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**Chair of the UK Statistics Authority, Sir Andrew Dilnot CBE**

Rt. Hon. David Laws MP  
Minister of State for Schools  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
LONDON  
SW1P 3BT

5 August 2013

Dear Mr Laws

**SCHOOL LEVEL EXAMINATION STATISTICS**

I enclose a report from the UK Statistics Authority, *School-Level Examination Statistics*. It contains and explains a number of conclusions about the way in which results for individual schools are currently published by the UK administrations. I am also sending this letter to your counterparts in Scotland, Wales and Northern Ireland and would invite all four administrations to consider and respond positively to the report.

The central point in the report is that, for the reasons explained, the Statistics Authority supports the publication of results at the level of the individual school in the form of official statistics publications that allow comparisons between schools and provide, alongside the statistics, professional statistical advice to guide users. The Authority has published criteria against which to identify statistics that should in future be issued as official statistics, and the school-level results seem to us to meet those criteria – in particular that they are statistics used publicly in support of government decisions of public interest. This has been accepted in respect of English schools but not as yet by the other three administrations.

The Authority recognises the different educational policies and systems in the devolved administrations but believes that more could be done to inform and guide users of these statistics within each country. If government statisticians do *not* produce such tables and advice, the evidence suggests that media and interest groups will simply gather up the individual schools' results and publish them in forms which are less informative and more likely to lead to misunderstanding and misuse.

The report's main conclusions are:

- The manner of publication of the school-level statistics has, for many years, been treated as a matter of local political preference rather than professional statistical standards and this now needs to be rectified in line with the principles and protocols of the *Code of Practice for Official Statistics*.

- The devolved administrations should make any changes needed to their processes so that school-level statistics can be published as official statistics, under the management of the relevant head of profession for statistics.
- The Department for Education and the devolved administrations should produce clearer guidance to help users understand the limitations of the statistics, particularly when making comparisons between schools.
- The devolved administrations should consult users about how they might best support informed comparisons between schools, and produce appropriate guidance to support user interpretation.
- The Department for Education should review the arrangements it has in place for pre-release access of its school-level statistics to the media, and publish and explain the lists of the individual organisations that are granted pre-release access.
- The UK Statistics Authority will seek the Department for Education's agreement that the school-level statistics in England should be put forward for assessment against the *Code of Practice* as soon as practicable.

I am copying this letter to Michael Russell MSP, Cabinet Secretary for Education and Lifelong Learning in the Scottish Government; Huw Lewis AM, Minister for Education and Skills in the Welsh Government; John O'Dowd MLA, Minister for Education in the Northern Ireland Executive; and to Jil Matheson, the National Statistician.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Dilnot'.

**Sir Andrew Dilnot CBE**

# Monitoring Review

Monitoring Review 5/13  
August 2013

## ***School-Level Examination Statistics***

### **Introduction**

1. This Review explores the presentation and accessibility of school-level examination statistics, or attainment statistics<sup>1</sup>, and considers present practice in the light of the likely and potential use of these statistics by government, academia, the media, and the general public. We also consider the guidance and information that is available to users to support the interpretation of the statistics.
2. It is important to stress at the start of this report that examination result statistics for individual schools, in all four UK administrations, are already available in the public domain and have been for several years. The statistical issues are not about the need to collect these statistics, or their factual accuracy – which is very good – but rather about the ways in which they are published, the professional statistical advice that is published alongside them, and the principles that should apply when such decisions are taken.
3. Aggregate school examination results for England, Wales, Scotland and Northern Ireland – in total for each administration are published as official statistics. However, the underlying school-level results are only published as official statistics for England. In the case of the devolved administrations, the statistics for any individual school are available on one or more official websites but not brought together in an official statistics publication with tables of results and professional advice on their interpretation.
4. There are also differing views among experts and commentators about the exact form in which the school-level statistics should be published, leading to further differences in practice between the administrations. Potentially these differences could result in aspects of the *Code of Practice for Official Statistics* not being consistently observed, and we examine this concern.
5. The Statistics Authority's goal is to promote high standards of statistical practice and to achieve as much coherence as possible in that practice across the four UK administrations. In this report we draw some conclusions about steps that should be taken by all the administrations.

### **Summary and Conclusions**

6. The differences in publishing practice between the administrations in relation to school-level statistics are set out at paragraphs 14 – 22 below. These differences are explained by the administrations as reflecting local statistical policies about what should be regarded as official statistics. But we note that those statistical policies seem to align closely with the prevailing education policies rather than being primarily guided by the principles of good statistical practice set out by the UK Statistics Authority and internationally.

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<sup>1</sup> Attainment statistics summarise the numbers and proportions of school pupils obtaining a particular level of education (such as 5 GCSE's or Standard Grades A\* to C).

7. The potential tension between statistical policy and education policy is illustrated by a quote from a 2011 statement<sup>2</sup> by the Minister for Education and Skills in the Welsh Assembly. In it, he said:

*“I remain absolutely committed to the belief that there is no role for league tables in the improvement agenda for Wales. They can be divisive and misleading and do not in themselves promote improvement.”*

This is a clear policy position but it does not negate the case for the available statistics at school-level to be published as official statistics and in accordance with the Code of Practice. These statistics are part of the wealth of official data to which the public should have unimpeded access supported by professional statistical advice. It is self-evidently true that publishing those statistics in that way will allow anyone, including the news media, to create league tables of schools ‘performance’. However, under the Code of Practice, a body responsible for statistics should not seek to control access to them on the grounds that they may be used in ways it regards as inappropriate. The Code requires instead that the statistics be published with sufficient statistical advice to indicate their strengths and weaknesses and why particular uses may be inappropriate or misleading.

8. This tension is also manifested in other ways. Where statistics for individual schools are published, experts and commentators have differing views about the exact form in which they should be presented<sup>3</sup>. This can lead to further inconsistency in terms of what is published and also to aspects of the *Code of Practice* not being fully observed. Our assessment is that even where the school-level statistics are already published as official statistics, the commentary accompanying them is not yet sufficiently helpful to guide the reader through the pitfalls of interpretation. We conclude that:

- **The manner of publication of these statistics has, for many years, been treated as a matter of local political preference rather than professional statistical standards and this now needs to be rectified in line with the principles and protocols of the Code of Practice.**
- **The devolved administrations should make any changes needed to their processes so that school-level statistics can be published as official statistics, under the management of the relevant head of profession for statistics. This would be consistent with the principles of statistical independence, coherence between statistics from the four administrations, and good practice in terms of openness.**
- **DfE and the devolved administrations should produce clearer guidance to help users understand the limitations of the statistics, particularly when making comparisons between schools.**

9. The Statistics Authority supports the publication of results at the level of the individual school in tables that allow comparisons between schools. The school-level results for Scotland, Wales and Northern Ireland are not currently released as official statistics and thus they sit beyond the formal application of the *Code of Practice*. However, the Statistics Authority has published criteria<sup>4</sup> against which to identify statistics that should in future be published as official statistics, and the school-level results seem to us to meet those criteria – in particular that they

<sup>2</sup> <http://wales.gov.uk/about/cabinet/cabinetstatements/2011/110523data/?lang=en>

<sup>3</sup> For example, Institute of Public Policy Research publication on impact of removing vocational qualifications from attainment tables (<http://www.ippr.org/publication/55/10247/the-impact-of-league-table-reform-on-vocational-education-in-schools>)

<sup>4</sup> <http://www.statisticsauthority.gov.uk/news/management-information--mi--and-research-data-as-official-statistics.html>

are statistics used publicly in support of government decisions of public interest. This has been accepted by DfE in respect of English schools but not as yet by the other administrations.

10. The Authority recognises the different educational policies and systems in the three devolved administrations but believes that more could be done to inform and guide users of the school-level statistics within each country. If government statisticians do not produce such tables and advice, the evidence suggests that media and interest groups will simply gather up the individual schools' results and publish them in forms which are less informative and more likely to lead to misunderstanding and misuse.

- **The devolved administrations should consult users about how they might best support informed comparisons between schools, and produce appropriate guidance to support user interpretation.**

11. DfE provides the news media with pre-release access (access in advance of publication) to the school-level statistics. It says that this facilitates informed debate, and that DfE statisticians are on hand to provide guidance as necessary. The Authority has made clear its objections to privileged access<sup>5</sup>, particularly to giving the news media access to statistics ahead of Parliament and public, and considers that the tight deadlines involved could lead to journalists making unwarranted assumptions without seeking proper guidance, with negative rather than positive implications for public debate.

- **DfE should review the arrangements it has in place for pre-release access of its school-level statistics to the media, and publish and explain the lists of the individual organisations that are granted pre-release access.**

12. DfE uses the data from the school statistics to produce the English Key Stage results, which are published separately as National Statistics. The school level tables were not included in the scope of the original Assessment<sup>6</sup> of compliance with the Code of Practice that was conducted in 2010.

- **The Authority will seek DfE's agreement that the school-level statistics in England should be put forward for assessment against the Code of Practice as soon as practicable.**

## Findings

13. This section outlines practice in each of the four UK administrations and considers the following issues relating to the Code of Practice:

- What do we know, or what can we assume, about the level of user interest in school-level datasets of attainment statistics? (Principle 1: Meeting user needs);
- What is, and should be, the relationship between statistical policy and educational policy in relation to making these datasets available? (Principle 3: Integrity);
- Are the published datasets likely to be misunderstood or misinterpreted? (Principle 8: Frankness and accessibility); and

<sup>5</sup> <http://www.statisticsauthority.gov.uk/news/statistics-authority-review-of-pre-release-access-arrangements.pdf>

<sup>6</sup> This is a statutory check carried out under the Statistics and Registration Service Act 2007.

- Are the current pre-release arrangements that allow the media to receive the statistics 24 hours before publication appropriate? (Protocol 2: Release practices).

### What is currently published, and why?

14. The relevant statistics are produced by: the Department for Education (DfE) for England, the Welsh Government, the Scottish Government, and the Department of Education for Northern Ireland (DENI).

#### England

15. DfE publishes, as National Statistics, various series of attainment statistics for England at the local authority-level based on the results achieved by pupils in teacher assessments, standard tests and public examinations in schools. It also produces sets of official statistics at the primary, secondary and post-16 stages that provide attainment results for individual schools and colleges, and that can be grouped by local authority areas. In 2011, DfE launched an updated online tool<sup>7</sup> to allow users to view and analyse the school attainment tables. The tables published in 2011 and 2012 present a wider range of indicators than in previous years and include information on finance, absence, school workforce and the most recent Ofsted<sup>8</sup> reports. The 2012 performance tables have been expanded further to include a wider range of school-level data beyond academic results and DfE has published a Statement of Intent<sup>9</sup> which gives further details of these changes and other changes proposed in future years.
16. Although the school performance tables that DfE publishes do not actively rank schools, there is some functionality to allow users to do this manually. The performance tables are often reported as 'school league tables' in the press. DfE provides the underlying datasets to the media before the official publication, who use the data to produce and publish tables which rank schools according to levels of attainment. The issue of pre-release access to these statistics is covered in paragraphs 44 – 46 of this report.
17. DfE told us that they view the England attainment statistics as a tool to hold schools to account for the attainment of pupils and as a key lever to raise standards. Hence, they view the school-level attainment tables as playing a supporting role below key outputs including the statistical first releases for national curriculum assessment at key stage 2<sup>10</sup>, GCSE attainment by pupil characteristics<sup>11</sup> and A level examination results<sup>12</sup>. However, there is no link from the attainment tables on DfE's website to the statistical first releases, nor is there any clear relationship between the school-level tables and the commentary in the statistical first releases.

#### Wales

18. The Welsh Government publishes a number of aggregate examination statistics for Wales and local authorities each year as National Statistics; however, it stopped publishing individual school attainment statistics in 2001. Recently, the Welsh Government has published school-

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<sup>7</sup> <http://www.education.gov.uk/schools/performance/index.html> . The new tool was published in response to a commitment made in a letter from the Prime Minister to Cabinet Ministers <https://www.gov.uk/government/news/letter-to-cabinet-ministers-on-transparency-and-open-data>

<sup>8</sup> <http://www.ofsted.gov.uk/inspection-reports/find-inspection-report>

<sup>9</sup> [http://www.education.gov.uk/schools/performance/download/Statement\\_of\\_Intent\\_2012.pdf](http://www.education.gov.uk/schools/performance/download/Statement_of_Intent_2012.pdf)

<sup>10</sup> <https://www.gov.uk/government/publications/national-curriculum-assessments-at-key-stage-2-in-england-academic-year-2011-to-2012>

<sup>11</sup> <https://www.gov.uk/government/publications/gcse-and-equivalent-attainment-by-pupil-characteristics-in-england>

<sup>12</sup> <https://www.gov.uk/government/publications/revise-a-level-and-equivalent-examination-results-in-england-academic-year-2011-to-2012>

level statistics for 2008 to 2012 which have been made available on the My Local School<sup>13</sup> portal. The portal includes useful data on individual schools' examination performance as well information about pupil numbers and characteristics, and data on attendance, staffing and finance. The performance data are also set within context, where the results are benchmarked against schools with similar levels of free school meals, and compared against schools in the same 'family' group of schools facing a broadly equivalent level of challenge. The results are presented for each individual school but only allow the statistics to be viewed for one school at a time, and the individual schools within the 'benchmark' or 'family' are not disclosed. This website replaces the school-level reports that were previously made available on Statswales<sup>14</sup>. The Welsh Government said that it has received positive feedback about its new schools' portal from users of the data.

19. In 2011, the Welsh Government introduced banding<sup>15</sup> for school-level data, which are not currently regarded as official statistics. This approach uses statistical modelling to group schools according to a range of factors including performance data. Schools are then ranked between 1 (performing well) and 5 (need to improve). The individual schools' banding information is also presented on the My Local School portal; additional information is provided in spreadsheets on the Welsh Government's website. Reports on the BBC and ITV websites<sup>16</sup> have ranked schools by their score within each local authority.

### Scotland

20. The Scottish Government supplies school-level attainment statistics to Education Scotland<sup>17</sup> which publishes them on its Scottish Schools Online website<sup>18</sup>. The website presents attainment statistics for individual schools and compares these with the equivalent statistics for the relevant local authority and for Scotland as a whole. These statistics are presented alongside other contextual information about the school, but the website does not present statistics for different schools alongside each other. The Scottish media do however publish<sup>19</sup> ranked school data from the Schools Online data. The Authority's main concern about this media led approach is that the tables are generally not supported by the professional statistical advice for users that is needed to avoid misinterpretation. If the goal is to discourage the misunderstanding of ranked (league table) statistics, then an approach in which their compilation is in the hands of the news media may simply serve to deny the reader expert guidance.
21. The Scottish Qualifications Authority (SQA) is the primary data supplier for these statistics and it also publishes its own attainment data<sup>20</sup>. The SQA publishes various statistics in spreadsheet format on its website that are produced at an aggregate level for Scotland; the SQA is not an official statistics producer.

<sup>13</sup> <http://mylocalschool.wales.gov.uk/>

<sup>14</sup> <https://statswales.wales.gov.uk/Catalogue/Education-and-Skills/Schools-and-Teachers/Examinations-and-Assessments/School-Level-Reports>

<sup>15</sup> <http://wales.gov.uk/topics/educationandskills/schoolshome/raisingstandards/schoolbanding/secondary/?lang=en>

<sup>16</sup> <http://www.bbc.co.uk/news/uk-wales-20767408> and <http://www.scotsman.com/the-scotsman/education/full-exam-results-tables-from-across-scotland-1-2698277>

<sup>17</sup> <http://www.educationscotland.gov.uk/>

<sup>18</sup> <http://www.educationscotland.gov.uk/scottishschoolsonline/index.asp>

<sup>19</sup> <http://www.heraldscotland.com/news/home-news/east-renfrewshire-tops-state-school-league-table-for-highers.1355833160>, and <http://www.scotsman.com/the-scotsman/education/full-exam-results-tables-from-across-scotland-1-2698277>

<sup>20</sup> <http://www.sqa.org.uk/sqa/64717.4239.html>

### Northern Ireland

22. DENI publishes some school-level attainment statistics for Northern Ireland through the Schools+ database<sup>21</sup> on its website. This is a searchable database which presents a range of statistics on examination results for individual schools alongside averages for Northern Ireland as a whole, but does not present statistics for different schools alongside each other. In addition, Schools+ does not provide any guidance to help users navigate the database, or information to guide interpretation of the data. DENI provides the underlying dataset to users who request this information but it does not publish these datasets on its website. Newspapers use this information to compile and publish 'school league tables'.

### **Attainment statistics and the Code of Practice**

23. The fact that the four administrations adopt different approaches to releasing school-level attainment statistics reflects, in part, different policy assumptions about the value of the statistics in improving school performance:
- DfE views school-level attainment statistics as having the potential to lead to improvement in school performance, and it publishes them in detailed tables on its website.
  - This approach contrasts with the policies that have been adopted in Wales, Scotland, and Northern Ireland which view all such statistical tables as 'school league tables' and as being actually or potentially misleading. All three devolved administrations have expressed concerns about publishing school-level attainment statistics in formats that facilitate direct comparisons between schools. In essence, these concerns are about the risk that the statistics will be misunderstood and misused. However, it is also widely accepted that the statistics are both reliable (in the sense of being accurate) and of value if properly interpreted.
  - Despite not publishing the school-level datasets, the devolved administrations do have policies to provide parents with information about schools by means other than school-level tables. Scotland and Wales have statutory requirements for schools to publish certain types of information in School Handbooks; this requirement has been applicable in Scotland since 1982, and was last revised in 2012. These functions are also addressed through the provision of a wide range of school-level information published on the various school-focused websites in each of the devolved administrations. At present, these websites release school-level statistics about examination results that are not published elsewhere. In Scotland and Wales, these statistics are published on Scottish Schools Online and My Local School websites respectively, but not in the form of official statistics outputs.
  - Whilst the school-level websites in each of the devolved administrations provide useful information about individual schools, the statistics are not always released in formats that enable and encourage analysis and re-use (Principle 8 of the Code). The Welsh Government has said that the data from the My Local School portal are available in open format, allowing users to copy the information needed for re-use in other packages.
24. It is uncommon, and grounds for concern, that different policy judgement about the utility and value of existing statistical data should be seen to determine the public accessibility of those statistics. Of course, Government departments do, quite properly, commission the collection of new statistical data where they think those statistics will be helpful to the formulation of policy. But it is unusual for existing statistical data to be withdrawn, or partly withdrawn, from public

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<sup>21</sup> <http://www.denidata.nics.gov.uk/appinstitutes/instmain.aspx>

circulation because Ministers or officials think they could be misleading, and this touches on questions of good statistical practice. The Code of Practice takes the stance that once publicly-funded statistics exist, they should be seen as public property and should be made easily available, accompanied by whatever guidance is needed to discourage misuse or misunderstanding. The relevant part of the Code says “Make statistics available in as much detail as is reliable and practicable....”; the word ‘reliable’ is generally taken to mean being the best estimate of the quantity that can be made. It is one of the distinctive features of school attainment statistics that they are an exact count, rather than an estimate. In that sense, they are reliable.

25. There is however a body of academic opinion that argues that the attainment results for any particular school in any particular set of examinations should, in fact, be seen as an estimate (of some underlying ‘true’ value) based on the particular sample of students that happens to be in the school that particular year. A different sample of school students would lead to a different result and the true value being estimated is the average of all possible samples. On that basis, the attainment results for a school with a small number of pupils would be seen as less reliable than those for a very large school and so on. We understand and accept the importance of this argument but see it as something to be analysed and explained alongside the school-level statistics when they are published, not an argument against publication.
26. Some academics argue that the publication of public service data in the form of league tables – or cooperation with the news media to achieve the same end – is unprofessional and inappropriate for government statisticians, because of the potentially misleading messages that can often be drawn from such league tables. For example, one school might be shown in a league table presentation to have a worse key stage two exam result score than another school nearby. There is a risk that people will jump to conclusions about the quality of teaching whilst the real reason for the lower score may be that that particular school deals with more lower achieving children despite the best possible teaching. There is no doubt that league tables are a problematic, and ‘loaded’, form of presentation. DfE has taken steps to avoid the misuse of school-level attainment statistics by including an increasingly large range of indicators which track the progress of pupils across key stages. These indicators reduce the effect of pupil selection into a school although appropriate guidance needs to be provided alongside the indicators to highlight the benefits of one indicator over another.

### **How much user interest is there in school-level statistics?**

27. Under Principle 8 of the Code we think there is an implied requirement to publish school-level datasets as official statistics, as long as there is sufficient user demand to justify the work involved<sup>22</sup>. Principle 1 of the Code, ‘meeting user needs’ requires producers to investigate and document the needs of users of statistics and to publish information about their experiences of using the statistics<sup>23</sup>.
28. In July 2010, the Authority published formal ‘assessment’ reports<sup>24</sup> covering the main school achievement and attainment statistics in England, Wales, Scotland and Northern Ireland. At the time, DfE’s school-level tables were not included in the scope of the assessment. The assessment reports found that the Welsh Government fully meets the requirements of Principle 1, but identified ways in which the other three administrations could strengthen their compliance with this principle. In addressing these requirements, producers have an

<sup>22</sup> Principle 8, Practices 3, 4, 5 and 6.

<sup>23</sup> Principle 1 Practices 2 and 5

<sup>24</sup> Assessment Report 48: School Achievement and Attainment Statistics in England; Assessment Report 49: Schools for Wales; Assessment Report 50: Schools for Scotland; Assessment Report 51: Schools for Northern Ireland. All available at <http://www.statisticsauthority.gov.uk/assessment/assessment/assessment-reports/index.html>

opportunity to gather more detailed evidence about the uses and potential uses of the school-level datasets that lie behind the published attainment statistics. The statistics were fully designated in May 2011. The statistical releases for A level and GCSE results published in January 2013 for England made no comment about the uses of these statistics although DfE have carried out a user feedback survey in 2013 and plan to publish the findings from this survey on DfE's website. The 2012 performance tables for England, published by DfE also include no information about users or users' experiences.

29. In 2005, the uses of school-level attainment statistics were investigated as part of a report<sup>25</sup> by the then Statistics Commission that considered whether school education statistics produced by the four UK administrations meet the needs of a sufficiently broad spectrum of users. The report found that attainment statistics are the most commonly used school statistics and it identified the following uses:

- Local authorities, school inspectorates and other organisations involved in holding schools to account use these statistics to monitor the performance of schools;
- Schools use these statistics to inform management decisions, to assist in their self-evaluation and to make the case for resources;
- Parents choosing between schools for their children use these statistics – or at least messages derived from these statistics – to help inform their decision.

30. These uses broadly mirror those reported by DfE for the performance tables that it publishes. However, it is worth noting that the Statistics Commission report also made the following comments in relation to parents' use of these statistics:

It is not clear from our review that parents pay a great deal of attention to school performance statistics, although there is widespread perception that this is the case. Parents seem mostly to be concerned with the broad educational experience and progress of their own children and less concerned about the details of progress of a school or group of schools.

31. Newspapers in Scotland and Northern Ireland extract the published data on attainment for individual schools and publish this information as 'school league tables' for their readers. Newspapers in Wales have published similar tables for Wales based on the banded information. It seems unlikely that newspapers would publish these tables if there was no interest in them. The Authority considers that this provides some evidence that there is some user interest in these statistics amongst the general public.

32. More generally, there are important *potential* uses of these statistics. For example, the statistics allow people to pose questions such as 'why does school A have better results than school B?' Questions of this type provide a starting point both for serious analysis (examining patterns and trends) and for more informal exploration. If the statistics are not published in a convenient form, or in a form that users are able to interpret trends, it is more difficult to identify such questions or to begin to answer them. For example, according to the My Local School website in Wales, Cardiff High School is consistently ranked towards the top of the highest performing 25% of schools with similar levels of free school meals under the 'benchmarking' tab<sup>26</sup>; however, it is not possible from the table or chart to see the schools Cardiff High School is being compared with to aid users understanding. The Welsh Government has said this information would be made available on request.

<sup>25</sup> Statistics Commission (2005) *School Education Statistics: user perspectives* (Report 26), Statistics Commission, London. [http://www.statscom.org.uk/C\\_399.aspx](http://www.statscom.org.uk/C_399.aspx)

<sup>26</sup> <http://mylocalschool.wales.gov.uk/school.htm?estab=6814039&lang=eng>

### What is the influence of statistical policy and educational policy in relation to these datasets?

33. The UK Government recently announced<sup>27</sup> a change to how individual school achievement is to be measured in England. This is in response to evidence that focusing on one main achievement measures – the proportion of children obtaining five or more A\* to C grades at GCSE – has led to some teachers focusing on the group of children who are able to obtain a C grade rather than a D grade in order to boost the school’s ranking in attainment tables. The concern is that this is at the expense of the achievement of other children. The new measure would potentially use a points system for each subject and an average score would be produced for each school. Similar reviews of qualifications have been conducted in Wales, Scotland and Northern Ireland. The review in Wales recommended the development of the My Local School portal for parents and other users of school-level data.
34. The Statistics Commission report, *School Education Statistics: User Perspectives*,<sup>28</sup> reviewed the different approaches to disseminating school-level attainment statistics across the four administrations and made the following recommendation:

In the interests of users of statistics, including parents, a consistent approach should be taken across the UK to the publication of performance data for individual schools. The Statistics Commission believes that there should be a strong presumption in favour of making all such information readily available in an appropriate format. At present, practice differs considerably. We would suggest that the view of the National Statistician should be sought on this question – this would serve to acknowledge that this is an issue of UK-wide *statistical policy* rather than devolved *education policy*.

35. In responding to this report, the Scottish Government disagreed with the distinction that the Statistics Commission made between education policy and statistical policy, stating the following in a letter of August 2005 to the Chair of the Statistics Commission: “education statistics in Scotland are a matter of Scottish Executive statistics policy which is based on the needs of users and of the demands of education policy in Scotland.” In other words, statistical policy cannot be separated from education policy. The Authority would argue that it can be and must be if the statistical service is to be seen as independent and coherent – the more so as education policy does differ between the four UK administrations whereas statistical policy should, to the greatest extent possible, be consistent.
36. Since its introduction in 2009, the Code of Practice has provided a common set of standards across the UK for how official statistics should be produced, managed and disseminated. Principle 3 of the Code makes clear that in relation to decisions on the content and format of statistical releases “the public interest should prevail over organisational, political or personal interests”. The Authority would not accept that the public interest is different, in any substantive sense, in one part of the UK compared with another.

### Are the published datasets misunderstood and misinterpreted?

37. Principle 8 of the Code (‘frankness and accessibility’) includes a number of requirements<sup>29</sup> that indicate that the devolved administrations should publish the school-level datasets as official statistics. The Scottish and Northern Ireland administrations partially address this by making

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<sup>27</sup> <http://www.telegraph.co.uk/education/educationnews/9747267/School-league-table-overhaul-to-stop-teachers-cheating.html>

<sup>28</sup> This report incorporated the Review of Schools Education Statistics commissioned from the National Foundation for Educational Research by the Statistics Commission

<sup>29</sup> Principle 8, Practice3; Principle 8, Practice 5 and Principle 8, Practice 6

the datasets available to users on request. However, this approach still falls short of the standards required in the Code since it restricts the accessibility of the statistics and tends to inhibit, rather than encourage, the analysis and re-use of the statistics. The Welsh Government makes data available on request and publishes banded attainment tables for individual schools which enable users to carry out some further analysis – although this is limited – and make comparisons with the previous year.

38. It is generally accepted<sup>30</sup> that comparisons between schools based on attainment statistics alone can provide a misleading impression of the quality of education that each school provides. In particular, high levels of attainment may be more due to the quality of a school's intake than of its effectiveness.
39. The Code of Practice includes the following two practices under Principle 8 on frankness and accessibility that can help to mitigate the risk that school-level statistics will be misunderstood or misinterpreted:
- P8.1 Provide information on the quality and reliability of statistics in relation to the range of potential uses, and on methods, procedures and classifications
  - P8.2 Prepare and disseminate commentary and analysis that aid interpretation, and provide factual information about the policy or operational context of official statistics. Adopt formats for the presentation of statistics in graphs, tables and maps that enhance clarity, interpretability and consistency
40. DfE has sought to address concerns about potential misuse and misunderstanding through the development of a broader set of measures of school performance. In 2011<sup>31</sup>, it discontinued the contextual value added (CVA) score for each primary and secondary school and re-introduced a 'value added' (VA) measure for progress between Key Stage 2 and Key Stage 4. The performance tables also include new information which indicates the performance of high, middle and low attaining pupils.
41. The way in which DfE presents these statistics has been the subject of criticism by some educational experts. For example, leading academic researchers describe<sup>32</sup> a number of concerns with the school-level statistics published by DfE, including arguing that DfE's measure of progression for low attaining pupils may not be suitable for use by parents in selecting a school for their children.
42. The DfE performance tables are published with detailed guidance for users about the content of the tables and explanations of the various indicators shown. The guidance does not, however, provide sufficient information to enable users to make a judgement on the strengths and weaknesses of each indicator and therefore which indicator is most appropriate for their needs.
43. The Authority takes the view that the possibility of misinterpretation or misuse does not provide sufficient grounds for withholding, or obstructing access to, official statistics. The appropriate response to the risk of misinterpretation and misunderstanding is to provide better commentary and advice about the statistics. There may also be scope to develop improved measures of the

<sup>30</sup> <http://www.bbc.co.uk/news/education-20628795>

<sup>31</sup> Announced in the Statement of Intent for 2011 <http://www.education.gov.uk/schools/performance/archive/Statement-of-Intent.pdf>

<sup>32</sup> See *School league tables: what can they really tell us?* By Harvey Goldstein and George Leckie in [http://www.cmm.bristol.ac.uk/team/HG\\_Personal/Full%20Publications%20-%20download/2008/league%20tables%20critique.pdf](http://www.cmm.bristol.ac.uk/team/HG_Personal/Full%20Publications%20-%20download/2008/league%20tables%20critique.pdf)

impact of a school on a range of educational outcomes, taking into account factors outside the school's control, together with indications of the uncertainty of these measures. However, the absence of such measures does not justify the decision not to publish the datasets, which should be accompanied by suitable commentary to aid interpretation of the statistics.

### **Are pre-release access arrangements for the school-level statistics adequate?**

44. The Pre-Release Access to Official Statistics Order 2008<sup>33</sup> allows departments to grant access to the final statistics before the official publication to Government Ministers and other officials that are involved in the formation of government policy or for the delivery of public services. In addition, Part 2 of the Schedule gives special provisions to a number of other bodies such as the Bank of England and journalists. Paragraph 14 (2)(b) of the Order allows departments to grant pre-release access if it is 'likely to facilitate well-informed debate'. Paragraph 14(3) also states that access should only be granted if the public benefit likely to result from such access outweighs the detriment to public trust in official statistics.
45. The access afforded to the news media in relation to these statistics by DfE, may, in our view, hinder rather than facilitate proper analysis of the data. The Authority considers that the lack of professional guidance and tight deadlines could lead journalists to analyse and comment on the data without the benefit of essential advice from government statisticians. DfE said that it provides statistical support to the media during the pre-release access to mitigate the risk of improper analysis. DfE also told us that it provides the media with secure internet access to its performance tables, and that this is covered under the pre-release arrangements for the Key Stage 4 National Statistics. DfE does not publish individual lists of those media organisations that are granted access; however, it has said that it does keep a record of this information.
46. The Authority has long argued against privileged access to statistics and for the principle of equality of access to be strictly observed. For as long as pre-release access persists, the Authority will publicise its extent and seek to reduce it. The Authority's strategy, published in early 2013, states that it 'will oversee and support the National Statistician's drive in 2013 to reduce the incidence of pre-release access to the fullest possible extent under the law'<sup>34</sup>.

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<sup>33</sup> <http://www.legislation.gov.uk/uksi/2008/2998/schedule/made>

<sup>34</sup> <http://www.statisticsauthority.gov.uk/news/statistics-authority-statement-of-strategy.pdf> (Strategic Priority 5: Trustworthiness)