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## How can we create a fairer school system?

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*England's secondary school system today is deeply fragmented and unequal. Anne West, David Wolfe KC and Basma Yaghi discuss how the principles of autonomy, alignment and transparency can form the basis of an alternative – one that empowers parents to make the best decisions for their children.*

Academisation was designed to give schools in England more autonomy and headteachers more freedom. The coalition government elected in 2010 stated that the extension of “greater autonomy to all schools” was **“an absolute priority for this government”**.

As a result of government policy, there has been a massive expansion of academies, with **eight out of 10 secondary schools** now being outside local authority control. This has had major consequences on the governance and functioning of schools.



*The system is now highly fragmented with different rules for different types of schools, and more autonomy for some schools than others.*



Although the government's rhetoric has been that academisation gives schools freedom and independence, in reality this is often not the case. Indeed, as a result of academisation, many schools now have much *less* autonomy than before, having become part of multi-academy trusts where it is the trust board that makes the key decisions. The system is now highly fragmented with different rules for different types of schools, and more autonomy for some schools than others.

Academies were introduced by the Labour government in the early 2000s as a way to improve education standards, particularly in disadvantaged areas where school performance was poor. In short, "failing" local authority schools could be closed and replaced by academies "sponsored" by external trusts, although the government would pay for the running costs. However, following the 2010 Academies Act, the coalition government allowed schools maintained by local authorities to apply to become academies.

## School governance and fragmentation

Since 2010, successive governments have championed academies as a way of improving educational standards, even though academies, like local authority schools, vary in terms of the quality of education they offer, **with little difference** in the performance of schools in academy chains and local authorities.

Academies can be operated as a single trust or as part of a "chain" managed by a multi-academy trust. **Research by Anne West, David Wolfe and Basma Yaghi** argues that over the past decade, there has been a detrimental impact on the

governance of England's school-based education system, transforming what was a national system of schooling into a disjointed and fragmented landscape.

This is largely the result of policy decisions resulting in academy trusts not having to follow the same regulations as local authority maintained state schools. They **do not have to follow the national curriculum or employ qualified teachers**. Academy trusts are set up as private companies, and as such the legal framework in which they operate differs from that of schools maintained by local authorities. This means that the profile of trustees on academy boards is in line with private as opposed to public interests. The government has allowed private trusts **flexibility to design the constitution of their boards**, which can be run by individuals with no direct knowledge of the education sector. This is in marked contrast to the system prior to 2010 when virtually all state-funded schools were run by school-based governing bodies and overseen by democratically elected local authorities, and all had to adhere to the same legislative and regulatory framework. Today, secondary schools are far more likely to be managed by a trust board. The process regarding the appointment of academy trustees is opaque and not open to public scrutiny, making it harder for people outside the organisation to know how decisions are made (see West, Wolfe and Yaghi's **research**).

As a result of these changes, there is no coherence between schools across England, not just in terms of overall governance, but in the decisions the trust boards make, including admissions arrangements, the curriculum, and responsibility for and use of resources.

## Autonomy from local authorities but control by the "chain"

Schools in Multi-Academy Trust (MATs) are also placed in an unusual situation, with school leaders having less independence than they would have had when a maintained school or single academy trust. Once a school joins a MAT, it is required to follow rules set by those at the top of the "chain". As a result, headteachers and school leaders ironically have less direct power to unilaterally make changes to meet the needs of their specific school. Once these schools become academies, they are legally unable to leave and re-join the local authority or join another multi-academy trust or revert to a single academy, even if the

headteacher (and the local governing body, if one exists) decides that is in the school's best interests.

These issues make it much harder to ensure that children across the country are able to benefit from the same level and quality of experience that a fair and cohesive system would ensure.

## Greater alignment between schools is key

The current fragmentation of secondary education raises questions about the school system and whether it is fit for purpose. **Research by West, Wolfe and Yaghi** provides support for policy changes to assist with the laudable goal of **"creating a fair and cohesive system"**.

The system can appear not fit for purpose, but there are changes policymakers could make that would bring schools into alignment, meaning that schools would operate on a more level footing.

A *common rule book* for all state-funded schools regarding governance, curriculum, admissions policies, and use of resources would ensure less fragmentation across different school types.

There is a strong case for all state-funded schools to have *local governing bodies* with clear powers and responsibilities (including the appointment of the headteacher and responsibility for the budget and curriculum), giving them all a similar level of autonomy to that of maintained schools. A stakeholder model of governance for all state-funded schools representing parents, staff, the local authority, and wider community would provide local democratic accountability and greater transparency to the local community.

Alignment of *admissions arrangements* and criteria across local areas would aid parents making preferences for their children's schools. In particular, all schools should be obliged to provide clear information regarding the admission of children with special educational needs and disabilities.

A *national curriculum* would be a way to ensure equality of opportunity for pupils wherever they study **"so children learn the same things"**.

With a focus on policy to encourage clarity around school governance and alignment of operations between all schools, it is possible that parents could, in

the future, find themselves navigating a more transparent and equitable system.

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This post draws on the authors' [research paper](#) "Secondary schools (academies and maintained schools) in England: Issues of governance and autonomy" (LSE/Matrix Chambers, June 2022)

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### About the author



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Anne West is Professor of Education Policy. Her research focuses in particular on education policy and early childhood education and care, in England (past and present), and in comparative perspective. Anne also has interests in health policy and is currently involved in the EU Horizon 2020 project PERISCOPE.



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