Plan A+
Unleashing the potential of academies

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The Schools Network

The Schools Network is an independent, international, not for profit, membership organisation that works with schools and partners to shape a world class education system.

The Schools Network is run by schools, so our programmes and events are designed and delivered by school leaders with inputs from leading academics, thought-leaders and business people.

We have a relentless focus on identifying, nurturing, validating and sharing best and next practice in school leadership and teaching and learning globally. We are committed to helping every child to succeed and make a valued contribution to society.

Reform

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We believe that by reforming the public sector, increasing investment and extending choice, high quality services can be made available for everyone.

Our vision is of a Britain with 21st century healthcare, high standards in schools, a modern and efficient transport system, and a free, dynamic and competitive economy.
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Forewords

This research is based on the first hand experiences of our member schools – the schools that have pioneered academy freedoms and led the education system over the past twenty five years.

What this research shows is that collaboration is at the heart of the school system – driving school improvement, improving efficiencies and developing new and innovative ideas.

School leaders are relentlessly focussed on improving standards for all pupils: making innovations to the curriculum, the school day and the school year, adopting the best practice from around the world and working closely with successful colleagues to find out what is working for them.

Whilst many schools are choosing academy status there are also many who are not. At The Schools Network we believe that school leaders must be given the freedom to choose the model that works best for their schools coupled with the support to make that choice a success.

Reform is a proven thought leader in education and are committed to improving performance and outcomes. Working together on this research we have been able to give a definitive answer to what academies are doing and what they would like to do.

The challenge for government is to back school leaders and remove the barriers to innovation.

The challenge to The Schools Network will be to support all schools through this time of transition to help them improve performance. It is a challenge we welcome.

Innovation to improve standards is happening right now in schools across the country. By undertaking the largest ever survey of academies we have discovered a huge amount of detail on where and how schools are adopting innovative practice.

It has been invaluable to work together with The Schools Network on this research. As the leading membership organisation for academies, they have unrivalled knowledge of what is happening in schools across the country, and are at the heart of much of the innovative practice spreading across schools.

Academies are innovating in all sorts of different ways. From novel curriculum development to new workforce arrangements, different schools are responding to the needs of their pupils in order to raise standards.

Autonomy is allowing them to do this. The freedoms that come with academy status are encouraging heads and teachers to think about education in different ways and do things that haven’t been possible in English state schools before.

While some schools are seizing their freedoms with both hands, many others would like to go further but are reluctant given the influence of national structures and policies. In other words, our survey shows that the innovation we are seeing now is just the beginning of what can be achieved.

Andrew Haldenby
Director, Reform

Sue Williamson
Chief Executive, The Schools Network
Executive summary

Since the 1980s, successive governments have experimented with the degree of autonomy afforded to schools in England. While the introduction of the National Curriculum, Ofsted and “floor targets” have strengthened central accountability, initiatives such as grant-maintained schools and academies have sought to exempt individual institutions from government prescription.

The Coalition Government has taken this further than ever by allowing any school to convert to academy status: there are now over 1,500 academies in England, with more control over their budget and freedom from the National Curriculum and national pay and conditions. There is a substantial body of evidence to show that giving schools more autonomy can have a positive effect on education outcomes.

The academies survey
The Schools Network has conducted the biggest survey of academies to date in collaboration with Reform, with 478 academies responding – nearly one third of the total. The survey sought to investigate the reasons schools are becoming academies, the extent to which they are using academy freedoms to innovate to improve outcomes, and whether giving schools more autonomy is sufficient to drive innovation and improvement. It shows that many academies are innovating and striving to improve the quality of their education. However, so far few are using the autonomy they have as academies to change their workforce or educational offer radically.

The key findings of the survey were:

» **Funding.** 78 per cent of schools chose to become an academy in part because of a perception that they would receive additional funding. 39 per cent said this was the main reason for their conversion. Three quarters (76 per cent) say that academy status has improved or greatly improved their financial outlook. Many academies say these freed resources have helped them to absorb cuts elsewhere in their budgets, in particular to sixth form funding. In some cases this funding is being used to employ additional staff or broaden curriculum provision.

» **A desire for autonomy.** The other main reasons cited by schools for conversion were a sense of financial autonomy (73 per cent), educational autonomy (71 per cent) and freedom to buy services from providers other than the local authority (70 per cent). 57 per cent of schools wanted the opportunity to innovate to raise standards, while half (51 per cent) wanted less local authority involvement in their school.

» **Curriculum.** Only a third of schools (35 per cent) said that obtaining freedom from the National Curriculum was a reason for them becoming an academy. About a third of academies (31 per cent) have made some changes to their curriculum, with another third (31 per cent) planning to do so. These are typically minor and often changes which they would have made anyway. The most common change is to stop providing ICT or design technology at Key Stage 4. One innovative school reported that, “Our curriculum has always pushed the boundaries of the [National Curriculum], but now teachers ‘feel’ freer to make choices that are creative and support high academic standards.” A more representative comment was, “There are changes but not any that were not possible under the previous regime.” Two fifths (39 per cent) of academies believe that the National Curriculum already allows them sufficient freedom.
> **Pay and conditions.** Some schools report changing their pay policy in order to pay good teachers more, but two thirds of academies (65 per cent) have not altered staff terms and conditions and have no plans to do so. Many agreed with staff or governors on conversion that they would not make changes. 60 per cent said that the existence of national pay and conditions makes it culturally difficult for them to vary pay and conditions in their school. 30 per cent said that TUPE regulations prevented them from making changes, while 20 per cent cited union opposition as a factor. 40 per cent of academies said they had no need or desire to incentivise or reward staff using pay.

> **Admissions and school day and year.** The majority of academies have no plans to alter the school day (76 per cent) or year (55 per cent). Two thirds (64 per cent) will not change their admissions policy.

> **Autonomy.** Many schools complained about the considerable regulation that still applies to academies, such as the limits on expansion for good schools and local authorities’ control of school funding. One school said, “I would like Mr Gove to put his money where his mouth is about academy freedoms. Either we are independent or we are not. If the former, please stop applying central rules around how we operate.”

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**Figure 1: What are the reasons for becoming an academy?**

- Additional money: 77.9%
- General sense of financial autonomy: 72.8%
- General ethos of educational autonomy: 71.4%
- Freedom to buy LA services from elsewhere: 70.0%
- An opportunity to innovate to raise standards: 56.9%
- Less LA involvement: 51.5%
- Seems to be the general direction of travel: 44.3%
- New opportunities for supporting/collaborating with another school: 37.0%
- Freedom from National Curriculum: 35.3%
- Governors/parents/staff were keen: 28.6%
- Flexibility over pay and conditions: 22.1%
- Freedom to make changes to the school day: 12.9%
- Freedom over term structures: 11.5%
- Others in my chain/federation wanted to convert: 4.5%
Figure 2: What is the primary reason for becoming an academy?

- Additional money: 22.8%
- Freedom over term structures: 38.6%
- General ethos of educational autonomy: 10.3%
- Freedom to make changes to the school day: 7.9%
- General sense of financial autonomy: 4.9%
- Others in my chain/federation wanted to convert: 3.6%
- An opportunity to innovate to raise standards: 3.6%
- Flexibility over pay and conditions: 3.6%
- Less LA involvement: 3.6%
- Governors/parents/staff were keen: 3.6%
- Freedom to buy LA services from elsewhere: 3.6%
- Freedom from National Curriculum: 1.8%
- New opportunities for supporting/collaborating with another school: 0.9%
- Seems to be the general direction of travel: 0.6%

Figure 3: Why are academies not using their freedoms?

- Existence of national pay and conditions makes it culturally difficult: 59.9%
- No need/desire to further incentivise/reward staff using pay: 39.8%
- Sufficient curriculum freedom within National Curriculum: 39.4%
- TUPE makes it difficult to vary pay and conditions in my school: 30.3%
- Union opposition makes it difficult to vary pay and conditions in my school: 20.4%
- LA provides adequate services and I have no need to go elsewhere: 3.5%
School autonomy is encouraging good practice to develop and spread, and some academies are taking advantage of their freedoms to do things differently, and better. Many, however, are not: many of the changes being implemented in academies do not actually require academy freedoms and are equally possible within the constraints of the National Curriculum and national pay and conditions. Many academies feel inhibited by the continued existence of these national frameworks.

Driving innovation and improvement
The survey shows that simply giving schools more autonomy does not ensure that they will innovate and improve. It is also clear that what is innovative in one school may already be established practice in another. Research suggests that there are three further key elements to drive system-wide improvement: collaboration, accountability and competition.

Collaboration
School-to-school collaboration is a vitally important mechanism for improving the quality of teaching. Collaboration is necessary for this because the highest quality continuous professional development (CPD) is essentially collaborative, involving lesson observation, mentoring and sharing of best practice. CPD of this nature is at its most effective across schools, and many schools work together on CPD for staff. The most effective collaboration goes further than simply sharing best practice and involves richer joint development of practice.

Most schools engage in collaboration to some extent and there is a variety of different mechanisms for this, with varying degrees of formality. Federations of schools have shared governing bodies and operate as a single legal entity, usually with very close working between the constituent schools. Academy chains tend to have strong central accountability and a degree of prescription, with schools operating relatively autonomously within this framework. Organisations such as The Schools Network provide support, share and develop best practice and provide advocacy and quality assurance, but do not perform a governance or accountability role.

Other kinds of networks also exist, with autonomous schools agreeing to undertake a degree of mutual cooperation and collaboration. Some, like Challenge Partners, consist of excellent schools engaging in mutual support and challenge. Looser groupings – often a secondary school acting as a hub for surrounding primaries – might undertake joint working on a regular basis and pool activities from teacher development to HR services. In some networks, like HertsCam, a university takes a coordinating role.

These different types of networks are not necessarily mutually exclusive; schools could be part of multiple groupings serving different purposes or with different types of school. The essential factor is that this kind of school improvement system can help to improve all schools, instead of focusing solely on those that are failing. This kind of collaboration can also tackle coasting schools and schools that are good but want to become even better. The new network of Teaching Schools could be an important component of a self-led, self-improving school system.

Accountability
Effective accountability mechanisms can drive improvement in educational outcomes, particularly when allied with school autonomy. It is commonly assumed that deep accountability, based on data and inspections, must be undertaken by government and its agencies. But in fact a self-led, self-improving school system can also be self-accountable.

Many academy chains hold their schools rigorously to account for their performance. But it is also possible to have deep accountability without a centre. Some networks of schools are developing systems of lateral accountability with schools voluntarily agreeing to undergo annual reviews by their peers. This is a case of outstanding schools challenging themselves and each other in the sorts of ways traditionally associated with Ofsted.

This kind of peer accountability has huge benefits over the traditional centralised model. Schools take much more responsibility themselves – both for how they are performing and how well their peers are doing. It is no longer assumed that it is government’s responsibility to fix something when it has gone wrong. Most importantly, this kind of accountability can be effective for every school, not just those at the bottom, and encourages schools at whatever level of performance to continue improving. By being involved in holding their peers to account, the schools performing this role will also learn and benefit themselves.
Another major advantage is that this kind of accountability can be more effective and significantly more responsive than centralised methods. Schools will get to know one another in depth, allowing them to get a much more detailed picture of what is happening than Ofsted can achieve or performance tables can reflect. Decentralised accountability can also mean quicker and more effective intervention when something goes wrong, or if signs of deterioration emerge.

**Competition**

Even though autonomy and deep collaboration are excellent drivers of school improvement, it does not follow that schools will pursue this course. Effective competition between schools is a key factor in incentivising schools to use their autonomy and seek greater collaboration.

Competition can drive collaboration very effectively: if every school needs to improve then every school has an incentive to collaborate. Competition between schools is not a zero-sum game, since the whole system can get better; one school improving does not mean that another must get worse. Collaboration can also take place beyond the local area if there are specific issues inhibiting collaboration between local schools. Competition and collaboration are not, then, mutually exclusive, but rather can be mutually reinforcing. Even the best schools have an incentive to support other schools, since the evidence demonstrates that collaboration improves the performance of every school, even the high-performing school doing the supporting.

The Government should address the problem of limited capacity constraining choice by making it easier for existing schools to expand and, where possible, for new schools to open. As the survey presented in this report shows, many academies are keen to have the freedom to do this. There are, however, two major barriers to this: a requirement for them to apply to the Young People’s Learning Agency (YPLA) to increase their intake, and the absence of a genuine per-pupil funding system, which would ensure that schools would receive proportionate additional funding for additional pupils.

**Plan A+**

The Government’s task now is to unleash the full potential of the academies movement. Despite their greater freedoms, many academies are being held back by the continued regulation of the rest of the school system. As the survey presented in this report shows, national frameworks on curriculum and pay and conditions inhibit some academies from innovating in these areas. The Department for Education should adopt a “Plan A+” (Autonomy-Plus). By removing cultural and regulatory barriers to autonomy and innovation, the Government can pave the way for all schools to innovate further and faster, rapidly developing best practice to raise standards that can then spread throughout the system.
1. Autonomy in the English school system

Since the 1980s, the way in which schools in England are governed, managed and funded has undergone significant change. In particular, the last 30 years have seen successive governments experiment with the degree of autonomy afforded to individual establishments, challenging the relationships between schools, local education authorities (LEAs) and central government and giving rise to a range of alternative models of school.

The table below sets out the main changes to the autonomy of schools introduced in the past 30 years. It distinguishes between autonomy at a system level applying to all schools, and peripheral reforms that give additional autonomy to particular schools without changing the overall framework.

Table 1: A brief history of school autonomy in England

<table>
<thead>
<tr>
<th>Year</th>
<th>Systemic changes</th>
<th>Peripheral changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980</td>
<td>Governing bodies established for all schools, heralding the introduction of school accountability</td>
<td></td>
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<tr>
<td>1986</td>
<td>Governors given greater freedom over headteacher and staffing decisions</td>
<td>City Technology Colleges (CTCs) introduced</td>
</tr>
<tr>
<td>1988</td>
<td>National Curriculum introduced for all schools</td>
<td>Schools given greater autonomy over budgets, management and staffing under Local Management of Schools (LMS)</td>
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<tr>
<td></td>
<td></td>
<td>Grant-maintained status introduced, enabling schools to opt-out of LEA control and receive funding from central government</td>
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<tr>
<td>1990</td>
<td></td>
<td>300-pupil threshold on grant maintained (GM) applications removed</td>
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<tr>
<td>1992</td>
<td>Ofsted established to regulate and inspect schools</td>
<td></td>
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<tr>
<td></td>
<td>The Parent’s Charter introduces school league tables and greater parent information</td>
<td></td>
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<tr>
<td></td>
<td>Further education and sixth-form colleges removed from LEA control</td>
<td></td>
</tr>
<tr>
<td>1993</td>
<td></td>
<td>Sponsored GM schools introduced</td>
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<tr>
<td></td>
<td></td>
<td>Funding Agency for Schools established to coordinate central government payments to GM schools</td>
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<tr>
<td></td>
<td></td>
<td>Specialist Schools programme introduced</td>
</tr>
<tr>
<td>1997</td>
<td>School Standards and Framework Act reconstitutes schools as foundation, voluntary or community schools</td>
<td>Grant-maintained schools brought back under control of the LEA</td>
</tr>
<tr>
<td>2000</td>
<td>National “floor targets” of five A* to C GCSE grades introduced</td>
<td>City academies, modelled on CTCs, introduced to address failure in disadvantaged urban areas through a mix of autonomy and strong governance</td>
</tr>
</tbody>
</table>
## 1. Autonomy in the English school system

<table>
<thead>
<tr>
<th>Systemic changes</th>
<th>Peripheral changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>Eligibility rules for academies relaxed to include all-age, primary and sixth-form colleges in disadvantaged rural (as well as urban) areas</td>
</tr>
<tr>
<td>2004</td>
<td>School Improvement Partners (SiPs) introduced</td>
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<tr>
<td>2007</td>
<td>All future academies required to follow the National Curriculum programme of study in English, maths, science and ICT</td>
</tr>
<tr>
<td>2009</td>
<td>All schools obliged to meet the “21st Century School Pupil Guarantee”, imposing curriculum requirements on primary and secondary schools</td>
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<tr>
<td>2009</td>
<td>Removal of funding requirement for academy sponsors</td>
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<tr>
<td>2010</td>
<td>The Academies Act allows all maintained schools to apply to become an academy and removed the need for local authority consultation</td>
</tr>
<tr>
<td>2010</td>
<td>Underperforming primary schools are replaced with academies for the first time</td>
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<tr>
<td>2010</td>
<td>Introduction of free schools announced</td>
</tr>
<tr>
<td>2010</td>
<td>Abolition of requirement for new academies to follow National Curriculum in core subjects</td>
</tr>
</tbody>
</table>

### Accountability, governance and curriculum: a greater role for government

#### Governing bodies

In 1980, the Government took the first step towards school-level accountability when the Education Act constituted governing boards to oversee every school in England, specifying that each should be composed of at least two parents and at least one teacher, depending on the size of the school. These new governance structures were solidified in 1986, when further legislation made governors accountable for the conduct of the school, as well as giving governors greater freedoms over headteacher and staffing decision-making.

#### The National Curriculum

The decision in 1988 to introduce a National Curriculum for all maintained schools in England, Wales and Northern Ireland was the most significant centralising measure of the 1980s. The new centrally prescribed curriculum was intended to fulfil four purposes:

- To introduce an entitlement for pupils to a broad and balanced curriculum;
- Setting standards for pupil attainment and to support school accountability;
- Improving continuity and coherence within the curriculum;
- Aiding public understanding of the work of schools.

The curriculum was structured around Key Stages and subject-based, and overseen by two bodies, the National Curriculum Council and the School Examination and Assessment Council.

#### Performance tables

The introduction of National Curriculum tests allowed comparable data to be collected from all schools for the first time, and in 1991, the Government introduced the “Parent’s Charter”, which promised to publish usable information on school performance. The Department for Education and Science published the first alphabetical table of school performance in 1992, and the information was quickly reproduced by media outlets in the form of school league tables, ranked.

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2 Education (No. 2) Act 1986.
4 House of Commons (2009), National Curriculum, Children, Schools and Families Committee.
5 Ibid.
1. Autonomy in the English school system

by pupil attainment at Key Stage 2 and Key Stage 4.\(^7\)

**Ofsted**
In 1992, the Office for Standards in Education (Ofsted) was established with responsibility for the inspection of child-care providers, maintained schools, and non-association independent schools.\(^8\) Ofsted replaced the preceding system of LEA-appointed inspectors, whose independence had been called into question. Ofsted was intended to assess and keep the Secretary of State informed on:

- The quality of the education provided by schools in England;
- The educational standards achieved in those schools;
- Whether the financial resources made available to those schools are managed efficiently; and
- The spiritual, moral, social and cultural development of pupils at those schools.\(^9\)

**Floor targets**
In 2000, the Government announced the introduction of tough “floor targets”, or minimum standards, for failing schools, arguing that “by 2004 there should be no secondary school anywhere with less than 20 per cent of its pupils achieving A* to C” at GCSE.\(^10\) The targets were incorporated into the new Public Service Agreements target regime and the National Neighbourhoods Renewal Strategy.

**School Improvement Partners**
In 2004, the Government introduced the School Improvement Partner (SIP) programme.\(^11\) The SIP was intended to act on behalf of the local authority and be the main conduit of local authority communication about school improvement with the school. SIPs were directed to monitor pupil progress and attainment, provide professional challenge and support and use evidence-based assessment of school performance.

From September 2005, every maintained primary, secondary and special school, as well as every academy, was allocated a SIP on a rolling programme to April 2008. In 2006, the Education and Inspections Act included a clause requiring local authorities to appoint School Improvement Partners.\(^12\)

**The Pupil Guarantee**
In 2009, the Government announced a series of further standards that all schools should adhere to, as part of the “21st Century School Pupil Guarantee”.\(^13\) The guarantee set out that a series of set processes around curriculum provision and qualifications that every pupil should be provided with by schools, in particular requiring that every secondary school offered four pathways for its 14-19 year old pupils.\(^14\)

**Autonomy in the system: some freedom for all**

**Local Management of Schools**
While 1988 Education Reform Act introduced the National Curriculum it also saw the introduction of a key measure aimed to increase school autonomy and reduce the role of LEAs.\(^15\) Local Management of Schools (LMS) devolved a number of key functions to schools that had previously

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11 Department for Children, Schools and Families (2004), *The School Improvement Partner’s Brief*.
12 Ibid.
13 Department for Children, Schools and Families (2009), *Your child, your schools, our future: Building a 21st Century schools system*.
14 Ibid. These requirements included:
- Every primary pupil should receive the support they need to secure good literacy, numeracy and ICT skills, learn another language and about the humanities, science, technology and the arts, such as learning to play a musical instrument
- Every 11-14 year-old should enjoy relevant and challenging learning in all subjects and develops their personal, learning and thinking skills so that they have strong foundations to make their 14-19 choices
- Every 14-19 should have the choice of learning route and qualifications from Apprenticeships, Diplomas, the Foundation Learning Tier and GCSEs/A-Level.
been held within the LEA, making the recently reformed governing bodies responsible for such aspects of school management as pay determination, discipline and dismissal proceedings.\(^\text{16}\)

### College freedom

In 1992, the Government removed further education (FE) and sixth-form colleges from LEA control and reconstituted them as “Further Education Corporations”, giving them powers to independently manage property and staff and to enter into commercial contracts. The new corporations were funded centrally by the newly established Further Education Funding Council (FEFC).\(^\text{17}\)

In 2002, the Government replaced the FEFC with the new Learning and Skills Agency (LSA) and transferred significant powers of monitoring and intervention to the Agency. In 2007, the LSA received powers to intervene if a further education corporation was perceived to be underperforming, mismanaged or inadequate, with the power to dissolve corporations if necessary. Further Education Institutions were also given further powers to borrow money, invest funds, and form companies.\(^\text{18}\)

In 2011, the Education Act also set out a number of measures to reduce bureaucracy for further education institutions. In particular, the legislation significantly reduced the powers of the Young People’s Learning Agency (YPLA) to intervene and direct FE colleges, in advance of its abolition.\(^\text{19}\)

In 2012, the Government also announced the reclassification of FE corporations as private sector bodies, giving them greater autonomy over the management of their affairs and removing bureaucracy associated with public sector accounting requirements.\(^\text{20}\)

### Autonomous institutions: more freedom for some

#### City Technology Colleges

In 1986 the Government announced a pilot of 20 industry-sponsored City Technology Colleges (CTCs). Departing from the existing model of schools controlled and financed exclusively through Local Education Authorities (LEAs), these first specialist schools were intended as “a new choice of school”,\(^\text{21}\) with capital financing and sponsorship from industry and relative freedoms over some aspects of management.\(^\text{22}\)

The CTC programme, however, received widespread criticism from vested interests\(^\text{23}\) and a lack of industry sponsorship meant that just 15 of the proposed 20 CTCs were established in inner city locations in England by 1993.\(^\text{24}\) Despite their small number, their “beacon or lighthouse effect” was emphasised as “lights for others to follow”.\(^\text{25}\)

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\(^{16}\) Ibid.

\(^{17}\) Further and Higher Education Act 1992.


\(^{19}\) Education Act 2011.


\(^{21}\) Department of Education and Science (1986), *A new choice of school*.

\(^{22}\) Baker K. (1986), Speech to Conservative Party conference, 7 October; Specialist Schools and Academies Trust (2007), *A history of the Specialist Schools and Academies Trust: By schools for schools*; They also had a research and development brief. They were “laboratory” schools, experimenting with new ways of teaching and learning, challenging established practices and creating new models from which other schools could learn.”

\(^{23}\) Specialist Schools and Academies Trust (2007), *A history of the Specialist Schools and Academies Trust: By schools for schools*; “There was widespread opposition to the programme. It was vilified by the teaching unions, most LAs and many politicians… Most of the media coverage was hostile. CTCs were seen as a threat to local democracy, as “selective”…and as a creeping privatisation of education… Most LAs would not release sites”.


1. Autonomy in the English school system

Case study: Harris City Technology College, Crystal Palace

In 1990, Sylvan High School, a mixed comprehensive school in Crystal Palace, was closed due to significant underperformance, with just 10 per cent of students achieving five or more good GCSEs. Later that year it reopened as Harris City Technology College, under the sponsorship of Lord Harris of Peckham. Following its re-establishment as Harris CTC, the school took advantage of a number of the new freedoms afforded to it. Firstly, the school reformed the governance structures at the College, bringing business leaders and community representatives onto the governing body to improve financial management and accountability to the local community. This was complemented by a comprehensive approach to information in order to improve teacher accountability and drive up standards of attainment. The College set individual and class targets for attainment, with performance measured regularly and reported to students, parents and governors. Furthermore, a condition of Lord Harris' financial sponsorship was that all teachers were subject to performance-related pay, determined through a performance appraisal system. As a result, teachers were accountable to both parents and the school management for their performance, and incentivised to improve student attainment.

Since 1990, Harris CTC has recorded significant success. By the mid-1990s, the CTC had improved pass rates at GCSE to around 60 per cent, rising to around 90 per cent in recent years. In 2007, the school converted to an academy and is now one of 10 academies in the not-for-profit Harris Federation of academies.

Grant-maintained schools

The 1988 Education Reform Act heralded the introduction of grant-maintained (GM) status. GM status allowed individual schools with more than 300 pupils to opt-out of LEA control and receive funding directly from central government, decided by an annual parental ballot. GM schools took over ownership of school buildings from the LEA, became the formal employer of school staff, and became responsible for admissions policy.

GM status had only limited initial success. Between 1988 and the end of 1990, the Department received only 176 parental petitions applying for grant-maintained status, and just 20 schools had successfully acquired GM status. In 1990, however, the Government removed the size limit on applications, followed by further expansion to allow special schools to apply for GM status in 1993. Accordingly, the GM programme expanded significantly after 1990, and a total of 1651 parental petitions were received by the department between 1991 and 1997. A total of 1,199 GM schools were open by 1999, representing just over 5 per cent of the 21,912 total schools in England, or 20 per cent of secondary schools. Moreover, these schools welcomed the freedoms afforded to them: as the Committee on Standards in Public Life argued in May 1996, “there is no doubt that grant-maintained schools have welcomed their independent status, with the management flexibility, the increased responsibility, and the shorter and more focused decision-making chain that it provides them with.” The establishment of the Funding Agency for Schools in 1993 was intended to provide central oversight and monitoring of grant payments to GM schools, further removing local authorities from the equation.

In 1993, the Government also legislated to make it far easier for groups of parents and charitable, religious, and independent sponsors to establish their own GM schools. The new sponsored grant-maintained schools differed from existing GM schools in that sponsors were required to pay a minimum of 15 per cent of school building costs and some other capital expenditure. In return, sponsors were given flexibility to ensure that the religious or educational objectives of the school were maintained through the governing body and appointment of teaching staff. However, only a very small number of sponsored grant-maintained schools were established, and these were

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27 Department for Education and Employment, Grant-maintained schools: Database, National Archives, ED 278.
29 Department for Education and Employment, Schools in England, various years.
30 Department for Education and Employment, Grant-maintained schools: Database, National Archives, ED 278.
31 Committee on Standards in Public Life (1996), Second report.
32 Department for Education and Employment, Grant-maintained schools: Database, National Archives, ED 278.
33 Walford, G. (2000), “From City Technology Colleges to sponsored grant-maintained schools”, Oxford Review of Education, Vol. 26 No. 2. “As a result of that Act it became possible for groups of parents and charitable, religious or independent sponsors to apply to the Secretary of State for Education in England of the Secretary of State for Wales to establish their own grant-maintained schools.”
34 Ibid.
1. Autonomy in the English school system

Overwhelmingly taken up by religious groups. By the time of the General Election in 1997, only 20 full proposals from sponsors had been published, of which 7 had received approval by the Secretary of State.\(^{35}\) Following the election, the Labour Government decided to reform the organisational framework of schools.\(^{36}\) Under the School Standards and Framework Act in 1998 schools were reconstituted within a new legal framework as either community, voluntary or foundation schools.\(^{37}\) Under the new system, all grant maintained schools were brought back under the oversight of their LEA,\(^{38}\) although the legislation stated that all schools should have responsibility for standards, diversity, internal management and day to day operations.\(^{39}\) Those GM schools that were reclassified as either foundation or voluntary schools were able to retain some of the freedoms they had held under the GM system.\(^{40}\)

Specialist schools

Between 1993 and 1995 the Government also launched the specialist schools programme, transforming the CTC initiative of the late 1980s into the Technology College programme and later the Specialist Schools programme. From 1994, the specialist focus was extended to foreign languages, and to sports and art in 1996. Although links with business continued, the level of financial sponsorship was reduced and the focus shifted from the establishment of new schools to the transformation of existing institutions.\(^{41}\)

City Academies

In 2000, the Government legislated to introduce a new type of school, City Academies, which were free from local authority control. Originally limited to secondary schools, City Academies were established under the same legal status as CTCs, with sponsors required to contribute 10 per cent of capital funding, capped at £2 million,\(^{42}\) in exchange for freedom over the appointment of the headteacher and the governing body.\(^{43}\) The new city academies were intended to address entrenched failure in deprived areas, through a combination of autonomy and robust governance in the form of a sponsor organisation.\(^{44}\) Under the policy, schools that were underachieving or which had been placed in special measures by Ofsted would be closed and reopened with a new management team and a new governance structure under a sponsor. Academies have freedom over school management, finances and staff remuneration and conditions. In addition, academies have significant freedoms around the curriculum, in that they were only required to teach “core subjects”, defined as English, Maths, Science and ICT, within a “broad and balanced curriculum”.

In 2002, the Government relaxed eligibility rules for academy status, opening up the academy programme to disadvantaged rural (as well as urban) schools\(^{45}\), and in September of that year, the first three academies opened in Brent, Middlesbrough and Lambeth.\(^{46}\) Between 2002 and 2010, a total of 203 academies opened.\(^{47}\)

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\(^{35}\) Ibid.

\(^{36}\) Eurydice (2007), *School autonomy in England*.

\(^{37}\) The distinction between the three new classifications are as follows: Foundation schools are run by their governing body, which has responsibility for staff, admissions and usually owns the land and buildings of the school. Community schools are ultimately accountable to the local authority which is responsible for staff, admissions criteria and land and buildings on behalf of the school. Voluntary schools are largely religious or faith schools and can be either voluntary-aided, whereby the governing body administers staff and admissions, or voluntary-controlled, in which case the local authority is responsible for both admissions and staff. In both voluntary-aided and voluntary-controlled schools, the land and buildings are owned by a charitable foundation, often a religious organisation.


\(^{39}\) Department for Education and Employment (1997), *Excellence in schools*.

\(^{40}\) Eurydice (2007), *School autonomy in England*.

\(^{41}\) Ibid.

\(^{42}\) National College for Leadership of Schools and Children’s Services (2011), *Academies: Research into the leadership of sponsored and converting academies*.

\(^{43}\) NASUWT (2000), *Academy schools: Case unproven*.

\(^{44}\) PricewaterhouseCoopers (2008), *Academies Evaluation Fifth Annual Report*. “The rationale was that freeing academies from Local Authority oversight and some of the associated regulatory frameworks would give them the autonomy and flexibility to develop innovative approaches to school improvement. The intention was also that academies would be more accountable than Local Authority-run schools in that they would directly meet the needs of their local communities, under the scrutiny of their sponsor(s) and governing body. This combination of autonomy, innovation and accountability was expected to drive improvement at a more rapid rate than hitherto. There was also an expectation that academies would have a positive ripple effect upon the performance of their neighbouring schools.”

\(^{45}\) Eurydice (2007), *School autonomy in England*.

\(^{46}\) PricewaterhouseCoopers (2008), *Academies Evaluation Fifth Annual Report*. The original terms of reference for the evaluation, commissioned by the Department, stated that “[academies] will have innovative approaches to one or more of governance, curriculum, staffing structures and pay, teaching and learning, structure of the school day and year, using ICT”.

Plan A+: Unleashing the potential of academies

1. Autonomy in the English school system

Case study: David Young Community Academy

David Young Community Academy (DYCA) is a Church of England sponsored academy which welcomes students of all faiths and of none. One of the first schools of the academies programme, DYCA opened in September 2006 to serve east Leeds. It is home to over 1,000 students and serves a highly disadvantaged population, with 87 per cent of children in the lowest 10 per cent of the indices of multiple deprivation.¹⁸

Under the headship of Ros McMullen, DYCA has introduced a number of innovations to its the academic year, school day and curriculum. The school operates a seven-term academic year which starts in June and finishes in May, with a four week summer holiday. This ensures that “by the time everybody else starts Year 7, [DYCA pupils] have already had a good ten weeks of secondary education”.⁴⁹ The school day commences at 8.25am and finishes at 4.35pm and is comprised of only two lessons. This aim is to cut down on movement between classes and to allow for more work to get done in each lesson. Longer lessons emphasise the learning and development of four key skills – reflectiveness, resourcefulness, respect and resilience. As part of the first lesson of the day, pupils are given a free breakfast in the school’s high-quality restaurant. At the end of the academy day, “session three” activities take place which include more than 40 different clubs including debating, young enterprise, chess, fashion design and many sports. Rather than bells, lessons changes are signalled by calm music that plays through the school for ten minutes.

DYCA has also applied an unconventional philosophy towards qualifications: the academy focuses first and foremost on ensuring that the curriculum is right, meaning that qualifications are a secondary concern.⁵⁰ Speaking at a Reform conference in 2010, Ros McMullen argued that “the thing about the curriculum and … teaching is that those are the important things, the qualifications aren’t”.⁵¹ The school will ensure that every pupil attains as highly as possible in terms of qualifications, but not at the expense of a strong and appropriate curriculum.

Since 2006, these innovations have transformed the attainment of DYCA pupils. The percentage of students gaining five or more GCSEs at A*-C (including maths and English) has risen from 3.9 per cent in 2003 (at the academy’s predecessor schools) to 48 per cent in 2011, and sixth form students are for the first time gaining places at universities.

The freedoms afforded to new academies were intended to give schools the flexibility and autonomy to deliver innovative, new models of education. However, some of those regarded as the most radical innovators did not necessarily take full advantage of their academy freedoms. The RSA Academy in Tipton, for instance, was established around RSA Opening Minds, a competency-based curriculum which eschews the traditional subject focus.⁵² Yet the academy achieved its objective of curriculum innovation while remaining fully compliant with the requirements of the National Curriculum.

Curtailing academy freedoms

In 2007, the Government curtailed academy freedoms around the curriculum, announcing that all new academies were required to follow the centrally-set National Curriculum programme of study in these core subjects.⁵³ If non-academy schools wanted to diverge from national programmes of study as set out in the National Curriculum, they were required to apply directly to the Department of Children, Schools and Families for dispensation, which, if successful, was only granted for a limited period of time only.⁵⁴ In 2009, the Children, Schools and Families Committee criticised the Government’s policy of limiting curriculum freedoms to academies, arguing that “the freedoms that academies enjoy in relation to the National Curriculum be immediately extended to all maintained schools”.⁵⁵

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⁴⁹ Ibid.
⁵⁰ Ibid. “I actually think that qualifications are fairly irrelevant to education..., and I don’t care what hoops they give me. I’ll get through the hoops but that is an irrelevancy.”
⁵¹ Ibid.
⁵³ House of Commons (2009), National Curriculum, Children, Schools and Families Committee.
⁵⁴ Ibid.
⁵⁵ Ibid.
University Technical Colleges and Studio Schools

In addition to the extension of the academy programme, a number of other new models of school have been introduced in recent years. In September 2010, the first University Technical Colleges (UTCs) and Studio Schools were opened to offer alternative models of education to 14-19 year olds. UTCs differ from existing maintained and academy schools in that they combine practical, technical courses with academic study in a curriculum and school day that is designed in conjunction with industry and university sponsors. Studio Schools, by contrast, provide 14-19 year olds with a highly employment-focused programme of study, including both academic and vocational qualifications and paid employment opportunities in the local area, and are set up in collaboration with local and national employers. In October 2011, the Government approved applications for a further 13 UTCs, in addition to the existing 5, and in December 2011 announced plans for 12 new Studio Schools to open in September 2012.

Case study: The JCB Academy

In 2010, Sir Anthony Bamford, the founder of JCB, established the JCB Academy in Rochester. The academy later became one of the first University Technical Colleges, introduced to offer a combination of academic and technical education to 14-19 year olds, and was focused on the provision of engineering and manufacturing education in order to create a new generation of skilled engineers to work for JCB and other regional manufacturers.

At the heart of the vision for JCB Academy was the development of its own Key Stage 4 curriculum for the Engineering Diploma, which all students study alongside traditional subjects and a business qualification. The curriculum, validated by the awarding body OCR, is purpose-designed and rooted in the practice of engineering and manufacturing as well as the theory. Studies are conducted through a series of practical projects that have been developed in conjunction with the academy’s sponsor organisations, including industry leaders such as Rolls-Royce, Bentley, Toyota and Network Rail, and leading universities such as Cambridge and Loughborough. These projects are undertaken in specialist facilities equipped with the latest appropriate technology for learning in engineering and manufacturing, together with instruction from leading practitioners with the various companies.

In January 2012, an Ofsted inspection of the JCB Academy found that “all groups of students make rapid progress in engineering, business, mathematics, English and information and communication technology” as a result of “extremely challenging targets and highly effective individual support to ensure that students are well equipped to attain high standards”.

Academies for all

Following the General Election in 2010, the Coalition Government has introduced a variety of reforms to the school landscape. In June 2010, the Academies Act set out new rules allowing any school to become an academy (starting with those rated “Outstanding” by Ofsted) without the need for the school to be academically failing, the requirement for a change of management or for a sponsor organisation to provide strong external governance.

Speaking in September 2010, the Secretary of State, Michael Gove, placed autonomy at the heart of the new Government’s academies programme:

“It’s absolutely clear that academies and CTCs succeed because of their autonomy. Heads are given the freedom to shape their own curriculum; they are at liberty to insist on tougher discipline, pay staff more, extend school hours, and develop a personal approach to every pupil... These freedoms were curtailed. But this Government trusts teachers to control the classroom and trusts parents to choose schools.”

As of February 2012, there were 1,580 academies, of which 1,243 are converters. A total of

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56 www.utcolleges.org/about/what-are-they.
57 Studio Schools Trust (2010), The Studio Schools Model.
60 Gove, M. (2010), Speech to Westminster Academy, 6 September.
61 www.education.gov.uk/schools/leadership/typesofschools/academies.
62 Department for Education (2012), All Open Academies February 2012.
1,629 schools have been approved for conversion since the general election, with 232 awaiting approval. More than one in three of all secondary schools are academies. The Coalition Government has also continued with the sponsored academy programme, targeting schools that fall below floor standards or repeatedly fail Ofsted inspections.

The Government has strongly promoted academy conversion, encouraging as many schools as possible to make the move. Michael Gove, the Secretary of State for Education, has argued the academies programme is “not about ideology. It’s an evidence-based, practical solution built on by successive governments – both Labour and Conservative” – to transform schools. At the heart of this rationale is the desire to reduce central prescription and “empower” frontline professionals in order to give them “real freedom to make a difference”. Autonomy, it is argued, is a “liberation” that will “let a thousand flowers bloom” and deliver better education as a result.

Free schools
In 2010, the Government also invited applications from interested groups of parents to establish their own, state-funded free schools. These new free schools operate under a similar legal framework to existing sponsored academies and are intended to respond to parental demand and improve choice. In September 2011, 24 free schools opened, and in October 2011, Michael Gove announced that 55 further mainstream and 16-19 free schools will open in September 2012.

Academy autonomy
While all schools in England have a considerable degree of autonomy, academies have additional freedoms and exemptions from parts of the national regulatory framework. The table below summaries the main areas of autonomy for both local authority maintained schools and academies.

Table 2: Main areas of autonomy for maintained schools and academies

<table>
<thead>
<tr>
<th>Area of autonomy</th>
<th>Maintained schools</th>
<th>Academies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget</td>
<td>Significant financial responsibility and autonomy⁶⁹</td>
<td>Full financial responsibility and autonomy</td>
</tr>
<tr>
<td></td>
<td>Not allowed to run “excessive” surplus⁷⁰</td>
<td>Surplus limited to 12 per cent of income⁷¹</td>
</tr>
<tr>
<td></td>
<td>Local authority “top-slice” to provide central services</td>
<td>Receive Local Authority Central Spend Equivalent Grant (LACSEG)</td>
</tr>
<tr>
<td>Curriculum</td>
<td>Must conform to National Curriculum</td>
<td>Must offer “balanced and broadly based” curriculum but can deviate from National Curriculum⁷²</td>
</tr>
<tr>
<td>Qualifications</td>
<td>Only approved “Section 96” qualifications are funded⁷³</td>
<td>Only approved “Section 96” qualifications are funded</td>
</tr>
<tr>
<td>Appointment of teachers</td>
<td>Must have Qualified Teacher Status (QTS) or equivalent; head appointed in conjunction with the local authority⁷⁵</td>
<td>Full freedom over appointment of staff; head appointed by governing body</td>
</tr>
</tbody>
</table>

⁶³ Hansard (2012), Col. WA105, 9 February.
⁶⁶ Gove, M. (2010), Letter from the Secretary of State to LAs introducing Free Schools, 18 June.
⁶⁷ Ibid.
⁶⁸ Gove, M. (2010), Letter from the Secretary of State to LAs introducing Free Schools, 18 June.
⁶⁹ Audit Commission (2009), Valuable lessons: Improving economy and efficiency in schools. Recommended surplus balances are no more than 8 per cent of a primary school’s income and no more than 5 per cent of a secondary school’s. Councils are required to claw back excessive surplus balances from schools.
⁷⁰ National Union of Teachers (2010), Funding in Academies: The facts.
⁷¹ Educators Act 2010.
⁷² Teachers trained in America, Canada, Australia and New Zealand, and further education teachers with Qualified Teacher in Further Education (QTFE) status, can teach in maintained schools without QTS.
⁷³ Except in foundation and voluntary-aided schools, where the head is appointed by the governing body.
⁷⁴ Except the school’s Special Educational Needs Coordinator and Looked After Children Lead, who must have QTS or equivalent.
Plan A+: Unleashing the potential of academies

1. Autonomy in the English school system

<table>
<thead>
<tr>
<th>Area of autonomy</th>
<th>Maintained schools</th>
<th>Academies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff pay and conditions</td>
<td>Must adhere to nationally-agreed pay and conditions</td>
<td>Full freedom over pay and conditions</td>
</tr>
<tr>
<td>Admissions</td>
<td>Required to follow the School Admissions Code; local authority acts as admissions authority</td>
<td>Required to follow the School Admissions Code; academy acts as admissions authority and determines own admissions criteria</td>
</tr>
<tr>
<td>Governance</td>
<td>Governing body comprised of community, parent, local authority, staff and foundation governors, appointed by governing body, local authority, election and sponsoring body</td>
<td>Governing body appointed by the academy trust; must include two parent governors</td>
</tr>
<tr>
<td>Accountability</td>
<td>Financially accountable to the local authority, which remains the owner of all funds until spent and is responsible for audit procedures</td>
<td>Responsible for own financial performance, although expected to operate a balanced budget and required to adhere to the Academies Financial Handbook; subject to oversight by the YPLA, which may demand a “recovery plan” if an academy runs into deficit</td>
</tr>
<tr>
<td>Special Educational Needs (SEN)</td>
<td>Required to admit SEN pupils and adhere to the SEN Code of Practice</td>
<td>Required to admit SEN pupils and adhere to the SEN Code of Practice</td>
</tr>
<tr>
<td></td>
<td>SEN services and costs funded by local authority schools budget</td>
<td>SEN budget devolved to academy; autonomy over the buying of SEN services</td>
</tr>
</tbody>
</table>

**Academies: not just autonomy**

In addition to the freedoms afforded over budgets, school management, pay and conditions and the curriculum, there are a number of other important distinctions between academies and maintained schools.

**A sense of freedom**

One of the most important differences between academies and other schools is a mindset. Academies “feel” free. Even where they are not using their formal freedoms, the positive “nudge” of academy status can encourage schools to use freedoms they already had. In his memoir, Tony

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77 Department for Education (2012), *The School Admissions Code*.
78 Except in foundation and voluntary-aided schools, where the governing body acts as the admissions authority.
79 The different classifications of governors are set out in the School Governance (Constitution) (England) Regulations 2007:
   - Alternatively called co-opted governors, community governors are members of the local community appointed or co-opted by the governing body itself.
   - Parent governors are elected members of the governing body, taken from parents of children at the school.
   - Local authority governors are appointed by the local authority to the school.
   - Staff governors are members of the school staff, appointed by the governing body.
   - Foundation governors are alternatively called sponsor or partnership governors and are appointed by sponsor organisations, typically in faith or religious schools.
80 The sponsor forms the academy trust of a sponsored academy. The academy trust of a converter academy is formed by the existing governing body, foundation body or trust and must comprise at least three members. The academy trust will appoint the majority of governors.
81 An academy must have at least two parent governors, no more than a third of governors can be academy staff, and there can be no more than one (optional) local authority governor. Further requirements may be specified in the academy’s funding agreement.
Blair explained this important ethos:

“[An academy] belongs not to some remote bureaucracy, not to the rulers of government, local or national, but to itself, for itself. The school is in charge of its own destiny. This gives it pride and purpose. And most of all, freed from the extraordinarily debilitating and often, in the worst sense, politically correct interference from state or municipality, academies have just one thing in mind, something shaped not by political prejudice but by common sense: what will make the school excellent.”

Legal status
In accordance with their quasi-autonomous status, academies occupy a separate legal status to government maintained schools. In fact, each ‘qualifying academy proprietor’, i.e. academy trust, is established as a Company Limited by Guarantee, whose object is a charitable purpose for advancing education. In this regard, academies must comply with company law as set out in the Companies Act 1985 and the requirements of the Charity Commission, especially in regard to the Charities’ Statement of Recommended Practice (SORP). These legal requirements are principally related to financial management, meaning that academies must produce their accounts, in a prescribed format, and that they must be independently audited by a registered auditor.

While they are constituted as charities, academies are exempt from having to register with the Charity Commission and are principally regulated by the Young People’s Learning Agency on behalf of the Department for Education, although from March 2012 this function will be taken over by the Education Funding Agency. Any educational endowment or academic fund established under the academy company is also exempt from registration.

Governing structure
School governing bodies in England and Wales are responsible for a number of functions for the school. These include:

- setting a school’s strategic direction, objectives, targets and policies
- reviewing progress against the budget, plans and targets
- approving the school budget
- securing accountability
- acting as a critical friend to the headteacher by providing support and challenge
- appointing the headteacher.

As autonomous schools, academies have greater freedom to decide governance procedures and the size and composition of the governing body than maintained schools. Aside from a requirement to have at least two parent governors, no more than a third of governors from the academy staff, and no more than one Local Authority governor, academy trusts are free to appoint as many governors, in any composition, in order to best suit the individual needs and requirements of the school.

The academy trust enters into a funding agreement with the Secretary of State for the running of the academy, with both parties signing Articles of Association outlining the constitution of the school. From this point the academy trust takes strategic responsibility for the running of the academy, entering into contracts (such as school improvement services), and ownership of land and other assets. The trust appoints the governors (also known as directors or trustees) to manage the academy on its behalf.

Sponsored academies. For these academies, a sponsor company or organisation will be in place to provide leadership and governance. Under a sponsor arrangement, the sponsor is responsible for forming the academy trust and fulfilling its duties as outlined above.
Multi-academy trusts. In multi-academy trusts or federations, a number of academies are constituted with a single academy trust, itself a charitable Company Limited by Guarantee, which is responsible for the running of all constituent academies. This trust has a single board of directors, with a local governing body or advisory body operating at the level of each individual school, to which local decision-making can be delegated.  

Financial advantage?
There are also a number of potential financial advantages associated with becoming an academy, largely intended to mitigate the perceived financial loss incurred by no longer receiving services through the local authority and the costs of becoming an academy itself. While the Government states that “becoming an academy should not bring about a financial advantage or disadvantage to a school”, relative financial autonomy and a number of central grants mean that, in practice, academies can make savings and efficiencies, thereby effectively enjoying a significant budget increase as a result of conversion. For example, when considering an application for academy status, Bourne Grammar School (now Bourne Academy), noted in 2010 that under the Government calculations the school would benefit from an extra £462 per pupil, or £450,000 in total, to its £4 million annual budget. Academies will however have to use much of this additional funding to purchase services previously provided by the local authority.

Conversion grant
Depending on the circumstances of individual schools, the costs of converting to an academy can be considerable. The Department for Education therefore provides schools with a flat-rate grant of £25,000 on completion of conversion. This is intended to compensate for the predicted legal cost and administrative costs of converting to academy status, including the relevant legal changes to the school’s constitution and staff conditions, plus new signage and stationery.

Local Authority Central Spend Equivalent Grant (LACSEG)
In order to ensure that they are funded fairly and on the same basis as maintained schools, academies receive a grant, LACSEG, to cover the additional costs of separately purchasing central services (such as Special Educational Needs services, for example) that would otherwise be provided by the local authority. This is separate to school core funding, and calculated using local authority budget data to reflect local decisions about funding priorities. The size of LACSEG is therefore variable according to the size of school and the local authority in which it is located. However, due to academies’ ability to purchase services from other providers independent of the local authority, academies are able to make considerable savings from their LACSEG grant and spend this money elsewhere.

In addition there have been some unintended problems with implementation in some cases. A 2011 Financial Times investigation revealed that miscalculations in the allocation of LACSEG had resulted in a large number of academies receiving substantially more funding than the Government had intended. The errors occurred due to inconsistent reporting by local authorities, leading to some academies receiving up to three-times more pupil funding than required.

Insurance and VAT
Academies also receive insurance relief from central government to cover these additional costs which they would not otherwise have incurred. There is not a prescribed amount of funding for this, as the cost of insurance is paid by the academy, with buildings and contents cover, employer’s and public liability, and business interruption insurance is reimbursed by the Young People’s Learning Agency.

In addition, the Finance Bill 2011 made provisions for a new VAT scheme for academies. Under the new legislation, academies’ non-business VAT costs will be reimbursed by HM Revenue and Customs in a similar way to existing maintained schools.

91 Ibid.
93 Bourne Grammar School (2010), Governor’s consultation – Academy conversion consultation, 27 September.
94 www.education.gov.uk/schools/leadership/typesofschools/academies/academiesfaq/a0063382/support-funding-faqs.
95 Hansard (2011), Col. 820W, 29 November.
98 Finance Bill 2011.
Financial disadvantage
Academies also face potential financial disadvantage over the status of the Local Government Pension Scheme, which relates to school support staff, and uncertainty over the level of future contributions. While many local authorities are maintaining contribution levels at the same rate as for maintained schools, some have argued that academies should pay significantly higher contributions. The reasons given for this include:

> Academy funding agreements have 7-year no-fault break clauses (and are therefore only secure for that period of time)
> Academies have chosen to go it alone and therefore must accept the costs
> Academies benefit from LACSEG funding and therefore can offset the increased costs
> Academies can use their freedoms to reduce other costs and can therefore afford more.  

It is however worth noting that The Priory School in Suffolk, supported by The Schools Network and other schools, has secured a policy change from its local authority to ensure that academies are treated the same as maintained schools in this respect.
2. The importance of autonomy

As schools in England and elsewhere have been granted increasing levels of autonomy from central prescription, a body of evidence has emerged that clearly demonstrates the positive effects that school autonomy can have on education outcomes.

Freedom from what?

"Autonomy" means different things in different school systems, depending on the level of central prescription that exists. Schools can have autonomy over different aspects of school life including budget, curriculum, admissions, qualification selection, appointment of staff, staff pay and conditions, and governance and accountability.

In England, all schools have a high degree of autonomy. As shown in Chapter 1, academies and other types of schools have more in some respects than maintained schools.

The case for autonomy

However defined, academic evidence from across the world shows that giving schools more autonomy can improve educational outcomes. The Government is already making this case powerfully. Speaking in January 2012, the Secretary of State for Education, Michael Gove, said: “from autonomous schools in Alberta, to Sweden’s Free Schools, to the Charter Schools of New York and Chicago, freedom is proving an unstoppable driver of excellence”.

The evidence supporting autonomy is frequently cited by the Government in defence of its academies programme; this paper will therefore highlight only a few of the key academic works demonstrating that increased school autonomy can lead to improved outcomes.

The 2009 PISA study, conducted by the OECD, found:

“Many of the world’s best-performing education systems have moved from bureaucratic ‘command and control’ environments towards school systems in which the people at the frontline have much more control of the way resources are used, people are deployed, the work is organised and the way in which the work gets done. They provide considerable discretion to school heads and school faculties in determining content and the curriculum, a factor which the report shows to be closely related to school performance when combined with effective accountability systems.”

Woessmann (2007) found in a comparison of international evidence that:

“students perform better … in schools that have freedom to make autonomous process and personnel decisions, where teachers have both freedom and incentives to select appropriate teaching methods, where parents take interest in teaching matters, and where school autonomy is combined with external exams that provide an information basis allowing for well-informed choices and holding schools accountable for their autonomous decisions.”

Similarly, Hanushek and Woessmann (2010) showed that:

“Across countries, students tend to perform better in schools that have autonomy in personnel and day-to-day decisions, in particular when there is accountability.”

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100 Gove, M. (2012), Speech to Haberdashers’ Aske’s Hatcham College, 4 January.
Academic evaluations of particular cases of school autonomy also demonstrate that it can raise outcomes in comparison to less autonomous schools. Angrist et al. (2011) showed that in Massachusetts, the autonomy of Charter schools has had a significant positive effect on outcomes, particularly in poor urban areas.\textsuperscript{104} Machin and Vernoit (2011) showed that the autonomy of the the first generation of English academies drove improvements in their performance in comparison to similar, less autonomous schools.\textsuperscript{105}

**Autonomy and academies**

Following from this and other evidence, there is a strong consensus that additional autonomy for schools is beneficial, particularly when combined with strong accountability (see Chapter 4 for more). This has been a key driver of the Government’s desire to expand its academies programme, and in particular its decision to allow all maintained schools to convert to academy status.

The questions that policymakers should therefore consider are:

- Why are schools converting to academies (i.e., is it to have greater autonomy)?
- Are academies using their autonomy to innovate to improve outcomes?
- Is giving schools more autonomy (i.e., converting them to academy status) sufficient to drive innovation and improvement?

\textsuperscript{104} Angrist, J. et al. (2011), *Student Achievement in Massachusetts’ Charter Schools*, Harvard University Center for Education Policy Research.

3. Academies survey: freedom and innovation

The Schools Network and Reform conducted a survey of 478 academies between December 2011 and February 2012. This is the largest ever sample of academy schools, with nearly one third of all academies helping to inform its findings. In addition to quantitative data, the survey produced over 46,000 words of free text responses which paint a detailed picture of the innovation that is occurring within both sponsored and converter academies; some of these responses are summarised below.

Q1. For converting academies only: What are the reasons for your school becoming an academy?
Q2. What is the primary reason for your school becoming an academy?

Figure 1:
What are the reasons for your school becoming an academy?
The most cited reason for schools becoming an academy was additional money (77.9 per cent)

After this three reasons were also cited by the majority of schools as reasons for conversion – financial autonomy (72.8 per cent), educational autonomy (71.4 per cent) and freedom to buy local authority services from elsewhere (70 per cent).

The only other reasons which were cited by over 50 per cent of schools were the opportunity to innovate to raise standards (56.9 per cent) and less LA involvement (51.4 per cent)

This trend is even more pronounced when schools are asked to give the main reason they became an academy – 38.6 per cent cite additional money as their reason, whilst the second most cited reason, educational autonomy was cited by 22.8 per cent.

The responses also suggest that in most cases a combination of factors were the prime reason for becoming an academy and that overwhelmingly schools choosing to become an academy have done so out of a desire for a general sense of financial and educational freedom.

Figure 2: What is the primary reason for your school becoming an academy?
Q3. Using academy freedoms, have you implemented or do you plan to implement changes to the school year?

Most academies (55.4 per cent) have decided not to use their powers to alter the school year although significant numbers have done so (20.6 per cent) or are considering doing so (15.3 per cent).

The most often cited reasons for not doing so is the convenience of parents who have children at other schools.

Many also cite their continued reliance on LA school transport arrangements.

Despite this, many are making minor changes – such as slightly lengthening half terms or shortening summer holidays.

Many welcome the fact that they could change their school year if they chose to and would consider doing so if they fundamentally disagreed with LA school year proposals.

A small number are considering more radical changes – such as moving to a five term year with a much shorter summer holiday, improving provision throughout the summer or even moving to an all day, all year model.

Quotes from schools:

Due to most of our local primary schools remaining with the LA it would cause too many issues for our parents.

We are, as an academy or maintained school, completely reliant on local authority transport arrangements. We have asked about more flexibility on that and were given a crippling expensive estimate of costs.

We are consulting on altering the length of the summer holidays to three weeks and having two week half terms elsewhere in the year.

We plan to move to 5 term year with a reduction in the summer break from six weeks to four weeks. This will regularise terms to eight weeks rather than altering half terms every year to fit around the Easter break.

Term dates are being considered. Timing of the school day is being reviewed and we may move to an extended school day for 4 days and with a reduced school day on one day to facilitate development and Implementation.
Q4. Using academy freedoms, have you lengthened or do you plan to lengthen the school day?

Figure 4: Using academy freedoms, have you lengthened or do you plan to lengthen the school day?

- Academies have overwhelmingly (76 per cent) decided against changing the school day. Only 10.7 per cent have lengthened it and only 6.2 per cent plan to.
- Large numbers of these academies had already changed their school days as maintained schools whilst many also offer extra-curricular provision outside of regular school hours.
- Some schools are planning to extend their opening hours whilst keeping teaching hours the same – effectively opening the schools up as study places if needed.
- Some schools are also extending school days for years 10 and 11 to help them prepare for GCSEs or lengthening most school days but having Wednesday or Friday afternoons off for activities.
- Only a limited number are starting to experiment with weekend opening or moving to the “public school model” of longer days but shorter school years.
- Concerns about union activism are the main reason cited for the lack of changes.

Quotes from schools:
We plan to have a ‘third session’ 3.30-5.00pm offering enhanced art, sport, music and other clubs.
We’d like to lengthen the school day by up to an hour. Our parental body are not yet ready for the change though.
We may use this freedom to provide additional time for English at GCSE. This is likely to be an interim measure pending clarity re revisions to GCSEs and the National Curriculum.
We have lengthened the day for students in Years 10 and 11 to create more curriculum delivery time.
We want to work closely with our local schools and need to fit in with everyone to avoid parental stress.
Q5. Using academy freedoms, have you made or do you plan to make changes to the curriculum you offer?

About a third of academies (30.5 per cent) have made changes to their curriculum since becoming an academy, another third (31 per cent) plan to make changes whilst a third (29.1 per cent) do not plan to make further changes.

Many academies which are not planning to make changes as a result of becoming academies point out that they had this freedom beforehand, whilst others say that they had pushed the limits of their freedom before conversion and were now going further.

Many academies say that it is too soon for them to be sure what they will do with their curriculums and are waiting to assess the effect of other changes and the results of the National Curriculum review.

A consistent theme in responses was that Ofsted or other DfE policies, particularly the EBacc performance measure, constrain freedom to innovate in curriculum.

The main innovations which are happening in academy curriculums include the introduction of new subjects (particularly languages and computing at the expense of DT and ICT).

Several academies are also introducing the IB or elements of it, blurring the distinctions between subjects or starting teaching towards GCSEs a year or two early.

The common thread to the vast majority of these changes is a fairly close replication of the National Curriculum but with more customisation and challenge.

Quotes from schools:
Our curriculum offer has always pushed the boundaries of the NC, but now teachers ‘feel’ freer to make choices that are creative and support high academic standards.

We will only be making changes where we can improve on the NC as an entitlement for all young people.

We removed the teaching of discrete ICT from the curriculum but would have probably done this anyway. Adjusting the curriculum to meet the requirements of more able students, eg through acceleration, changes to lengths of key stages etc. Nothing too radical, more evolution.

But these may have been changes we would have made anyway. Freedom from the NC is somewhat illusory when Ofsted are likely to judge us on it. We are enjoying the sense of freedom – even if there are constraints.
Q6. Using academy freedoms, have you or do you plan to change terms and conditions?

Figure 6:
Using academy freedoms, have you or do you plan to change terms and conditions?

- 64.9 per cent of academies have not altered terms and conditions and have no plans to do so. 12 per cent have made changes and 12.9 per cent plan to make changes.

- Many academies have either agreed with their staff that they will not alter terms and conditions or are concerned at the prospect of union hostility if they did.

- Of those changes which have been made there are a number of minor variations – for example the introduction of probationary periods for all staff, slightly improved maternity and absence arrangements and long service schemes. In addition, some are using flexible pay to reward staff for leading specific projects and taking on additional work.

- Some schools are finding current terms and conditions a considerable constraint and are taking more radical action. The most commonly stated issues with existing terms and conditions relate to “rarely cover” and 1265 hours per year restrictions.

- Some of the more radical innovations include the creation of new posts and responsibilities which fall outside of existing frameworks, introducing performance related pay to attract the best staff and introducing better pay scales across the board for teachers and support staff to help with staff retention.

Quotes from schools:
Our support staff pay & conditions may well change; this has also been prompted by the recent Harmonisation exercise undertaken by the LA & unions and it is a great relief to know that we can opt out of the local pay & conditions when making future appointments.

Not going there for now. Unions very active here!

We made an undertaking that we had no plans to vary staff pay & conditions, and that we had no plans to have plans. The existing framework provides ample flexibility and protections and those who say otherwise usually don’t know what they can already do!

This [not changing terms and conditions] was a key point in our conversion. We have not promised no change in perpetuity, but we will abide by STPCD while it remains a national structure.

Created new post outside of TLR structure of ‘Academy Lead Teacher’ and have amended pay and conditions policy to permit the creation of such posts and similar, paid on individual salaries decoupled from TLRs and performance linked.
Q7. How do you rate your relationship with your local authority?

Q8. For converting academies only: Has your relationship with the local authority changed since converting?

Figure 7:
How do you rate your relationship with your local authority?

- Good: 36.3%
- Average: 22.0%
- Very good: 27.0%
- Poor: 10.9%
- Very poor: 3.9%

- 58.3 per cent of academies rate their relationship with their local authority as very good (22 per cent) or good (36.3 per cent).
- This compares to just 14.8 per cent who rate their relationships as poor (10.9 per cent) or very poor (3.9 per cent).
- In addition, marginally more academies believe that since converting their relationship with their local authority has improved.
- 1.2 per cent of academies have seen their relationship with their local authority greatly improve and 15.9 per cent have seen it improve.
- This compares to 12.3 per cent which have seen it worsen and 2.4 per cent which have seen it greatly worsen.
- The majority of academies (68.2 per cent) see their relationship with their local authority as being about the same since conversion.
3. Academies survey: freedom and innovation

Figure 8: For converting academies only: Has your relationship with the local authority changed since converting?

- About the same: 68.2%
- Improved: 15.9%
- Worsened: 12.3%
- Greatly worsened: 2.4%
- Greatly improved: 1.2%

Figure 9: Have your relationships with other schools changed since becoming an academy?

- About the same: 68.9%
- Improved: 21.9%
- Worsened: 3.5%
- Greatly improved: 0.2%
- Greatly worsened: 5.4%

Q9. Have your relationships with other schools changed since becoming an academy?

> Just over a quarter (25.4 per cent) of academies have seen their relationships with other schools improve since they became an academy – 3.5 per cent say they have greatly improved, 21.9 per cent say they have improved.

> This compares to just 5.4 per cent who say their relationships have worsened and 0.2 per cent who say they have greatly worsened.

> The majority of academies have seen little or no change in their relationships with other schools since becoming academies, with 68.9 per cent saying that relationships are about the same.
Q10. For converting academies only: What are you doing/do you plan to do to support another school?

- Academies are engaged in a wide variety of work and projects to support other schools. Much of this work builds on work which was already happening before they became academies but in some cases they feel enabled to go further.

- Academy headteachers and deputy heads are acting as interim heads for other schools, serving as National Leaders of Education and Specialist Leaders of Education and serving on Interim Executive Boards (IEBs).

- Many schools are building on their specialist status to provide support for other schools – schools who feed into them or who they feed, those in their cluster or those with a particular need in that area – as identified by the schools themselves or by Ofsted.

- They are also sharing training and expertise, providing local leadership in Maths and English and support for specific types of pupil where they have an expertise – including SEN, Gifted and Talented pupils, boys, underperforming pupils and those with English as an Additional Language.

- Academy status has been particularly helpful for schools in building new alliances, engaging in joint procurement and provision and increasingly in acting as sponsors for other schools or opening new schools.

Quotes from schools:
Given the competitive nature of our local secondary schools who would not welcome our support, we are offering support to local primary schools especially with English & Maths.

We are supporting our feeder schools with a range of services to help them - both in the classroom and site, ICT services.

Work as support school to local primary school. Work within a seven secondary school loose federation having appointed operations manager to deliver economies of scale on goods and services. Local primary partners will have option to select from menu of available procurement opportunities.

Sixth form students mentoring year 11 students at a local comprehensive school. Supporting the most able mathematicians at local feeder primary schools. Primary school Language support using language lab.

We support nearly twenty primary schools by offering a programme of enrichment activities in Maths, English, Science, PE, ICT, DT and Art. These are heavily over-subscribed. Academy status has saved the day with these. If we had remained an LA school they would have been cut. We are also working very closely with four other secondary schools on a joint training day in January where ‘strong’ departments from each school works with ‘weaker’ departments from the other schools.
Q11. Have you experienced or do you anticipate an increase in first choice applications to your school because of academy status?

Q12. Using academy freedoms, have you changed or do you plan to change your admissions policy?

Most schools (58.7 per cent) do not expect becoming an academy to have any impact on applications to the school.

17.8 per cent however have already experienced an increase and 8.5 per cent expect to do so.

Similarly, most academies (64.3 per cent) have not changed and do not plan to change their admissions policies.

On the other hand 12.2 per cent of academies have already enacted changes and a further 17.1 per cent plan to do so.

Many of the changes which have been made are marginal or in line with changes to local authority or national admissions codes – such as allowing preference to be given to children of staff and siblings of children already at the school or raising Published Admission Numbers (PAN).

Some are constrained by specific restrictions in their funding agreements or by local authority representation on their board but would like to go further.

Some academies are introducing, or planning to introduce some more radical changes such as allowing preference to be given to children from their nursery school, to children who have previously been in care but who have since been adopted and to children in receipt of Free School Meals.

Other changes include linking admissions criteria with feeder schools, expanding catchment areas, rural schools providing buses from the nearest big towns, allowing joint applications to be made to all academies in a trust, selecting 10 per cent Gifted and Talented pupils on aptitude and some special academies offering places to local authorities throughout the country.

Many say that their Outstanding rating from Ofsted is the reason behind increased applications, not academy conversion as such.

Many academies are also calling for moves towards a genuine national funding formula to help them plan for expansion.
3. Academies survey: freedom and innovation

Figure 11:
Using academy freedoms, have you changed or do you plan to change your admissions policy?

<table>
<thead>
<tr>
<th>Option</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>64.3%</td>
</tr>
<tr>
<td>Yes, we plan to make changes</td>
<td>17.1%</td>
</tr>
<tr>
<td>Yes, we have made changes</td>
<td>12.2%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>6.5%</td>
</tr>
</tbody>
</table>

Quotes from schools:
In consultation period at present. We plan to include siblings at Junior school within criteria which previously we have not been able to do as they are a separate school. This will improve situation for many of our families.

We plan that parents will be able to apply to all of the schools in the multi-academy trust using one application. In other words, they will apply to the multi-academy trust rather than individual schools.

As a special school admissions are still handled by the LA and this could be an area which needs to be looked at. At present I feel we are very vulnerable to LA pressure over admissions, the school is oversubscribed and we have difficulties with have too many applicants.

We feel very strongly, in the interest of fair access, that admissions is an area in which a locally coordinated response is needed.

At the moment we are a successful oversubscribed school. We may need to consider this if competition for places becomes a bigger issue.
Q13. How has academy status impacted your school’s financial outlook?
Q14. What impact has this had on your staffing or curriculum offer?

Figure 12:
How has academy status impacted your school's financial outlook?

- Over three quarters (76.3 per cent) of academies say that academy status has either greatly improved (16.6 per cent) or improved (59.7 per cent) their financial outlook.
- This compares to just 3.5 per cent who say that it has worsened their financial outlook and 0.7 per cent who say it has greatly worsened it.
- Many academies state that their greater control over funding has helped them to absorb cuts elsewhere in their budgets which would otherwise have led to staff redundancies.
- In other cases funding is being used to employ more teaching assistants, support staff for maths, English and ICT, behaviour managers, intervention staff, speech and occupational therapy, parental support advisors, reduced class sizes, equipment such as iPads and generally broadening out provision, including the provision of the International Baccalaureate – or retaining that breadth.
- A strong theme in many responses was that local authorities had allowed school capital to fall into disrepair and that much of the additional funding would be used to address this in the short run.
- Several academies indicated that LACSEG funding is allowing them to continue the support they had provided to other schools in their capacity as specialist schools – despite local authorities no longer ringfencing this money locally.
- Some academies have raised concerns that revisions to LACSEG have meant that conversion has not lived up to their expectations and that they may have to make redundancies.
- The greatest single concern raised by academies was the costs that they are being expected to meet through the Local Government Pension Scheme which are considerably higher than those being faced by comparable maintained schools.
Quotes from schools:
We have been able to purchase all the services for our children that our LA wouldn’t/couldn’t provide us with e.g. extra speech therapy, occupational therapy, a parent support adviser and an attendance service.

It has defended us from the cuts for a year. Surely no-one believes the extra finance will go on for much longer so only a fool would use it for recurrent revenue spending such as permanent staffing.

Due to the worsening situation on Sixth Form Funding and loss of Specialist monies the slight increase in funding has given a temporary cushion to assist in planning for changes in Sixth Form curriculum. More importantly, we can shop around for exactly what we want to spend the LACSEG money on.

The confidence to take on more teaching staff in Maths, English and Science. The capacity to appoint a full time Attendance Officer of our own.

Large LACSEG payment has allowed us to employ three extra non class based teachers who deliver targeted support programmes, intervention, extension groups and one to one tuition for SEN children, slow moving children, vulnerable groups, FSM, more able and G&T learners. For all these groups, we are already seeing a huge difference to our rates of pupil progress. For our school, the financial benefits of academy status have totally transformed the way we help provide individualised support for pupils with the highest need.
Q15. Are you planning on setting up a sixth form or expanding post-16 provision?

Over a third (35.1 per cent) of academies are planning to set up or expand post-16 provision.

Over a quarter of academies (26.9 per cent) are expanding post-16 provision.

8.2 per cent of academies are planning to set up a sixth form.

61.4 per cent have no plans in this direction.

Most academies that have sixth forms are planning to expand pupil numbers but are finding accommodation and the size of their sites to be a limiting factor.

Some academies are interested in increasing post-16 provision but have concerns about the direction of the funding review for this age group.

Many academies are considering alternative options for post-16 provision: opening sixth forms, joint provision with FE Colleges and other academies, opening football academies, provision of boarding facilities for deprived and overseas pupils and their families and work placements with local industries.

Other academies which are not opening sixth forms are not doing so due to their size and a perception a certain scale is needed for a sixth form to break even.

Quotes from schools:
We may have to expand to cope with the impact of the proposed changes in Sixth Form funding ... all our students complete 4/5 A-levels and are expensive to educate, and the shift to per pupil, rather than per qualification, funding may well ‘bite hard’.

Existing 6th form strengthened with broader range of courses.

Considering a number of routes, possibly jointly with partner academies.

We already have a sixth form - but are working much more closely with our “partner” school to maximise group sizes and quality of T and L.

We would like to do this as we recognise that the post 16 provision for our pupils in the town is very poor. It would however look very different to the present college based system. We would look to use the colleges and would look to commission them to run specific course we would also use industrial and commercial work placements so the children gain valuable hands on experience which could lead to career placements. This is one of the exciting aspects of the Academy programme, previously any attempt we made to do this was stifled by the LA.
Q16. If you do not plan to make use of academy freedoms in these areas why not?

- The biggest constraint on the freedom of academies to operate as they see best is the existence of national pay and conditions – with 59.9 per cent of academies citing its existence and its cultural impact as the reason they are not making changes.

- This difficulty is aggravated by TUPE and union opposition, with 30.3 per cent of respondents stating that TUPE would make attempts to vary terms and conditions too difficult and 20.4 per cent citing union opposition as a factor.

- Against this, 39.8 per cent of respondents state that they have no need or desire to incentivise or reward their staff using pay.

- 39.4 per cent of academies believe that the National Curriculum already allows them sufficient freedom to offer the curriculum they believe is best for their pupils and that consequently, becoming an academy has had no impact in this area.

- Only 3.5 per cent of respondents state that their local authority’s services are sufficiently adequate that they would not need to look elsewhere.
Q17. Would you recommend becoming an academy to other school leaders?

An overwhelming majority (83.6 per cent) of school leaders in academies would recommend academy status to other school leaders.

Only 1.2 per cent would not recommend becoming an academy.
Q18. If you could change one thing about the process of becoming an academy, what would it be?

> Whilst the vast majority of respondents believe that academy conversion was worthwhile, a large number found the process to be bureaucratic, costly, uncertain, antagonistic and tiring.

> There is a notable trend towards improvement in processes over time but a great many concerns have been raised about the competence of the YPLA and the Department for Education in processing academy conversions – with the default process being one designed for sponsored academies and too little attention being paid to the opposition that converters are facing.

> Local authorities are also identified as often being a source of aggravation – either by opposing conversion on political grounds, by refusing to cooperate, or by reneging on previous commitments for capital investment or maintenance. In some cases Church schools raise similar concerns about their dioceses.

> Academies are finding the complex and overlapping legal requirements of charities law, companies law and education law to be a considerable constraint and source of uncertainty. This is compounded by the failure of the YPLA and the Department for Education to provide a definitive guide to the process or an outline of what legal steps and checks they have to take.

> This complexity is causing many academies to run up legal costs and spend leadership time which they would prefer to employ elsewhere.

> The most pernicious legal requirements for many academies are their status as being subject to Freedom of Information requests, the prescription associated with TUPE, the powers of teaching unions supported and financed by local authorities, and the need to continue submitting to their local authorities on a wide range of issues including admissions.

> In addition to the legal paperwork, financial uncertainty around new reporting requirements, banking arrangements, financial years, capital investment and VAT are also causing problems for headteachers of converting schools and their business managers.

> The uncertainty surrounding the Local Government Pension Scheme is the greatest single source of concern for academy leaders. Schools with large numbers of support staff, particularly special schools, see this as a major and unjustified financial threat and would welcome national clarity.

Quotes from schools:
Difficult to get a definitive list of what is necessary and detailed process - very woolly. Tried to get everything possible in place before conversion but still finding information required, being requested and/or not yet available. Frustrating.

More support for understanding the new financial processes and much more info from the YPLA – we found coping with new banking arrangements and a dearth of info from the YPLA very difficult to cope with.

The amount of paperwork generated, especially with the complexities of PFI which we faced.

The process was painful, time consuming and challenging. The decision to become an academy is very important and therefore that decision should be appropriately tested. Local politicians false and inflammatory statements to the press meant that genuine discussion was difficult. The greatest difficulty was extracting information from the LA in order to make decisions about whether they could offer best value on any of their services.

Consistent planning in the medium term about financial budgeting. The changing value of the LACSEG is frustrating!
Q19. Is there anything you would change about being an academy? Are there elements of academy status you would like to be expanded or reinforced?

- Other than the list of concerns set out above, most academy leaders are very happy with what academy status entails. The changes they would like to see often relate to the broader education policy landscape and are relevant to all schools.

- Many academies want to be given the opportunity to support or share good practice with more schools beyond their local authority but are not aware of a mechanism for doing so. This is related to requests for legal clarification, as full charitable status would allow gift aid to be claimed on this work.

- On a related point, many academy leaders are keen to engage in broad partnerships rather than the more restrictive “support” cited in funding agreements and would like this to be amended.

- Generally academies, particularly the earliest academies, would like it to be easier to amend their funding agreements to take advantage of many of the powers which are now available to subsequent academies as academy status has evolved and national policy has progressed.

- Some academies would like to be given more freedom over their admissions and exclusions to avoid what they see as the potential for local authorities altering admissions arrangements for other schools to the academy’s detriment.

- A particular request from many academy leaders is for full financial independence – i.e., a rapid move to a genuine national funding formula for both revenue and capital, for academy trusts to become the legal freeholders of their buildings rather than having to lease them and freedom to borrow against the value of school buildings for capital investments.

- A further semantic but important point raised by several academies is that the Government should change the terminology used to refer to converter academies – to help parents and local stakeholders to understand the different backgrounds and purposes of converter and sponsored academies.

Quotes from schools:
Direct Funding from the Funding Agency is essential, otherwise it defeats the whole purpose of autonomy when the LA set the budget!

Government needs to consider that Academies are not true private companies and have different requirements and objectives to these and should not necessarily be subject to standard company and tax legislation – particularly those academies who provide community facilities such as Sports centres and are now penalised through tax for providing “business use!”

Admissions, behaviour and exclusions – The main things that allow independent schools to flourish are denied to academies.

The inherent contradiction between the mantra of Academy freedom and creating unique opportunities but then having structures imposed by Westminster.

Ability to use financial loans rather than PFI to improve school buildings & facilities.
4. Driving innovation and improvement

As the survey in the previous chapter shows, school autonomy is encouraging good practice to develop and spread. Many academies are taking advantage of their freedoms to do things differently, and better. What is also clear is that some are not: many of the changes being implemented in academies do not actually require academy freedoms and are equally possible within the constraints of the National Curriculum and national pay and conditions. Despite the sense of freedom academy status gives to heads and teachers, many academies clearly feel inhibited by the continued existence of these national frameworks. Simply giving schools more autonomy does not ensure that they will innovate and improve (at least not beyond what they would have done in any case).

If giving schools additional autonomy – i.e., making them academies – is not enough, policymakers need to understand what will drive innovation and school improvement. In particular, it is important to understand what will drive system-wide improvement, rather than improvement in individual schools. Research suggests that there are three key elements: collaboration, accountability and competition.

Collaboration driving improvement

The quality of teaching is by far the single biggest influence on pupils’ educational progression.\(^{106}\) Having an outstanding teacher can improve a pupil’s performance by up to 40 per cent in one year, compared with having a low-performing teacher.\(^ {107}\) Reform’s research has shown that the most effective way of improving the quality of teaching is for schools to engage their teachers in high-quality continuous professional development (CPD) that is essentially collaborative, involving lesson observation, mentoring and sharing of best practice.\(^ {108}\)

CPD of this nature can be undertaken within a school but it is at its most effective across schools. To get the best possible critique of teaching performance and to be exposed to a wide range of best practice, teachers need to look outside the walls of their particular school – however good a teacher or school is, it can still be difficult to avoid lapsing into “their way” of doing things. In some cases the resources or diversity of practice to facilitate effective CPD simply don’t exist in a particular school – small primaries or small subject departments in secondaries do not have the breadth of experience and expertise to draw on, so these schools have to look outside in order to achieve effective joint CPD. Most importantly, the best schools need to lead this activity. This is important to move from individual school improvement to whole system improvement, and to tackle the ever-present problem of “coasting” schools. The 2010 Schools White Paper acknowledges the importance of collaboration, proposing a £35 million “collaboration incentive”, although this has not yet been implemented.\(^ {109}\)

Programmes such as Local Leaders of Education (LLE) and National Leaders of Education (NLE) have proved successful at using the expertise of excellent headteachers to improve underperforming schools.\(^ {110}\) The Schools Network has worked with academies and their predecessors since their inception. Central to this has been collaboration between teachers and between schools. There is a strong ethos of collaboration in schools, particularly among the pioneers of the academy movement and in The Schools Network’s raising achievement programmes (RATL and the Academy Support Programme) as well as initiatives such as Leading Edge, the Teacher Effectiveness Enhancement Programme and the Lead Practitioner Networks.

The most effective collaboration goes further than simply sharing best practice, and involves richer joint development of practice. Some schools, both within and outside of formal chains, are engaging in shared curriculum development and provision, joint lesson planning and collaborative development of teaching materials. This can yield an additional benefit of sharing the costs in

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107 The Sutton Trust (2011), Improving the impact of teachers on pupil achievement in the UK – interim findings.
110 Bassett, D. et al. (2010), Every teacher matters, Reform.
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terms of time and resources, as well as resulting in better teaching due to the shared expertise of different schools’ teachers and the benefits of more variety, perspectives and contexts.

**Case study: Curriculum development at ARK Schools**

In 2010, ARK Schools, a chain of inner-city academies, introduced a new research-based mathematics curriculum and pedagogy for all pupils between reception and Year 9, entitled Mathematics Mastery. The innovative approach to mathematics teaching is based on the model of curriculum and pedagogy used in Singapore, which emphasises a more in-depth approach to fewer topics, enabling children to gain a cumulative mastery of essential knowledge and skills that can be applied critically to a range of problems.\(^{111}\) Singapore has consistently ranked among the top countries in the world for mathematics education in the Trends in International Mathematics and Science Study (TIMSS) since 1995.\(^{112}\)

Mathematics Mastery differs from traditional forms of mathematics teaching in two important ways. First, it aims to give pupils a thorough understanding of mathematical concepts, rather than a set of techniques or routines to get to the right answer. Mathematics Mastery shows that problems can be solved in a variety of ways, and ensures that pupils learn in sequence – first by manipulating real objects, then by drawing pictorial representations, and ultimately by using mathematical symbols. Second, Mathematics Mastery uses a “mastery” approach, in which teachers do not move on until all pupils have acquired a deep understanding of the current topic. Additionally, the course is designed so that more able pupils can explore each topic in depth, and therefore remain engaged.

The development of Mathematics Mastery stemmed from collaboration between six ARK primary academies in Greater London, and the mathematics departments in seven separate ARK secondary academies in Greater London, Portsmouth and Birmingham. Representatives from ARK visited Singapore to explore the country’s approach first-hand, and Dr Yeap Ban Har, Singapore’s leading expert in maths teaching, visited King Solomon Academy in June 2011. In October 2011, ARK was awarded a £600,000 grant from the Education Endowment Programme to develop a full Mathematics Mastery programme following its successful pilot in ARK schools and expand the curriculum and teacher training outside ARK schools. In September 2012, ARK will open the scheme to 50 primary schools and to 50 secondary schools in September 2013, targeting challenging inner-city schools.\(^{113}\)

**The mediating arena**

The traditional view is that this kind of collaboration for school improvement needs to be facilitated by a “middle tier” or “mediating layer” sitting between schools and government. Historically the local authority has served this purpose (albeit in some cases not particularly effectively).\(^{114}\) More flexible and innovative alternatives, including academy chains, have developed in recent years.

The concept of a middle tier has had some success – but, particularly in the form of local authorities, it has not on its own led to widespread, effective school improvement collaboration. A major reason for this is that it reinforces a hierarchy and the idea that school improvement is something that is “done” to schools. This is the wrong approach, since school improvement work will be most effective if schools “own” it themselves, in the same way that schools see benefits from taking responsibility for their own curriculum and the quality of their teachers.\(^{115}\)

Hargreaves (2011) instead proposes the concept of the “mediating arena”.\(^{116}\) The guiding principle here is that schools own and lead their collaboration themselves. Rather than interacting via an intermediary, schools co-create their school improvement model and work together, having a stake in the success of the effort. Many of the best schools already lead CPD for neighbouring schools.

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114 Hargreaves, D. (2010), *Creating a self-improving school system*, National College for Leadership of Schools and Children’s Services. “Significantly, this second half of the 1980s gave birth to the school improvement movement, which was driven both centrally by a more hands-on education department and some local education authorities as well as by more enterprising headteachers.”
schools in a straightforward way, running courses in which their excellent staff share their best practice.

### Case study: Cross-school CPD at Denbigh High School

In 1991 when Dame Yasmin Bevan took over as Headteacher of Denbigh High School in Luton it was a struggling school facing significant challenges. In particular, the school was not valued by the community and teachers and parents alike had become accepting of low standards.\(^{117}\) The school had had acting heads for seven terms prior to Dame Yasmin’s arrival. The low standards of attainment at the school are demonstrated by Ofsted results during the 1990s; in 1995, Ofsted rated 64 per cent of teaching “satisfactory” at the school and in 1999, inspectors noted that there was “too much unsatisfactory teaching”.\(^{118}\)

At the heart of the reforms to the school was a continuous, and collaborative, approach to teachers’ professional development. Through a federation partnership with Challney High School for Boys, Denbigh developed an all-through CPD programme for teachers. Challney High School focused specifically on initial teacher training, while Denbigh High School developed a comprehensive and systematic CPD programme and performance management programme to complement it.\(^{119}\) In July 2011, Challney High School for Boys was designated among the first 100 of the new teaching schools and Denbigh High School is its strategic partner.

Denbigh High School also runs large-scale CPD programmes for neighbouring schools. The school delivers the Improving Teacher Programme, a ten week long intensive programme designed to improve underperforming teacher to at least a satisfactory standard through observation of best practice and coaching, as well as other National College programmes. In addition, the school is a National College Leadership Development School, hosting trainee headteachers who are completing their NPQH placements.

The results demonstrate the centrality of teaching and partnership in school improvement. In 2004, Ofsted determined that the proportion of teaching that was good or better had almost doubled since 1999 and stated “The standard of teaching is very good” and the school was named as one of the top 20 “value added” schools in the country.\(^{120}\) In 2007, Denbigh High School had surpassed this by achieving the highest government value added score in the country across Key Stage 4.\(^{121}\)

But for the kind of deep, sustained collaboration and co-construction of practice that develops excellent teaching, a more involved mechanism may be necessary. These connections between schools can take different forms, with varying degrees of formality. Federations of schools have shared governing bodies and operate as a single legal entity, usually with very close working between the constituent schools. Academy chains tend to have strong central accountability and a degree of prescription, with schools operating relatively autonomously within this framework. Groups such as The Schools Network provide support, share and develop best practice and provide advocacy and quality assurance, but do not perform a governance or accountability role.

Other kinds of networks also exist, with autonomous schools agreeing to undertake a degree of mutual cooperation and collaboration. Some, like Challenge Partners, consist of excellent schools engaging in mutual support and challenge. Looser groupings – often a secondary school acting as a hub for surrounding primaries – might undertake joint working on a regular basis and pool activities from teacher development to HR services. In some networks, like HertsCam, a university takes a coordinating role.

The Leading Edge programme, established in 2003, encourages schools to work in partnership to solve some of the most intractable problems in education. The programme, supported by The Schools Network, encourages schools to work locally, regionally and nationally to raise achievement through sharing proven ideas. There are currently over 200 lead schools within the

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119 Ofsted (2007), Inspection Report: Denbigh High School. “A particularly outstanding feature is the collaboration with local schools over the recruitment and training of qualified teachers from the local area.”
120 Ibid.
121 Ibid. Ofsted supports this further: “When pupils join the school at the start of Year 7, the majority of them are working at levels well below the national average. However, because of the outstanding progress they make, by the time they leave at the end of Year 11 standards are above average.”
programme, representing some of the most outstanding and innovative practice nationally. The existing national framework of Headteacher Steering Groups also plays a key role in ensuring that, in all regions and in all special interests, school leaders have an opportunity to shape developments and improvements, making a significant impact on practice in schools.

These different types of networks are not necessarily mutually exclusive; schools could be part of multiple groupings serving different purposes or with different types of school. The essential factor is that this kind of school improvement system can help to improve all schools, instead of focusing solely on those that are failing. This kind of collaboration can also tackle coasting schools and schools that are good but want to become even better.

**Case study: The HertsCam network**

HertsCam is a network linking Hertfordshire schools with the University of Cambridge Faculty of Education. The university facilitates teacher development both in a formal, certificated context (which includes a master’s programme) and through a teacher-led development work (TLDW) programme, which has groups based in each of the participating schools and leads to a postgraduate certificate.

In each school, the TLDW groups are led by an experienced teacher who is often a member of the senior leadership team. Participants come together in twilight sessions to minimise costs to the school. The group provides support to enable them to plan development projects designed to improve their own and their colleagues’ practice. They discuss their work in a structured, supported way. It builds distributed leadership within the schools, allows teachers to be comfortable challenging each other and helps them to plan how what they do will have impact on pupil outcomes. Due to its bottom-up approach and self-reflective nature, TLDW is effective at targeting teachers’ and schools’ particular weaknesses and is felt by the teachers involved to be an inclusive form of CPD. It allows teachers to realise that everyone has areas for improvement in their teaching and enables them to see how best to respond to them, thereby nurturing resilient thinking. TLDW can also be used as part of a school’s performance management regime if desired.

HertsCam is particularly effective due to its cross-school network. The University of Cambridge functions as a hub, providing the rigorous framework of master’s and other postgraduate certification to structure the teachers’ and schools’ activities, and publishing a journal in which participating teachers write about the work they are undertaking as part of the programme. TLDW groups from across schools are brought together to share experiences of leading change and share ideas and good practice between different schools. Networking between schools includes seminars and conferences that provide structure to the teachers’ work and allow for the development of cross-school CPD and collaborative development projects, many of which are subject-specific. In many cases these have organically grown into deeper partnerships that build teaching and CPD capacity within the schools and lead to further collaborative work. Hertfordshire County Council’s school improvement function is also engaged in the network, helping its benefits to be realised across the local authority.

**Local authorities**

The Coalition views local authorities (LAs) as continuing to have a central, if changed, role in this new landscape. The Schools White Paper set out a new “strategic role” for local authorities as “champions” for parents and pupils, with responsibilities including the development of school improvement strategies. Nick Clegg has argued that councils have an “essential” role in accountability arrangements.

However, placing local authorities at the centre of school improvement and accountability is not necessarily the best approach. Insisting on a strategic role for local authorities takes responsibility away from schools – one of the key problems with any kind of centralised accountability or school improvement mechanism. It may also be futile, given that too many LAs have failed to effectively deliver this function up until now. It would however be equally wrong to insist that there is no role for LAs in a self-led school system.

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122 www.ssatrust.org.uk/achievement/leadingedge/Pages/default.aspx.
4. Driving innovation and improvement

There are two potential roles for local authorities. They could act as a cluster themselves, where they have a proven, effective school improvement function that schools want to be part of. They could also help to broker networks between schools, for example in rural areas with several small primary schools, none of whom are happy to lead themselves. Neither of these are necessarily jobs for the LA: where the LA has proven to be ineffective at school improvement, or where the schools in a local authority area are happily making their own arrangements, there may be no role for the LA in facilitating developments of school networks. However, where the LA is effective and is serving a useful function – and, importantly, where schools choose the LA to perform this role – LAs can have a constructive role in coordinating collaborative school improvement.

Case study: Hampshire County Council

Hampshire County Council is a high performing LA. It supports its schools and facilitates collaboration in a variety of ways.

Every Hampshire school has a Leadership and Learning Partner funded by the LA who goes in for at least one day a year to maintain the LA's relationship with and knowledge of the school. This connection improves the council's ability to hold schools to account, identify problems and understand what the most effective support would be. Many schools use their own resources to buy the services of their partner for additional time.

The council takes a central role in brokering effective support for underperforming schools. The key to this is diagnosing the problem correctly and then brokering the “right fit” support, for example matching the right supporting headteacher for the particular problems a given school is facing. The council’s Director of Children’s Services, John Coughlan, insists that this yields more effective results than schools choosing their own support or improvement partner, where the partner’s skills and experience may not match the particular problem the school is facing. Having brokered the support, Hampshire monitors the effectiveness of the intervention to ensure outcomes are improving.

Hampshire County Council received £8.6 million from central government over two years to deliver a LA-led one-to-one tuition programme. The programme targeted over 21,000 students between the ages of 7 to 14 who had fallen behind with English and/or maths. The council managed the distribution of funds to allow the maximum number of learners to participate and to ensure schools were delivering the programme effectively. Hampshire took responsibility for training headteachers, hiring and training tutors and developing support including a website for tutors, to ensure maximum impact and effectiveness of the intervention – particularly important given its significant cost. The LA undertook a series of quality assurance visits alongside the programme and collected evidence to see what worked, including performance data and a questionnaire with students, parents and tutors. They analysed the impact of the tuition after the first year to show the benefit and which children benefited most, allowing more effective targeting in year two. Efficient central running of the programme by the council allowed it to be extended to 840 additional pupils. Hampshire also used the evidence base to create guidance for all schools on how to use the pupil premium. The Department for Education praised the “excellent LA strategic leadership and management” and the council’s “relentless attention to quality” in the delivery of the programme, which had a positive impact on outcomes.

In 2012 Hampshire County Council was awarded a £121,000 grant from the Education Endowment Foundation to develop and implement a teacher toolkit to help schools boost their support for disadvantaged children. The toolkit will help teachers identify the pupils who need more support and give them techniques and strategies to improve their results.

126 Hampshire County Council (2011), The impact of one-to-one tuition in Hampshire primary and secondary schools.
Teaching Schools

The Schools White Paper announced the Government’s intention to “develop a national network of new Teaching Schools to lead and develop sustainable approaches to teacher development across the country”. It will be up to schools to choose to join Teaching School alliances: “Other schools will choose whether or not to take advantage of these [professional development] programmes, so Teaching Schools will primarily be accountable to their peers.” In 2011, the first 121 were designated by the National College for School Leadership. Teaching Schools will be an important component of a self-led, self-improving school system. In contrast to some previous government initiatives, they are practitioner-led. A Teaching Schools Council elected by and from the heads of the first Teaching Schools is directing the programme in conjunction with the National College and in the longer term could adopt full responsibility for the Teaching Schools network. Teaching Schools represent an opportunity for the dissemination of excellent practice and high quality CPD, and could in time also serve a peer accountability function. If they work as intended, they could be a key weapon in the fight against “coasting” schools, not just providing but brokering school-to-school support.

There are however concerns over whether Teaching Schools will have sufficient capacity to perform this role effectively. Every Teaching School receives a £60,000 one-off grant and £40,000 annually in subsequent years to help develop this capacity; it is uncertain whether this is enough on its own to build sufficient additional capacity within each Teaching School to ensure they can effectively perform this function without jeopardising their own performance.

Accountability driving improvement

A body of research demonstrates that effective accountability mechanisms can drive improvement in educational outcomes. The OECD has highlighted that the use of pupil achievement data for accountability purposes can improve attainment. This is particularly true when accountability is allied with school autonomy: “in countries where schools are held to account for their results through publication of achievement data, schools that enjoy greater autonomy in resource allocation tend to do better than those with less autonomy”. McKinsey research also demonstrates the importance of accountability, particularly in improving underperforming schools and in taking a whole school system to the next level of performance. Burgess, Wilson and Worth (2010) found “significant and robust evidence that [the abolition of school performance tables] markedly reduced school effectiveness in Wales”. Schools in England are accountable to a variety of different bodies, including their governing bodies; government, via inspections and targets; and parents, via choice.

The governance problem

Governing bodies play a vital role in holding headteachers and schools to account. They are closest to a school and are able to exercise detailed oversight of the headteacher’s performance and the activities of the school. Governors have statutory responsibilities to manage and approve the school budget, determine staffing policies (including pay and conditions) and establish a written performance management policy to govern staff appraisal. Most importantly, they must assess the headteacher’s performance and take action in the event of underperformance. However, there is no requisite qualification or training for governorship and both the Local Government Association and the Audit Commission have found that governors can lack the professional or relevant knowledge. Without the knowledge and skills necessary to hold their headteacher to account for improving the quality of teaching and achieving value for money,

130 Ibid.
132 OECD (2012), Equity and Quality in Education: Supporting Disadvantaged Students and Schools.
133 Mounshed, M., Chijioke, C. and Barber, M. (2010), How the world’s most improved school systems keep getting better, McKinsey & Company. “… enhancing accountability and professional development] mechanisms is central to improving school system delivery at each stage of the journey.”
135 Education Act 2002.
136 House of Commons (2010), School Accountability, Children, Schools and Families Committee.
governing bodies are not in a position to help drive innovation in their schools.\footnote{For more see Bassett, D. et al. (2010), *Every teacher matters*, Reform, pp. 18-19.}

There is also anecdotal evidence to suggest that in some cases governing bodies are acting as a brake on collaboration and the use of academy freedoms, even where the headteacher may wish to do so. In interviews with *Reform*, several headteachers expressed concerns that the strong inward focus of many governors can inhibit collaboration with other schools. Governors rightly regard their job as looking after “their” school, but as a result can fail to see the benefits of collaboration not just for the system but also for their own school. Some headteachers also reported governors imposing a block on the use of autonomy. In some cases a fear over union disputes has led governing bodies to refuse to sanction any changes to staff pay and conditions. Some headteachers reported entering into a “Faustian pact” with their governing bodies, in which the governors agree to academy conversion on the condition that the headteacher will not actually use the academy freedoms to vary staff pay and conditions.\footnote{A commitment by governors to mirror national pay and conditions was also reported by some respondents to the Reform/The Schools Network survey.}

A self-accountable school system?

Beyond the intra-school level, it is commonly assumed that deep accountability, based on data and inspections, must be undertaken by government and its agencies. While methods such as Ofsted inspection and floor targets have proven to be effective at identifying schools that are seriously underperforming, they are crude instruments. Ofsted’s criteria and league tables have a hugely significant impact on schools and severely distort schools’ behaviour. Moreover, by the time these mechanisms come into play it is often too late: the education of many children has already suffered at the point Ofsted brands a school “inadequate”.

Contrary to popular belief this kind of accountability does not have to be done centrally, by or on behalf of Whitehall. A self-led, self-improving school system can also be self-accountable. Many academy chains hold their schools rigorously to account for their performance. But it is also possible to have deep accountability without a centre. McKinsey research suggests that peer accountability can be “more powerful” than centralised accountability mechanisms.\footnote{Mourshed, M., Chijioke, C. and Barber, M. (2010), *How the world’s most improved school systems keep getting better*, McKinsey & Company. “A remarkable effect of collaborative practice is that it serves as a mechanism of peer accountability, substituting for other formal accountability measures ... The second source of accountability was less formal but more powerful, and came from peers through collaborative practice. By developing a shared concept of what good practice looks like, and basing it on a fact-based inquiry into what works best to help students learn, teachers hold each other accountable to adhering to those accepted practices.”} Some networks of schools are developing systems of lateral accountability with schools voluntarily agreeing to undergo annual reviews by their peers. This is a case of outstanding schools challenging themselves and each other in the sorts of ways traditionally associated with Ofsted. In due course Teaching Schools may also be able to perform or facilitate this role across the whole school system.

This kind of peer accountability has huge benefits over the traditional centralised model. Schools take much more responsibility themselves – both for how they are performing and how well their peers are doing. It is no longer assumed that it is government’s responsibility to fix something when it has gone wrong. Most importantly, this kind of accountability can be effective for every school, not just those at the bottom, and encourages schools at whatever level of performance to continue improving. By being involved in holding their peers to account, the schools performing this role will also learn and benefit themselves.

Another major advantage is that this kind of accountability can be more effective and significantly more responsive than centralised methods. Schools will get to know one another in depth, allowing them to get a much more detailed picture of what is happening than Ofsted can achieve or performance tables can reflect. And they can take action much more quickly if something starts to go wrong. As Hargreaves explains:

“if [failure or a crisis of underperformance] happens to a school in a strong or tight family cluster, other members get an early warning – earlier than Ofsted – and intervene with immediate support without provoking defensive resistance”.\footnote{Hargreaves, D. (2010), *Creating a self-improving school system*, National College for Leadership of Schools and Children’s Services.}

So decentralised accountability can mean quicker and more effective intervention when something goes wrong, or if signs of deterioration emerge.
4. Driving innovation and improvement

**Case study: Challenge Partners**

The Challenge Partnership is a network of over 70 schools across England. In contrast to a chain or sponsor setup, the partnership works on a mutual rather than top-down basis, offering a looser arrangement but with deep collaboration with other schools in the network. The partnership is principally a school-led school improvement network, although it also provides other benefits such as group procurement. The centrepiece of Challenge Partners’ approach to school improvement is peer accountability:

“The partnership’s quality assurance and assessment is built around a professionally led peer review focused on teaching and learning. The review highlights areas of strength, including outstanding knowledge within hubs and across the Partners; and it also identifies those areas for development, bringing key challenges to schools for the coming year.

The strength of the review lies in how it brings together the rigour and professionalism of Ofsted with the care and collaborative approach of a partnership. This is a joint exercise between the review team and the school. All observations and meetings include a member of school team working alongside the reviewers. Discussion about the findings and even the writing of the report are a collaborative effort between the review team and the school’s senior leadership team. This approach enables honest and open conversations about where the school is and where it is going, to the benefit of all concerned.

Another of the significant benefits that the review brings is the development opportunities for senior staff. By nature of being a peer review, conducted by current practitioners, those on the review team itself receive a rich developmental experience as they step into another environment working alongside a trained Ofsted inspector; experiences and learning which they can then take back to their own school.

Following the review, Partners meet together in their hubs to discuss the outcome of the review and determine how they can best work together to capitalise on their strengths and address their areas for development.”

This approach – including the sharing of detailed data about the school’s performance – allows for uniquely targeted school improvement work and builds a crucial relationship of trust between the partner schools, facilitating effective mutual accountability creating a culture where it is accepted for peers to challenge underperformance.

In 2012 the Challenge Partnership was awarded a £960,000 grant from the Education Endowment Foundation to develop and deliver half-termly workshops sharing best practice in narrowing the gap between disadvantaged pupils and other pupils. The programme will be delivered through “Learning Threes” whereby 15 outstanding Challenge Partner schools with expertise at narrowing the gap will each work with two other schools to improve the performance of disadvantaged pupils.

**Competition driving improvement**

Even though autonomy and deep collaboration are excellent drivers of school improvement and more effective than central prescription, it does not follow that schools will pursue this course. Several are actively resisting academy status; the majority have chosen not to convert yet. Not all schools are involved in formal or informal networks that facilitate deep collaboration, and it is not clear that Teaching Schools will be able to fill this gap on their own.

As is clear from the impact of league tables and Ofsted inspections, schools respond strongly to the incentives placed upon them. Effective competition between schools is therefore a key factor in incentivising schools to use their autonomy and seek greater collaboration by joining or forming networks.

Although it is difficult to separate out the effect of competition from other factors in driving school improvement, some academics have shown that competition can have a positive effect on school performance. In a review of international evidence, Woessmann (2007) shows that “students

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141 Challengepartners.org.
143 See Allen, R. and Burgess, S. (2010), The future of competition and accountability in education, 2020 Public Services Trust, for more on the evidence of the competition effect on school performance.
perform better in countries with more competition from privately managed schools [and] in countries where public funding ensures that all families can make choices." \(^{144}\) Böhlmark and Lindahl (2007) show that in Sweden, districts with higher proportions of pupils at free schools have better average achievement across the whole district. \(^{145}\) Bradley and Taylor (2007) show that English schools in urban areas improve their exam results in response to improvements in neighbouring schools' exam results. \(^{146}\) Machin and Vernoit (2011) show that the competition effect arising from the (relatively) high performance of the first generation of academies in England also served to raise performance in neighbouring schools. \(^{147}\)

No doubt competition is not the only factor to effect improvement across the system. An important element is a shared culture, a sense of system leadership (shared by heads, teachers, parents and governors) or, as some would describe it, a "moral purpose" to improve education not just for the pupils in your school but for all pupils in the system. Hargreaves couches this in terms of responsibility: "The system element in a [self-improving system of schools] consists of clusters of schools accepting responsibility for self-improvement for the cluster as a whole." \(^{148}\)

But the reality is that competition can drive collaboration very effectively: if every school needs to improve then every school has an incentive to collaborate. Competition between schools is not a zero-sum game, since the whole system can get better; one school improving does not mean that another must get worse. Collaboration can also take place beyond the local area, if there are specific issues inhibiting collaboration between local schools. Competition and collaboration are not, then, mutually exclusive, but rather can be mutually reinforcing. \(^{149}\)

Importantly, there is an incentive even for the best schools to engage in collaboration and help other schools to improve. The evidence demonstrates that collaboration improves the performance of every school involved, even the high-performing school doing the supporting. \(^{150}\) And effective collaboration could potentially yield cost savings, or even create a source of revenue for excellent schools who may market their services as a school improvement agency.

### Making competition work

The reality of the school system in England, however, is that competition is limited. The most successful schools are oversubscribed; many parents do not get their first choice of school, particularly in urban areas; and new entry into the system remains difficult despite the introduction of free schools. Continuing to improve the quality of teachers and heads is essential to improve the quality of education. However, without meaningful school choice to make schools properly accountable to parents, the competitive pressure on schools to engage in the practices that will significantly improve school and system performance will remain muted.

Academics have noted the difficulties in the current system. Allen and Burgess (2010) observe that:

> “Parental choice must be meaningful and capable of affecting the allocation of pupils to schools … but given constrained capacity (with all spare capacity located in unpopular schools) oversubscription criteria act as a rationing device, allocating pupils to schools.” \(^{151}\)

The Department for Education has undertaken a consultation on developing and introducing a new school funding formula. However this will not be a genuine “per-pupil” formula in which money follows pupils around the system. Rather, the allocation of maintained schools’ budgets will continue to be decided at local authority level, preventing parents from effectively exercising

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\(^{149}\) Deering, A. and Murphy, A. (2003), The Partnering Imperative. “Co-operation is ceasing to be the opposite of competition and is becoming, instead, one of its preferred instruments.”

\(^{150}\) Hargreaves, D. (2010), Creating a self-improving school system, National College for Leadership of Schools and Children’s Services. “Several schemes have demonstrated that pairing a high-performing school with a weaker one acts as a positive force for improvement. One unanticipated consequence is that the high-performing school actively gains from the pairing. There is, of course, a cost involved, but this is offset by the boost to morale and the professional skills of the lead school’s staff that arise from the help they offer to schools in difficulties. In the event, both schools improve. System-motivated altruism pays rich dividends … Schools that offer deep support to other schools, such as staff in national support schools working with their NLE headteacher, repeatedly insist that they too have gained from the partnership.”

school choice. Importantly, the consultation proposes that this arrangement would also apply to academies, threatening to undermine their financial freedom by granting the local authority control over their main funding stream.\textsuperscript{152}

Dearden and Vignoles (2011) argue that it must be much easier for new providers to enter the system (and for failing providers to be closed) for the competition effect to work:

“The academic literature on school choice has long recognised that for markets in schooling to work in this positive way, there are some necessary market conditions. First, weak schools must be allowed to fail, good schools allowed to expand and new schools allowed to enter the market. This freedom of entry and exit is required if parents are going to have genuine choice, as opposed to choice based on which oversubscribed good school they happen to live sufficiently near to.”\textsuperscript{153}

This problem can also be tackled by making it easier for existing schools to expand. As the survey presented in this report shows, many academies are keen to have the freedom to do this. There are, however, two major barriers to this: a requirement for them to apply to the YPLA to increase their intake, and the absence of a genuine per-pupil funding system, which would ensure that schools would receive proportionate additional funding for additional pupils.

5. Recommendations: Plan A+

The growing academies movement in England is hugely positive for the school system. Many academies are innovating to raise standards. The sense of independence, as much as the formal freedoms themselves, are instrumental in encouraging academies to constantly innovate and take strong ownership and responsibility for the quality of what they do.

The Government’s task now is to unleash the full potential of the academies movement. Despite their greater freedoms, many academies are being held back by the continued regulation of the rest of the school system. As the survey presented in Chapter 3 shows, national frameworks on curriculum and pay and conditions inhibit some academies from innovating in these areas.

The Department for Education should adopt a “Plan A+” (Autonomy-Plus). By removing cultural and regulatory barriers to autonomy and innovation, the Government can pave the way for all schools to innovate further and faster, rapidly developing best practice to raise standards that can then spread throughout the system.

The Schools Network and Reform make two major recommendations for the Government:

- **Remove regulation and prescription that discourages innovation.** As the survey presented in this report shows, the compulsory National Curriculum and, particularly, nationally-agreed pay scales and terms and conditions for teachers are inhibiting many academies from innovating in these areas. The continued existence of national pay and conditions makes it culturally difficult for academies to respond to local conditions, test innovative ways of working and incentivise recruitment of better teachers by improving rewards.154

- **Introduce a genuine per-pupil funding system to safeguard academies’ autonomy and make it easier for them to expand.** Choice is currently inhibited by regulations surrounding the size of school intakes and the absence of a coherent national per-pupil funding system to ensure that schools receive proportionate additional funding if they take on additional pupils.155 The Government’s proposal for all school funding to be channelled through local authorities poses a serious threat to academies’ independence and financial autonomy. The Government’s consultation on a new school funding formula should consider the benefits of a genuine and simple per-pupil funding system, paid directly to all schools.

To support Plan A+ the Department for Education, in conjunction with schools themselves and other bodies, should:

- **Build capacity among heads for collaboration and challenge.** All headteachers need the skills to develop deep and effective collaboration and, crucially, to challenge their peers and hold them to account for their performance.

- **Realise the potential of collaboration hubs that include Teaching Schools and other leading schools.** Teaching Schools should be supported to develop their capacity, infrastructure and capability to support other schools. At the same time other forms of

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154 Allen, R. and Burgess, S. (2010), *The future of competition and accountability in education*, 2020 Public Services Trust. “For a market system to be effective in raising school quality, significant deregulation of the existing system would be needed. … Second, efficiency rises if a school successfully improves its exam results without raising costs or alternatively succeeds in lowering costs without damaging quality. For this to take place it is critical that schools are able to take greater control over their major expenditure: teacher pay and conditions, facilitating more efficient recruitment and retention decisions. Performance related pay of teachers can be introduced by schools where they believe it can work, rather than as a country-wide government policy experiment. Finally, the overall efficiency of the system will increase if schools are able to experiment with alternative organisations of teaching and learning that improve academic standards and create a schooling environment that is desired by parents. This freedom to innovate almost certainly requires some relaxation of the National Curriculum and other regulatory measures currently in place. Radical deregulatory reforms are intuitively appealing, and may produce important long-term benefits that increase levels of parental satisfaction with the schooling system.”

155 Ibid. “If more effective schools grow and less effective schools shrink then overall efficiency rises, even if the practices in any individual school do not change. This requires a systematic per-pupil financing system to be introduced (with a premium for teaching) so that schools are properly rewarded for attracting each additional pupil to the school (and financially penalised if they become unpopular).”
school-to-school support and leadership should be supported. The best schools, including Teaching Schools, should be helped to develop revenue streams to fund additional capacity, given the limited public funding available. In time, more responsibility for school improvement and teacher training should be transferred to collaborative networks of schools and system leaders, which could become important mechanisms for holding schools to account. This would recognise the experience and expertise of the best schools, and would represent an effective deregulation of school improvement and teacher training.

There is also a challenge to headteachers, governors and parents:

- **Autonomy and competition are not anti-collaboration.** Schools that respond to competition by withdrawing into their shell are adopting a short-sighted approach, since competition is not a zero-sum game and collaboration can raise standards for all. This does however require trust, and mutual *opt-in* support and collaboration networks can help to develop this.
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