

Whose school is it anyway?

A CfPS Roundtable on education policy, 7 March 2016

Please note: the roundtable took place shortly before the education white paper that included, among other things, the policy proposal that all local authority maintained schools will have to become academies by 2022.

Whose school is it anyway? Changes to education policy and the move towards forced academisation bring ever more challenges to maintaining oversight of education standards in local areas.

On March 7th 2016, CfPS held a roundtable discussion to tackle the issue of accountability and school oversight. The discussion, chaired by Lord Bob Kerslake, involved people from a wide variety of senior positions in the education landscape - from local councillors to academics, from union leaders to officers at Multi Academy Trusts (MATs).

"With the current patchwork of education providers (state, academy and free schools) and the Government's intent on further reducing the role of local councils, who is accountable for school improvement, how can they be held to account and who has total oversight of education in an area?"

- Lord **Bob Kerslake** - Chair, CfPS (chairing)
- Dr **Mary Bousted** - General Secretary, ATL
- Prof **Chris James** - Professor of Educational Leadership, Bath University
- Mr **Mark Blois** - Head of Education, Browne Jacobson
- Prof **Ron Glatter** - President, BELMAS
- Mr **Jim Clifford** - Partner and Director, BWB Advisory
- Mr **Conor Ryan** - Director of Research and Communications, Sutton Trust
- Dr **Andy Fisher** - Audit and Development Manager (National Audit Office)
- Mr **Ian Hickman** - Chief Operating Officer, Northern Education Trust
- Ms **Emma Knights** - Chief Executive, National Governor's Association
- Cllr **David Simmonds** (Con) - Deputy Chairman, Local Government Association and Deputy Leader of the London Borough of Hillingdon
- Cllr **Richard Watts** (Lab) - Leader, London Borough of Islington

Whose school is it anyway? Does it matter?

First up the participants considered the overall organisation of the school system, with ever more schools becoming academies, and with the role of the local authority to drive school improvement diminishing. Some expressed shock at the idea that *"the only significant democratic input into the school system is central government"*.

One participant quoted Richard Pring, an Oxford University Professor of Education –

"What is being created is the most personally centralised education system in Western Europe since Germany in the 1930s - each school directly contracted to the Secretary of State".

Others cautioned against being nostalgic about a time that simply won't come back.

"If this government stays in power for as long as it seems it will, then we are moving towards a system of geographically-based Multi Academy Trusts."

"Things have changed in such a way as cannot be reversed."

It was emphasised that MATs in many ways allowed for dynamic school improvement that wouldn't be possible with local authorities - by exploiting economies of scale, sharing best practice, and allowing teacher sharing. The best MATs were agreed to be those that had a strong clarity of purpose and were geographically based, and whose leaders were willing to talk to key stakeholders in the local area.

"The ownership of the school in a more practical sense doesn't matter all that much. It's outcomes that matter."



Regional School Commissioners – Ups and Downs

Nonetheless the unease remained, especially with the fear that the bodies to drive school improvement would be Regional Schools Commissioners, appointed by the Secretary of State for Education and led by the National Schools Commissioner David Carter - appointed last month to the role. Many commented on RSCs' relationships with other key bodies:

"Over the next 9 months, we'll see those two systems (Ofsted and RSCs) jockeying for position, and the Schools Commissioners will win. David Carter will make a much bigger job of it than his predecessors."

"If you get called to a meeting with a Regional Schools Commissioner, you get interrogated on a set of metrics that they don't share with you. They're not interested in Ofsted judgements, they're very driven by data and metrics. RSCs don't care to be in the room with MATs and EFAs. If RSCs want to be representatives of the Secretary of State, they need to have better knowledge of the system."

Many expressed worry at the speed at which academisation was going on - leading to governance and accountability overlaps and overall a lack of responsibility for outcomes.

"There are some academies which are good, just as there are some maintained schools which are good. The type of school doesn't matter so much as the

relationships between the stakeholders. And MATs which are growing too quickly cannot do this effectively."

"The current system is a 1945 settlement being stretched over the modern landscape, and it leaves gaps - gaps in school places, SEN provision and safeguarding...local authorities, who know the pressure points in their areas should be able to deal with these issues."

What's left for local authorities?

Academies are largely self-governing - they have their own budgets, many own their own land and employ their own staff. So what role can local authorities play in a system that largely doesn't involve them anymore?

Local authorities do still have responsibilities of course - for example in ensuring sufficient school places are available for children and providing support services. However it was noted that though they have the duty to ensure sufficient places are available, they don't have the power - local authorities are not allowed to open schools or force academies to take more students. Nonetheless - one councillor noted that he still could exert soft power, if not hard.

"We can put pressure if not power on the academies that exist."

But then again...

"Soft power works when there are good relationships. Some MATs are deliberately confrontational."

Others emphasised the need for councils to think differently - for example, by positioning themselves as a legitimating body of the school system if not one which could direct power on school improvement. With such a complex system, clear and direct lines of accountability are unlikely - the role of the local authority could be to instead integrate the various fragmented parts of the system into one directed whole.

A number of participants were intrigued by the idea of an educational constitution - similar to the NHS constitution - where the roles and responsibilities of all the various actors in the "muddle tier" would be set out. Such an idea was previously presented in a Fabian Society pamphlet called "Stakeholder Schools".

"As a politician, I don't like influence. I like responsibilities. Give someone responsibilities and they will have the authority to demand the powers they need. This is where the idea of a constitution can help."

Outcomes for parents

Who do parents go to when something goes wrong? Who is accountable for lack of improvement?

One of the initial reasons for introducing academies was to divert from the very question of accountability by allowing for greater public choice: parents could just vote with their feet and leave the poor schools, driving standards up overall. Many delegates balked at the idea of a market system in education.

"A well-functioning market allows firms to fail. The problem with schools is that schools can't fail - so how can there be a market in schools?"

"Parents seem to have a limited voice. Those in particular need of a voice (not just SEN, but others too) tend to have even less of a voice to drive changes. Governors are there to represent that local population, but there doesn't seem to be clarity of them being representatives of that parent lack of voice."

Conclusions

One participant said that "Good governance and oversight is alchemy rather than a science." There seem to be very few absolutes in a system so important yet so complicated - it all depends on the relationships between and responsibilities that are conferred upon the players in the game. CfPS will continue to drive debate on the key questions of school accountability, seeking to make governance simpler for parents to understand, improving outcomes for all.

CfPS believes that:

- Current structures, government policy, and the Education and Adoption Act have the potential to create further confusion and a lack of clear accountability.
- There is no magic bullet called governance, or good political leadership or parent power which will unlock improvements in education standards – all are needed.
- Despite the education white paper, parents still need to be at the heart of governance and accountability solutions
- We are concerned whether the centralisation of oversight is the answer to failing schools, especially considering the government's commitment to localism in other areas of policy.
- CfPS strongly believes that democratically elected members can have a valuable role in school improvement – explored further in our publications *Back to School* and *Your School, Your Community*.

