House of Commons
Education Committee

The role of Regional Schools Commissioners

First Report of Session 2015–16

HC 401

House of Commons
Education Committee

The role of Regional Schools Commissioners

First Report of Session 2015–16

Report, together with formal minutes relating to the report

Ordered by the House of Commons to be printed
13 January 2016

The Education Committee

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

Current membership

Neil Carmichael MP (*Conservative, Stroud*) (Chair)

Lucy Allan MP (*Conservative, Telford*)

Ian Austin MP (*Labour, Dudley North*)

Michelle Donelan MP (*Conservative, Chippenham*)

Marion Fellows MP (*Scottish National Party, Motherwell and Wishaw*)

Suella Fernandes MP (*Conservative, Fareham*)

Lucy Frazer MP (*Conservative, South East Cambridgeshire*)

Kate Hollern MP (*Labour, Blackburn*)

Ian Mearns MP (*Labour, Gateshead*)

Caroline Nokes MP (*Conservative, Romsey and Southampton North*)

Kate Osamor MP (*Labour (Co-op), Edmonton*)

Powers

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

Publication

Committee reports are published on the publications page of the Committee's website and by The Stationery Office by Order of the House.

Evidence relating to this report is published on the inquiry page of the Committee's website.

Committee staff

The current staff of the Committee are Richard Ward (Clerk), Kevin Maddison (Second Clerk), Martin Smith (Committee Specialist), Anna Connell-Smith (Committee Specialist), Jack Dent (Inquiry Manager), Jonathan Arkless (Senior Committee Assistant), Simon Armitage (Committee Assistant), Beryl-Joan Bonsu (Social Media Assistant) and Gary Calder (Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Education Committee, House of Commons, London SW1A OAA. The telephone number for general enquiries is 020 7219 1376; the Committee's email address is educom@parliament.uk.

Contents

Summary

Regional Schools Commissioners (RSCs) were introduced as a pragmatic response to the need to ensure appropriate oversight of a growing number of academies. There is a clear need for an intermediate structure between Whitehall and individual schools, and RSCs are beginning to provide this. However, the schools landscape—and the role of the RSCs—is continuing to evolve, and the RSCs now form part of an increasingly complicated system of oversight, accountability and inspection. A more fundamental reassessment of accountability and oversight for all schools will be required in the future to provide coherence.

In the meantime, the relationships that RSCs build with other components of this system, including local authorities, Ofsted, teaching schools, and parents and local communities, are crucial to securing impact on school improvement. An emphasis on working with and through these key partners will help ensure that RSCs have the capacity to cope with planned expansion of their role. However, the role of RSCs remains unclear to many and this must be addressed for effective relationships to be formed.

It is clear that RSCs are working hard to improve schools, but there is a need to improve confidence in their work in several ways. The level of operational autonomy of RSCs necessitates a more direct form of accountability than would otherwise be the case for Senior Civil Servants. There is also a lack of transparency in the way the RSCs operate, and decision making frameworks need to be published to address this.

We welcome the Government's plans to increase the amount of information provided in Headteacher Board minutes, but there is currently confusion about the role of the Board itself, and this must be addressed. Without attention to these issues, the RSC system will be seen as undemocratic and opaque, and the Government must ensure that such concerns are acted on.

The strength of the RSC model is in its regionalisation, but there is a corresponding risk that inconsistencies in approach and differences in standards applied will diminish confidence in the system. The National Schools Commissioner must have a formal role in ensuring appropriate levels of consistency between the RSCs, and in sharing best practice between them.

The design of the regions themselves is a barrier to effective operation, and in particular the division of London between three regions creates more problems than benefits. RSC regions should match the Ofsted regions, which will include creating a single RSC for London. The size and design of the regions should be kept under review in the context of future devolution to city areas, and further expansion of the RSCs' caseloads.

The impact of RSCs should be measured in terms of improvements in outcomes for young people, rather than merely the volume of activity. We welcome the Government's intention to review the Key Performance Indicators (KPIs) for the RSCs. This should be done to ensure that potential conflicts of interest are eliminated, and to provide assurance that RSC decisions are made in the interests of school improvement rather than to fulfil specific targets for the number of academies. We recommend that the Government report regularly on the performance of RSCs against the new KPIs.

1 Introduction

Background

1.   In September 2014, eight Regional Schools Commissioners (RSCs), formally appointed as civil servants in the Department for Education, were given responsibility for intervening in underperforming academies in their region and approving new free schools.[1] Frank Green, the national Schools Commissioner, described this as a "shift in emphasis from decision-making in Whitehall to more involvement by schools at a regional level".[2] Their role was expanded from 1 July 2015 to include responsibility for approving the conversion of underperforming maintained schools into academies and deciding on their sponsors,[3] and further expansion is proposed in Education and Adoption Bill currently before Parliament.[4] The budgeted running costs for RSC offices in 2015–16 are approximately £6m.[5]

2.   Our predecessor committee considered the responsibilities of the RSCs as part of a wider inquiry into academies and free schools, noting that there was "some confusion over their role and scope".[6] The Committee outlined a number of concerns, and recommended that the Government:[7]

- clarify what the role of RSCs is and how it will develop in the near future;

- review and increase the number of schools commissioners; and,

- as a matter of urgency, clarify the respective roles of local authorities and RSCs in relation to academies.

The Government's response touched only briefly on these points.[8] The growing significance of the work of RSCs, the increasing number of academies, and the passing of the first year of the RSCs' work prompted us to return to the developing role of the Regional Schools Commissioners in greater detail, and to make this the subject of our first report of the 2015 Parliament.

Our inquiry

3.   We launched our inquiry on 20 July 2015 with a call for written evidence in respect of the following issues:

- What the role of Regional Schools Commissioners currently is, how this might change as the academies landscape evolves, and what the role of RSCs should be;

- Whether there are sufficient RSCs and Headteacher Boards to fulfil their expanding role, and whether they have adequate resources;

---

1   Department for Education, Regional Schools Commissioners to Oversee Academies, 23 December 2013
2   Letter from Frank Green to Academy Headteachers, 2 April 2014
3   Letter from Lord Nash to all Directors of Children's Services, 15 June 2015
4   For further details see paragraph 13.
5   PQ HL2858, 4 November 2015
6   Education Committee, Fourth report of session 2014–15, Academies and free schools, HC 258, para 74
7   Education Committee, Fourth report of session 2014–15, Academies and free schools, HC 258, paras 98–103
8   Education Committee, Fourth Special Report of Session 2014–15, Academies and free schools: Government Response to the Committee's Fourth Report of Session 2014–15, HC 1137

- What evidence exists on the early operation of RSCs in terms of their impact, and how this impact should be measured;

- What relationship RSCs should have with Ofsted, local authorities, the DfE, individual schools and local communities; and,

- How RSCs should be held to account in their role.

4.   We received over 40 written submissions during our inquiry. We took oral evidence on four occasions, hearing direct from four of the eight RSCs, from Frank Green as the national Schools Commissioner,[9] and from Lord Nash as Parliamentary Under-Secretary of State for Schools. We visited Coventry on 17 November 2015 in order to study the West Midlands in greater detail as an example of an RSC region, and to meet a larger group of the RSC's key partners including headteachers, local authority representatives, Ofsted, and RSC staff.[10] We took oral evidence at Sidney Stringer Academy as part of the visit, and are grateful to the staff there for accommodating us. During this inquiry we also benefitted from the advice of Professor Becky Francis, our standing adviser on education issues.[11]

A "missing middle"? A brief history of the case for intermediate structures

5.   A leading thinker on intermediate structures in education in England is Robert Hill, a visiting senior research fellow at King's College London. His 2012 report for the RSA,[12] *The missing middle: The case for school commissioners,* presented an overview of the history of intermediate structures between central government and individual schools, referring to this as the "middle tier" in education.[13] The report noted that this role had previously been the preserve of the Local Authority (LA) for all schools in the area, but that by 2012 the growth of the academies programme, and a "distrust and frustration with the performance of local government", had led central government to take on "a substantial middle tier role" itself.[14] However, his analysis of the international evidence was that "the impact of individual policies aimed at improving school and student performance" would be more effective if they were "coordinated and steered at a sub-regional level", and he therefore proposed that a system of school commissioners be developed to provide "the missing middle".[15]

6.   Robert Hill told us that the system of Regional Schools Commissioners subsequently introduced by the DfE was "not exactly in line with" the model for which he had argued, but that nevertheless it "should in principle be seen as a progressive reform".[16] He explained that:

---

9   See paragraphs 14–18 for a discussion of the role of the national Schools Commissioner.

10   See Annex 1 for further details.

11   Professor Becky Francis, Professor of Education and Social Justice, King's College London, declared interests as a member of the Labour Party, a governor of Hinchley Wood School, a Trustee of Impetus-PEF, and a Trustee of The Girls Network.

12   The Royal Society for the encouragement of Arts, Manufactures, and Commerce

13   Hill, R., *The missing middle: The case for school commissioners* (July 2012)

14   Hill, R., *The missing middle: The case for school commissioners* (July 2012), p20

15   Hill, R., *The missing middle: The case for school commissioners* (July 2012), p6

16   Robert Hill (RSC 1) para 1

The advent of RSCs was a recognition by the Department for Education (DfE) that it was unrealistic to centrally monitor, manage and, where necessary, intervene on all academies and academy trusts as the numbers continued to grow […][17]

7.   In contrast, the Academies Commission concluded in 2013 that the Government's (then) proposals for introducing RSCs risked creating an additional layer of bureaucracy and a "democratic deficit".[18] David Blunkett's education policy review for the Labour Party in 2014 argued that:[19]

a regional tier overseeing only academies and Free Schools fails to deliver the local oversight necessary to ensure standards stay high in all schools or to deal with the divided system we have at present whereby schools of different structures are accountable to and overseen by different bodies.

8.   Nevertheless, our predecessors in the 2010 Parliament concluded that an intermediate structure between Whitehall and individual schools was necessary,[20] and it is clear to us that the continuing expansion of the academies sector further underlines this need; there are now over 5,000 open academies in England, including over half of all secondary schools. The Public Accounts Committee has described the RSCs as "a welcome recognition of the need to provide more local intelligence and oversight for the growing number of academies".[21]

9.   We asked witnesses to consider whether the RSC model was a sustainable 'middle tier' for the future, or whether it was primarily a response to the current blend of academies and LA-maintained schools and therefore a temporary solution. Jon Coles, Chief Executive of United Learning, suggested that a comprehensive reassessment may be required soon:[22]

I think we are reaching a point where we need a new settlement. We have not had a settlement that has been national, clear and comprehensive since the 1944 Act […] there has been a progressive erosion of some people's roles, development of new roles, changes to the key functions of key actors in the system […] local authorities have the same duties as they used to have but […] the landscape has changed hugely […] I think we just need to have a fresh look.

10.   **It is clear to us that RSCs were introduced as a response to the need to ensure appropriate oversight for the growing number of academies, and that the schools landscape is continuing to evolve. As such, oversight will need to develop further with it. For now our starting point is that the introduction of RSCs is a pragmatic approach to managing the growing task of overseeing academies. Once the mix of school structures becomes more stable a fundamental reassessment will be required.**

---

17   Robert Hill (RSC 1) para 2

18   Academies Commission, *Unleashing greatness: Getting the best from an academised system*, January 2013, p93

19   Blunkett, D., *Review of education structures, functions and the raising of standards for all: Putting students and parents first*, 2014, p49

20   Education Committee, Fourth report of session 2014–15, *Academies and free schools*, HC 258, para 9

21   Committee of Public Accounts, Thirty-second report of session 2014–15, *School oversight and intervention*, HC 735, para 2

22   Q53

2   The responsibilities of Regional Schools Commissioners

Current responsibilities of the RSCs

11.   Lord Nash, Parliamentary Under-Secretary of State for Schools, summarised the role of Regional Schools Commissioners as being "to oversee improvement in performance of maintained schools and academy schools that are underperforming, to generate new sponsors, to look at converter academies, to look at free school applications and maybe help generate some free school applications".[23] More specifically, the responsibilities of RSCs were initially to:[24]

- Monitor the performance of the academies, free schools, University Technical Colleges and studio schools in their area;

- Take action when an academy, free school, UTC or studio school is underperforming;

- Approve the conversion of maintained schools to academies and make the decision on the sponsor for new academies in areas where the local authority has identified a need for additional school places;

- Make recommendations to ministers about free school applications and advise whether approved free school projects are ready to open;

- Encourage organisations to become academy sponsors or to establish free schools, approve applications to become sponsors and help to build the capacity and capability of existing sponsors within their area; and

- Approve changes to open academies, for example: changes to age ranges, mergers between academies, and changes to MAT arrangements.

Their responsibilities were extended from 1 July 2015 to include responsibility for "identifying underperforming local authority maintained schools that should become academies and matching them with an appropriate academy sponsor".[25] The specifics of their work can also be understood through their Key Performance Indicators, which are discussed in chapter six.

12.   The DfE also clarified some of the limits of the RSCs' role:

- RSCs have no role in relation to academies that are performing well, except encouraging them to become a sponsor, support a local school through a MAT arrangement or set up a free school.[26]

- RSCs are not responsible for carrying out school improvement activities but instead commission action to be taken by the academy trust. Nevertheless, they may "prescribe the nature of the intervention and, where appropriate, advise the trust on suitable

---

23   Q279
24   Department for Education (RSC 28) para 6
25   Department for Education (RSC 28) para 9
26   Department for Education (RSC 28) para 7

options".[27] As Frank Green, the national Schools Commissioner, explained, "It is not our function to do the school improvement side. It is to facilitate it and act as a catalyst in that […] the role of the regional commissioners is to ensure that there is enough support or that they can access enough support for that school. But the responsibility for the improvement is down to an academy—the trust".[28]

Expected further expansion of the role

13.   Further expansion of the role of RSCs has been proposed in the Education and Adoption Bill currently before Parliament.[29] The Bill introduces a new category of "coasting" schools which will be eligible for intervention by the RSCs; such interventions may include replacing the governing body with an interim executive board, or issuing an academy order. Corresponding guidance for local authorities and RSCs in the context of the expected passage of the Bill was issued in draft for consultation on 21 October 2015.[30] The guidance explains that the role will include judging the quality of a coasting school's improvement plans:[31]

> RSCs have discretion to decide which schools within the definition of coasting have a sufficient plan and sufficient capacity to improve, which schools will need additional support and challenge in order to improve, and in which schools it will be necessary for the RSC to intervene.

If implemented, these proposals further increase the significance of the work of RSCs. Some witnesses described the evolution of RSC responsibilities as "mission creep",[32] but it is clear that the Government's view of how RSCs can best be used to support school improvement is still being developed.

The role of the national Schools Commissioner

14.   The eight RSCs are line managed by the national Schools Commissioner, currently Frank Green.[33] The Government's website describes the role of the national Schools Commissioner as "external facing", with responsibility for:[34]

• promoting the benefits of the academies and free schools programme among school leaders, local authorities, parent groups and community organisations;

• leading communications between DfE and the education sector;

• supporting brokerage of academy arrangements between those schools that would benefit most from an academy solution and established sponsors with a good track record of performance improvement;

---

27 Department for Education (RSC 28) para 8
28 Q158
29 Education and Adoption Bill [Bill 64 (2014–15)]
30 Department for Education, *Schools causing concern: Intervening in failing, underperforming and coasting schools—Draft for consultation*, 2015
31 Department for Education, *Schools causing concern: Intervening in failing, underperforming and coasting schools—Draft for consultation*, 2015, p10
32 National Association of Headteachers (RSC 23) para 3, Socialist Educational Association (RSC 14) para 4
33 Q156
34 "Schools Commissioner Frank Green CBE", gov.uk, accessed 7 January 2016

- encouraging and helping nurture potential sponsors from schools and community sectors; and

- influencing school-to-school support and working closely with ministers to shape the future development of the academies and free schools programme.

15.   Jon Coles, Chief Executive of United Learning, argued that there was a need for the Schools Commissioner to be responsible for sharing best practice between RSCs, since "you are not going to get consistency and learning across regions simply by just relying on a network of ace individuals to compare practice. You have to have that properly organised".[35] More broadly, United Learning suggested to us that the Schools Commissioner's role should include:[36]

- Managing relationships with national providers;

- Ensuring consistency of approach between RSCs;

- Ensuring that key boundary issues are managed properly; and

- Ensuring that brokerage and sponsorship across boundaries is possible.

16.   Lord Nash explained that "The role of the national Schools Commissioner now is to provide strategic direction, promote the overall academies and free school programme through events, meeting with stakeholders and to manage the Regional Schools Commissioners providing support, oversight and challenge […] they have this monthly meeting where they look at the effectiveness of different practices and co-ordinate the practices, holding RSCs to account for their KPIs, their performance objectives".[37] Frank Green summarised that his role was "very much that of overseeing the new system that we are creating".[38]

17.   The Government announced in December 2015 that Frank Green will be succeeded as Schools Commissioner by Sir David Carter, the current RSC for the South West.[39] Sir David is due to take up this role on 2 February 2016.

18.   *The existing description of the role of the national Schools Commissioner is nebulous and does not make clear what is required from the position. We recommend that the Government sets out more clearly the role of the national Schools Commissioner and how it relates to the expanding role of the RSCs. Given the significance of the role of the national Schools Commissioner, we would expect to hold a hearing with the new appointee at an early date. The Government should discuss with us adding the position to the list of public appointments subject to pre-appointment hearings.*
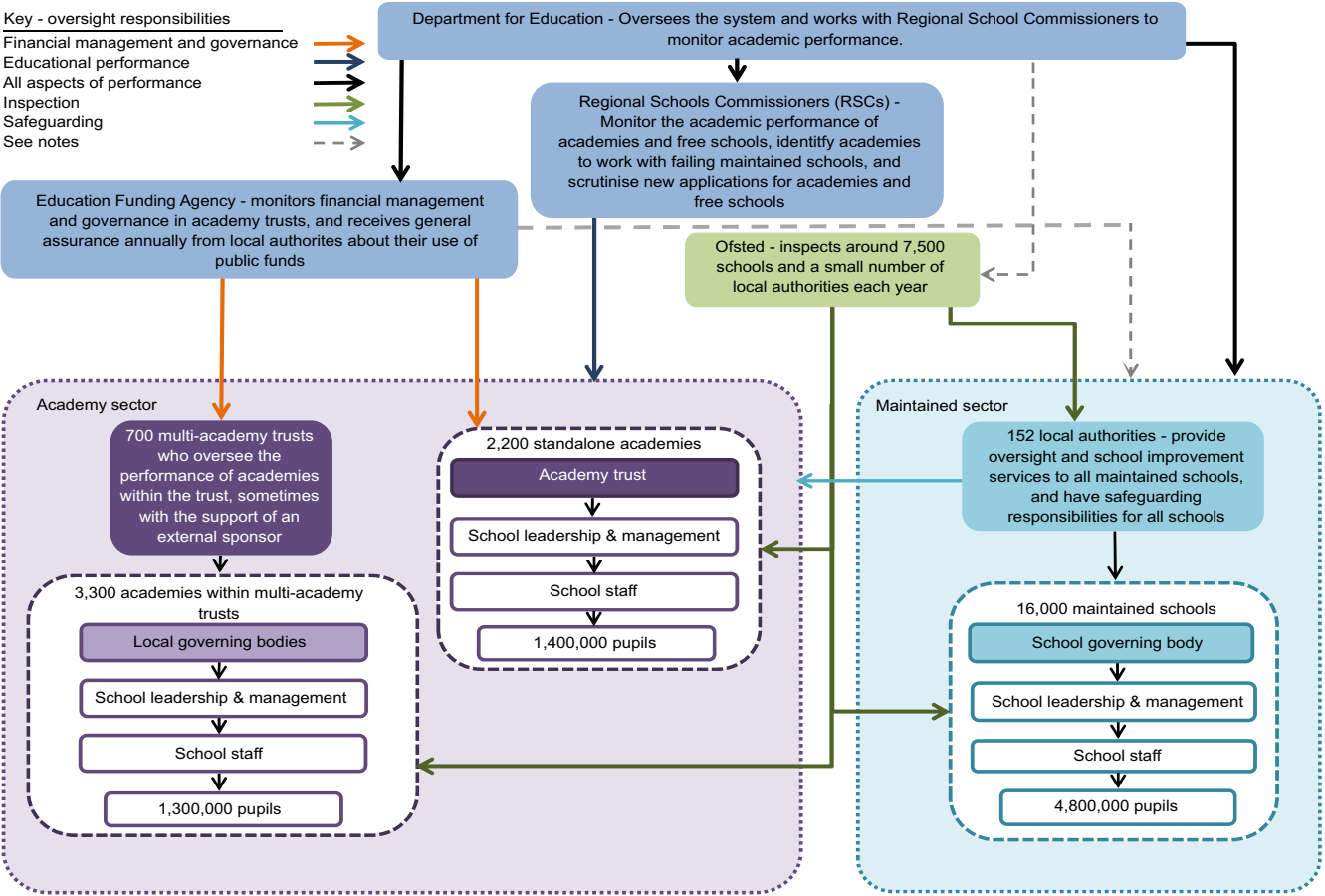
---

35   Q43
36   United Learning (RSC 35)
37   Q293
38   Q156
39   "New National Schools Commissioner Appointed", Department for Education Press Release, 5 January 2016

Figure 1: School oversight structures

Key - oversight responsibilities
Financial management and governance
Educational performance
All aspects of performance
Inspection
Safeguarding
See notes

Department for Education - Oversees the system and works with Regional School Commissioners to monitor academic performance.

Regional Schools Commissioners (RSCs) - Monitor the academic performance of academies and free schools, identify academies to work with failing maintained schools, and scrutinise new applications for academies and free schools

Education Funding Agency - monitors financial management and governance in academy trusts, and receives general assurance annually from local authorites about their use of public funds

Ofsted - inspects around 7,500 schools and a small number of local authorities each year

Academy sector

700 multi-academy trusts who oversee the performance of academies within the trust, sometimes with the support of an external sponsor

3,300 academies within multi-academy trusts
Local governing bodies
School leadership & management
School staff
1,300,000 pupils

2,200 standalone academies
Academy trust
School leadership & management
School staff
1,400,000 pupils

Maintained sector

152 local authorities - provide oversight and school improvement services to all maintained schools, and have safeguarding responsibilities for all schools

16,000 maintained schools
School governing body
School leadership & management
School staff
4,800,000 pupils

NOTES
1. The Secretary of State may, in accordance with the provision in Section 8 of the Education Act 2005, formally request Her Majesty's Chief Inspector to carry out an inspection of a named school. This is rare.
2. Local authorities are required by legislation to provide assurances annually to the Department that they have spent grants in line with departmental intentions.
3. School and pupil numbers are as at 5 January 2016 and are rounded to the nearest hundred.
4. Pupil numbers are estimates as there are no pupil numbers for academies that have opened since last year.
5. Number of open academies or free schools is taken from Edubase.

Source: National Audit Office analysis

Clarity of the role in a complex environment

19. The Public Accounts Committee concluded in January 2015 that the DfE "presides over a complex and confused system of external oversight".[40] Figure 1 demonstrates the current complexity of the landscape.

20. The Government's response to the Public Accounts Committee's call for greater clarity claimed that the recommendation had been implemented:[41]

> The department has set out its role and the respective responsibilities of Regional Schools Commissioners (RSCs), local authorities and the EFA [Education Funding Agency] in the revised Accountability System Statement published on 20 January 2015.

Nevertheless, witnesses told us that there was still a lack of clarity over how the RSCs' functions related to those carried out by the various other bodies featured in Figure 1. Ian Bauckham, a member of the Headteacher Board for the South East and South London region, told us that "greater clarity should be achieved, as the new school landscape matures, about where responsibility lies for school improvement on the one hand, and regulatory and oversight roles on the other, and how these are appropriately distributed between RSCs, Ofsted, LAs and academy trusts. The current system is seen as confusing by many in the system".[42]

Confusion amongst parents

21. PTA UK told us that "just one in ten parents know what role Regional Schools Commissioners play in their child's education",[43] and several other witnesses were concerned that parents were confused about whom to contact to discuss concerns about a school. The Local Government Association told us that the "current two-tier system of accountability is extremely confusing for parents, with many not knowing if they should report an issue to their council or the DfE". Similarly, Northamptonshire County Council said that "parents and the community still look to the local authority when they have concerns and they do not understand why we can't take action, but have to refer them to another body".[44] Kent County Council found that parents were "either unaware or confused about the role of the RSC" and that they "tend to raise concerns with locally elected members irrespective of whether the school is [LA-] maintained or an academy".[45]

22. However, Lord Nash told us that the role of RSCs was "nearly fully understood". There were "areas where there is still some confusion" but he was optimistic that "within a little bit more time it will be completely understood".[46]

---

40 Committee of Public Accounts, Thirty-second report of session 2014–15, *School oversight and intervention*, HC 735, p3

41 HM Treasury, *Treasury Minutes: Government responses on the Twenty Fifth to the Twenty Ninth, the Thirty First to the Thirty Second, the Thirty Fourth, the Thirty Sixth, and the Thirty Eighth to the Fortieth reports from the Committee of Public Accounts*, Session 2014–15, CM 9033, March 2015, Para 2.2

42 Ian Bauckham (RSC 8) para H

43 PTA UK (RSC 34) para 6.1

44 Northamptonshire County Council (RSC 33) para 3.13

45 Kent County Council (RSC 22) para 5.3

46 Q288

23. **RSCs occupy an increasingly powerful position in the education system, but their responsibilities in relation to other components of the system remain unclear to many of our witnesses. The landscape of oversight, intervention, inspection and accountability is now complex and difficult for many of those involved in education, not least parents, to navigate. We recommend that the Government reflect on the need to improve understanding of the role of the RSCs.**

Division of responsibilities between RSCs and LAs—including safeguarding

24. Our predecessor committee recommended that the DfE clarify the respective roles of local authorities and RSCs in relation to academies as "a matter of urgency".[47] Similarly, the Public Accounts Committee found in January 2015 that "lack of clarity in the Department's guidance has contributed to a situation where some local authorities do not understand their safeguarding duties towards pupils in academies",[48] and we were concerned to find that confusion on this point in particular persists one year on.

25. The DfE told us that "Local authorities continue to have responsibility for […] safeguarding of pupils in all schools—maintained schools and academies".[49] Nevertheless, Northamptonshire County Council told us that confusion stemmed from the fact that managing an academy's compliance with its funding agreement was the responsibility of the Education Funding Agency (EFA), and that it was this agreement which specified the relevant safeguarding expectations.[50] It described this as "dangerous and nonsensical", explaining that when a concern about practice in a school is referred to the EFA there is "no mechanism for informing the RSC, local authority or local community of the outcome and resolution of any concerns".[51]

26. Debbie Barnes, representing the Association of Directors of Children's Services, told us that protocols in relation to child protection were clear, but that a lack of "clear, crisp national guidance" in relation to handling wider safeguarding concerns such as "concerns about robustness of risk assessments" in academies meant that such issues were being addressed in an *ad hoc* way through meetings with RSCs.[52] She also explained that Local Safeguarding Children Boards do not have "investigative powers to actually go in to an academy and undertake any form of safeguarding investigation", and that this placed a limit on the extent to which local authorities can address concerns other than through working with the RSC.[53]

27. *The Government should clarify the division of responsibilities between RSCs, local authorities, and Ofsted—including in relation to safeguarding—in a way that is comprehensible to schools and parents.*

---

47   Education Committee, Fourth report of session 2014–15, *Academies and free schools*, HC 258, para 103

48   Committee of Public Accounts, Thirty-second report of session 2014–15, *School oversight and intervention*, HC 735, para 3

49   Department for Education (RSC28) para 34

50   Northamptonshire County Council (RSC 33) para 3.5

51   Northamptonshire County Council (RSC 33) para 3.5

52   Qq66–67

53   Q66

Consistency of approach and standards

28.   The DfE told us that "the regional approach means that RSCs are able to tailor their ways of working to meet local needs and priorities".[54] Jon Coles recalled that "it was quite evident, almost from week one at the beginning of last year, that people were going to approach this in very different ways. Some of that just reflects the different backgrounds of the RSCs and the different ways they want to work. Some of them want to be personally out in schools all of the time. Others are using their teams a lot".[55] However, some witnesses reported that this lack of consistency of approach was problematic for organisations that spanned several regions, such as multi-academy trusts and dioceses. The Church of England Education Office told us that diocesan directors can find themselves dealing with as many as three different RSCs, and that differences in their approaches were noticeable:[56]

> […] one Diocese has been told both that it must have a contractual partner to support it in sponsoring a school that is graded by Ofsted as having 'Significant Weaknesses' but also that no support is required for the same Diocese to sponsor a far more challenging school graded as requiring 'Special Measures' (i.e. the lowest possible judgment). Another Diocese has been told that the RSC will not allow it to sponsor a Church of England school with the assistance of a contractual partner in any event because such arrangements are not deemed to be sufficiently robust.

29.   We also heard that these differences were having an effect on which schools were selected for intervention by an RSC—that is, a difference in standards, as well as approaches.[57] Jon Coles said that:

> The thresholds are different in different regions. We found in one region—I will not name names—an RSC wanting to visit a school that they were worried about but we were not. In another region we found RSCs not really interested in visiting a school that we were quite worried about. It was evident to us that the bar was being drawn at a different level in different regions reflecting the level of different challenge in the regions.

Similarly, the Academies Enterprise Trust (AET) wrote that there was "too much variability in the way RSCs exercise their roles", and that "expectations and targets for schools seem unclear and at the whim of an individual RSC." Ian Comfort, Chief Executive of AET, told us that consistency was now beginning to improve, but that differences remained.[58]

30.   Dominic Herrington, the RSC for South East England and South London, argued that "There is a lot more consistency in our decisions than inconsistency […] There may be slightly different approaches for different means and different circumstances, but there is a similar menu and the most important thing is whether we are making a difference for children".[59] He explained that "because so many of our decisions are based on national data, frameworks and published guidance, the risk that a region would suddenly set another bar, or that another bar would suddenly creep in, is managed".[60]

54   Department for Education (RSC 28) para 10
55   Q43
56   Church of England Education Office (RSC 15) para 9
57   Q43 [Jon Coles]
58   Q242
59   Qq 99–100
60   Q103

31. Frank Green told us that the appropriate balance between consistency and local flexibility in the way an RSC works was "about 80:20. It is certainly the kind of number that I work with in my head, in terms of 80% being set down in statute, rules and regulations, and 20% being how the regional commissioner builds his or her region to get the flair and the distinctiveness that gets people feeling they belong to the region".[61]

32. Lord Nash confirmed it was the responsibility of the national Schools Commissioner to ensure that there was a consistency of standards across the RSCs,[62] although this is absent from the role description in paragraph 14. He told us that "the bar should be the same […] it is easy to draw conclusions that there is much more inconsistency than there is".[63] Lord Nash acknowledged that there was nevertheless a need to improve consistency of approach:

> we do want to see as much consistency as is possible, bearing in mind obviously the Regional Schools Commissioners are human beings, not robots, and they will each have a slightly different approach […] we will be looking more at the consistency of approach and what we think is the best practice to see whether we can make things more consistent.[64]

33. **We have received evidence that there is too much variation in the approach that RSCs take to their work and the standards they apply. RSCs should be identifying local challenges that impede school improvement so that these issues can be addressed; they must not demand or expect different standards in different regions.**

34. *We recommend that the Government ensure a greater level of consistency in the work of RSCs, and explicitly include responsibility for co-ordination and consistency of standards in the job description for the national Schools Commissioner. We expect the national Schools Commissioner to report to us on how a greater level of consistency will be achieved.*

Developing a vision for the regions

35. A number of witnesses called for the RSCs to articulate a "vision" for their region. Kent County Council (KCC) told the Committee that:[65]

> Both the RSC and KCC have high aspirations for school improvement, but the school improvement system is fragmented at present, so rewarding the RSC to help articulate a shared vision for education improvement and steer a powerful, coherent and sustained approach to school improvement with LAs and Academy Trusts / Chains would be welcome.

The Church of England Education Office argued that "understanding the RSC's strategic vision for any area and their commitment to improving schools for the benefit of children will be important in helping to defuse suspicion in communities that have a negative view of academies and academy sponsors".[66]

---

61 Q164
62 Q306
63 Q303
64 Q301
65 Kent County Council (RSC 42) para 3.2
66 Church of England Education Office (RSC 15) para 22

36.   The DfE confirmed that vision statements exist for each RSC region and provided us with copies,[67] but acknowledged that there was some variability in how and whether these had been communicated within their area:[68]

> In the South East and South London region, the RSC, Dominic Herrington, has sent his vision document to all open academies, free schools and sponsors and local authorities in the region. In other regions, for example, in East England and North East London and North West London and South Central the document itself has not been shared externally, but its content and themes has been used as the basis of other communications activities, such as speaking events.

37.   *RSCs should publish their vision, workplans and priorities for their region, and seek input and buy-in to them from all relevant stakeholders.*

Knowledge and skills required to be an RSC

38.   The DfE told us that "The RSCs have been appointed for their extensive knowledge of the education sector within their regions".[69] Nevertheless, the National Governors' Association questioned the knowledge level of RSCs in terms of governance structures:

> We are aware of some RSCs stating that they hold headteachers or the Chief Executive of a trust to account. This seems to us a fundamental misunderstanding […] the accountable body is the trust board. This lack of understanding of precisely who they are supposed to be holding to account is of considerable concern to the NGA and indicates the underlying lack of knowledge of about governance […]

39.   The background of the current RSCs varies; one was a senior civil servant within the DfE, while several others previously headteachers or CEOs of multi-academy trusts. Malcolm Trobe, Deputy General Secretary, Association of School and College Leaders, argued that "The most important thing here is the quality of the person that is doing the job".[70] Pamela Birch, a member of the Headteacher Board for Lancashire and West Yorkshire, told us that in looking for future RSCs "we are looking for superhuman individuals of great stature".[71]

40.   **The knowledge and skills needed to perform the role of RSC are considerable. The RSC system therefore relies heavily on identifying the right people to take on the role, and on the future supply of such system leaders. There is a need to nurture potential future RSCs to undertake the role.**

---

67   See Appendix 1
68   Department for Education (RSC 42) para 2
69   Department for Education (RSC 28) para 3
70   Q1
71   Q38

The future of the role

41.   Given the importance to school improvement of the supply of good teachers, we asked Frank Green whether in the future RSCs ought to have a role in commissioning teacher training. He told us that this was " very much a national college function", and that:[72]

> […] our support of the college is what is required there, rather than for it to be part of the function of the national Schools Commissioner. I am not the teaching commissioner".

42.   Professor Robert Hill, an education consultant, and Visiting Senior Research Fellow at Kings College London, suggested that the role of RSCs could usefully be expanded "even within their current narrowish remit" by helping to build the capacity of multi-academy trusts. He said that "we have a lot of sponsors […] a lot of them are what I would call fledglings. Even a number of the so-called mature ones are struggling. Give [the RSCs] a role to support the development there".[73] Inconsistencies in performance between academy chains is supported by research evidence; the Sutton Trust's Chain Effects 2015 report found that "the contrast between the best and worst chains" was increasing in terms of their outcomes for disadvantaged pupils.[74] This suggests scope for targeted intervention, and United Learning called for RSCs to invest more strategically in growing sponsor capacity as a form of "talent management" of sponsors and future sponsors.[75]

43.   Lorna Fitzjohn, Ofsted's Regional Director for the West Midlands, said that RSCs will also need to take "a more strategic approach to their work" in the future as the number of academies increases.[76] Pank Patel speculated that this expansion could mean that in the future RSCs will be "holding multi-academy trusts to account and not individual schools".[77]

44.   **There has been a gradual expansion of the role of the RSC since September 2014, and it is the Government's ambition for all schools to become academies. This implies a significant increase in the number of institutions for which RSCs are expected to have oversight, which will have implications for capacity and ways of working. The Government will need to monitor the situation closely as it develops, if the intention is for RSCs to become responsible for all schools.**

72   Q178

73   Q125

74   Sutton Trust, *Chain Effects 2015: The impact of academy chains on low-income students*, July 2015, para 4

75   United Learning (RSC 35)

76   Q258

77   Q258

3   The RSC regions

Size of the regions and access to local knowledge

45.   The eight RSC regions divide England as follows:

- East Midlands and the Humber

- East of England and North-East London

- Lancashire and West Yorkshire

- North of England

- South-Central England and North-West London

- South-East England and South London

- South-West England

- West Midlands

Figure 3: The RSC regions

46. The previous Education Committee highlighted concerns that RSC regions may be too large for the Commissioners to be "sufficiently in touch with local information".[78] Dr Tim Coulson, the RSC for the East of England and North East London, conceded that "You cannot start by having huge knowledge of the whole region", but argued that the RSCs' relationships with "local authorities, diocesan boards, multi-academy trusts and Headteacher Board members, in particular", had "accelerated" their understanding of the region.[79] He told us that:

> We just about manage, through our Headteacher Board, to have people who know enough about the region for us to begin to get a handle on it. Where we don't understand enough about the region, we go and find out more. For instance, this week we have had an issue about pupil referral units in Ipswich. We did not know enough about that, so we deferred a decision until we went and did some more visits really to understand that better.[80]

47. Russell Hobby, the General Secretary of the National Association of Head Teachers, told us that "The territory is too large. The point of transferring these powers form the Secretary of State to a commissioner is to put local knowledge and insight into the framework so that we are not just relying on raw data. These are large territories and they are getting larger because more schools are coming under their purview […] I don't think eight [RSCs] is enough […] I am not sure what the right number is but it is somewhat larger than eight".[81] In contrast, Ben Durbin argued that "a region that is made too small would constrain the ability of a commissioner to bring in new sponsors from different parts of the country".[82]

Variation in challenge

48. The DfE told us that the regions had been chosen so that each represented "a broadly balanced set of responsibilities for RSCs".[83] However, Ben Durbin observed that:

> Some of the commissioners have substantially larger jobs to do than others when it comes to not only the numbers of underperforming school in their areas that they need to tackle, but the capacity within the system in their areas to tackle those schools. You have this catch-22 whereby if you already have some underperforming sponsors or underperforming schools in the area then, by the same notion, you do not have the capacity in the area to turn them around.[84]

The National Foundation for Educational Research provided some quantification of these differences between the regions, including:[85]

- The extent of academisation—which DfE figures suggest ranges from 15.1% in Lancashire and West Yorkshire to 30% in South West England;[86]

---

78 Education Committee, Fourth report of session 2014–15, *Academies and free schools*, HC 258, Para 99
79 Q96
80 Q96
81 Q10
82 Q128
83 Department for Education (RSC 28) para 11
84 Q146
85 NFER (RSC 20)
86 Department for Education (RSC 28) Annex A

- The number of schools that may eventually be classed as either 'coasting' or below the floor standard—estimated to range from 145 in the North of England to 311 in East Midlands and the Humber; and

- The availability of good sponsors who are ready to take on new schools—the ratio of 'schools requiring action' to 'sponsors with good potential to take on new schools' varies from 4.3:1 in South Central England and North West London to 16.3:1 in Lancashire and West Yorkshire, which NFER describes as "especially challenging".

49. The DfE told us that "as the role of the RSCs is further embedded and developed, resourcing and workloads will be constantly reviewed to ensure that they are able to provide sufficient oversight and take swift and decisive action".[87]

The design of the regions

50. Many witnesses were concerned that the shape of the RSC regions did not match other existing regional divisions and structures. Cllr Richard Watts, representing the Local Government Association, explained that:

> There are all sort of networks already established on the ground and having geographies for Regional Schools Commissioners that do not fit any other bit of geography within government makes it unhelpful. So, whether it is coalitions of local authorities, coalitions of Directors of Children's Services, a network like London Councils or East Midlands Councils, or whatever it is that still exist on the ground already […] it would be far more effective for Regional Schools Commissioner to fit in to those existing networks […].[88]

51. The difference between RSC regions and Ofsted's structure was a source of particular concern, including for Ofsted itself. Sir Michael Wilshaw, Her Majesty's Chief Inspector of Education, Children's Services and Skills, told us that it was a "disappointment" that the RSC regions were not coterminous with the Ofsted regions,[89] and Ofsted's submission to the inquiry said that the difference had "in some cases hindered engagement".[90] Sean Harford described these as "logistical issues" for the inspectorate.[91] In contrast, Ian Bauckham, a member of the HTB for the South East and South London region, suggested that "in some ways it is helpful that the Ofsted regional directors' regions do not coincide with the RSC regions because it helps guard against too 'cosy' a relationship developing between the two".[92]

52. Analysis of the current setup reveals that there are examples of a single Ofsted regional director needing to work with three different RSCs, and one example of a single RSC interacting with up to four different Ofsted officials whose remit intersects with their area. Confusion also arises from similar naming for regions that have different boundaries; for instance, Cheshire and Chester are part of the West Midlands according to the RSC region system, but not part of the West Midlands from the perspective of Ofsted.
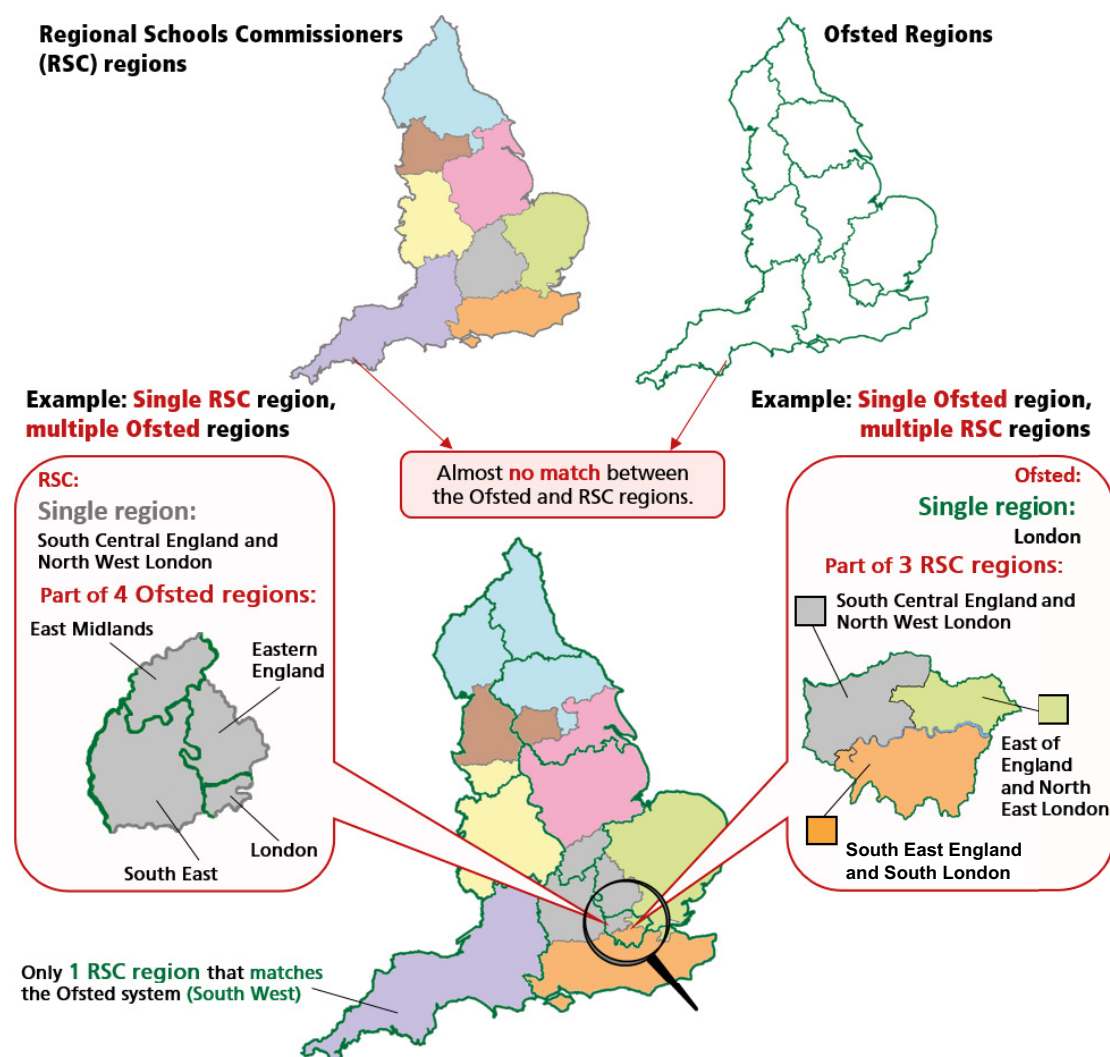
---

87 Department for Education (RSC 28) para 5
88 Q59
89 Oral evidence taken on 16 September 2015, HC (2014–15) 400, Q3
90 Ofsted (RSC 25)
91 Q144
92 Ian Bauckham (RSC 8) para 4.1

Figure 4: Comparison of RSC and Ofsted regions

Source: Internal analysis

The division of London between three regions

53. A frequently-discussed consequence of the design of the regions was that London has been divided between three different RSCs. Frank Green told our predecessors in May 2014 that the rationale for this was "to spread the expertise of London further out", in the hope that expertise within the capital can be spread "to the east coast and to Lowestoft and to Yarmouth".[93] To explore this further we took oral evidence from the three RSCs between whom responsibility for London had been divided. Dr Tim Coulson (RSC, East of England and North East London) explained that:[94]

> There is an oversupply of sponsors in London and of schools who would like to make a difference. At the moment, there are not enough schools for them to go and make a difference in, so we are finding sponsors in London work to do outside London, where we don't have enough good sponsors […] We had a terrible school in Braintree in Essex and there was no good sponsor

---

93 Oral evidence taken on 13 May 2014, HC (2014–15) 981, Q583
94 Q107

there. We have a fantastic school in Redbridge, which was looking to expand its multi-academy trust. The trust is doing a great job and because Redbridge is in the same region, it helped to make it easier for us to take that sponsor into Braintree.[95]

54.   The Greater London Authority's (GLA) view was that "educationally, dividing London creates more problem than it solves" and that the division complicated coordination between the Commissioners and other educational bodies in London.[96] The GLA described the current setup as "inexpedient", and "unsustainable", creating "complication and confusion". Cllr Richard Watts agreed that "the fact that Islington and Hackney as next door boroughs sit in different regions makes life a lot more complicated for us",[97] and Munira Mirza, London's Deputy Major for Education and Culture, described this arrangement as missing "a real opportunity for those schools to work together".[98]

55.   The GLA argued that London should be a region of its own, on the basis that "place-based identity" was "a crucial component of school improvement" and that splitting London disrupted this. According to the GLA, "overlooking the importance of shared context in driving school improvement risks impairing it for no practical gain".[99] The GLA also noted an administrative inconsistency in dividing London between three regions:[100]

> London is treated as a region by the Department [for Education] for grant funding and performance reporting. It is treated as a region by the Education Funding Agency. It is treated as a region by the National College for Teaching and Leadership. And it is treated as a region by the Teaching Schools Council.

56.   For Munira Mirza, the DfE's line of argument was based on a "worrying complacency about London and the assumption that London is doing all right and that, therefore, these Headteacher Boards and Regional Schools Commissioners don't really need to worry about addressing London's problems".[101] She noted that "most of the elected heads advising on Commissioners' work to improve underperforming schools in London are from non-London schools with significantly lower proportions of pupil premium children compared with London schools".

Devolution

57.   Councillor Watts observed that the Government's move towards devolving more power to city regions was potentially at odds with the setup of the RSCs: "If the stress of government policy in England is to move towards sub-regional identities for cities, so Greater Manchester being the thing, I think this has to fit in with that".[102] Conversely, Jon Coles, the Chief Executive of United Learning, argued that "if we organise around the city regions, there are a lot of people who do not live in the city regions. You have to think, 'Is it right then that we organise our schooling for people who don't live in cities in a way which denies them access to what makes our cities great?'"[103]

95   Q97
96   Greater London Authority (RSC 31) para 3
97   Q53
98   Q110
99   Greater London Authority (RSC 31) para 3
100 Greater London Authority (RSC 31) para 13
101 Q110
102 Q59
103 Q61

58. **The division of London between three RSCs is unnecessarily disruptive. Good sponsors and expertise can be spread to other regions through co-ordination and co-operation between RSCs, and does not require dividing London in this way.**

59. *The Government should redesign the RSC regions so that they are coterminous with Ofsted regions, which itself is based on the previous system of nine Government Office Regions. This will include creating an RSC for London, and therefore increasing the number of RSCs by one. This will help with capacity in the short term. For the longer term, the Government should keep the design of the regions under review as the system develops, in order to take account of further growth of the academy sector and any future devolution to areas such as Greater Manchester, which may also require a dedicated RSC in due course.*

Box 1: Case Study: The West Midlands

We visited Coventry as part of our inquiry, as the RSC's base for the West Midlands. We met Pank Patel, the Regional Schools Commissioner, and a selection of staff supporting his work. We held roundtable discussions with key partners for the RSC, including Ofsted, local authorities, members of the Headteacher Board, other headteachers from LA-maintained schools, and the Teaching Schools Council.

The West Midlands comprises the following areas:

- Birmingham
- Cheshire East
- Cheshire West and Chester
- Coventry
- Dudley
- Herefordshire
- Sandwell
- Shropshire
- Solihull
- Staffordshire
- Stoke-on-Trent
- Telford and Wrekin
- Walsall
- Warwickshire
- Wolverhampton
- Worcestershire

The West Midlands RSC region is not identical to the Ofsted region of the same name; the RSC region includes Cheshire and Chester, which is in the North West according to Ofsted. This means that the RSC must work with the Ofsted Director for the West Midlands on almost all parts of his region, but with a separate Ofsted Director for Cheshire and Chester.

As an RSC region, the West Midlands is of average size, with 2,657 open state schools at 1 August 2015.[104] The proportion of schools that are academies[105] is comparable to the national average, at around 25%. Data provided for our visit show that the region has a high number of schools rated inadequate by Ofsted—a total of 38 academies and 51 LA-maintained schools at October 2015. NFER estimates that the West Midlands has the highest number of 'coasting' secondary academies, but will be less burdened by growth in pupil numbers than other areas.[106]

DfE data on the first 11 months of RSC operations (from 1 September 2014 to 1 August 2015) show that in the West Midlands the RSC has been very successful in convincing schools to convert to academy status and in soliciting good free school applications, but much less active in intervening in underperforming academies and only moderately successful in identifying new sponsors. In the West Midlands by 1 August:[107]

- Three academies/free schools had changed sponsor or trust (joint lowest of the RSC regions, with the highest at 12);

- Three pre-warning and warning notices had been issued to academies/free schools (second lowest, with the highest at 16);

- 16 new sponsor applications had been generated, with 11 new sponsors approved (slightly below average, and less than half of the 23 approved in the East of England and North East London);

- 120 converter and sponsored academies had been opened (the highest of all the regions, albeit largely from converters rather than sponsored);

- 16 free schools had been opened (the highest of all the regions, albeit from a smaller number of applications–that is, a higher success rate).

The RSC's office confirmed that there were 101 active sponsors in the region, and that 355 academies were sponsored.

Pank Patel told us that "the biggest priority" for the West Midlands RSC region was "to look at growing high quality school leaders and high quality multi-academy trust leaders so that we can drive the system forward".[108]

Mirroring the reflections of other RSCs, Mr Patel explained that "All our regions are different and even within my region of the West Midlands I have sub-regions that are different. I have to make my decisions work according to those regions and that may

---

104 Department for Education (RSC 28) Annex A1

105 Including Free Schools, University Technical Colleges and Studio Schools

106 National Foundation for Educational Research, *A Guide to Regional Schools Commissioners*, p19

107 Department for Education (RSC 28) Figures 2–5

108 Q191

not necessarily come across as 100% consistent with what has happened somewhere else, but we need to take into account that regional perspective".[109]

We heard that the RSC and the Ofsted Regional Director for the West Midlands meet "frequently" to discuss schools of joint concern, and that they also "talk about those schools that are outstanding or good that can also support the system within the region".[110]

Pank Patel told us that the West Midlands Headteacher Board "bring their own knowledge, their own experience, their intelligence about the area, about the system, and bring a very realistic, down to earth, everyday perspective to those sorts of decisions".[111]

We were aware of local concerns about some decisions made and consultation processes used. The National Middle Schools' Forum (NMSF) was highly critical of decisions taken by Pank Patel in relation to requests from academies in Redditch and Evesham for a change of age range. The NSMF told us that the effect of these decisions on other LA-maintained schools had not been taken into account and that the views of the community had been disregarded:[112]

The current closed RSC decision-making process is ill-suited to the consideration of proposals from schools in three tier systems which necessarily affect the viability of neighbouring schools with implications [for] the provision of school places and the views of the local communities these schools serve. […] Others schools and the local community are shut out of the process. This cannot be right.

The Forum also highlighted shortcomings in consultation processes:[113]

> Recent experience in Worcestershire has frustrated local communities and schools affected by these proposals who have not even been informed when decisions will be made, and have received no explanation for the basis of the decisions taken. Letters to the Regional Schools Commissioner raising important issues in relation to the failure of schools to follow the School Organisation Guidance have received no response or acknowledgement.

Similar concerns were raised by Sharon Harvey, a local parent who works with a large group of other parents in Redditch:[114]

> […] as parents we felt that the RSC was reluctant to respond or engage with us […] We feel he fails to be accountable for this decision by refusing to allow us access to minutes, or by telling us what other evidence he considered […]. the refusal to explain the rationale behind the decision destroys public confidence in the RSC, and therefore in the DfE. Decisions should be transparent and shown to be justified […] The success of one school should not be pursued at the detriment of another.

---

109 Q244
110 Q199 [Lorna Fitzjohn]
111 Q206
112 National Middle Schools Forum (RSC 18) paras 3, 11
113 National Middle Schools Forum (RSC 18) para 12a
114 Sharon Harvey (RSC 5) paras 2.3, 4.2, 6

Notwithstanding the points made in this case, and disagreement in relation to controversial decisions, we were impressed during our visit by the general support for the work of the RSC in the West Midlands. Headteachers we met were highly complimentary of his approach, and we believe that the RSC's work was well received in general.

4   Capacity to fulfil their role

Staff resources

60.   RSCs are each supported directly by between six and seven other civil servants.[115] Several of the RSCs we questioned indicated that this small number was sufficient to discharge their current responsibilities;[116] Pank Patel (RSC, West Midlands) explained that, although his team was "a small office-based group in Coventry", he was able to call upon DfE staff in the academies group and the Education Funding Agency. He described this as a "huge resource at his disposal", and added that "My own Headteacher Board also increases my capacity. A whole range of people works on my behalf and with me".[117]

61.   Given the expected expansion of the RSCs' remit, Lord Nash advised us the DfE has "a plan to resource up the Regional Schools Commissioners quite substantially over the course of the next year".[118]

Current and future caseload

62.   The DfE provided us with data on the size of caseload in the RSC regions, in terms of the number of academies rated Inadequate by Ofsted, showing that on average there were around 2,600 open state schools in each RSC region and that 2–3% of those inspected had been rated inadequate.[119]

63.   Frank Green told us that the number of "coasting" schools (as proposed by the Education and Adoption Bill) was unlikely to be large: DfE modelling suggested that there might be just "a few hundred schools" in the coasting category.[120] Nevertheless, a recent report by NFER attempted to estimate the number of 'coasting' schools that the RSCs will need to tackle if the Education and Adoption Bill becomes law, and combined this with the number of primary and secondary schools below the floor level to produce a total number of schools requiring action; this provides an indication of how the caseload for the RSCs may change.[121]
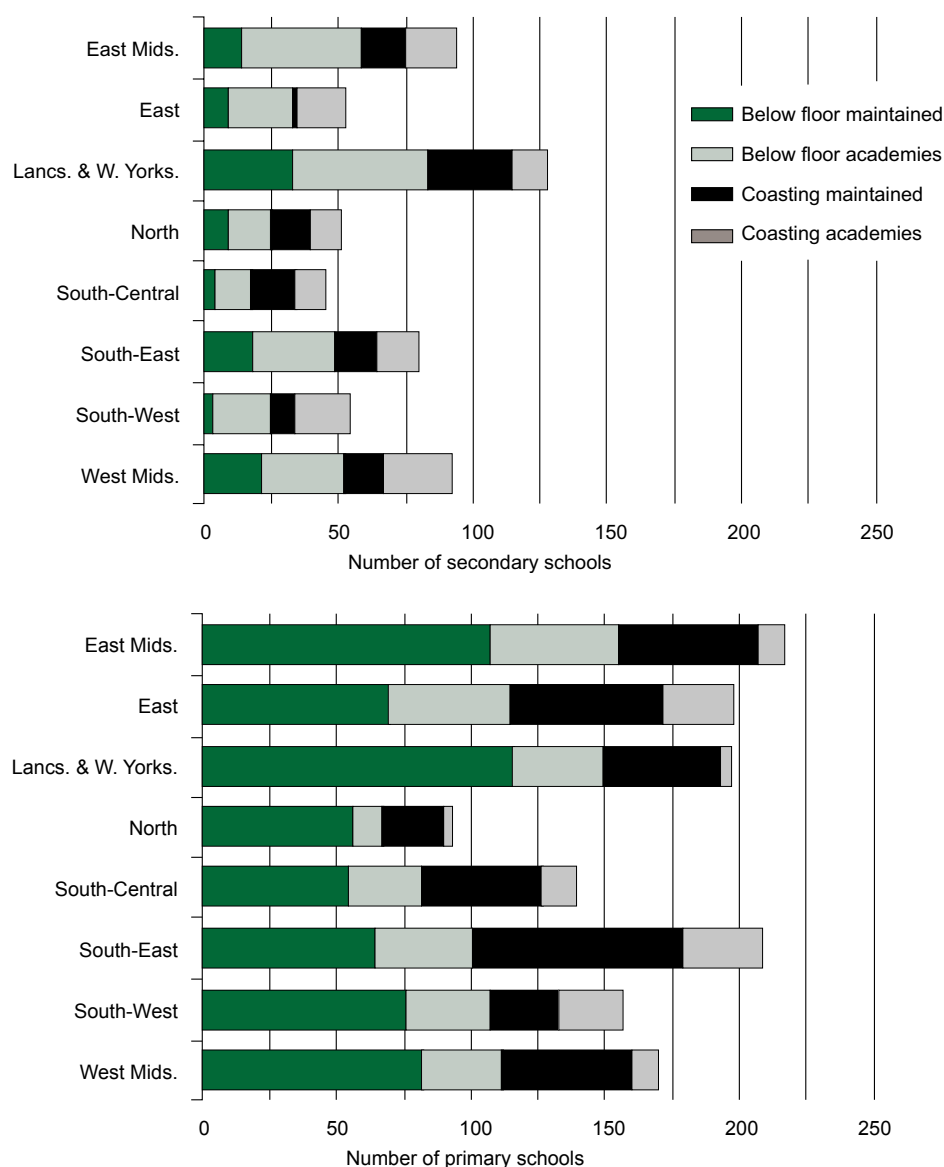
---

115 PQ 2659, 22 June 2015
116 Q112
117 Q243
118 Q262
119 Department for Education (RSC 28) Annexes A1–A3, based on Ofsted management information at 31 July 2015
120 Q189
121 NFER, *A Guide to Regional Schools Commissioners*, September 2015

Figure 5: NFER estimates of RSC caseloads, including 'coasting' schools

Source: NFER, *A Guide to Regional Schools Commissioners*, p8

64.   Several submissions to our inquiry suggested that a team of Deputy RSCs may be a necessary response to the increased remit,[122] while others saw this as further justification for subdividing the regions and creating a larger number of RSCs.[123]

Use of advisers

65.   The DfE told us that the RSCs "are also supported in their work by expert educational advisers who are contracted by the Department to work with individual schools".[124] The London Diocesan Board for Schools was highly complimentary about the work of these advisers:[125]

---

122 For instance, Ian Bauckham (RSC 8) para 2.1, The Education Foundation and Sheffield Institute of Education (RSC 24), Northamptonshire County Council (RSC 33) para 1.6

123 For instance, Russell Hobby Q10

124 Department for Education (RSC 28) para 12

125 London Diocesan Board for Schools (RSC 10) para 11

The most valuable benefit we have received from the advent of RSCs has been the quality of the advisers which the RSCs employ to visit schools; whilst the purpose of the visits are to provide detailed reports for the RSCs, the advisers also impart advice and actions for the school and sponsors which can be acted on. In our view it is essential that there should be adequate budgetary provision for these impartial high quality advisers. The employment of high quality advisers who have a strong and practical focus on raising standards will ensure that the RSCs can fulfil their role.

66. In August 2015 the DfE issued a £12m tender for specialist contractors to "support the Academies and Free Schools Programme and help deliver the Department's aim to ensure high educational standards […] and to secure sponsorship arrangements for maintained schools moving to academy status".[126] The Association of Teachers and Lecturers (ATL) attributed this contracting process to a "lack of capacity" within the RSCs.[127] The Department subsequently provided us with a list of 93 contractors, some of whom "deploy multiple individual advisers". This gives the DfE "a pool of over 400 advisers from which to select the best person for the job".[128]

67. *The "specialist contractors" appointed recently to support the academies and free schools programme are an important part of the school improvement system. We recommend that the Government review the amount of information currently in the public domain about their identity, appointment, work, monitoring and impact, with a view to improving transparency.*

Working through others

68. Some witnesses suggested that it would be more efficient for RSCs to focus on building relationships and working through others as their remit and caseload expanded, rather than accumulating additional resource themselves.[129] Dominic Herrington speculated that if the number of academies were to grow further, the RSCs would "work more with multi-academy trusts and the trust unit, and perhaps less the individual schools", noting that in his RSC region 63% of academies were are in a multi-academy trust.[130]

69. During our visit to Coventry we were particularly taken by the description of the RSC's working relationship with the Teaching Schools Council as a means of identifying suitable responses to problems identified by the Commissioner. Pank Patel told us that he relied "very much on Teaching Schools Council to implement NLEs, SLE, LLEs [National, Specialist, and Local Leaders of Education] in schools that need it".[131] He explained how he worked with the Teaching Schools Council in his region:[132]

> I said [to the TSC contact], 'This is the intervention I need. I need it now. What can you do to try to help out with providing me with a national leader of education who can work on this? You have the framework. You have those people who are available in that area. This is the skillset I require. Come back

126 "Education Specialists to support the academies and free school programme", gov.uk, accessed 7 January 2016
127 Association of Teachers and Lecturers (RSC 37) para 3
128 Department for Education (RSC 42) para 30
129 For instance, Jon Coles Q57, Kent County Council (RSC 22) para 2.2
130 Q116
131 Q248
132 Q248

to me on it', and he has done. We have been able to implement that person in that school within days.

70.   *The expanding remit and caseload for RSCs should prompt an increased emphasis on working through others to secure school improvement. We welcome the DfE's commitment to providing greater resource to the RSCs, but are not yet convinced of the case for a significant increase in expenditure on the RSC offices themselves. Instead, the Department should consider whether the partners that the RSCs must work with to secure school improvement, such as Teaching Schools, have sufficient capacity to respond to their requests.*

5   Headteacher Boards

The role of Headteacher Boards

71.   Regional Schools Commissioners are each supported by a Headteacher Board (HTB) of six to eight members.[133] The DfE told us that these Boards were "primarily responsible for advising their RSC, contributing their local knowledge and professional expertise to aid the RSC's decision-making".[134] Several of the RSCs offered descriptions of the role which match this statement; Dominic Herrington (RSC, South East England and South London) told us that HTBs were "allowing all the decisions we are making to be much nearer to the ground and much more sensible",[135] and Pank Patel (RSC, West Midlands) told us that "They can provide the reconnaissance and they can provide the expertise. They can also provide the challenge. It is a very varied role and remit that they have".[136] Some RSCs had also sought input from their HTB on the development of a strategy for the region.[137]

72.   However, it was evident during the inquiry that there was some confusion as to whether it was intended that HTBs should provide a form of local accountability for RSCs, and a corresponding lack of clarity as to whether the HTB was a decision-making body itself, or purely the provider of advice to inform the decisions of the RSC. The Association of Directors of Children's Services told us that "The balance of power and influence between the RSCs and their HTBs is unclear, yet the dynamic between the two is at the heart of this governance system". Similarly, NASUWT noted that "It is not clear whether HTBs' principal function is limited to advising RSCs or to take a more active role in decision-making".

73.   The preferred remit for Boards varied amongst witnesses. Russell Hobby saw three functions for the HTBs:

> One is to hold [RSCs] to account and challenge them to be doing the best thing. A second one is to provide legitimacy, and that is their elected function to say, "This is the system itself taking responsibility"[…] The third one is to provide intelligence and ideas. These are people who, if the territory is of the right size, should be able to know a lot about what is going on […] If they can provide those three main functions I think that would be helpful.[138]

Meanwhile, Jon Coles said that "If they were called, "The Heads Advisory Group to the RSC" I think […] most of your worries about transparency and the accountability of the Headteacher Boards would go away, but in practice I think that is what they are […]. They are effectively a non-executive advisory board".[139]

133 Department for Education (RSC 28) para 16
134 Department for Education (RSC 28) para 14
135 Q115
136 Q251
137 Q94
138 Q29
139 Q63

74. We asked Lord Nash to clarify whether the role of the Headteacher Board was to provide a local accountability structure, or a scrutiny mechanism for RSCs, and he told us that it was both of these things.[140] He also described the HTBs as "approving" RSC decisions rather than merely advising on them.[141] This leaves us with a confused picture. The ambiguity underlines a comment from Emma Knights that "the role needs to be written down. There is a lot of information saying what the RSCs do, there is very, very little saying what the HTBs do".[142]

Headteacher Board membership

Membership and appointment processes

75. The DfE explained that the membership of each Headteacher Board comprises a mixture of six to eight elected, appointed and co-opted individuals.[143]

Elected members

76. Four members are elected by academy headteachers in their region. In order to stand for election, headteachers must "be currently serving or have recently served (within two years of the election date) as a headteacher of an academy rated by Ofsted as either good or outstanding overall with outstanding leadership and management".

77. Russell Hobby noted that restricting elections to the Board to academy headteachers would start to look "increasingly unfair" as the remit of RSCs extended further to LA-maintained schools,[144] and other witnesses called for the membership to widened, including for instance to college principals.[145] This point will be particularly pertinent given the intention to allow sixth form colleges to become academies.[146]

78. Emma Knights was critical of the fact that at least half of the membership of each Board was elected, and drew a further comparison with the trend in school governing boards: "all the work we are doing with the Department around governing boards is about skills, skills, skills. There are now very few elected members left on governing boards and the Department is looking again as to whether we should remove even that minority that are left".[147] Other witnesses were more supportive of this element. Pamela Birch, a member of the HTB for the Lancashire and West Yorkshire region, said that "in order to get a school-led system on board with Regional Schools Commissioners, I think that you have to have an element of that Headteacher Board elected […] I don't think that heads up and down the country are going to accept a system where people are just put on boards rather than being elected […] I would never take away the elected aspect of it because otherwise you will immediately alienate a lot of heads".[148]

---

140 Q323
141 Q320
142 Q29
143 Department for Education (RSC 42) paras 6–10
144 Q24
145 Association of Colleges (RSC 7) para 1
146 HM Treasury, *Spending Review and autumn statement 2015*, Cm 9162, para 1.171
147 Q25
148 Q26

Appointed and co-opted members

79.   After the initial elections, additional members are subsequently *appointed* by the RSCs on behalf of the Secretary of State "to help fill any gaps in local knowledge or particular expertise". The DfE told us that appointed members were "predominantly headteachers of outstanding academies who have strong credibility with the sector", but that "some RSCs have also chosen to appoint Board members from the business sector to bring additional skills".

80.   However, Emma Knights was concerned that this process did not match the high standards expected for school governing boards: "Normal process for good board recruitment would be that you would have a role specification, then you would recruit to that role specification and you would interview candidates against that spec. [...] I would have wanted to see a list of knowledge and skills that were needed on those boards and to make sure that in every single region they were filled".[149]

81.   Additionally, where the Headteacher Board itself believes there is a need to bring additional skills or expertise, it may apply to ministers for permission to co-opt further members, by "explaining what skills or local knowledge they are seeking to bring in and how co-optees will address these needs".[150]

Capacity

82.   All HTB members are expected to commit to between two and four days per month for HTB work, for a maximum of 46 weeks per year.[151] United Learning warned us that there was a "distinct possibility" of system leaders such as members of the HTB "overstretching themselves and risking the success they have achieved in their own school or schools".[152] This was also reflected in our conversations with members of the West Midlands HTB, who found that as a result of their higher profile and increasing expertise they were being called upon directly by schools in need of support to provide advice on school improvement. This underlines the importance of a good supply of system leaders able to fulfil these roles, including as Board members.

83.   *There is currently confusion about the role of the Headteacher Boards, including whether they are decision-making bodies or purely a source of advice for the RSC. The Department for Education must clarify this, as it is a crucial component of ensuring there is suitable accountability for decisions made. We recommend that the Boards be re-designated as RSC Advisory Boards, to make it clear that the role of the Board is to provide advice to inform RSC decisions, rather than a mechanism for local accountability or to make decisions itself. The re-designation would also make clear that membership is not restricted to headteachers, given the existing scope for appointments and co-options.*

84.   *The 'mixed economy' of elected and appointed members of the Headteacher Board should be retained. However the Government must ensure that the guidelines on making and managing public appointments are followed; RSCs should develop an explicit skills profile when recruiting individuals to appoint or co-opt to the Board, and*

---

149 Q36
150 Department for Education (RSC 42) para 10
151 Department for Education (RSC 43) para 8
152 United Learning (RSC 35)

use this to identify candidates. If the remit of the RSCs expands in the way proposed in the Education and Adoption Bill, headteachers of similarly high-performing LA-maintained schools should be eligible for election, appointment or co-option in the same way as academy heads, and should be able to vote in Board member elections.

Turnover

85.   The DfE told us that all members of the Headteacher Board were appointed in September 2014 with a maximum three-year term, albeit with the potential for shorter terms for co-opted members "depending on the circumstances and the agreement reached between the parties".[153] Headteachers that we spoke to in Coventry were concerned that there could potentially be a large turnover in the membership of HTBs in September 2017, with a consequential loss of expertise built up during this period. Lord Nash agreed that "we obviously would not want to lose all that expertise in one go […] Some may stay, we may appoint some new people earlier, but we have that very much in mind".[154]

86.   *The Government should ensure that the appointment terms for the Headteacher Boards allow for phased turnover rather than change all at once.*

---

153 Department for Education (RSC 42) para 9
154 Q324

6   Impact

Impact so far—by levels of activity

87.   The DfE told the Committee that it was "too early to assess the longer term impact that the RSCs are having on educational outcomes in their regions", but that "they are introducing new and different ways of working that support increased collaboration and self-regulation of the system". The focus of RSCs has been on "the sustained growth of the academies market and taking swift and targeted action where it is needed most". The Department provided details on levels of activity as follows:

Table 1: RSC activities 1 September 2014–1 August 2015

Region	Pre-warning and warning notices issued	Academies and free schools moved from a trust or sponsor	Converter and sponsored academies opened	Sponsor applications (approvals)	Free schools opened
East Midlands & the Humber	15	8	117	17 (15)	7
Lancashire & West Yorkshire	2	11	79	24 (22)	10
East England & North East London	11	12	112	20 (23)	8
North	0	3	43	9 (8)	3
South Central & North West London	3	8	64	17 (15)	16
South East & South London	16	7	117	17 (16)	12
South West	0	10	109	19 (10)	9
West Midlands	3	3	120	16 (11)	16
Total	50	62	761	139 (120)	81

Source: Department for Education (RSC 28) Figures 2–5

Key Performance Indicators

88. The performance of the RSCs is monitored through a set of Key Performance Indicators (KPIs). These were first published in the newspaper *Schools Week* following a Freedom of Information request made in December 2014, but are currently still not available on the Government website. The DfE confirmed for us that the KPIs are:[155]

(1) The percentage of academies, free schools, UTCs and studio schools below the floor standard, broken down by number of years below the floor. [These schools must have been open at least a year, and alternative provision and special schools are not included.]

(2) The percentage of academies, free schools, UTCs and studio schools in the Ofsted inadequate category, broken down by length of time. [Alternative provision and special schools are included.]

(3) The percentage of

    i) schools that are academies or free schools. [UTCs and studio schools are not included as RSCs do not have a role in opening these types of provision.]

    ii) eligible schools issued with an academy order, where in this case an 'eligible' school is defined as one: that is not already an academy, free school, UTC or studio school; that is not below the floor; and that is not in Ofsted inadequate category.

(4) The number and percentage of academies below the floor or in Ofsted inadequate category within the first two years of opening.

(5) The percentage of local authority areas in the region where more schools require a sponsor than there are sponsors available.

(6) The percentage change in sponsor attainment rating. [This rating is calculated using a combination of metrics relating to the performance of the schools managed by the sponsor.]

(7) The percentage of approved sponsors that are active (i.e. that are sponsoring one or more academies).

(8) The number of free schools and percentage of high quality free schools, UTCs and studio schools in the region. [This includes the approval rate, the attrition rate, the percentage of good and outstanding reports after 1st term visits and 3rd term visits, and the percentage of good and outstanding Ofsted inspections (1st inspection only included in this KPI).]

89. Pank Patel said that "We may not always be able to meet some of those key performance indicators for various reasons that are completely beyond our control. I do not think we should lose our jobs as a result of it. However I do think that we should be held to account through these key performance indicators".[156]

---

155 Department for Education (RSC 42) Annex D
156 Q247

90. The National Association of Headteachers (NAHT) argued that KPI 3(i)—the percentage of schools in the area that are academies or free schools—risked an assumption of academisation and a conflict of interest for RSCs, leading sometimes to "an element of collusion" between RSCs and LAs, with "schools feeling almost bullied into academisation". Russell Hobby told us that this performance metric was "absolutely the wrong one" and that "it damages the credibility of RSCs", since "academisation is a means to an end, not an end in itself".[157] Robert Hill told us that this KPI was "crude and inappropriate".[158] It also raises a conflict of interest. The Association of Teachers and Lecturers also noted that it would subsequently be "wholly inappropriate" if the RSCs were to begin to judge whether a coasting school's improvement programme was sufficient to avoid academy conversion, given their potential interest in the outcome.[159]

91. Lord Nash acknowledged that this KPI "may be inappropriate",[160] and the Government has promised to review the KPIs for RSCs. This work is expected to be completed early in 2016, and will take account of objections to using the number of academies as a performance indicator.[161]

92. ***The Government's review of Key Performance Indicators for RSCs should ensure that the KPIs do not prejudice the decisions made on academisation and changes of sponsor. In particular, we recommend that KPI 3(i) relating to the proportion of schools that are academies, should be removed on the grounds that it constitutes a conflict of interest.***

Impact as measured by existing KPIs

93. We asked the DfE to provide data on the RSCs' performance against the current KPIs. The Department explained that "as each region has its own distinct characteristics, they are not used to compare one region to another. Instead they are compared to the baseline data for the individual region. The baseline data is taken from the beginning of September 2014, when the RSCs came into post".[162]

94. Despite extensive discussion of the KPIs during the evidence sessions for our inquiry, and references from Lord Nash, Frank Green and the RSCs themselves to the Department using these KPIs to hold the Commissioners to account,[163] the DfE struggled to provide information on RSC performance against their KPIs within five weeks of our requesting it.[164] The information that we were provided with shortly before publication of this report relates to KPIs 1–4 and 8, and is given in the tables in Appendix 1. We were told that the Department did not have current data in relation to KPIs 5–7.

95. The tables show that all of the RSCs are making some progress against KPI 1—the proportion of academies that are below the floor standard. The information provided also reveals an academisation target level of 28% for most of the regions, which has been exceeded in some cases. KPI 4 relates to the proportion of sponsored and converter

---

157 Q6
158 Robert Hill (RSC 1) para 11
159 ATL (RSC 37)
160 Q281
161 Qq 274–275
162 Department for Education (RSC 42) Annex D
163 For example Q88 [Dominic Herrington], Q168 [Frank Green].
164 A request was submitted to the DfE Parliamentary Team on 4 December 2015, following Lord Nash's oral evidence. Partial data was provided on 7 January 2016.

academies which the RSC has been involved in opening which have moved into the Ofsted inadequate category and/or have fallen below the floor standards within the first 12 months to two years of being open. In the North, the figure for sponsored academies is 31%, and in the East Midlands and the Humber 6% of converter academies are in this position.

96. *It is troubling that the DfE struggled to provide us with data on the performance of RSCs, given that KPIs were referred to throughout our inquiry and the Department's written evidence. In particular, the lack of data for KPIs 5–7 undermines the Department's claim that the impact of RSCs is being monitored and that RSCs are being held to account internally. The Government should produce an annual report on the work of RSCs, showing each RSC's performance against all of their (revised) KPIs and their targets, and should undertake to publish online regular performance monitoring information as it is available. This is an important part of improving the transparency and accountability of RSCs.*

How should the impact of RSCs be measured?

97. Lord Nash told us that "It is too early to have clear evidence of impact […] We can see impact in the way you would manage any organisation in terms of their performance, but in terms of the performance overall of the system, it is obviously going to take a few years".[165] Several other witnesses agreed that one year of operation was too soon to see an impact on the wider system.[166]

98. Pank Patel described the role of RSCs in terms of "improving outcomes for young people and making sure that the experience they have is a quality one",[167] and several witnesses suggested that the impact of RSCs ought to be measured in a way that reflects this. For instance, ASCL told the Committee that:[168]

> The success or otherwise of the RSC model should be judged on the basis of its effectiveness in improving the quality of academies specifically, and in due course the education service more broadly, in each region.

Similarly, Russell Hobby said that "The rationale behind an RSC is to improve the quality of schooling. The measure of their performance should be the quality of schools within their region, both the proportion of good and outstanding schools, the number of schools above the floor standard and the number of schools above the coasting standard.[169]

99. While many agreed with such laudable aims for RSCs, Jon Coles questioned whether the Commissioners had sufficient levers to affect significant school improvement: "If you think about what the drivers of school improvement are, the underpinning thing, number 1, is can you get enough good teachers? But they do not have much control over teacher supply in their regions or teacher professional development or leadership development in their regions […]"[170] Martin Post agreed that "it is fair to hold us to account, but it is

---

165 Q269
166 For example, Nottinghamshire County Council (RSC 6) para 5.1, The Education Foundation and the Sheffield Institute of Education (RSC 24) para 2.9.
167 Q200
168 ASCL (RSC 29) para 29
169 Q6
170 Q44

always important to bear in mind that the people who affect the change in schools are good school leaders, good governors and, in the end, excellent teachers".[171]

100. Nevertheless, while the Government's focus is on tackling underperforming schools through academisation and changes of sponsor, it seems fitting to measure the overall impact of RSCs in terms of school improvement.

101. **The impact of RSCs should be considered in terms of the improvement in young people's education and outcomes, rather than merely the volume of structural changes introduced or other levels of activity. This approach would mirror the way in which the effectiveness of local authorities is measured, such as the number of children attending Good or Outstanding schools, and would increase confidence in the work of RSCs.**

---

171 Q77

7   Accountability and transparency

Accountability as civil servants

102. Regional Schools Commissioners are employed as civil servants,[172] appointed generally on five-year fixed-term contracts.[173] Employment on this basis effectively defines their existing accountability mechanism; the Cabinet Manual states that "Civil servants are accountable to Ministers, who in turn are accountable to Parliament".[174] This principle is referred to as the Haldane model. The DfE described the intermediate reporting arrangements within the Department as follows:[175]

> The RSCs report through Frank Green CBE, the Schools Commissioner, and Andrew McCully, Director General of Infrastructure and Funding, to Lord Nash, Parliamentary Under-Secretary of State for Schools […] The RSCs provide regular updates to the minister, together and individually, on specific cases.

103. The merits of altering the accountability regime for civil servants were considered as part of a 2013 report by the Public Administration Committee, which noted that:[176]

> Much has changed since the Haldane model of ministerial accountability became established nearly a century ago, not least the size, role and complexity of departments for which ministers are accountable […] a comprehensive reassessment of how the Haldane doctrine can operate in today's world is long overdue […] Ministers tend to blame failures in defence procurement or the Borders Agency on civil servants or previous governments and we believe that Civil Servants may attribute such failures to inexperienced ministers with party political agendas. Either way, few ministers or officials seem to be held accountable when things go wrong. More importantly, there is a risk that an atmosphere of blame overshadows acknowledgement of excellent work. The need to address this may not invalidate the traditional doctrine of ministerial responsibility, but it needs to be redefined and adapted in order to serve good process and effective government in the modern context.

104. Many witnesses queried whether RSC accountability via Ministers was sufficient, given the power that RSCs hold. The ATL said that "as RSCs do not answer to the electorate, and cannot be removed by them, there is no democratic accountability".[177]

105. *While we recognise that there are strong reasons for Regional Schools Commissioners to have been appointed as civil servants, they have responsibilities and powers that extend beyond the scope of many other civil service roles. We believe their level of operational autonomy makes them a candidate for a more direct form of accountability than would be the case for other senior civil servants, and we recommend that the*

---

172 Department for Education (RSC 28) para 24

173 Department for Education (RSC 42) para 32; Dominic Herrington retained his permanent contract as an existing civil servant at the Department for Education.

174 Cabinet Office, *The Cabinet Manual,* October 2011, p57

175 Department for Education (RSC 28) para 25

176 Public Administration Select Committee, Eighth Report of Session 2013–14, *Truth to power: how civil service reform can succeed*, HC 74, para 17

177 ATL (RSC 37) para 6

Government consider further what forms that accountability might take. In doing so, the Government should define the extent of the operational autonomy that RSCs have.

106. **We also recognise the ultimate responsibility of the Secretary of State and her ministers for work carried out in the Department's name. As the House of Commons Education Committee, we form part of the mechanism for holding Ministers to account. As a result, Ministers should also expect to appear before us to be held responsible for the decisions RSCs make in their name.**

Management of conflicts of interest

107. A register of interests for all RSCs and HTB members is published online.[178] The DfE told us that "robust protocols and procedures" were in place to manage potential conflicts of interest in Headteacher Board meetings, and that "where a HTB member has an interest they do not receive the papers associated with the decision and leave the room when it is discussed".[179]

108. Despite these measures, the National Governors' Association (NGA) said that there were:[180]

> …significant conflicts of interests where members of the Headteacher Boards are employed by MATs which may be potential sponsors of schools, or are headteachers of schools that may be directly or indirectly affected by RSC decisions. […] the reality is that simply excluding the individual from the discussion and the formal decision making process, does not mean they do not unconsciously or consciously affect the decision. Their underlying influence as a member of the HTB will still be felt and it is difficult to argue that the other board members' consideration was not affected by their knowledge of the excluded individual.

109. Russell Hobby agreed that it was "easy" to remove people from the room in some specific cases, but argued that potential conflicts were much harder to manage in other circumstances:[181]

> […] what if you are the CEO of an academy chain that is expanding across the region? The general policy of the Headteacher Board may be of great interest to you. If the Headteacher Board and the RSC adopts a position that we should actively encourage more and more academies to take over failing schools, that is acting within your interests more generally and there is no way that you can remove yourself from any specific decision being made in that sense […].

He argued that this underlined the need for improved transparency of operation, "so that we can judge whether these decisions are being made and feel right because there is an evidence base behind them, or whether it is personal interests".[182]

---

178 Schools Commissioners Group Register of Interests
179 Department for Education (RSC 28) para 18
180 National Governors' Association (RSC 32) para 2.4
181 Q30
182 Q30

Transparency

110. Transparency of operation was a significant concern for many witnesses. Malcolm Trobe told us that "a number of things related to the RSC role" were "clouded in elements in secrecy",[183] and it was clear that a lack of transparency amplified concerns about managing conflicts of interest. Kent County Council noted that the information available online about Headteacher Boards was "minimal" and that there was a need for "a comprehensive document detailing their role, remit, boundaries, accountabilities and future plans".[184]

111. Pamela Birch told us that there was "a tremendous amount of integrity" to Headteacher Board discussions, and that "if we possibly just communicated better how those decisions were being made then people would feel more comfortable and more reassured […] I am quite proud for people to know the extent of thought that goes into decisions that are made and to understand that process".[185]

Headteacher Board minutes

112. The minutes of Headteacher Board meetings were a particular focus for transparency concerns. The DfE told us that it publishes online monthly a record of HTB meetings, which includes "discussion points and decisions made",[186] but several witnesses were critical of the amount of information contained in these documents.[187]

113. Pamela Birch argued that "you cannot have those open and frank discussions if everything is going to be minuted. It is right that the decisions are minuted but part of the job of the board is to bring local knowledge".[188] Nevertheless, she accepted that minutes "could be clearer" and that this "would offer reassurance".[189] Pank Patel confirmed that there were plans for Headteacher Board meeting minutes to have "a greater degree of transparency in them […] and more detail".[190] We welcome this, although we agree with Frank Green that Headteacher Boards "need to be able to give confidential, frank advice without fear or favour".[191]

Decision-making frameworks

114. The Association of School and College Leaders (ASCL) noted that "the framework under which decisions are made by RSCs is not published. This is not helpful, contributes to the confusion about their role and powers and is not in the interests of a transparent system".[192] Emma Knights said that some NGA members were "deeply frustrated because they cannot get an explanation for why their preferred sponsor is not good enough".[193]

183 Q6
184 Kent County Council (RSC 22) para 5.5
185 Q13
186 Department for Education (RSC 28) para 19
187 For example, National Association of School Business Management (RSC 12) para 2.4, Association of Colleges (RSC 7) para 3, Church of England Education Office (RSC 15) para 10.
188 Q14
189 Q15
190 Q204
191 Q187
192 ASCL (RSC 29) para 2i
193 Q18

Russell Hobby (General Secretary, NAHT) told us that "what we need is a consistent set of decision-making guidelines for how [the coasting schools measures] will be applied".[194]

115. Russell Hobby said that "the more we know [about] how they will make the decisions, the fairer they will seem and the less fear that will be generated as a result of that".[195] Malcolm Trobe added that the benefits of transparency extended beyond accountability and confidence in the system: "If we can understand what they think makes a good school and a good sponsor, then we can act pre-emptively. Heads can look at that and say, 'Oh that is what they are looking for. I am going to do that before I am asked'".[196]

116. *There is a paucity of useful information available online about the work of Headteacher Boards, and this undermines a promising component of the RSC system. We welcome the DfE's commitment to publishing more detailed minutes of Board meetings, in order to provide confidence in the nature of the advice given and to minimise the risk of impropriety. We further recommend that the DfE publish decision-making frameworks for RSCs to aid consistency of approach and transparency. This will allow RSC decisions to be made and recorded in a transparent way, with a rationale for each provided in reference to the published decision-making framework.*

8   Relationships with other stakeholders

117. The Academies Enterprise Trust told us that the role of the RSC was "essentially about fostering and building relationships with all who can support the school improvement process",[197] and our inquiry explored issues relating to the RSCs' interaction with local authorities (LAs), Ofsted, multi-academy trusts and local communities.

Relationship with local authorities

118. The challenge of interacting with LAs is substantial for some RSCs; the South Central England and North West London region encompasses 27 local authority areas.[198] The DfE told us that:[199]

> Wherever possible, RSCs work proactively with local authorities and ensure that information is shared and the necessary action is taken particularly where there are concerns that cut across their responsibilities. Where the local authority has a concern about academy performance, including governance, they are able to raise this information with the relevant RSC. Many local authorities are also sharing information about need for new school places with the relevant RSC.

119. ASCL was positive about existing relationships, and told the Committee that "strategic relationships" between the RSCs and Ofsted regional directors, local authority directors of children's services, and/or directors of education were in place.[200] Some local authorities emphasised their willingness to work with the RSC and said that their relationships with them were functioning.[201] However, NAHT presented a more mixed picture; "some work well together, some collude to bully [into academisation], some have no relationship at all".[202]

Formal protocols

120. Kent County Council argued that partnership between the LA and the RSC should be "underpinned by a formal protocol", and that there was "a need for a shared understanding about respective roles and accountabilities which could be achieved through clear codification".[203] Nottingham City Council agreed that there was a need to "establish protocols for working more closely together with the RSC", noting that "intervention from the RSC locally has been done without any communication with the LA".[204] Similarly, the Academies Enterprise Trust (AET) told us that "relationships should be governed by codes of conduct and agreed criteria and should not be personalised" and that "there should be a published code of conduct".[205] NASUWT warned that:

---

197 Academies Enterprise Trust (RSC 27) para 4.10

198 "Regional Schools Commissioner for South Central England and North West London", gov.uk, accessed 7 January 2016

199 Department for Education (RSC 28) para 35

200 ASCL (RSC 29) para 32

201 For instance, Northamptonshire County Council (RSC 33) para 3.14

202 National Association of Head Teachers (RSC 23) para 6

203 Kent County Council (RSC 22) para 4.2

204 Nottingham City Council (RSC 9) para 4.2

205 Academies Enterprise Trust (RSC 27) para 4.3

[…] without clear protocols for RSCs in relation to their interaction with local authorities, there is a genuine risk that conflicts and policy incoherence will emerge at local level.[206]

Data sharing

121. Several submissions also raised data sharing as a concern. ADCS told us that delayed and incomplete data returns from academies and free schools were inhibiting the discharge of the LA's statutory duties.[207] Northamptonshire County Council suggested that:[208]

> It would be helpful for all concerned […] if there was clarity about what, when and how information should be shared about schools, including performance data […] we rely on [academies'] good will to inform us of their performance data and outcomes […] as it stands, the DfE, RSC and Ofsted will be party to that information long before the county council, which undermines our credibility and accountable role.

122. ***The Government should publish a protocol for interaction between RSCs and local authorities to ensure that there is a shared understanding of roles. This should also set out expectations for information-sharing between RSCs, local authorities, and MATs.***

Relationships with Ofsted

123. The DfE told us that:

> Ofsted inspection results and accountability measures based on school performance data underpin the RSCs' intervention activity in relation to underperforming academies. The RSCs have established effective relationships with the relevant Ofsted Regional Directors to ensure that information is shared as appropriate.

Nevertheless, Ofsted told us that while it had been "proactive in engaging with RSCs", there has been "limited engagement" with some of them. Tellingly, we also heard that Ofsted's Regional Directors meet regularly "with those RSCs with whom good working relationships have been established".[209]

124. **We would hope that our recommendation for matching the RSC regions with Ofsted's regional structure will ensure that effective working relationships are established in every case.**

Relationships with MATs

125. We learned during the inquiry that for each major academy chain that spans multiple regions a "lead" RSC is nominated to coordinate interaction between the Commissioners and the Trust. Details of these were supplied to us by the Department.[210] Lord Nash explained that this provided "one main point of contact" for the trust, and that "that is

---

206 NASUWT (RSC 13) para 12

207 Association of Directors of Children's Services (RSC 26) para 5.3

208 Northamptonshire County Council (RSC 33) para 3.15

209 Ofsted (RSC 25)

210 Department for Education (RSC 42) paras 22–27

much better than them having four different Regional Schools Commissioners to deal with".[211]

126. We asked Frank Green whether this relationship could lead to RSC decisions being more favourable to the trusts with whom they had regular interaction. He told us that "the opposite was probably true. As you have that relationship, you are harder and harsher. They have to cross the bar of being allowed to do it with tougher criteria than another trust".[212]

Challenging decisions

127. Malcolm Trobe reported that ASCL had "virtually no casework emerging from the work that the RSCs were doing,[213] and Lord Nash told us that there had not been any complaints made about RSC decisions. He argued that "we have plenty of judicial review proceedings going on in relation to the academy system, which is one method of complaining, so I don't think people are slow in coming forward if they don't feel that the decisions are right".[214]

128. Nevertheless, there is a theoretical risk that some individuals or organisations may be reluctant to criticise an RSC decision, given the power that the Commissioner has over future decisions on sponsors, academisation and free school proposals in the area.

129. *To increase confidence in the work of RSCs, a formal complaint and whistleblowing procedure should be established to provide a means for decisions to be challenged or reviewed.*

Interaction with schools

130. Ofsted warned that "care must be taken to ensure that the roles of RSCs and the inspectorate do not overlap to an extent that causes confusion and the unnecessary duplication of work for schools and trusts". However, we heard that the approach to school visits being taken by some RSCs was being interpreted as a "shadow inspection regime",[215] Dominic Herrington explained that "Ofsted does two-day inspections, but it does not give ideas for improvement",[216] and Pank Patel told us that RSC visits were "not to inspect, but they are to hold to account and they are to advise". Nevertheless, there have been reports of an RSC referring to inspection-style observations in a letter to a school.[217] Sean Harford acknowledged that "sometimes schools that find themselves in a tailspin will be looking around and they will feel like they are being improved by, inspected by or overseen by a number of different people and I am sure it could be confusing to them".[218]

131. We also heard that there was an increase in demand on schools arising from a lack of coordination between RSCs and Ofsted. Nigel Genders told us that:[219]

---

211 Q282
212 Q174
213 Q19
214 Qq 320–321
215 Robert Hill (RSC 1) para 6 on p24
216 Q100
217 "Teachers have too much control, RSC warns school", *Schools Week*, 27 March 2015
218 Q139
219 Q53

> We end up with schools who are getting […] a visit from a Regional Schools Commissioner one day, a broker another and Ofsted another and they all say slightly different things. That just adds too much burden to the system when schools should be spending time getting on with delivering outcomes for children.

Similarly, Ian Comfort recalled that "over the last year we have had a number of situations where we have had Ofsted visit one of our academies and within a matter of a week or so we have had an education adviser conducting a visit and sometimes the two of them saying different things in the outcomes […] it creates an extra burden on the schools".[220]

132. We asked Lorna Fitzjohn and Pank Patel whether there was a need to improve coordination between Ofsted and RSCs in terms of their interaction with schools. Pank Patel told us that the two of them met regularly and exchanged information,[221] but that:[222]

> If I or my team are visiting a school, most of time it is because we have concerns about the quality of what is happening there. Similarly, Ofsted would also have that same level of concern, so the expectation that Ofsted would visit would be pretty clear to those schools anyway. It would not be any surprise.

Naturally, both were cautious about sharing the specific dates of future RSC or Ofsted visits, but Pank Patel told us that where a school of joint concern was being discussed it would be normal for the RSC to highlight his intention to visit, or that a visit had just taken place.[223] Meanwhile, Ofsted could be expected to undertake termly monitoring visits to schools of concern, and this made some visits predictable.[224]

133. *We recommend that Ofsted and the national Schools Commissioner consider further how they could ensure that RSC and Ofsted visits to schools are coordinated and do not create an unnecessary burden on schools. Further, they should ensure that schools are clear about the distinction between Ofsted inspections and RSC visits.*

Interaction with local communities

Consultation

134. Ian Comfort described a variation in the level of consultation that RSCs undertake with local communities:[225]

> In some areas, there is considerable conversation on certain aspects and in other areas probably not enough consultation or no consultation at all […] there are times when I feel that consultation should be a bit broader; there are other times when consultation is more than adequate.

We heard that residents in the West Midlands were concerned about some of the decisions made there.[226] United Learning warned that the RSCs should "resist any temptation to

---

220 Q225
221 Q224
222 Q225
223 Q224
224 Q224
225 Qq201–202
226 See case study.

become public 'parent champions'", but suggested that "it is likely that local communities will want there to be a route through which they could contribute to, challenge and scrutinise decisions affecting, and to do so in a timely manner, enabling them to affect decisions".[227]

135. Pank Patel conceded that "a greater degree of consultation could be very fruitful",[228] but suggested that consultation was not a key part of the decision-making process:[229]

> We have to follow a national framework and we have to take that consultation into account, but we also have to be clear: consultation is consultation and we do not live in a world where every consultation is a referendum. We will need to take on board some of the considerations in the consultation, but it is not a determining factor in our decision-making.

136. The NGA acknowledged that local communities may not always agree with the decision taken by an RSC, but argued that communication was important to keep communities onside with controversial decisions:[230]

> NGA recognises that what is needed to provide good educational outcomes for pupils and what the local community wants is not always the same thing and that in some cases it will be necessary for RSCs to make difficult or unpopular decisions about the future of a school. In these circumstances it is vital that there is meaningful dialogue with the community through the process.

137. *There is variation between regions in the level of meaningful consultation undertaken with local communities. We recommend that good practice is shared and standardised, to ensure that the effect of decision on a broad range of stakeholders is considered.*

227 United Learning (RSC 35)
228 Q208
229 Q203
230 Nation Governors' Association (RSC 32) para 4.8

9   Conclusion

138. The introduction of RSCs is a pragmatic approach to the expanding workload of academies oversight. It is clear that in many areas RSCs are working hard and are being ably supported by their Headteacher Boards. However, further work is needed to improve their transparency, accountability and working relationships in order to continue with progress towards appropriate intermediate structures between Whitehall and individual schools. Without attention to these issues, RSCs will be seen as undemocratic and opaque, and the Government must ensure that such concerns are acted on. It is important that the Government continues to monitor the work of RSCs as their responsibilities change, and as the mixture of different types of school alters over time. In the future a more fundamental reassessment will be required.

Conclusions and recommendations

1. It is clear to us that RSCs were introduced as a response to the need to ensure appropriate oversight for the growing number of academies, and that the schools landscape is continuing to evolve. As such, oversight will need to develop further with it. For now our starting point is that the introduction of RSCs is a pragmatic approach to managing the growing task of overseeing academies. Once the mix of school structures becomes more stable a fundamental reassessment will be required. (Paragraph 10)

The responsibilities of Regional Schools Commissioners

2. The existing description of the role of the national Schools Commissioner is nebulous and does not make clear what is required from the position. We recommend that the Government sets out more clearly the role of the national Schools Commissioner and how it relates to the expanding role of the RSCs. Given the significance of the role of the national Schools Commissioner, we would expect to hold a hearing with the new appointee at an early date. The Government should discuss with us adding the position to the list of public appointments subject to pre-appointment hearings. (Paragraph 18)

3. RSCs occupy an increasingly powerful position in the education system, but their responsibilities in relation to other components of the system remain unclear to many of our witnesses. The landscape of oversight, intervention, inspection and accountability is now complex and difficult for many of those involved in education, not least parents, to navigate. We recommend that the Government reflect on the need to improve understanding of the role of the RSCs. (Paragraph 23)

4. The Government should clarify the division of responsibilities between RSCs, local authorities, and Ofsted—including in relation to safeguarding—in a way that is comprehensible to schools and parents. (Paragraph 27)

5. We have received evidence that there is too much variation in the approach that RSCs take to their work and the standards they apply. RSCs should be identifying local challenges that impede school improvement so that these issues can be addressed; they must not demand or expect different standards in different regions. (Paragraph 33)

6. We recommend that the Government ensure a greater level of consistency in the work of RSCs, and explicitly include responsibility for co-ordination and consistency of standards in the job description for the national Schools Commissioner. We expect the national Schools Commissioner to report to us on how a greater level of consistency will be achieved. (Paragraph 34)

7. RSCs should publish their vision, workplans and priorities for their region, and seek input and buy-in to them from all relevant stakeholders. (Paragraph 37)

8. The knowledge and skills needed to perform the role of RSC are considerable. The RSC system therefore relies heavily on identifying the right people to take on the

role, and on the future supply of such system leaders. There is a need to nurture potential future RSCs to undertake the role. (Paragraph 40)

The future of the role

9. There has been a gradual expansion of the role of the RSC since September 2014, and it is the Government's ambition for all schools to become academies. This implies a significant increase in the number of institutions for which RSCs are expected to have oversight, which will have implications for capacity and ways of working. The Government will need to monitor the situation closely as it develops, if the intention is for RSCs to become responsible for all schools. (Paragraph 44)

The RSC regions

10. The division of London between three RSCs is unnecessarily disruptive. Good sponsors and expertise can be spread to other regions through co-ordination and co-operation between RSCs, and does not require dividing London in this way. (Paragraph 58)

11. The Government should redesign the RSC regions so that they are coterminous with Ofsted regions, which itself is based on the previous system of nine Government Office Regions. This will include creating an RSC for London, and therefore increasing the number of RSCs by one. This will help with capacity in the short term. For the longer term, the Government should keep the design of the regions under review as the system develops, in order to take account of further growth of the academy sector and any future devolution to areas such as Greater Manchester, which may also require a dedicated RSC in due course. (Paragraph 59)

Capacity to fulfil their role

12. The "specialist contractors" appointed recently to support the academies and free schools programme are an important part of the school improvement system. We recommend that the Government review the amount of information currently in the public domain about their identity, appointment, work, monitoring and impact, with a view to improving transparency. (Paragraph 67)

13. The expanding remit and caseload for RSCs should prompt an increased emphasis on working through others to secure school improvement. We welcome the DfE's commitment to providing greater resource to the RSCs, but are not yet convinced of the case for a significant increase in expenditure on the RSC offices themselves. Instead, the Department should consider whether the partners that the RSCs must work with to secure school improvement, such as Teaching Schools, have sufficient capacity to respond to their requests. (Paragraph 70)

Headteacher Boards

14. There is currently confusion about the role of the Headteacher Boards, including whether they are decision-making bodies or purely a source of advice for the RSC. The Department for Education must clarify this, as it is a crucial component of

ensuring there is suitable accountability for decisions made. We recommend that the Boards be re-designated as RSC Advisory Boards, to make it clear that the role of the Board is to provide advice to inform RSC decisions, rather than a mechanism for local accountability or to make decisions itself. The re-designation would also make clear that membership is not restricted to headteachers, given the existing scope for appointments and co-options. (Paragraph 83)

15. The 'mixed economy' of elected and appointed members of the Headteacher Board should be retained. However the Government must ensure that the guidelines on making and managing public appointments are followed; RSCs should develop an explicit skills profile when recruiting individuals to appoint or co-opt to the Board, and use this to identify candidates. If the remit of the RSCs expands in the way proposed in the Education and Adoption Bill, headteachers of similarly high-performing LA-maintained schools should be eligible for election, appointment or co-option in the same way as academy heads, and should be able to vote in Board member elections. (Paragraph 84)

16. The Government should ensure that the appointment terms for the Headteacher Boards allow for phased turnover rather than change all at once. (Paragraph 86)

Impact

17. The Government's review of Key Performance Indicators for RSCs should ensure that the KPIs do not prejudice the decisions made on academisation and changes of sponsor. In particular, we recommend that KPI 3(i) relating to the proportion of schools that are academies, should be removed on the grounds that it constitutes a conflict of interest. (Paragraph 92)

18. It is troubling that the DfE struggled to provide us with data on the performance of RSCs, given that KPIs were referred to throughout our inquiry and the Department's written evidence. In particular, the lack of data for KPIs 5–7 undermines the Department's claim that the impact of RSCs is being monitored and that RSCs are being held to account internally. The Government should produce an annual report on the work of RSCs, showing each RSC's performance against all of their (revised) KPIs and their targets, and should undertake to publish online regular performance monitoring information as it is available. This is an important part of improving the transparency and accountability of RSCs. (Paragraph 96)

19. The impact of RSCs should be considered in terms of the improvement in young people's education and outcomes, rather than merely the volume of structural changes introduced or other levels of activity. This approach would mirror the way in which the effectiveness of local authorities is measured, such as the number of children attending Good or Outstanding schools, and would increase confidence in the work of RSCs. (Paragraph 101)

Accountability and transparency

20. While we recognise that there are strong reasons for Regional Schools Commissioners to have been appointed as civil servants, they have responsibilities and powers that extend beyond the scope of many other civil service roles. We believe their

level of operational autonomy makes them a candidate for a more direct form of accountability than would be the case for other senior civil servants, and we recommend that the Government consider further what forms that accountability might take. In doing so, the Government should define the extent of the operational autonomy that RSCs have. (Paragraph 105)

21. We also recognise the ultimate responsibility of the Secretary of State and her ministers for work carried out in the Department's name. As the House of Commons Education Committee, we form part of the mechanism for holding Ministers to account. As a result, Ministers should also expect to appear before us to be held responsible for the decision RSCs make in their name. (Paragraph 106)

22. There is a paucity of useful information available online about the work of Headteacher Boards, and this undermines a promising component of the RSC system. We welcome the DfE's commitment to publishing more detailed minutes of Board meetings, in order to provide confidence in the nature of the advice given and to minimise the risk of impropriety. We further recommend that the DfE publish decision-making frameworks for RSCs to aid consistency of approach and transparency. This will allow RSC decisions to be made and recorded in a transparent way, with a rationale for each provided in reference to the published decision-making framework. (Paragraph 116)

Relationships with other stakeholders

23. The Government should publish a protocol for interaction between RSCs and local authorities to ensure that there is a shared understanding of roles. This should also set out expectations for information-sharing between RSCs, local authorities, and MATs. (Paragraph 122)

24. We would hope that our recommendation for matching the RSC regions with Ofsted's regional structure will ensure that effective working relationships are established in every case. (Paragraph 124)

25. To increase confidence in the work of RSCs, a formal complaint and whistleblowing procedure should be established to provide a means for decisions to be challenged or reviewed. (Paragraph 129)

26. We recommend that Ofsted and the national Schools Commissioner consider further how they could ensure that RSC and Ofsted visits to schools are coordinated and do not create an unnecessary burden on schools. Further, they should ensure that schools are clear about the distinction between Ofsted inspections and RSC visits. (Paragraph 133)

27. There is variation between regions in the level of meaningful consultation undertaken with local communities. We recommend that good practice is shared and standardised, to ensure that the effect of decision on a broad range of stakeholders is considered. (Paragraph 137)

Annex 1: Programme for the Committee's visit to Sidney Stringer Academy, Coventry, 17 November 2015

Members participating in the visit: Neil Carmichael MP (Chair), Michelle Donelan MP, Marion Fellows MP, Lucy Frazer MP.

Session 1: Roundtable discussion with the West Midlands RSC and related DfE staff

Participants:

- Pank Patel, Regional Schools Commissioner, West Midlands

- Rob Wye, Head of RSC Office, West Midlands

- DfE officials from the School Commissioner's office, the Academies Group, the Free Schools Group, and the Education Funding Agency.

Session 2: Roundtable discussion with key partners in the West Midlands

Participants:

- Lorna Fitzjohn, Regional Director (West Midlands), Ofsted

- Dave Perret, Assistant Director of Learning Services, Stoke-on-Trent City Council

- Anna Halliday, Commissioner for Education and Wellbeing, Staffordshire County Council

- Andrew Warren, Vice-Chair, Teaching Schools Council.

Session 3: Roundtable discussion with members of the West Midlands Headteacher Board and other local headteachers

Participants:

- Members of the West Midlands Headteacher Board:

  - Kate Brunt, Executive Principal, Rivers Academy Trust

  - Mike Donoghue, Headteacher, John Taylor High School

  - Sir Mark Grundy, Headteacher, Shirelands Collegiate Academy

  - Sally Yates, Retired Headteacher, Deanery Primary Academy

- Other headteachers of Academies and LA-maintained schools in the West Midlands:

  - Dr Rowena Blencowe, Headteacher, Trentham High School

- Mark Bailie, Executive Headteacher, Finham Park Academy

- Gill Richards, Headteacher, Barnfields Primary School

- Wendy Tome, Executive Principal, Sidney Stringer Academy

- Carl Ward, Executive Principal, City Learning Trust.

Formal evidence session

Witnesses:

- Pank Patel, Regional Schools Commissioner

- Lorna Fitzjohn, Regional Director (West Midlands), Ofsted

- Ian Comfort, CEO, Academies Enterprise Trust

- Kirston Nelson, Director of Education, Coventry City Council.

Appendix 1: Data provided by DfE on RSC performance against their KPIs

Where applicable, baseline data below refer to September 2014, with the current position given at October 2015.

KPI 1: % of academies below the floor standard, by length of time

	Baseline (September 2014)			Current position (Oct 2015)		
Years	1	2	3+	1	2	3+
East Midlands & Humber	8	1	1	6	1	1
Lancashire & W Yorks	12	2	1	9	1	1
NE London & East	6	1	0	4	1	0
North	7	0	2	5	0	1
NW London & South Central	6	1	0	4	1	0
S London & South East	5	2	0	4	1	0
South West	4	1	1	3	1	0
West Midlands	8	1	0	5	1	0

Source: Department for Education (RSC 44)

KPI 2: % of academy, free school, UTC or Studio Schools moving in an Ofsted inadequate category, by length of time

	Baseline (September 2014)					Current position (October 2015)				
Months	0–12	13–15	16–18	19–23	24+	0–12	13–15	16–18	19–23	24+
East Midlands & Humber	50%	17%	4%	25%	4%	29%	21%	11%	25%	14%
Lancashire & W Yorks	76%	12%	12%	0%	0%	35%	26%	4%	35%	0%
NE London & East	64%	0%	18%	18%	0%	54%	8%	15%	23%	0%
North	67%	0%	17%	17%	0%	38%	25%	13%	13%	13%
NW London & South Central	44%	11%	33%	11%	0%	47%	5%	21%	26%	0%
S London & South East	53%	0%	26%	21%	0%	31%	15%	15%	38%	0%
South West	20%	20%	20%	20%	20%	58%	25%	0%	8%	8%
West Midlands	81%	14%	0%	5%	0%	43%	17%	3%	29%	9%

Source: Department for Education (RSC 44)

KPI 3(i): % of schools in the region that are open as academies

	Baseline (September 2014)		Current position (October 2015)		Target
	%	No.	%	No.	%
East Midlands & Humber	26%	694	31%	821	28%
Lancashire & W Yorks	13%	452	16%	531	19%
NE London & East	22%	521	27%	638	28%
North	13%	241	16%	295	19%
NW London & South Central	24%	709	27%	799	28%
S London & South East	21%	680	25%	819	28%
South West	27%	620	32%	748	28%
West Midlands	21%	563	27%	714	28%

Source: Department for Education (RSC 44)

KPI 3(ii): % of eligible maintained schools in the region that have been approved to convert

Region	Baseline (September 2014)	Current position (October 2015)	Target
East Midlands & Humber	4%	2%	4%
Lancashire & W Yorks	1%	2%	4%
NE London & East	3%	2%	4%
North	2%	2%	4%
NW London & South Central	2%	2%	4%
S London & South East	3%	2%	4%
South West	4%	5%	4%
West Midlands	3%	6%	4%

Source: Department for Education (RSC 44)

KPI 4: % of (a) sponsored and (b) converter academies which the RSC has been involved in opening, which have moved into inadequate and/or fallen below the floor within the first 12 months–2 years of being open

Region	Sponsored academies (October 2015)	Converter academies (October 2015)
East Midlands & Humber	17%	6%
Lancashire & W Yorks	22%	4%
NE London & East	10%	4%
North	31%	2%
NW London & South Central	22%	2%
S London & South East	17%	2%
South West	13%	2%
West Midlands	16%	4%

Source: Department for Education (RSC 44)

KPI 8: % of high quality free schools, UTCs and Studio Schools in the region

Region	Ofsted inspections–% good and outstanding (2011, 2012 and 2013)
East Midlands & Humber	78%
Lancashire & W Yorks	73%
NE London & East	79%
North	75%
NW London & South Central	75%
S London & South East	85%
South West	56%
West Midlands	62%

Source: Department for Education (RSC 44)

Formal Minutes

Wednesday 13 January 2016

Members present:

Neil Carmichael, in the Chair

Lucy Allan   Lucy Frazer

Ian Austin

Draft Report (*The role of Regional Schools Commissioners*), proposed by the Chair, brought up and read.

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

Paragraphs 1 to 138 read and agreed to.

Annex and summary agreed to.

A Paper was appended to the Report as Appendix 1

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

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available (Standing Order No. 134).

[Adjourned till Wednesday 20 January at 9.00 am

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the inquiry page of the Committee's website.

Published written evidence

The following written evidence was received and can be viewed on the inquiry page of the Committee's website. RSC numbers are generated by the evidence processing system and so may not be complete.

1   Academies Enterprise Trust (RSC0027)

2   Association of Colleges (RSC0007)

3   Association of Directors of Children's Services (RSC0026)

4   Association of Directors of Children's Services (RSC0038)

5   Association of School and College Leaders (RSC0029)

6   Association of Teachers and Lecturers (RSC0037)

7   Catholic Education Service (RSC0016)

8   Church of England Education Office (RSC0015)

9   Department for Education (RSC0028)

10   Department for Education (RSC0042)

11   Department For Education (RSC0043)

12   Department For Education (RSC0044)

13   Education Endowment Foundation (RSC0021)

14   Frank Green (RSC0040)

15   Gl Assessment (RSC0004)

16   Greater London Authority (RSC0031)

17   Herts for Learning (RSC0019)

18   Joe Nutt (RSC0002)

19   Kent County Council (RSC0022)

20   Liberal Democrat Education Association (RSC0017)

21   Local Government Association (RSC0030)

22   London Diocesan Board for Schools (RSC0010)

23   Mr Ian Bauckhaqm (RSC0008)

24   Mrs Sharon Harvey (RSC0005)

25   NASUWT (RSC0013)

26   National Association of Head Teachers (RSC0023)

27   National Association of School Business Management (RSC0012)

28   National Governors' Association (RSC0032)

29   National Middle Schools Forum (RSC0018)

30   National Union Of Teachers (RSC0011)

31   New Schools Network (RSC0036)

32   NFER (RSC0020)

33   Northamptonshire County Council (RSC0033)

34   Nottingham City Council (RSC0009)

35   Nottinghamshire County Council (RSC0006)

36   Ofsted (RSC0025)

37   Ofsted (RSC0041)

38   PTA UK (RSC0034)

39   Robert Hill (RSC0001)

40   Robert Hill (RSC0039)

41   Socialist Educational Association (RSC0014)

42   The Education Foundation and the Sheffield Institute of Education (RSC0024)

43   United Learning (RSC0035)

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the publications page of the Committee's website.

Session 2015–16

First Joint Special Report	Education, skills and productivity: commissioned research	HC 565
First Special Report	Apprenticeships and traineeships for 16 to 19 year olds: Government Response to the Committee's Sixth Report of Session 2014-15	HC 317
Second Special Report	Extremism in schools: the Trojan Horse affair: Ofsted Response to the Committee's Seventh Report of Session 2014-15	HC 324