

**STATEMENT TO BE MADE BY THE CHAIRMAN OF THE EDUCATION AND
HOME AFFAIRS SCRUTINY PANEL
ON WEDNESDAY 4th MAY 2011**

Statement on the Panel's School Exam Results Review

Members have today received their copy of the Education and Home Affairs Scrutiny Panel's report, *School Exam Results*. The report follows our review of the question of whether the Island's schools' exam statistics should be published. I am sure Members do not need to be reminded of the very public debate on this issue which occurred in the pages of the *Jersey Evening Post* in February and March. The purpose of our review was to consider the policy of the Minister for Education, Sport and Culture on the publication of exam statistics and to assess whether any changes to the policy might be necessary.

We commend our report to the Assembly and encourage Members to read it. Essentially, we have found that the Minister's policy on this matter should be amended. While we recognise that the Minister has noble and laudable intentions to protect the Island's schools from undue pressure, his current policy is at odds with the age of information and accountability in which we now live: it is not possible to withhold the exam statistics which, until recently, were not published and the Minister must accept that there needs to be more openness when reporting school performance. We therefore encourage the Minister to develop a formal policy of reporting school performance that takes into account other performance measures used by the Minister's Department (and not merely exam statistics) and which ensures sufficient public access to the information concerned.

We on the Panel are not naïve enough to think that there are not challenges involved in amending the policy and placing more information on school performance in the public domain. However, the Minister must lead on this issue and meet those challenges head on. If he does this, and presents the relevant information clearly and comprehensively, the risks of any misunderstanding or misinterpretation will be reduced. It should then be possible for school performance to be discussed reasonably and on an informed basis without entrenched views developing on any side of the debate.

The Minister is soon to publish a Green Paper on the future of education in the Island. We agree that there needs to be a proper debate on the matter, including for instance the structure and objectives of the secondary school system. We trust the Minister will take our conclusions into account during that consultation process.

3. Statement by the Chairman of the Education and Home Affairs Scrutiny Panel regarding the panel's review into school examination results

The Deputy Bailiff:

Now so I say to the Chairman of the Education and Home Affairs Scrutiny Panel if he is listening, Deputy Hérissier, I am wondering whether it would be convenient now for you to make the statement which was put off from yesterday.

3.1 Deputy R.G. Le Hérissier:

I will not get into who asked who about results. Members have yesterday received their copy of the Education and Home Affairs Scrutiny Panel's Report, School Exam Results. The report follows our review of the question of whether the Island's school exam statistics should be published. I am sure Members do not need to be reminded of the very public debate on this issue which occurred in the pages of the *Jersey Evening Post* in February and March. The purpose of our review was to consider the policy of the Minister for Education, Sport and Culture on the publication of exam statistics and to assess whether any changes to the policy might be necessary. We commend our report to the Assembly and encourage Members to read it. Essentially we have found that the Minister's policy on this matter should be amended. While we recognise that the Minister has noble and laudable intentions to protect the Island's schools from undue pressure, his current policy is at odds with the age of information and accountability in which we now live. It is not possible to withhold the exam statistics, which until recently were not published, and the Minister must accept that there needs to be more openness when reporting school performance. We therefore encourage the Minister to develop a formal policy of reporting school performance that takes into account other performance measures used by the Minister's Department and not merely exam statistics, and which ensures sufficient public access to the information concerned. We on the panel are not naïve enough to think that there are not challenges involved in amending the policy and placing more information on school performance in the public domain. However, the Minister must lead on this issue and meet these challenges head-on. If he does this and presents the relevant information clearly and comprehensively, the risks of any misunderstanding or misinterpretation will be reduced. It should then be possible for school performance to be discussed reasonably and on an informed basis without entrenched views developing on any side of the debate. The Minister is soon to publish a Green Paper on the future of education in the Island. We agree that there needs to be a proper debate on the matter including for instance the structure and objectives of the secondary school system. We trust the Minister will take our conclusions into account during that consultation process.

The Deputy Bailiff:

Do any Members have questions?

3.1.1 Deputy D.J. De Sousa:

Did the panel have the use of an independent adviser and if not why not?

Deputy R.G. Le Hérissier:

No, we did not use an independent adviser because we were not investigating the manner in which schools should be measured, whether league tables were a good or a bad thing. This was an enormously lengthy subject and we did not include that within our remit. We felt we were well able to look into the issue which we, of course, just discussed for the last several hours: the whole issue of accountability and the sharing of information and what impact it has on how policy is developed.

3.1.2 Deputy G.P. Southern:

Why were no professionals involved in education interviewed in the course of this debate? Is there any philosophical reason why head teachers or teachers should not be interviewed in terms of the impact on schools of different publications? **[Approbation]**

Deputy R.G. Le Hérisier:

There is absolutely no reason why they should not be interviewed but they were not interviewed because we chose to take ... in order to get the report out quickly and because we were aware that very, very shortly there was to be a Green Paper on secondary school structure which would lead to a full debate and if Scrutiny was still in operation over the summer period, that would then be the time in order to bring the professionals in. But we looked at the somewhat narrower issue of whether these results should be published or not, whether measurements of school performance should be published or not and that was the issue we concentrated on. But certainly we see no reason - in fact quite the opposite - why professionals should not be involved in the bigger debate.

3.1.3 The Deputy of St. Mary:

I think it is a very interesting statement - and the report as well - because what it showed was that the Minister's initial tack was not to publish some information. We have just been talking about information and now he has to or has published it and we have a debate on whether ... maybe there should be more information, there should be other indicators, because exam results are not the only indicators, especially when they are completely unqualified ...

The Deputy Bailiff:

This is Question Time, Deputy.

The Deputy of St. Mary:

Well my understanding, Sir, of the way that the new Code of Practice on Scrutiny works in terms of bringing reports to the States is that when the Chairman makes a statement, that it is legitimate to make comments as well as questions.

The Deputy Bailiff:

It is a question to the Chairman. It is not a debating matter.

The Deputy of St. Mary:

Well, Sir, would the Chairman not agree that this is an absolute case study in how information works? That because the Minister can no longer hide the information about league tables with regard to one narrow indicator, which is exam results, he now is forced to bring more data into the public domain about other aspects of education - what our targets really are in schools - that will inform the debate better, we will have a better debate and better outcomes in the future.

Deputy R.G. Le Hérisier:

Yes, I agree. **[Laughter]**

3.1.4 Senator J.L. Perchard:

The Chairman said that the panel's findings were based on the requirement for transparency and openness in this area. The Minister for Education, Sport and Culture appointed independent inspectors to review the value for money provided to the Jersey taxpayer by the large fee-paying schools. Does the Chairman consider that these reports should also be placed in the public domain in order to provide transparency and openness in this area?

[12:30]

Deputy R.G. Le Hérisier:

Yes.

3.1.5 Deputy I.J. Gorst:

I must just give a conflict that I am a Governor of a State school. How can the Chairman expect either the Assembly or the Minister to take seriously their recommendations when they did not interview or take evidence from any of the State schools that he is referring to?

Deputy R.G. Le Hérisssier:

For the very simple reason we were under pressure to get a very quick report out, and the second thing is we were not at this stage looking into the whole structure and objectives of secondary education. Were we to do that, then a whole range of witnesses would clearly have to be involved.

3.1.6 Senator A. Breckon:

The Chairman has mentioned reading the report and obviously we have only had it a short time but there does appear to be some tension in that there was a witness and there was a Minister and the panel have said at 4.9: "We are unable to verify either argument in the time available for our review." Can the Chairman explain how he can make recommendations when they were not able to verify the argument?

Deputy R.G. Le Hérisssier:

As the speaker will note, we did not make recommendations on the future structure of Jersey education because quite clearly in the time available that would not have been possible. What we did was, as I said, look at the issue of whether or not exam results, whether or not information about school performance, is a matter where there should be much greater openness and accountability and on that basis, we felt we had enough information to make recommendations.

3.1.7 The Deputy of St. Ouen:

Could I ask what analysis did the panel undertake of the 300 pages of data which was provided to them by the department that they requested?

Deputy R.G. Le Hérisssier:

Again for the very reason I have mentioned, the analysis we undertook was to look at the nature of the information, to look at whether it was user-friendly and even though there were many, many pages, ironically it was we felt to a great extent user-friendly. But it was not our job to analyse that information and to reach a conclusion which of the schools was performing effectively or not performing effectively as the case may be. Our job was to say we felt that that information had to be out in the public domain so there could be a further scrutiny of that information and because by withholding it, it was quite likely that it was spreading despondency and fear which was ultimately irrational. It had to be there in an open fashion. That was the recommendation we were seeking to make.

3.1.8 Deputy M. Tadier:

Can the Chairman confirm that the panel did receive information from professionals through the unions who had a representative that made a submission to the panel?

Deputy R.G. Le Hérisssier:

Yes, there were people who wrote to us even though we did not make a full public call, as has been mentioned, for evidence. There were people who did write to us but the main focus of the scrutiny was to look at the comparative views of the person who had placed this information in

the public domain and wished a public debate to follow as a result of placing that. Also to look at the views of the Minister as to how this information had been handled historically and ascertain his views as to how it should be handled in the future.

3.1.9 Deputy T.A. Vallois of St. Saviour:

Can the Chairman explain why he does not believe that access to this information via the actual schools themselves is not in the public domain?

Deputy R.G. Le Hérisssier:

We believe that that would be a controlled management of information that was wrong because we believe all parents would want to see what the information was from the different schools. Yes, admittedly, there might be a degree of school shopping involved but that occurs already and our view is if it was out there, that could lead to a much more informed public debate instead of a debate based on rumour-mongering, scaremongering and all the sorts of irrational ways in which these debates can proceed unless we are prepared to say we have got a system, there are things wrong with this system, there are things right with this system, let us start talking about it in a professional and intelligent fashion. Let us not try to put blinkers on the debate.

3.1.10 Senator P.F.C. Ozouf:

I have not read the panel's report but I understand the real concern about the publication results was the fact that some schools would be stigmatised in a way that is quite unfair to the parents and to the pupils. **[Approbation]** Can he comment on that and does he accept that it is not just examination results that judges a school in the round?

Deputy R.G. Le Hérisssier:

I have already, to the frustration of some Members, mentioned that we took a fairly narrow remit but the panel were well aware that if you are going to comment on the performance of schools, you have to take a rounded view and you have to put into the public domain all the discussions about issues like value-added. We were totally aware of that but the panel's view was on an information management viewpoint that you need to put the information out there and while there might be an initial stigmatisation, while there might be the kind of things that we have seen occurred, basically you will end up with a far healthier debate and you will start getting to the bottom of issues of, for example, fee-paying schools versus non-fee-paying schools, the role of Special Needs units in schools and how they impact and so forth. So the logic of the Minister's argument that somehow you have to control information to prevent stigmatisation is in our view wrong.