

## Ofsted and the Regional Schools Commissioners: is Ofsted slowly being demolished?

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In a session of the Education Committee<sup>1</sup> on the 16<sup>th</sup> of September, Sir Michael Wilshaw was asked if he should be inspecting the Regional Schools Commissioners. The motivation for the question was the ever expanding roles and responsibilities of the commissioners and the lack of transparency in their work. The question seems remarkable given the ongoing criticism Ofsted has been facing and the many calls to abolish the Inspectorate altogether. Recent shifts in the system even seem to suggest a move in the opposite direction where the Regional Schools Commissioners are slowly taking over Ofsted's inspection role.

Regional Schools Commissioners came into force in December 2013. Their introduction was, according to the National Schools Commissioner, Frank Green (April 2014 letter), a shift in emphasis from decision-making in Whitehall to more involvement by schools at a regional level. Their role and responsibilities include the approval of applications for new academies and free schools, they approve and monitor sponsor capacity, and take intervention action where performance (or governance) of academies and free schools is poor. As such Regional Schools Commissioners were to have an important role in tackling underperformance of academies and free schools.

In June 2015, the Department for Education announced an extension of the role of Regional Schools Commissioners. They now also decide on interventions in maintained 'coasting' schools through sponsored academy arrangements. As Lord Nash announced in a letter<sup>2</sup>

"I have decided to delegate decision-making on tackling underperformance in *maintained schools* through sponsored academy arrangements to RSCs". Regional schools commissioners 'will have the discretion to decide the most appropriate course of action in coasting schools and underperforming LA maintained schools'.

With the proliferation of academy chains, the role of Regional School Commissioners seems to become increasingly important and a logical next step is to raise questions about their role in the accountability of schools, particularly in relation to Ofsted. Recent debates have particularly addressed the role of Ofsted in the accountability of Multi Academy Chain, limiting their role to an evaluation of the support provided by the trust<sup>3</sup>. What is striking in this debate is the clear shift in who holds schools accountable and who has a say in defining and monitoring high performance and quality of schools and governing bodies of networks of schools. There seems to be a clear move in power and authority from Ofsted to the Regional Schools Commissioners.

A series of interviews in the context of my recent work on 'polycentric inspections'<sup>4</sup>, as well as written evidence<sup>5</sup> to the Regional Schools Commissioners inquiry clearly shows how the RSCS are taking over some of Ofsted's work in visiting struggling or poor performing academies. The evidence shows how some of the commissioners use performance data to schedule visits to struggling schools, how they observe lessons and talk to staff about strengths and weaknesses of the school, ask the

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<sup>1</sup> <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/education-committee/the-work-of-ofsted/oral/21696.html>

<sup>2</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/435104/Letter\\_to\\_DCSs\\_-\\_brokerage\\_moving\\_to\\_RSCs.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/435104/Letter_to_DCSs_-_brokerage_moving_to_RSCs.pdf)

<sup>3</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/397810/Nicky\\_Morgan\\_letter\\_to\\_Ofsted.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/397810/Nicky_Morgan_letter_to_Ofsted.pdf)

<sup>4</sup> <http://schoolinspections.eu/polycentric/>

<sup>5</sup> <http://www.parliament.uk/business/committees/committees-a-z/commons-select/education-committee/inquiries/parliament-2015/regional-schools-15-16/>

governing body for an improvement plan, and offer a critique of the academy's improvement strategy. They would outline the steps academies and the trust should take to improve outcomes in a formal letter which can be accompanied by an 'intervention ladder' of a formal pre-warning notice or warning notice letter. As Robert Hill writes in his response to the inquiry, (RSC0001<sup>6</sup>), these practices have come to be known as a 'shadow Ofsted inspection regime'.

The main argument for such enhanced accountability of schools through the Regional Schools Commissioners are that they are 'a welcome recognition of the need to provide more local intelligence and oversight for the growing number of academies'<sup>7</sup>. However, one can't help to think that there are more 'hidden agendas' for such a 'resetting' of the accountability scene. In the run up to the general election, many round tables and white papers of think thanks and national associations (e.g. ASCL, NAHT) have discussed the destructive outcomes of Ofsted inspections and have called for a complete revision of the current Ofsted inspection regime. It seems that the 'Ofsted brand' has become one that is mistrusted by the profession and one that would spark images of inaccurate and inconsistent judgements of unqualified and disrespectful inspectors who have a very formulaic view about teaching and leadership and do more harm than actually helping schools to improve and innovate.

Whether this is actually true remains to be seen, but the stories seem powerful enough for the Department of Education to introduce new accountability arrangements 'behind the scenes' instead of trying to rebrand Ofsted or trying to make their inspections more meaningful and effective. The repeated message of the Secretary of State about not given Ofsted the formal authority to inspect the Multi Academy Trusts, who are becoming the key deliverers of education in the country, is an obvious example of how Ofsted seems to be slowly abolished.

Is this a good thing or a bad thing is an obvious question to ask. From my perspective of having worked with many Inspectorates of Education around the world it feels like a real loss to abolish any inspection service, particularly one that has such international status and is copied by so many countries around the world. The expertise they have built up over the years in thinking about and evaluating school quality has certainly has (or has had?) its merits in informing the debate, both in schools as on a national level, on how our children are performing and in 'unlocking' examples of good practice to strengthen and improve our education system. Even though Ofsted's value seems to be waning, it is a disservice to such a longstanding authority to slowly demolish it without a transparent and informed debate on the future of the current accountability landscape.

The expertise of Ofsted in evaluating school quality, in thinking about indicators of high quality school networks to improve student outcomes, combined with the local approach of Regional Schools Commissioners and their knowledge of financial arrangements, governance and corporate structures of strong trusts and chains has great potential in providing the appropriate checks and balances in a devolved landscape of self-improving (networks of) schools. Establishing a set of clear agreements on their level of collaboration (e.g. by ensuring HMI and RSC regions are coterminous), on the quality indicators they use to hold (networks of) schools to account and on their ladder of interventions is needed to prevent an overly bureaucratic and costly system of oversight, while also ensuring effective accountability of all the schools, and school networks in the country.

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<sup>6</sup> <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/education-committee/the-role-of-regional-schools-commissioners/written/18836.pdf>

<sup>7</sup> Public Accounts Committee report, January 2015