

Amanda Spielman launches Ofsted's Annual Report 2019/20

Thank you all, for coming to this virtual launch of my annual report. As you are having to watch on a screen, I'm going to be briefer than usual.

Many of you will be listening out for your area of interest, but today I'm going to talk more generally, but with a particular slant towards schools. There is of course a great deal to read in the report about all of the areas in which we work. And I've also asked colleagues to record short videos with their reflections on the year. So after this launch, you can follow up on early years, social care, independent schools, unregulated schools, further education and skills, and on special educational needs, all on the [Ofsted YouTube channel](#).

Every year, this speech is a bit of a balancing act, between what is covered in the report, which is of course about the previous academic year, and more recent developments.

And, of course, this year the contrast between the first 6 months of that year, and the period since, could hardly be starker. Talking about 2019? Right now, that feels like reminiscing about halcyon days.

The pandemic isn't just a colossal disruption. It's also bringing out truths about our society. It has been so hard for so many people in so many ways: losing people we love, losing livelihoods, losing freedoms, losing the things that motivate us, losing everyday pleasures and joy.

But it's also given us new insights into how we work together – and into how our institutions interact with us, and with each other. Truths that we might previously have suspected, and are now confirmed and laid bare.

As I've reflected on 2020, it's the breadth of the role of schools that stands out. Closing schools to most pupils had an enormous impact. The decision caused a great splash, the boat is still rocking, and we don't yet know quite how far the ripples will go.

The crisis has really shown us how important schools are to the fabric of society, given how much they now do beyond their core educational purpose.

Education has been compulsory for less than 150 years. For most of its history, it's been a relatively simple business for most children: reading, writing, arithmetic and religious instruction. Until relatively recently, most schools had no conception of any wider role. Historically speaking, it's quite a new thing for schools to be more than places of education.

But the COVID crisis really has shown how much is now expected of schools.

I was reminded of this a few weeks ago when I was being interviewed about [our autumn visits](#). We've been visiting nurseries, schools, colleges, children's

homes and local authorities, and this has informed [a series of reports](#), with more to come. The most recent set attracted a lot of attention, and for good reason.

Because school and nursery leaders had reported that some children had actually regressed through lockdown. Time didn't just stand still for them; it went backwards. I can give some examples from our reports. Potty-trained children returning in the autumn back in nappies; and children who had learned to hold and use a pencil properly having lost that skill.

Education standards for older children had also suffered – for example, a loss of stamina when it came to reading and writing.

Some commentators were outraged, and fumed about schools and nurseries having to make up for gaps in parenting. And I have in the past pointed out that too many children reach primary school age without being potty-trained – but that wasn't the issue here. And blame is not the point either. It's about the impact of an event that has disrupted families, nurseries and schools.

What closures have reminded us about here is the importance of consolidation in learning. The knowledge and skills that matter aren't learned instantly. They have to be practiced and reinforced – ideally both at home and in school.

Some children have thrived in lockdown – the ones whose parents could be at home, work flexibly, weren't too distracted by younger siblings, and could help with remote learning. But many households just don't have that kind of capacity and flexibility. These children also missed out on the time they'd usually have with teachers and staff at school or nursery. They haven't had the chance to consolidate recent learning.

And by the way, this picture is not unique to England: we've been hearing from our counterparts across Europe that it's looking similar elsewhere.

I do want to say, however, that while it is very clear that there is 'learning loss' in the short term, it is simply too early to say what the long-term impact will be. There have been some alarming extrapolations. But the most important thing is to get on with the job of teaching children, whether it's the things they learn at home or at school. Good parenting and good teaching will fill most of the gaps for most children.

But we also saw the dramatic impact of school closures in falling referrals to children's social care. Teachers are often the eyes that spot signs of abuse and the ears that hear stories of neglect. Closing schools didn't just leave the children who – unbeknown to others – suffer at home without respite: it also took them out of sight of those who could help.

I want to talk about these 'out of sight' children a bit more, as they concern us all.

When nurseries and schools closed in March, they were told to remain open to the most vulnerable – which of course meant those whose need was already identified. And even of these, we know that relatively few actually attended.

The rest stayed at home – some, inevitably, in harm's way.

There was a concerted effort to reach these children, with partnership working across England. Many of our staff moved temporarily into local authorities to help. It's worth noting that the COVID challenge has given new impetus to partnership working across education and social care.

But even with the best efforts of so many, attendance remained stubbornly low.

And even now, while referrals have been rising, they are still below previous levels. We don't know why – perhaps in part because of the current constraints on how schools operate.

Our autumn briefings have also covered headteachers' reports of children who haven't returned at all. Some parents have removed children, to educate them at home. And it appears they have done this mostly because of concerns around COVID, rather than a new-found enthusiasm for home schooling. A recent survey by the Association of Directors of Children's Services shows an increase of nearly 40% since this time last year, taking the number of children believed to be home schooled above 75,000.

And a significant proportion of the children who have come off school rolls are already known to one or more external children's services – because they have special needs, previous attendance issues or other interventions in their lives. And almost all children, vulnerable or otherwise, are missing out on a lot when they aren't at school. (And yes, I do know there are exceptions here – but they are exceptions.) Some will have a great experience, but other families will find it harder than they thought, and their children could lose out as a result.

We must be alive to these risks, and we must also watch out for bad practices creeping back in that could compound risk. We don't want to see any schools off-rolling children; and we need all schools to make the effort to help children with SEND to attend.

We know that many SEND children and their parents particularly struggled during lockdown, as many services were withdrawn.

Of course, safeguarding has been a core responsibility of schools for many years. That's not getting any easier. And schools are now expected to address wider health concerns. Our reports show that children's physical fitness has suffered from lockdown. School leaders told us that children came back less active and less fit. This highlights the importance of physical education and school sport.

If we look back, school sport was once about finding a new talent, developing teamwork and even building moral fibre, as much as about physical fitness. Now it's also one of the ways schools contribute to countering childhood obesity – alongside the school canteen, which we expect to serve up healthy, nutritious and affordable meals.

And there are social concerns besides obesity that have become interwoven

with schooling. Understandable concerns about youth crime and violence, for example, have driven some to decry the use of exclusion as part of a school's approach to maintaining behaviour, and expect mainstream schools to find all the answers.

We all expect teachers to maintain a calm and orderly learning environment. It's critical for children, it's valued by parents and, yes, it's scrutinised by Ofsted. So schools devise strategies to teach and manage behaviour. Exclusion is the ultimate sanction, to be used only in extremis.

But calls to ban it entirely, on the argument that excluded children can be drawn into crime, presents challenges. Trying to address such a complex social issue, by constraining schools to this extent, risks losing sight of the needs of classmates, teachers and even of excluded children themselves, at a point that no-one has yet worked out what will meet their needs.

Education, of course, has intrinsic value – and now we expect it to keep accelerating social mobility.

And increasingly we see efforts to commandeer schools and the curriculum in support of worthy social issues and campaigns. In the last year, many of these calls have been about environmental causes and against racism.

Climate change activists have called for new qualifications or more explicit alterations to the curriculum. They sometimes forget the importance of grounding climate change within the wider body of learning about science and about geography. And they don't always notice how much schools already do in this space.

And last month, The Times published research findings that black and minority ethnic Britons see changes in education as the most effective way to address their concerns. When asked what policy changes would make the most difference to ethnic minority lives in Britain, the top answer was 'a more diverse school curriculum'.

Why is that? Is it because there is a fundamental issue with the national curriculum that limits exposure to diversity in literature, history, or geography? Or is it because there's a widely held and justifiable assumption that changing things in school is the key to changing wider social attitudes?

And of course social change is difficult. We have seen friction in some schools, where, for example, lessons making children aware that loving relationships exist between same-sex couples conflict with some parents' religious beliefs. They argue that the curriculum has moved too far in the name of equality, and that it now infringes on their religious freedoms.

I'm not making a moral point here, but rather a practical one. Schools are the go-to solution, perhaps more than any other institution in society. The arguments are often impassioned and well-constructed. Most significantly, perhaps, they are often amplified by thousands of voices, using social media, online petitions and by well-meaning commentators.

Treating schools as the great panacea of our time underlines the importance

of education, but it doesn't make it any easier to run a school. The pressure on schools to do more than teach their current curriculum continues to grow.

And, of course, COVID has added another layer of complexity. Schools must now be experts in limiting the spread of an invisible infection, organising themselves around complicated and shifting sets of health rules.

And when it's impossible to have children at school, they are also expected to switch seamlessly to remote education, and to maintain the pace and precision of their curriculum delivery, to pupils who are away from the teachers' gaze and susceptible to all the temptations of home. This is a very big ask. And by the way, none of us should be seduced by the idea that remote education can match the classroom for most children; it's a lot better than nothing, but for most, it can't match it.

And this isn't just about social or technological inequalities. In many instances, it's about motivation – the same issue that dogs so many adults adjusting to working from home. Nevertheless, just as schools have adapted to so much else, now they must adapt to this new reality too.

In many ways, schools are the victim of their own success. They're far removed from Victorian incarnations. They play critical roles in children's educational, physical and social development. They're a crucial part of the care system that protects the vulnerable, and they support children with a whole range of needs. They do far more than they are often given credit for.

It's a good moment to thank all of you who work in education and in social care, as you continue to do your level best at a time of great pressure and uncertainty.

I've outlined where I think schools are. And I return to the question I asked at the start: are we getting the balance right? Do we want schools to have such extensive roles beyond education: as the community hub; as the triage point for support services and intervention; as the go-to solution for social problems; as the guardian of children's waistlines?

And if we do, are we giving schools the tools and capacity to do those jobs well, and leaving them enough time and headspace for the core job of education?

The COVID crisis has stress-tested so many parts of our society, and education and social care are feeling that stress. As we look forward in hope of a better year ahead, I hope there will be time to consider these questions.

I know that some of my audience will see the impact of COVID as a reason why Ofsted shouldn't return to school inspections for a while yet. And I know that school leaders have been looking for certainty. I'm expecting the government to make an announcement about this very soon, as it is ultimately their decision.

But I'm not expecting us to be doing graded inspections from January. We need to take account of the national situation, and indeed we've always said that

the timing of our return was under review, and also the form of our inspections. We do understand what teachers are going through. Though with such positive news about vaccines, we are all hoping for a return to some sense of normality not too far into 2021.

But I must remind you, we also know what children are going through. We owe it to them to have good provision for them, wherever they are. And where it isn't, this needs to be known about.

The normal scrutiny within the system has been absent for a good while now, and it does need to be reintroduced next year – and that includes schools formerly covered by the outstanding exemption, now removed.

And of course, it also includes the other sectors we look at – all of which play such crucial roles in children's lives: childminders, nurseries, colleges, children's homes, fostering and adoption agencies – the list goes on. And older learners too, whether post-16 students or apprentices; adults looking to retrain; or prisoners wanting to transform their future through education. Our role for all of these is to raise standards and improve lives – and that's why it's important that we are able to return to our work next year.

But when we do return, we will not be looking at the challenges of the first lockdown and we will not be expecting people to have performed miracles, but rather to have done their best in the circumstances. Because we all want to do what's in children's best interests.

[Our autumn visits](#) led us to a clear conclusion: keeping schools open is unbelievably important. I wholeheartedly support the government's stance on this, through this second lockdown.

We must not deprive children of all that schools do and all that schools are. And if we are serious in that aim, we must carry on aiming for the same standards as before this virus arrived, though in the short term we all know that trade-offs must inevitably be made.

In this collective endeavour, we will play our part. We always remember that education should be about broadening minds and enriching communities and advancing civilisation: in short, about leaving the world a better place than we found it. We will carry on working to help preserve and promote the standards of education and care that this generation needs and has every right to expect.

CMA publishes EU Exit guidance

Press release

The CMA has today published further guidance to explain how it will conduct its work following the end of the Transition Period for the UK's exit from the EU.



As of 1 January 2021, the Competition and Markets Authority (CMA) will take on responsibility for merger, cartel and competition enforcement cases that were previously reserved to the European Commission; typically, those are the larger and more complex cases. The CMA is ready for this challenge; it has committed the necessary resources to ensure that it has the people, skills and infrastructure in place to deal with these investigations and has, for merger cases, already been engaged in the 'pre-notification' discussions that precede a formal investigation for the past few months.

With markets becoming increasingly globalised, and the growth of digital markets, different competition authorities face many of the same challenges. Often, these issues are likely to be addressed most effectively through international cooperation. The CMA already has experience of working with authorities internationally on cases with a potential impact on UK consumers, and will continue its close engagement and cooperation with other competition and consumer agencies in the EU and globally.

Domestically, consumer protection law will remain largely unchanged; and the CMA will continue its work, and to make recommendations and give advice to government and public authorities on regulatory, policy and legislative matters to promote the benefits of competition and protect consumers.

The CMA also stands ready to take on new functions with professionalism, impartiality and analytical rigour, including the proposed Office for the Internal Market and establishing a new Digital Markets Unit in 2021/22.

The UK's exit from the EU presents both challenges and opportunities for the CMA and for the UK's competition and consumer protection regimes. The CMA remains committed to making the most of the upcoming opportunities to secure good outcomes for UK consumers, ensuring that its work is directly relevant to people's everyday life, while playing a bigger role internationally to promote competition and protect consumers. We will continue to be guided by what is best for UK consumers and businesses.

[Read the guidance.](#)

First virtual trade mission for UK-Africa legal services

- more than 200 delegates will hear from over 30 leading sector and government figures
- part of drive to promote the UK's outstanding legal services worldwide

Legal services experts from the UK and Africa will be brought together for a landmark virtual trade mission, hosted by the Lord Chancellor Robert Buckland QC.

Part of the Ministry of Justice's Legal Services are GREAT (LSAG) campaign, it will promote the UK's prestigious legal sector to some of the fastest growing economies in the world.

The mission, a first for the department of this scale, will celebrate international collaboration in the sector which generated £66 million worth in exports for the UK in 2018 alone.

The 3 day event will include speeches from a range of industry leaders, showcasing the mutual benefits for the UK and Africa from sharing legal expertise and nurturing lasting relationships.

Lord Chancellor Robert Buckland QC MP said:

I am thrilled to be hosting the first UK-Africa legal services trade mission.

As we collectively rebuild from the global pandemic, it is through vital collaboration such as this that we will help to secure a brighter future.

Legal services are among the UK's greatest exports, so it is important that we showcase this unique expertise while we reassert ourselves as an outward-looking, free-trading nation on the world stage.

In 2018 the UK exported £36,526,000 in legal services to South Africa, £17,110,000 to Nigeria, £8,060,000 to Ghana, and £5,446,000 to Kenya.

The trade mission seeks to build on this success and follows the Africa Investment Summit earlier this year, the Legal Services are GREAT Nigeria

trade mission last April, and the Africa Business Connexion Series launched this August.

HM Trade Commissioner for Africa, Emma Wade-Smith OBE, said:

I am delighted to be working with the MOJ on this innovative event, which has been designed to build momentum in the legal services business between Africa and the UK.

We start from a solid base and will use this trade mission to demonstrate the opportunities for UK companies to expand their business activity in and with Africa.

Our world class experience and expertise in legal services can play an essential role in Africa's economic diversification and response to the global pandemic.

The LSAG campaign delivers on the MOJ's International and Legal Services Strategies and is a key lever to build on the Government's priority to support UK economic recovery, boost growth and level up opportunity across the country.

It also provides the opportunity to deliver on the shared Global Britain Agenda by bringing together colleagues from across the UK government, including the Foreign, Commonwealth and Development Office and the Department for International Trade.

Notes to editors

- Legal Services are GREAT (LSAG) is the UK Ministry of Justice's most ambitious international campaign, promoting the strength of English Law; our world-renowned independent judiciary; and UK legal expertise to an overseas market.
 - The aim of the campaign is to facilitate growth for UK legal services in the world's fastest growing markets, expand business networks and generate export wins for our law firms and chambers.
 - LSAG is part of the GREAT campaign and uses the strength of a globally recognised, credible and respected brand to communicate the UK is a safe and trusted place to conduct business.
 - With a presence in 32 countries worldwide, Legal Services are GREAT is an internationally recognised brand and has completed successful trade missions to Nigeria, Kazakhstan, China and Chile.
 - The legal sector brings significant economic benefit to the UK, contributing more than £25 billion a year to the British economy – representing 1.5% of the total UK GDP.
 - It also provides employment for more than 330,000 people.
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Government to fulfil manifesto commitment and scrap Fixed-term Parliaments Act

- Fixed-term Parliaments Act to be repealed, fulfilling manifesto commitment
- Certainty restored to the process for triggering a UK general election
- Tried-and-tested constitutional arrangements reinstated

Tried-and-tested powers for bringing forward UK general elections will be restored by the Government, in order to deliver on a manifesto commitment and prevent stalemates in Parliament from paralysing democracy.

Legislation proposed today will abolish the current law that governs how UK Parliamentary elections are called – the Fixed-term Parliaments Act 2011 – and return the long-standing constitutional norm, whereby the Sovereign may grant a general election, on advice from the Prime Minister.

The overriding constitutional principle should be that the government of the day has the confidence of the House of Commons and is able to obtain a fresh democratic mandate from the British public when this is necessary.

Minister for the Constitution & Devolution, Chloe Smith, said:

The Fixed-term Parliaments Act caused constitutional chaos last year which, when combined with total gridlock in Parliament, meant the previous Government couldn't deliver what it was asked to do.

Ultimately, at critical moments for our country, we trust the public to decide. So we are going back to the system that lets elections happen when they are needed. We want to return to constitutional arrangements that give people more confidence in what to expect, and more security.

The Fixed-term Parliaments Act was introduced by the Coalition Government in 2011. Under the Act, a UK Parliamentary election can currently only be triggered outside of the normal Parliamentary cycle by one of two scenarios: if two-thirds of the House of Commons vote in favour of one, or if the Government loses a vote of no confidence.

The draft Fixed-term Parliaments Act 2011 (Repeal) Bill published today will:

- Repeal the Fixed-term Parliaments Act 2011;
- Revive the prerogative powers relating to the dissolution of Parliament, and the calling of a new Parliament;
- Reaffirm the long-standing position that the prerogative powers are not reviewable by courts, providing legal clarity;

- Ensure Parliament will automatically dissolve five years after it has first met;
- Make consequential amendments to pieces of legislation that make reference to the 2011 Act ensuring their continued operation.

These measures will restore certainty to this important part of the UK constitution, while providing flexibility for exceptional circumstances – one of the fundamental tenets of a functioning and modern democracy.

Minister of State for the Cabinet Office, Lord True, said:

The Fixed-term Parliaments Act was brought forward under unique circumstances and was an exception, not the rule. As we saw last year, it resulted in far more confusion than the tried-and-tested constitutional arrangements it had hastily swept aside.

We are delivering what we pledged in our manifesto and have today presented arrangements that provide legal, constitutional and political certainty around the process for enacting a general election.

Alongside the draft Bill we have published a draft set of principles that will underpin the legal framework for dissolving Parliament and inform what would happen in the event that a Prime Minister lost a vote of confidence. Such constitutional arrangements already applied before the 2011 Act.

To ensure the proposals receive comprehensive Parliamentary scrutiny, the draft Bill and dissolution principles have been presented to a Joint Committee of cross-party MPs and Members of the House of Lords for review.

Health and the environment

Speech by Emma Howard Boyd, Chair of the Environment Agency, to the Chartered Institute of Ecology and Environmental Management.