

The School System in England: Current State of Play and the Children's Wellbeing and Schools Bill

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Outline

- Current state-funded school system
- Accountability
- Provisions in the Children's Wellbeing and Schools Bill
- What is missing from the Bill?

Current state-funded school systems

- Two systems comprising:
 - Local authority-maintained schools
 - Academies – single and multi-academy trusts
 - 83 per cent of secondary schools are academies
 - 46 per cent of primary schools are academies
- Opaque part-locally administered system and part-centrally-controlled system of academies

Accountability

- Academies have various freedoms unlike maintained schools (e.g., regarding curriculum, teachers' qualifications, teachers' pay)
- Performance accountability
 - All state-funded schools (maintained schools and academies) are accountable via Ofsted inspections
- Financial accountability
 - Local authority-maintained schools accountable to the local authority, which in turn is accountable to the DfE
 - Academy trusts accountable to the DfE (as private companies must also file accounts with Companies House)

Children's Wellbeing and Schools Bill

- Schools part of the Bill seeks to align academies and maintained schools
 - National Curriculum
 - Teachers' qualifications
 - Teachers' pay and conditions
- Other provisions include
 - Powers to secure proprietor's duties
 - Ends forced academisation
 - Establishment of new schools
 - Co-operation on admissions

The Bill: Alignment between maintained schools and academies



- Academies (subject to their funding agreement) are required to offer a “balanced and broadly based curriculum”: the Bill would make it a requirement for academies like other state-funded schools to teach the (new) National Curriculum
- Currently (unless required by the trust’s funding agreement) academy teachers need not have qualified teacher status: the Bill seeks to ensure that new teachers have, or are working towards Qualified Teacher Status
- The Bill would require academies to follow a minimum level of remuneration, set at the same level as maintained schools; it would require them to have regard to the School Teachers’ Pay and Conditions Document

The Bill: Other provisions

- Powers to secure proprietor's duties: New power to enable the Secretary of State to issue directions in cases of non-compliance
- Ends forced academisation: this provision would remove the obligation for the Secretary of State to make an academy order if a maintained school is identified by Ofsted as having serious weaknesses
- Establishment of new schools: this provision would end the "free school presumption"
- Co-operation on admissions: this provision would require co-operation between maintained school governing bodies, academy trusts, and local authorities

What is missing from the Bill?

- Longstanding concerns regarding excessive pay of executives in MATs are not addressed
- Allocation of funds by MATs to schools is not addressed
- Inspection of MATs is not addressed
- Individual academies in a MAT still have no legal identity so cannot leave a MAT to join another or return to a local authority
- Stark contrast remains between statutory governing bodies of maintained schools which are legal entities based in the local community and the local governing bodies (if any exist) of academy schools
- Measures regarding admissions are limited: Co-operation is difficult to enforce

Reference

- West, A. and Wolfe, D. (2025) [The Children's Wellbeing and Schools Bill – towards equal accountability for academies? - British Politics and Policy at LSE](#)