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**Director General for Regulation**

Ms Janet Downs  
By email

22 July 2015

Dear Ms Downs,

Thank you for your email asking us to comment on the recent press release that was issued by the Department for Education (DfE) on 30 June 2015<sup>1</sup>.

In particular you asked the Authority to comment on two of the findings the press release highlighted that were contained in the Academies annual report for the Academic year 2014/15 that was published on the same day<sup>2</sup>.

1. The rate of improvement in key stage 2 test results of sponsored primary academies compared to non-academies
2. The rate of increase in the number of pupils studying the EBacc package of qualifications compared to non-academies

You may be aware that I have recently written to Mr Warwick Mansell, who raised similar concerns about Ministers' use of statistics in relation to academy performance. The Authority's conclusion in that case was that Ministers had not misrepresented the statistics. However, we also concluded that DfE's presentation of the statistics in the Statistical First Release (SFR)<sup>3</sup> – that presents Key Stage 2 statistics for primary schools for 2014 – did not make it clear that the differences in the rates of improvement in performance were not necessarily caused by school type. Following the correspondence from Mr Mansell, I have written to the Statistical Head of Profession in the DfE and have provided some constructive suggestions that might minimise the possibility of misinterpretation in future reports. Both sets of correspondence are published on the Authority's website<sup>4</sup>.

The first of the individual points that you asked the Authority to comment on - about Key Stage 2 tests - contained the same statistics that we investigated in response to Mr Mansell's letter, and our conclusions remain as set out in the previous paragraph.

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<sup>1</sup> <https://www.gov.uk/government/news/hundreds-of-coasting-schools-to-be-transformed>

<sup>2</sup> <https://www.gov.uk/government/publications/academies-annual-report-academic-year-2013-to-2014>

<sup>3</sup> <https://www.gov.uk/government/statistics/national-curriculum-assessments-at-key-stage-2-2014-revised>

<sup>4</sup> <http://www.statisticsauthority.gov.uk/reports---correspondence/correspondence/index.html>

The source used as a basis for the second point, relating to the EBacc package of qualifications, is not given. However, based on a reference earlier in the press release, the statistics appear to come from table 11 of the SFR<sup>5</sup> – that presents results for GCSEs and equivalent qualifications – and the Authority considers that the statement is consistent with the statistics that are included in this table.

During our investigation, we also identified that statistics were published in the Academies annual report that had not previously been released as official statistics and that the source data are unpublished. While the Authority notes that the Academies annual report includes helpful analysis and explanation of the source data it draws on, publishing the statistics initially as official statistics would also enable information on limitations and impartial commentary to be provided to guide interpretation and use.

I am copying this letter to Iain Bell, the Statistical Head of Profession in the DfE.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ed Humpherson', with a stylized flourish at the end.

Ed Humpherson

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<sup>5</sup> <https://www.gov.uk/government/statistics/reviced-gcse-and-equivalent-results-in-england-2013-to-2014>