

The recent history of school governance has been one of an accelerating decline in democratic accountability

By Democratic Audit

*Free schools and academy schools have been flagship education policies for the Coalition since it came to power in 2010. But while the government claims that these schools are more responsive to local needs, **Chris Waterman** argues that they have no accountability to local authorities or indeed, to the local communities whose children they educate. The rise of Free and Academy schools is part of a long-term trend of reform which has seen school governance move progressively farther away from local democratic accountability.*

In April 1975, Reg Prentice, the Secretary of State for Education and Science, set up a commission of enquiry to review the “arrangements for the management and government of maintained primary and secondary schools in England and Wales”. The committee of twenty-three was chaired by Tom Taylor, leader of Blackburn Town Council and presented its 228

page report to Shirley Williams in June 1977, within months of the launch of Prime Minister Jim Callaghan’s “Great Debate” about education.

The title of the report, “[A New Partnership for Our Schools](#)” made it clear that it was time for a fresh look at how schools were governed and who should be involved in the governance of schools. This ground breaking report made recommendations that, while school governance should be vested in the local education authority, the LEA would, in turn, delegate significant powers to the school’s governing body and then on to head teachers. Schools were also to be given their own separate governing bodies, whose members would consist of local education authority representatives, school staff, parents and pupils, and representatives of the local community.

The legislative changes that followed marked a new age in school governance, with every maintained school (or pair of schools in the case of a linked infant and junior school) having its own governing body. This came at a time when, in many local authorities, there was one governing body (or managing body in the case of primary schools) for a group of schools and in some cases one governing body for **all** of the schools in the local authority.



Schools have moved away from local democratic accountability. Credit: David Bailey (CC BY NC SA)

In the 1980s there was, therefore, a shift in power from the local authority to the individual school, but everything to do with maintained schools was dealt with at the local authority level. The democratically elected local authority oversaw the arrangements for the governance of schools and set the budget for all of the schools in the area. Each member of the governing body was a representative of a particular group and parent governors were elected by the parent body.

Over time, central government exercised more and more control over the total amount that local authorities could spend, including the education budget which could be 50% of the total local authority budget. The introduction of the local management of schools (LMS) meant that an increasing percentage of the local schools budget had to be delegated to schools, with governors, advised by the head teacher, choosing how to spend the amount allocated.

The first **radical** change in this balance between central government, local government and the individual school was the introduction, in the Education Reform Act (ERA) 1988, of grant-maintained (GM) schools. In an attempt to weaken the influence of the local authority (in the shape of the local education authority or LEA), the governors of a school could decide to ballot the parents of school pupils on whether to become a grant-maintained school. While in theory, a GM school would be funded at the same level as the other schools in the local authority, albeit receiving its budget from a new quango, the Funding Agency for Schools (FAS), there was initially plenty of additional funds that came the way of the first wave of GM schools. Within ten years, there were nearly 1200 GM schools, comprising 19 per cent of secondary schools, 3 per cent of primary schools and 2 per cent of special schools.

In 1998, the Blair government abolished GM schools, but many opted to become foundation schools, a new type of school that enabled them to retain ownership of the buildings and grounds, employ their own staff and control their own admissions. For a brief spell, however, all maintained schools (with the exception of the 15 City Technology Colleges) were funded by the local authority. Tony Blair, no lover of the local authority, regretted delivering on the pledge to abolish GM schools and wanted to go further than the halfway house represented by foundation schools. In 2000, therefore the idea of the “city academy” was born.

The first wave of “city academies” were brand new schools, built to replace failing inner-city secondary schools, supported by a commercial sponsor to the tune of £2 million (in cash or in kind), who was given almost total control of the governing body of the school. As the supply of private sponsors dried up, the idea morphed into a plain “academy”, with charities and even local authorities able to sponsor such an institution. What characterized the academy, however, was that each one was subject to a confidential funding agreement between central government and the sponsor. These agreements were eventually released for public scrutiny, but were often heavily redacted. It was immediately obvious that each agreement was unique and that the law of education that applied to community schools did not, by and large, apply to academies.

When the Labour administration came to an end in 2010, 200 “Blair academies” had been approved. They had no direct links with the local authority, were funded directly from central government and, while not a law unto themselves, had no accountability other than to themselves and the Department for Children, Schools and Families. Quality control was exercised through Ofsted inspections. It also has to be said that the later funding agreements were more uniform and transparent and some of the legislation passed by the government applied to academies as well as to other maintained schools.

Andrew Adonis, given a seat in the Lords and then made Schools Minister by Tony Blair, was the driving force behind what became known as “the academy movement”, with local authorities put under very heavy pressure to accept academy status.

The Conservative Opposition had urged the government to extend academisation and increase the pace; within two months of the election, the Academies Act 2010 was on the statute book and, inverting the original criterion for becoming an academy, all schools judged “outstanding” by Ofsted were given the right to “convert” to academy status, if the governors agreed. The first “Gove” converter academies began a new life in September 2010, with plenty of headlines but little real change in how the schools operated.

The rest is fast becoming history, in the secondary sector at least, with academy status becoming the norm. A team of Department for Education academy brokers is in the field trying to “persuade” reluctant schools (secondary and primary) to become academies, with “failing” primary schools having no option.

One thing that is clear is that there is no attempt to pretend that academies, of whatever type, have any accountability to local authorities. Academy chains, many with a religious ethos, are now controlling more and more academies and, as Lord Nash [told the Education Select Committee](#), joining a chain is the only viable option for primary schools. A deal has also been struck between the DfE and the Church of England to enable non-faith schools to join multi-academy trusts set up by the Church of England. (It should be noted that where a new school is needed, the local authority is expected to find a sponsor to establish it: the local authority can no longer set up a school itself).

The other new kids on the block are the so-called “free schools” which are essentially new schools which can be set up by parents, faith groups, teachers, and more or less anyone else who can demonstrate a local demand for a school. In legal terms they are academies, with the same accountability mechanisms as any other academy (i.e. to the governing body and to the DfE through the funding agreement). Free schools, which in some cases are the educational equivalent of vanity publishing, are popping up willy-nilly in areas where there is often no shortage of school places.

The active encouragement of free schools is, perhaps, the penultimate nail in the coffin of a national system of education locally delivered. The final nail, which many think the current Conservative wing of the coalition is keen to drive home, is to enable “for profit” academies to be established. At that point, and in those schools, there will be no hint of democratic accountability: the bottom line is the only one that will count.

Note: This post represents the views of the author, and not those of Democratic Audit or of the London School of Economics

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