am worried that you are going to have some children for whom there is nothing.

Charlie Taylor: The local authority continues to have responsibility for that child who is permanently excluded. Therefore, they have to find a place for that child. In general, this is where PRUs' core work is going to come from, so I think the idea that they will be willy-nilly turning down children is unlikely, as they simply won't fill their places, because that is the work that they do. There needs to be slightly more equality in the relationship between PRUs and local authorities. PRUs sometimes feel that they are infantilised by the relationship with local authorities

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and are simply told what to do, even though they don't feel that they are operating in the best interests of their children and their local communities.

What I want from that recommendation, most of all, is for pupil referral units, in terms of status, to sit much higher within the education world. Pupil referral unit heads are called "teachers in charge" as opposed to "headteachers", a status reduction. They get budgets that are clawed back at the end of every month. As a headteacher, that would be outrageous to me. They are not allowed to train their own teachers. As a special school head, I am allowed to do that. What we need is for pupil referral units to sit in the centre of education provision, so that they have real status and the best staff within them. That is what we need for these children in order for them to be successful. They need to sit closely with mainstream schools, so there is symbiosis between brilliant teaching in mainstream schools feeding into pupil referral units, and the best of behaviour management and support for these challenging children feeding back into mainstream schools. It is about the status of pupil referral units and ensuring they are up there with mainstream schools.

Q61 Pat Glass: The only way that I can see that working is if you take the legal responsibility for educating all children away from the local authority and give it to the schools in an area. I can see that that would work. Is that something you have thought about?

Charlie Taylor: It is, actually. It is something I have thought about. It is not policy; it is not something that is even in the Department, but it is something I have thought about and something that, potentially, needs to be investigated as a way forward—to find a way of doing that. At the moment, there is no sense that is

going to become policy, but it is certainly something to think about.

Q62 Pat Glass: You have suggested that the regulations around timescales should be looked at—how long a child can stay in a PRU. I am old enough to remember when there was some absolutely disgraceful practice that went on, where children were permanently excluded in infant school and stayed in PRUs until they left at 16, and headteachers just sighed with relief when the child was out, forgetting about them. That changed some years ago. How would relaxing the timescales not lead back to those awful practices?

Charlie Taylor: The way we avoid going back to those awful practices—and I remember them as well—is to ensure there is accountability for what is happening for these children. The reason why we got to those practices, and actually they often still go on because people just break the law, is because there is not enough accountability for the schools' use of alternative provision. If we can improve accountability for schools' use of alternative provision, then we ensure that, if a child is staying in a placement for longer—the old rule was till the end of the academic year—we actually ensure that they are there for the right reasons. Sometimes schools follow the rules religiously on this, and actually children get brought back into school, even though the work has not been completed. There is a risk that the child then just falls out and ends up becoming permanently excluded. You give the responsibility over to schools to make those decisions, but you also hold them to account for those decisions.

Chair: Thank you very much indeed for giving evidence to us this morning.

Charlie Taylor: Thank you very much.

Examination of Witness

Witness: **Mr Nick Gibb MP**, Minister of State for Schools, Department for Education, gave evidence.

Q63 Chair: Good morning, Minister, and welcome to our deliberations this morning. Your expert adviser on behaviour has just been elevated to the new post of Chief Executive of the Teaching Agency. Do you plan to replace him?

Mr Gibb: As you have just seen, Charlie Taylor has been a brilliant expert adviser to the Department, and his various reports have been seminal in the development of policy. The question is how or whether we could replace Charlie Taylor. He comes from a very particular background. He was headteacher of a school specialising in behaviour problems, and it may well be very difficult to replace him. A considerable amount of work has been done in developing our policy regarding improving behaviour in schools, but this is something we have not yet made a firm decision about.

Q64 Chair: He did come from, as you say, that school to being a Government adviser on behaviour. He is then elevated to this position of Chief Executive

of the Teaching Agency. What makes you think he is an outstanding candidate for that post?

Mr Gibb: He went through the usual Civil Service-approved appointment process.

Q65 Chair: That is not always a matter of great reassurance to us, I have to say.

Mr Gibb: You should be reassured by that. There is an independent panel that vets all the applicants and we went through this full process. I think he has experience in terms of running a school, a very effective and successful school, and experience of working in Whitehall for the last 18 months. That combination of experience will be very good. He does believe that teacher training is very important in terms of raising standards of behaviour in our schools. He can bring a huge amount of value added in terms of improving teacher training in this country.

Q66 Chair: What about taking his recommendations forward when he is no longer in post? What assurance can you give us that will happen?

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Mr Gibb: I can assure you it will happen. If we find that it does not, then there may be a case for appointing a replacement expert adviser. A lot of work has been done and, as you see in the letter you received yesterday from Mr Taylor, quite a lot of progress has been made in implementing his recommendations on alternative provision.

Q67 Chair: Yes, we got this letter yesterday and we got these other papers yesterday. It rather inhibits our ability to scrutinise the Government if immediately before a hearing we get papers at a time when we cannot, as a Committee, look at and understand them. Does that not make a mockery of parliamentary scrutiny?

Mr Gibb: It was not deliberate. We are a busy and reforming Department. There are always things that we are putting out and announcing. We felt it was better for you to have this before the hearing than afterwards, but we are always happy to come back.

Q68 Chair: If I could make a request as gently as possible, we would like to have the information, but we would like to have it at a time when we could make effective use of it. That would be enormously helpful.

Mr Gibb: Your point is well received.

Q69 Chair: Excellent. The Committee recommended that you collect more data on behaviour in schools and that this data should be complemented by survey data from teachers, pupils, parents and carers. That is what we recommended in our original report. In the Government's initial response to the Inquiry, you rejected the idea of collecting more data. Why did you make no mention in your update of the fact that your research division was conducting a substantial piece of work on behaviour in schools and that, in addition, you commissioned a survey of pupil behaviour among teachers? Was that an oversight? Does the left hand not know what the right hand is doing? What is the explanation?

Mr Gibb: You have to keep these answers relatively succinct, and we don't want to be going through everything that the Department is doing in every detail when we are responding to these reports, but the important point is that we don't want to burden schools with extra data collection. Already, we are actually asking for more extensive data on things like pupil attendance. We are moving that lower down the school age to reception class. There is plenty of data on permanent and fixed exclusions and the reasons for permanent and fixed exclusions. Ofsted produce a huge amount of data.

As a Government as a whole and as a Department, we are now publishing far more data that used to be kept secret by the Department. This is now available to the public and also available to researchers if they want to drill down into the information that we publish on the performance tables and on the website.

Q70 Chair: We think it is important that parliamentary scrutiny takes place, that it is taken seriously by Government, that responses, which Government are obliged to provide, are provided on

time—which has not always been the case—and these are also carefully put together. It seems very odd, when we make specific requests for information about behaviour in schools, that there are two major pieces of work going on within the Department, and either the person who wrote the response did not know about it or, for some peculiar reason, did not declare it. That is odd, isn't it? It was not tangential to what we were talking about.

Mr Gibb: Maybe it was slightly tangential because, when you are talking about data collection, that is slightly different, as a concept, from research. There is a huge amount of research taking place in the Education Standards Analysis and Research Division of the Department. It is different from the concept of collecting data from schools, and we are very anxious not to be piling this onto schools. In fact, we are taking a number of data collections away from the system so that we can free up professionals to do what we actually pay them to do, which is to teach in our schools.

Q71 Chair: Our understanding of what you were doing would have been much helped if you had said, "We don't want to impose more data collection on schools for these reasons, but what we are doing is collating existing data, bringing it together so that we can have a better understanding and, in addition—as you have suggested there should be more survey data—we are, in fact, carrying out precisely that, namely a survey of teachers." None of that was in the answer. If we cannot trust the answers Government gives us to recommendations made in a formal report of this Committee, it rather does undermine confidence in the process altogether or, at least, the Government's part in it.

Mr Gibb: That is my fault. I took that question to be about data collection, not about research, but your point, again, is well taken and will be passed back to others.

Chair: Excellent. Thank you for that progress.

Q72 Neil Carmichael: Good morning, Nick. You certainly have a very busy Department. It has a huge task—to make the Education system fit for purpose—so keep on going, so to speak. One of the reforms you have mentioned is the welcome one about GCSEs. In formulating that policy, have you considered the impact it might have on children in the behavioural area of difficulty?

Mr Gibb: What aspect do you mean? Do you mean the end of modularisation and spelling and punctuation?

Neil Carmichael: Basically, have you been thinking about the impact on those who have less academic ability or are in areas of behavioural difficulty?

Mr Gibb: Yes, we have. We have a statutory duty to assess the equality impact of all of our policy developments. Of course, when we are producing a new curriculum, when we are producing a higher quality, world-class qualification, we always have to consider—and we do consider—the whole range of abilities, both the high end of the ability range and also the children who are less able or have special

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needs. They are upmost in our minds as we are developing those policies.

In terms of behaviour, I think that the approach the Government is taking, both with regard to qualifications and the curriculum, will improve behaviour. One of the conclusions of the Commission on Social Justice report about exclusions was that, for a large number of children who are excluded, often it is because they cannot cope at school and their reading is an issue. Our focus is on getting reading right in those early years of primary school. The phonics check, which all six-year-olds took last week, will identify those children who are still struggling with the mechanics of reading. All those are geared to ensure that children leave primary school as fluent and sophisticated readers, so they can then succeed when they attend secondary school and do not go down this route of being excluded and having problems.

I think that everything we do—to answer your question—is geared towards ensuring that we close this attainment gap in our system between those from wealthy and poorer backgrounds and, indeed, for those with special educational needs.

Q73 Neil Carmichael: What about the idea of having two basic exam systems to replace GCSEs? What evidence have you got that will help or, at least, not hinder people with less ability?

Mr Gibb: The approach that we are taking in raising the quality of our GCSEs is first of all to get away from this problem with the exam boards, on account of competing with one another for market share. Secondly, we want to make sure that our qualifications are on a par with the qualifications taken in the education jurisdictions that have the highest performance. That is the key driver of our policy. In fact, if you look at those countries, a vast majority of people take those qualifications, and I am determined, whatever qualification we decide that we will have for 16-year-olds in this country, that the vast majority of pupils will take those exams. Now, it may not be that they will take them when they are 16. It may be that some children who are less able may need another year or two years or three years.

Talking about a two-tier system, I want us to get away from a two-tier system. Half of young people leave secondary school not having achieved a C or higher in both English and maths. We have a two-tier system now: those with English and maths and those without English and maths. We need to get more young people, as Professor Wolf recommended, leaving school with a sophisticated level of mathematics and literacy.

Q74 Neil Carmichael: Thank you. In an answer to my earlier question, you talked, quite rightly, about the important of English and maths being taught in primary schools—that is certainly something that I see flagged up prominently in the primary curriculum proposals—but in a situation where some children are struggling with maths and English at primary level, how are teachers going to find it easy to maintain enthusiasm for them to carry on with that struggle and then eventually become competent in English and maths?

Mr Gibb: That is a matter for the profession, and we have a cohort of some of the best teachers we have had in this country in our schools, and we are giving teachers more scope to exercise their own professional judgment. The draft curriculum that we have published looks very detailed, but that is in English, maths and science. What we are getting away from is the idea that central Government, the Department, will provide curriculum for every nuance and every single minute of the day, in every single pastoral and non-academic subject as well as those core academic subjects.

We do trust the professionals to exercise their judgment as they see fit, but we, as policymakers, want to make sure that all children leave school with those skills in mathematics and arithmetic and are fluent as readers. That is really the imperative we are setting down. We are diverting increased resources to schools through the pupil premium. These are significant sums of money: £2.5 billion by 2014–15 and £600 at the moment for every pupil eligible for free school meals in our schools. This will help schools resource themselves to ensure that all those children who are struggling master these skills. You will not close the attainment gap unless we are absolutely determined that every youngster will leave primary school being able to read fluently and competent in arithmetic.

Q75 Neil Carmichael: That is absolutely right, and thank you for that answer because it certainly chimes with what I think, but, last but not least, are you certain that there will be a sufficiently wide breadth of curriculum at primary school as a result of these changes?

Mr Gibb: Yes. On 11 June, when we published the programmes of study, we also announced that all of the existing subjects that are compulsory in the National Curriculum for primary schools will remain compulsory. We are not changing that. Those schools that are successful in the core subjects are successful in those subjects because they have a broad academic and non-academic curriculum. That is how you get the results in those core subjects. You do not become literate if you do not know anything about history or geography. Also, of course, we are bringing in compulsory languages from Year 3 to Year 6 as well.

Q76 Ian Mearns: Good morning, Minister. Last Thursday, the *Daily Mail* reported that it had seen fairly detailed proposals for significant reform of GCSEs. First of all, from your perspective, was what they reported true? Secondly, can we see what was actually leaked to them, please?

Mr Gibb: The Department has a policy of not commenting on leaks, and I adhere to that, wisely, but I can tell you what our thinking is. Our thinking is that we want to have, at the age of 16, world-class qualifications that are on a par with the best in the world—with countries whose youngsters will be competing for jobs in the global market with youngsters from this country, school leavers and graduates. That is what we have to do. We have to make sure that our qualifications are on a par.

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If you look at some of the qualifications around the world—for example the Singapore O-level, which, actually, is created in Cambridge and sold to Singapore—you can look at the content of that and see how it is assessed and say, “This is a very high-quality qualification.” There are others in other countries, and we need to make sure that this country has qualifications that are on a par with those. That is what we are trying to achieve. That will, itself, ensure that schools are delivering the kind of education that will equip young people to take and pass those particular qualifications, and that is the purpose behind this policy.

Q77 Ian Mearns: I understand you will not comment on leaks and whether something was leaked, but, from your perspective, would you say that the *Daily Mail* report was a fair reflection of ministerial thinking?

Mr Gibb: I have just told you what the ministerial thinking is. It is about world-class qualifications, and I personally believe that we need to get the vast majority of children ready for those qualifications and successful in those qualifications, if not at the age of 16. This is the new thinking. Why is it that, as Professor Wolf reported in her excellent report on vocational education, a very small percentage of young people who fail to get a C in maths GCSE or English GCSE then go on to take them again at 17 or 18? It is a very small proportion, and we believe very strongly that these absolutely are the baseline qualifications that open up opportunities for young people. The same applies to a world-class qualification. If they are not as academically gifted as those that can achieve this qualification at 16, why not give those people more time—to 17, 18 or even 19?

Q78 Ian Mearns: You need to be very careful, because I grew up and I did O-levels at school, and I remember many youngsters who I went to primary school with actually did not pass the 11-plus and were then given a menu of CSEs, which many of them found virtually useless in the labour market.

Mr Gibb: I don't disagree with that, but if you look at the current GCSE system and the two tiers, the foundation tier and the higher tier, if you take the foundation tier, the highest grade you can get in ordinary circumstances is a grade C. I don't really see how that is any different from that system. I am not in favour of the current system.

Q79 Chair: How many people take these foundation tier GCSEs?

Mr Gibb: As came out of the debate yesterday—indeed, we have tried to get these figures ourselves—it is very difficult to find the precise numbers and we have tried with the—

Q80 Chair: So the Government is proposing a fundamental change to our education system with no idea of how many people are taking the lower tier examinations that form part of their argument for getting rid of it.

Mr Gibb: It forms part of an argument against those that are worried about a two-tier system. What I am saying is that there is already a two-tier system. Our

policy development is about putting our qualifications on a par with the best in the world. That is what we are designing.

Q81 Chair: Do you have any idea? Is it 5%? Is it 25%? How many people are taking these?

Damian Hinds: Yes, we do have an idea. You know a range, because you know how many people got a grade—

Chair: We can only take evidence from witnesses, not from other members of the Committee.

Mr Gibb: We don't collect this data centrally, so we don't have this information

Chair: We have no idea at all. It could be 1%, for all we know.

Damian Hinds: It cannot be 1%, Chairman.

Chair: Sorry, we will take evidence from the Minister and from no one else.

Q82 Alex Cunningham: Singapore is being held up as this great example. As you know, some of us have been there and their examination system is attractive to the Government, but their education system is brutal. It sees children arrive at eight in the morning. They have extra lessons in the afternoon. They then go to private tutors. Their education day can be 10 to 12 hours. Is that really what we need in Britain in order to drive up standards? Do we have to be as tough on our kids as they are in Singapore? It is all very well having a great exam system, but if you don't have the same mechanisms in place, how do we ever achieve what the Government are aiming for?

Mr Gibb: We don't know necessarily that you have to have that to achieve the standards in the world-class qualifications.

Q83 Ian Mearns: So Singapore has it wrong?

Mr Gibb: No. The approach that other countries take in terms of their society and the approach they take to education is a separate issue from the qualification itself. We have a different approach from Singapore to how we teach our children. That does not mean to say that our system is delivering less success academically, provided we challenge ourselves sufficiently.

Q84 Alex Cunningham: We are being told all the time that we are way behind Singapore in these league tables. Are these league tables just meaningless?

Mr Gibb: No, that may not be because of our societal approach and our approach to education. That might not be the cause of it; the cause of it might be that we have a curriculum that is not demanding enough and we have a GCSE system that is not demanding enough. That is the issue. I believe very strongly that we have a cohort of very capable teachers. I believe our youngsters in this country are no less capable than the youngsters of other countries, and so they are perfectly capable of achieving the results that the highest-performing jurisdictions are achieving, within our own culture and our own approach to education.

Q85 Damian Hinds: Just for the avoidance of doubt, on the proportion of children taking foundation level GCSEs, it is regrettable that the education system does

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not know and apparently has not known for years gone by what proportions take both, but from numbers that this Committee has analysed on our just-completed report we do know that it cannot be as low as 1% or anything remotely close to it, as, indeed, any conversation with most teachers would confirm as well.

On Singapore, there are many things, of course, that Singapore does differently from this country, for example with regard to the laws on chewing gum, which we would not seek to follow either. I wanted to ask the Minister, other than Singapore, which obviously comes up a lot, when we were doing at our E-bac inquiry we found it dashedly difficult to benchmark what was happening in other countries around the world, including from studies that purported to show what other countries around the world do. We looked into them in more detail and it was rather difficult to divine. Other than Singapore, what are the main countries or states or provinces that you have focused on?

Mr Gibb: The purpose behind the policy is to invite people, countries or exam-awarding organisations to submit proposals set against a list of criteria, and we are very clear. I am pre-empting the consultation document that we will be publishing, but the concept behind the policy is to say, “Here are some criteria that we believe our qualifications should meet,” and then to invite awarding organisations to present what they believe is a qualification that meets those criteria, and then, rather than choose the qualification that will get the widest market share in schools, we can select the qualification that best meets those criteria and is actually more challenging than others in the competition.

Q86 Damian Hinds: Apart from Singapore, who do you see as the role models in the world? We hear about Finland and Alberta, Canada in other contexts, for example. In terms of examinations are those also jurisdictions we look to, or is more about Germany and the US and so on?

Mr Gibb: That is what will come out of the system. You cite countries that are high-performing jurisdictions, and the difference between some of them is that they are not English-speaking, so there can be issues there, but we will see what comes out of the competition process.

Q87 Damian Hinds: On vocational education and training, the Government has accepted the Wolf report in toto. In response to this Committee, the Government response said that it aims to “achieve high quality vocational pathways that are engaging for pupils and are as well respected by further and higher education and employers as more traditional academic routes”. Can you give us some more flavour about what would count against that definition in terms of what we currently have and where you think the biggest gaps are?

Mr Gibb: Sorry, are you talking about vocational qualifications?

Damian Hinds: Yes—in terms of developing or retaining high-quality vocational routes.

Mr Gibb: In terms of the Wolf process, she was very critical of the proliferation of vocational qualifications in schools and the equivalence process that had led to too many young people being persuaded to take courses and qualifications that gave the school very high GCSE equivalences and pushed the school up the performance table, but were not necessarily in the best interests of those young people. She set a set of criteria, and all of the vocational qualifications that are taught in schools have been measured against those criteria, and 96% of them failed, essentially. That still leaves 4%, 150 qualifications, that will count towards the performance table score for those schools.

Now, the other qualifications can still be taught in schools, and it may be that a particular vocational qualification is suitable for a particular child’s needs. Our policy is that schools should continue to teach that qualification if they think it is in the child’s needs and to sacrifice the fact there is no GCSE equivalence in the performance tables. Schools are there to ensure that children are taught properly. The other thing she said about pre-16 is that children should not be spending a disproportionate amount of time on vocational qualifications. She set a tariff of no more than 20%, because she still believes—and I agree with her—that a core, rounded academic education is important for all children pre-16. Then, post-16, of course, there is less pressure.

In terms of routes, there is the apprenticeship route; we are improving the quality of that. We have the UTCs, the University Technical Colleges, which are providing a very high-quality vocational education from the age of 14 and, again, they are not sacrificing the academic side. It is 60/40 up until 16, and then that is reversed post-16. I think there is a range of routes, but we want to make sure all of those routes are very high quality.

Q88 Damian Hinds: One of the ways in which vocational education and training comes up in relation to the behaviour and discipline debate is as a way keeping young people engaged. I wonder whether that might be part of the problem. This sometimes gets thought about in terms of how to keep young people engaged, rather than in terms of what is important for the future economy, working back and designing from that a course that will work. How do we or how should we ensure that employers are more involved in the design of those qualifications?

Mr Gibb: That was something that, again, Wolf recommended. She wanted to be sure that they were involved. That is how you ensure you get the quality, but I take the point about this engagement. Sometimes, there is a patronising attitude to a section of young people, who are disaffected for a variety of reasons. I sometimes believe that disaffection can be caused by trying to make things “relevant”. What they do not want is relevance; what they want is to be taken out of humdrum lives. I know my life is pretty humdrum most of the time, except now, of course—it is very exciting right now—but that is what intellectual life is about. It is about reading about far away countries and the past and so on.

Actually, if we can get children so they are able to do things, if they can master arithmetic and are fluent

readers, if they have read a lot of history and a lot of geography, if they understood the basics of science, I do not think they would be as disaffected as they would be if they are fed a relevant curriculum about the geography of Corby and all of the technology they need in their ordinary lives. I think it is sometimes wrong.

Q89 Damian Hinds: What do you think is the ultimate potential of UTCs in terms of numbers of locations and young people?

Mr Gibb: Different people have different ambitions. Lord Baker is very ambitious, and good on him for being so. He is being phenomenal in the leadership he has provided for UTCs. We have said we want there to be 24 by the end of the Parliament. There are two open so far and there are 32 within the pipeline. I think we look very on-track to meeting our target, and it may well be that some of Lord Baker's ambitions are fulfilled and we go beyond that.

Q90 Damian Hinds: Another thing Lord Baker talks about is 14 being a good time to specialise. Without inviting you to say something specific—and I understand that you would not on this question, anyway—given the raise in the participation age to 18, do you think ultimately, in, say, 20 years' time, we will still be having exams at 16 and 18 and the key school decision point being at 11, or will that look rather different?

Mr Gibb: No, I don't agree with Lord Baker on that point. I do think 16 is a good age. I think it is a mistake to specialise too early and, in fact, the evidence from around the world is that specialisation is taking place later, not earlier. I think 14 is too young to make a decision about a future career for most children. There will be youngsters who know they want to go through the technical route, and that is what the UTCs are there to help, but they are not doing so at the expense of an academic curriculum, so if they have made a mistake, they have got that academic curriculum behind them as well. I do think in 20 years' time we will still have an exam at 16. I think it is very important that we educate our young people so that they are equipped, whether they leave school at 16 and go into work-based training or whether they continue on in an academic or technical education, with an academic education up to the age of 16 that is as broad as possible and as thorough as possible, because we are living in an increasingly technical and demanding age.

Q91 Craig Whittaker: Minister, good morning. The Government has been quite critical of behaviour in schools—in fact, so much so that we put legislation in place only last year. But Ofsted's recent figures show that 79% of schools are coming through as being good or outstanding in this area. Why is there a discrepancy between what the Government thinks and what seems to be reality?

Mr Gibb: I think we are having a more focused approach to Ofsted inspections with the four core gradings in the quality of teaching, attainment, leadership, and behaviour and safety. That may well mean we are spending more time looking at behaviour

in schools in future inspections. But to back up your question, a survey came out—I think it was yesterday—showing that more than 3 out of 4 teachers said that standards of behaviour were good or very good in their schools, which tallies with that 79% Ofsted figure. That same survey also says that 60% of teachers felt that negative pupil behaviour is driving teachers out of the profession. There is a problem still to tackle.

I think bullying is still a problem in schools, which I think is closely associated with the quality of behaviour in schools. I think we have more work to do to make sure that every school in the country, not just a percentage, has exemplary behaviour, so children can feel safe in a school environment, so they can be happy in a school environment, where they are free to learn and they are not subject to the kind of bullying that can lead to very tragic outcomes.

Q92 Craig Whittaker: 79% good or outstanding in one discipline—and if I got 79% in most of my exams at school, I would have been ecstatic—is quite a good figure, but yet we seem to be particularly focused on it going forward. I just don't get where the discrepancy is between what Government thinks and what seems to be happening in the field, which is quite a good result.

Mr Gibb: Taken at best, that figure means that one in five schools is not, and if you were a child at one of those one in five schools—there are 23,000 schools; divide by five and you will come up with a figure—life in those schools is hard. There is that, and that is taken at best. Then if you also consider that we have having a more-focused inspection process where behaviour is a quarter of the grading, then it may well be that figure is not sustained into the future. Raising the bar means that we have a tougher view about what constitutes good behaviour in schools. I think there is a case for raising the bar when it comes to behaviour in schools. Certainly, parents are concerned and, also, pupils are concerned about behaviour in schools, because they are the people that suffer. Of all the categories of stakeholders when it comes to schools, it is pupils who are most anxious about the behaviour of other pupils in their school.

Q93 Pat Glass: Good morning, Minister. We have seen and we have heard from Charlie earlier about his behaviour checklist, which I think has some very good stuff in it, but it does not differ greatly from many other checklists that I have seen over many years. There is a very great difference between producing a checklist and teachers and headteachers actually using it. You did talk about a directory of good practice. What is the Government doing to ensure that this is actually happening in schools?

Mr Gibb: It is a good question. The directory is pretty extensive in terms of the research that we have carried out, but the whole direction of travel of the Government in terms of CPD is to bring it down to the school level, peer to peer. The best continuing professional development is teachers learning from one another, and that, really, is what lies behind the teaching schools policy, and we intend to have 500 teaching schools by the end of the Parliament. There

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are about 218 so far. These then form alliances of schools in the area. That is about spreading best practice, and there are some schools that have made a virtue of their behaviour expertise. Schools like Ashton on Mersey School in Trafford are doing a lot of research into this area and spreading best practice as a teaching school. There are other examples of schools that are doing this. That is what we need to try to do. What we do not want is for us in the DfE to start sending out lever arch files full of case studies about how things should be done, other than this nice lever arch file on research.

Q94 Pat Glass: Despite what the Government says, headteachers tell me that there are more pieces of paper coming out from this Government than ever before. There is the checklist. We have got Ofsted. We have the Government having concerns about behaviour, but there is nothing in between to see whether this is being adhered to or whether teachers have time to look at your directory. Are you entirely reliant on what Ofsted tells you?

Mr Gibb: Again, it is all about accountability. The accountability regime for schools now is much stronger than it has been in the past. Headteachers know that a quarter of the elements of the Ofsted grades were based on behaviour; we trust headteachers, as professionals, to ensure that their teachers are well qualified, that they are well trained, and that they have continuing professional development in their schools.

I do not think you can devise a system where there are 23,000 schools and all these things develop from the centre. We have to be able to trust the professionalism of teachers, and that does put an extra burden on the profession. I think that is really what teachers are complaining about, rather than the quantum of paper. I am sure we have reduced the quantum of paper. What we have increased probably, certainly in these initial phases, is the amount of reform that we are undertaking. I do understand that does put pressure on teachers and on headteachers, but I think the reforms we are introducing are very necessary.

Q95 Pat Glass: In advance of this Committee hearing, I did ask quite a number of teachers I know about this, and most of them had never heard of it.

Mr Gibb: Do you mean the checklist?

Pat Glass: Yes, of the checklist. Is there any point in doing it if nobody is actually checking that it is changing practice in classrooms?

Mr Gibb: I do accept some criticism about communications. We stopped the daily missive to headteachers from the Department in order to prevent the deluge of paper. We felt, as a consequence, our emails were not being opened; people were not looking at them. We could be criticised, therefore, for going too much the other way. We have a beginning-of-term, back-to-school email that sets out all the reforms that have just been introduced or are about to be introduced and there are timelines attached to that, so if headteachers are opening those emails and then disseminating them to teachers in the school, they should have all this information. The problem is that

we are dealing with a legacy of too much information coming out from the Department and they are ignoring it. I don't know how much information your whips send you.

Pat Glass: I read every piece.

Mr Gibb: I am sure you do, but if they sent out too much, you would start deleting it and not reading it. That was the position with communications from the Department. We have got away from that. You could argue that we are not sending out enough, but we are doing these back-to-school emails, periodically rather than weekly.

Q96 Pat Glass: You have told us that the Government has designated 150 specialist leaders in education, specialising in behaviour and attendance or SEN. How many of those 150 have expertise in behaviour and attendance?

Mr Gibb: That is how they become specialist leaders in education; that is the purpose behind them.

Q97 Pat Glass: The question I am asking is what proportion have expertise in behaviour and attendance, versus SEN.

Mr Gibb: I see. I don't have the split. If I get it while we are debating, I will pass it to you; if I don't, I will write to the Chairman.

Q98 Pat Glass: Under this year's scholarship, if you talk to headteachers the one thing they are concerned about is behaviour. How many teachers this year will be undertaking the advanced scholarship in behaviour, or BSED?

Mr Gibb: Again, I will send you that figure. You are talking about the National Scholarship Scheme, which is a grant of up to £3,500 to enable teachers to enhance their subject knowledge and also, indeed, that of special education needs.

Q99 Pat Glass: If you are going to give me those figures, could you also give me the proportion of all scholarships, so we can see that? Behaviour is supposed to be the biggest concern of headteachers, but how many and what proportion of teachers are they allocating towards that?

Mr Gibb: I will give you those figures; we do have them.

Q100 Chair: Going back—if I may, Minister—to the issue of reform of exams, to what extent has your thinking been influenced by the work that Ofqual has done on international comparisons? I think mostly they have concentrated on A-Levels so far, but now that they have a statutory duty they have started a lot of work in that area. Has Ofqual been a major player in pushing you to look to do the reforms that you have in mind?

Mr Gibb: They have produced some very good research and we have continual meetings with Ofqual, with the researchers who conducted the international research on A-Levels. Also, the Department itself conducted an extensive survey of the international evidence for the National Curriculum review, and that was published in December last year, so that has also influenced our thinking about international examples.

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Q101 Chair: Are we going to keep the GCSE name? Are we going to have the O-level name like Singapore? When anyone asks about this, we hear, “Singapore, Singapore, Singapore.” They have O-levels and they have N-levels; are we going to have O-levels and N-levels?

Mr Gibb: Well, what we want to have is world-class qualifications.

Q102 Chair: I understand that. I understand the rationale for it and all of the other stuff. I have heard the critique of what has been wrong before and I have heard the picture of where we would like to be. I would like to know more about the roadmap, Minister, from A to B.

Mr Gibb: The nomenclature is a side issue, and it will be the end of the process of the competition. The key thing is making sure the exams taken by our 16-year-olds are on a par with the best in the world, and that is what process will deliver.

Q103 Alex Cunningham: You can always say you don’t know quite what you are going to call them.

Mr Gibb: Well, we don’t know.

Alex Cunningham: Thank you.

Mr Gibb: It will depend on which exam, qualification and awarding body is selected under the very rigorous criteria that will be set.

Q104 Chair: And when will we know the proposals? When will they formally be presented to Parliament?

Mr Gibb: Soon.

Q105 Chair: Is that before the recess?

Mr Gibb: Soon is the answer that I am delivering very candidly to you.

Q106 Chair: I hope it will not be so soon that you don’t have time to reflect fully and deeply and broadly—and all of those other words—on our report, which will come out on Tuesday, on the administration of examinations, which I am sure you would find useful and helpful in your considerations.

Mr Gibb: Yes, indeed. We do want to do that.

Q107 Ian Mearns: Briefly, I think the whole world would find it useful if any consultation was not actually conducted over the summer months, because the world of education is not renowned for being on top of its game during the summer months in terms of responding to consultations.

Mr Gibb: I accept that point and we have given a commitment to consult very widely and fully on this issue.

Q108 Charlotte Leslie: I want to turn to exclusions. When we had Sarah Teather here talking about SEN and the Green Paper I asked her about an assessment for exclusions, whether permanent or temporary, as a trigger for an assessment of children, so that when someone is misbehaving you don’t just say, “Naughty child,” but you begin to ask what might be wrong. She responded that the exclusion of the child would be incentive enough to ensure that schools wanted to assess their pupils before they excluded them. Do you

think that is the case and do you think there is a case for a mandatory kind of assessment, whether it be a specific assessment of SEN or a more general assessment, before a child is excluded?

Mr Gibb: The revised guidance that we have sent out does make it clear that this should be practice; if a child is being excluded frequently, then good practice would be to ensure they did have a multi-agency—in the jargon—assessment to make sure that any special needs they have are being picked up, but I think I would counsel against making these things mandatory. One of the dangers of doing so is it becomes a tick-box exercise and therefore loses its real value. Also, there may be children in the school who do not demonstrate behavioural problems but who do need that multi-agency assessment. You may end up with a process that only triggers that assessment once behaviour starts to go wrong. All of the resources could be used up on that. I think it is better, again, to trust the judgment of professionals, but that is enhanced by the guidance that we have issued about exclusions.

Q109 Charlotte Leslie: Do you foresee there being any checks and balances in place to see whether schools are actually doing this, which schools are doing well at this, to be able to provide models of best practice at all?

Mr Gibb: These are the kinds of issues that will come out in an Ofsted inspection. If a school is over-excluding, then I think that will be revealed by what Ofsted sees. There is also the independent review panel process that does give parents the right to appeal exclusions, and if a school is demonstrating a lot of appeals against its exclusions that is an indication that something is wrong. We are conducting an evaluation of that system of independent review panels as well.

Q110 Charlotte Leslie: That feeds into my next question. One of the things that came out of the session we had was the accusation that academies were disproportionately excluding children with SEN. Will there be a special monitoring of exclusions, particularly of academies, either to put that accusation to bed or to highlight it if it is going on?

Mr Gibb: In terms of general exclusions, the evidence, really, does not bear that out. There is evidence that some academies that have taken over from failing schools have had, initially, large exclusions as they have tried to grip some very serious behavioural problems in the school, but once they have been operating for a period they settle down to the same exclusion levels as other schools.

I think you do make a good point about ensuing that the system as a whole is not over-excluding children with special educational needs. That is something that we do need to monitor at a policy level. You monitor that for all kinds of information: correspondence, complaints.

Q111 Charlotte Leslie: Moving on to the exclusions trials, are you able yet to tell us a bit more about how they are working and how what schools’ reactions are? Is the funding they are receiving sufficient? Are

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they able to commission and place their children in the best possible way? What feedback are we getting?

Mr Gibb: So far we are at the early stages. The trial started in September last year in a number of authorities. I think they are Darlington, East Sussex, Hampshire, Hartlepool, Hertfordshire, Lancashire, Leeds, Middlesbrough, Redcar and Cleveland, Sefton, and Wiltshire. There is an evaluation going on now and I think we will have some first reports from that evaluation early next year.

Q112 Chair: On the money, what solution have they used in the pilots? On the one hand you could say the school is given a lump of money on an annual basis, which I assume it has to save up until it has exclusions, so it comes out of its own budget, or you give it money separately every time it makes an exclusion, which would seem to create a perverse incentive, potentially, to exclude. What have they done on the money?

Mr Gibb: It is a matter of local negotiation. That is how it works. I suspect that if a school was not happy with the negotiated settlement then they would not proceed with the trial. Each school will negotiate with the local authority. The local authorities that have participated in the trial have done so voluntarily. This is not a sample.

Q113 Chair: I just wanted to understand how they had worked their way through that particular problem.

Mr Gibb: It will be by negotiation, so it will be an element of their funding that they retain that is spent centrally, by the local authority, on providing alternative provision. That money will go to the school. There is no formula for it; it is just local negotiation.

Q114 Chair: On the issue of exclusion, Charlie mentioned earlier that he had given some thought—outwith the Department; he was very clear on that—to the idea of the duty to find a place to every child going somehow to the school system rather than the local authority, because with PRUs becoming academies as well, I know a local case of a child who is rather bouncing around the system for a series of complex reasons, failing to get a place where anyone thinks the child should be and the schools are saying no. If the PRU is saying no as well because it is an independent outfit, how are we going to ensure that we do not have families and children up in the air? Assuming we find a place for them at the last minute, how are we going to ensure that they do not go through that period of long uncertainty and end up at somewhere that is inappropriate because somebody fulfils their statutory duty and it is the only place they can find where they can stick the child?

Mr Gibb: Nothing we are doing in terms of reform will change the duty of Local Authorities to find a school place for those young people. I believe that our reforms, once they are embedded, should lead to that happening less because the survival of alternative provision will depend on the demand for places in those units in that alternative provision, so I think they will be competing for these pupils, not trying to keep them away.

Q115 Pat Glass: Minister, demand always outstrips supply in this area—always.

Mr Gibb: Yes, at the moment, but we are opening up the system for new providers to come in.

Q116 Pat Glass: You are bringing new providers in?

Mr Gibb: New providers are coming in under the free school system and so we are determined to raise the quality of alternative provision. It has to rise. We cannot have a system where only 1.4% of your people who are educated in pupil referral units and alternative provision are achieving five GCSEs A* to C, including English and Maths, compared with the national average of nearly 60%—1.4% cannot be right. That is what is driving our reforms: more provision and more diverse provision.

Q117 Pat Glass: I absolutely agree with that, but I just don't understand how what you are doing is going to improve that. In an area like mine, in my constituency, I have five secondary schools, three of which are academies. If a child is excluded and the PRU is an academy and decides it is not the right place, geographically it would be impossible for that child to go to a school and I just don't understand how that is going to improve anything for that child.

Mr Gibb: Please, repeat the question again; I don't understand how that differs from the position at the moment.

Q118 Pat Glass: I have a huge constituency. Three of the local schools are academies. If the PRU becomes an academy, a child is excluded and the PRU decides it is not the right place, geographically it is almost impossible for that child to go to school.

Mr Gibb: Yes, but the PRU could now decide not to accept the child, and my contention is that because the PRU's funding will depend on them having pupils they are more, not less, likely to accept the child.

Q119 Pat Glass: I think it is going to lead to more children out of school for a longer time.

Mr Gibb: These schools are developing a specialism in this area. If they get a reputation for excluding, not accepting people, they are not going to have the confidence of the schools in the area. I just don't believe that—

Q120 Pat Glass: There are an awful lot of "ifs" in here, Minister.

Mr Gibb: Yes, but I think it will work. I think this is the right approach and will lead to more places being available and higher quality of education.

I have been able to miraculously remember the numbers of specialist leaders of education who have so far been designated with a specialism in behaviour and so far it is 65, but I will come back to you on the issue of scholarship.

Q121 Chair: Thank you. You are going to keep this under review. It is obviously a serious issue about ensuring that we do not have systemic changes which lead to albeit a small number of children finding themselves in a difficult place.

27 June 2012 Nick Gibb MP

Mr Gibb: Yes. If that does begin to happen then the direction of policy will have to change to stop that from happening. That is not the intention behind the policy; therefore, if that is the outcome of the policy, the policy will be changed to ensure it does not happen.

Chair: A very fair answer. Thank you very much for giving evidence to us this morning.

Mr Gibb: Thank you very much.

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