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**DEMOCRATIC OPTIMISM AND AUTHORITY IN AN INCREASINGLY DEPOLITICISED SCHOOLS ‘SYSTEM’ IN ENGLAND**

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*This paper reports initial outcomes from a short series of semi-structured interviews in 2017 with senior politicians from three parties elected to two contrasting English local authorities (LAs): an urban city authority and a largely rural shire county. These were complemented by continuing interviews with senior officers and head teachers, of both academies and maintained schools, some with positions in multi-academy trusts (MATs), and critical readings of LA strategic documents.*

*Interviews focused on the nature of democratic authority in what is an increasingly privatised schools system in the sense that school governance and decision making have moved steadily away from the authority inherent in democratic representation of a local community towards a more technical (or technicist) conception that depends more on ‘people with the right skills, experience, qualities and capacity’ (DfE, 2017: 10). This process has been described as ‘depoliticisation’ (Ball, 2007), or even ‘destatalization’ (Jessop, 2002), whereby there is little public disagreement or debate about schools’ role in achieving national objectives (for example, social mobility). And the new technologies underpinning these changes have in turn engendered new governmentalities and discursive formations focused on little except better ‘outcomes’ (Wilkins, 2016).*

*The principal policy in pursuit of these aims in English schools has been the process of academisation, whereby schools have been steadily removed from the purview of LAs, however etiolated, to be funded directly by central government on the basis of a contract with the minister. More recently, schools have been more progressively organised into Multi-Academy Trusts (MATs) – voluntarily or involuntarily – in processes overseen by Regional Schools Commissioners, central government officials also responsible directly to the minister (Riddell, 2016).*

*Politicians interviewed varied in their support for academisation - not always in ways that might be expected to reflect party affiliation – but all felt that schools had an important contribution to make to the realisation of their strategic aims, from economic development to lifelong learning. In addition, they were interested in what happened to the children of their constituents and all felt local authorities needed to engage with schools, reporting varying success in doing so. All acknowledged the difficulties inherent in a system increasingly organised de facto to exclude them, especially with MATs with wider regional or national roles with the attendant more remote offices and boards. According to some politicians (and officers), responses*

*from MATs varied but having an elected mayor in the city authority was seen as one significant mechanism. Nearly all were optimistic for the future.*

*The paper sets these initial findings in the context of what one interviewee described as a ‘stalled process’ (of economic reform), with central government not willing or able to respond to their concerns about the management of the system, especially since the 2017 general election. The reported absence of any space in the national legislative programme for schools because of the preparations for BREXIT means that even the much-discussed National Funding Formula (for school budgets) will be implemented via LAs for maintained schools, retaining some discretion, not the original intention (DfE, 2016: 68). Nor is the process of academisation by any means complete; nor, it is argued, is it ever likely to be. At the time of the first interviews, Regional Schools Commissioners were in the early stages of setting up ‘Sub-Regional Schools Improvement Boards’ involving senior LA representatives, that will most likely remain ‘strategic partners’. In addition, according to several interviewees, a paper setting out the proposed statutory roles of LAs to be amended by subsequent legislation had been drafted before the 2017 election, but not published since.*

*Whereas it could be argued that the newer system based on school collaboration increasingly organised through MATs, overseen by Regional Schools Commissioners, might be more consistent and reliable in attaining greater equity in educational outcomes, a focus so limited leaves major moral (as opposed to technical) questions concerning the nature of ‘state’ schooling in England unanswered in policy: what democratic oversight will local and national communities have of their children’s education; how can and will parents be deeply involved.*

### **Introduction: the current conjuncture**

This paper is a first public articulation of the author’s continuing and most recent research into school systems and, more recently, school governance. The arguments in it are also developing and need further work, but all comments are most welcome – they are still at the sense-making stage. When the abstract was written and accepted, the research represented part of the author’s continually developing understanding of the ‘system in development’ of schooling in England.

Since then, the Nuffield nationally funded investigation (Greany and Higham, 2018) has been published providing the most detailed understanding yet of the implications of school reform in England since 2010 and, indeed, reaching back further to the policy heritage from New Labour and earlier. In addition, there have been significant announcements by a new Secretary of State (Hinds, 2018) and the departure of the National Schools Commissioner for

England, a senior central government official and arguably key leader and system architect since 2014.

The implications of the announcements referred to however will potentially have significant system effects. As interviews were proceeding over the summer of 2018, it became clear from Local Authority (LA) officers in particular, and from reported contacts and communications with the Regional Schools Commissioner, that the result would not only be significant changes in the distribution of power locally, but the future exercise of professional roles as well, including their articulation. The author suspects that this will become clearer over time to heads, MAT Chief Executive Officers (CEOs) and other senior players in the system. At the time of writing, a consultation paper was expected in the Autumn, 2018, setting out the expectations (for now) from central government of what local government would do in relation to schools.

As well as early arguments about democracy and their significance in the current English context, therefore, this paper includes some reflections on the extreme fluidity of the current policy assemblage (Ball and Junemann, 2012) for English schools, within a highly centralised state, and the immediate implications this may have.

### **The empirical research**

The empirical research for this paper was based in two contrasting local authorities (LAs) in an English Government region: a geographically large rural shire, interspersed by market towns, and a much more compact urban unitary authority. Both Councils were controlled by a single political party at the time of writing, albeit different ones. Both Councils, as reflected in strategic documentation and these interviews, faced similar challenges: a significant demographic growth of young people, arising from or requiring economic development and new employment opportunities, the need for skills development in different specific areas, and the provision of new housing and new school places, but not always in current geographical locations.

Academisation at secondary level was largely complete in both authorities, but still developing at primary, reflecting the recently reported national position (DfE, 2017b). In the

unitary, secondary provision was made largely by national or regionally based multi-academy trusts (MATs), but in the shire a greater proportion of secondaries remained stand-alone academies, or Single Academy Trusts (or SATs as they are now confusingly referred to). Both the demography and political histories in the contrasting LAs reflect Simkins' *et al*'s (2014) distinction between historically interventionist and 'hands off' approaches to schools and a range of other responsibilities.

The primary data were gathered from semi-structured interviews with senior politicians from three political parties (Conservative, Liberal Democrat and Labour) intended to explore the arrangements for local democratic oversight of the areas they served in relation to what Greany and Higham (2018: 26) describe as the 'hierarchical control' (from central government) of all schools – 'maintained', free and academies – a key aspect Greany and Higham argue of the government's policy aspiration for a 'self-improving schools-led system' (SISS).

Some summary outcomes only of these interviews are referred to here, partly because some interviewees agreed to be interviewed and recorded only on condition no direct quotations would be sought. Gibton (2016) describes this perennial problem in interviewing senior policymakers, elected or appointed, which is one the author has experienced a number of times. Nevertheless, what they have to say adds to our understanding of not only policy narratives, but system design and implementation as well.

It is also worth noting that the interviews took place within the rapidly changing context of national policy intentions, often *unstated* as Greany and Higham (*Ibid*) argue. The interviews were framed in terms of the aspirations of the two LAs as expressed in strategic documentation and – for noting - the outline of intended LA responsibilities defined for the current conjuncture by the 2016 White Paper (DfE, 2016). In practice, more time was spent on school improvement and its significance for local school ecosystems, possibly because it was more controversial, but it emerged from both the documentation and the interviews that it was central to LA aspirations.

The interviews went wider to include senior officers in both LAs, including chief officers. Because of the *de facto* concentration on school improvement, interviews also took in senior posts with responsibility for school improvement, though titled differently. The senior structures were being reviewed at the time in both LAs, partly because of extreme budgetary constraint (see below), and were clearly generating uncertainty.

A later phase of the interviews, still continuing, saw interviews with head teachers and chief executives (CEOs) of MATs, a Regional Schools Commissioner (RSC) arranged through the office of the National Schools Commissioner, an individual involved with a national charity promoting free schools, a former senior staff member of staff in central government roles, including at Number 10, and others. This later stage of the research is touched on here where appropriate, but will be drawn on more extensively in later work.

### **Policy background**

The movement away from LA ‘control’ of schools in England to what arguably is now a ‘mixed economy’ of schools has been much studied at various stages of the process, for example: Academies Commission (2013), Boyask (2013), Coldron *et al* (2014), Cousin (2018), Greany (2015), Lord *et al* (2016), Riddell (2016), Simkins (2015) and many more. Many earlier studies have been relatively small scale, comprising a few schools or handful of local authorities, but recently, the outcomes were published of the national Nuffield-funded project (Greany and Higham, 2018), using 47 school case studies across four localities, with a particular focus on the SISS and how stated policy aspirations have shaped and formed the current polity.

Briefly, the mixed economy comprises academies, which can be ‘sponsored’ (from 2003), and ‘convertors’ (from 2010), free schools, and (local authority-)‘maintained’ schools. Academies and free schools are legally the same, there are further sub-categories of University Technical Colleges (UTCs) and Studio Schools, and there are faith schools in all categories and. Academies are funded directly through an agreement with the Secretary of State, for which they are held accountable by the Education and Skills Funding Agency, an ‘executive agency sponsored by the Department for Education’ (GOV.UK) and via (but see

below) Regional Schools Commissioners, central government officials that have been in existence since 2014.

Academies have increasingly joined Multi-Academy Trusts (MATs), not always consensually, that vary in size and reach from the local, through regionally to the national. MATs developed from informal and formal governance arrangements between schools ('soft' and 'hard' federations), again not always formed consensually, then Trusts defined by the 2006 Education Act (Riddell, 2016), which provide the legal basis for academies. New proposals for *single* free-standing academies – much commented on by Simkins (2015) as an important and strategic feature of the (then) fragmentary system - no longer receive approval. MATs are companies registered at Companies House, private companies in all important senses (and conditioning behaviour), that have a small number of founding 'members', akin to shareholders, who appoint the Board of Trustees, which then determines the governance relationships with individual schools, which may have local governing bodies with varying powers, or none (all DfE, 2017). EAct is an example of a MAT that does not see the need for any local governing body. The national governance handbook is a key policy articulation of what might be seen as the technocratic emphasis of the new governance arrangements and could be seen as an aspect of the depoliticisation of the schooling system in England (Wilkins, 2017).

Accompanying the declining statutory and other responsibilities of LAs have been strategic reductions in central government grant support (49.1% in real terms 2010-11 until 2017-18 – NAO, 2018) and the budget reductions due to 'losing' academies, whereby central government grant to LAs is reduced to purportedly reflect the fact that LAs will no longer need to be providing services to these 'newly-independent' state schools. The new regional central government officials were appointed from September 2014, the Regional School Commissioners (RSCs), as has been said. They are *advised* about the development of new MATs, new conversions of maintained schools to academy status and the 'reassignment' of individual academies to new or different MATs by headteacher advisory boards (HTBs). Three quarters of these heads are elected from existing academy heads who are 'well-positioned' in Coldron *et al's* (2014) definitions – that is, who lead schools that have good Ofsted inspection outcomes and have good pupil outcome data. The RSCs were given new

extensive powers originally (Riddell, 2016), with growing staff complements to match (more than 600 reportedly), but the announcements made by the Secretary of State (Hinds, 2018) will dramatically modify both these powers and, as said, the local balances in relationships.

It is further argued here that such substantial changes such as those announced, made without even the need for secondary legislation, because RSCs are directly appointed central government officials, could similarly be followed by more of a perhaps strategically different nature in due course. This makes it extremely difficult to be clear about national directions for school governance and organisation in the longer term in England, and indeed the settled roles of RSCs, CEOs, headteachers, the recently constituted Sub-Regional School Improvement Boards mentioned in the abstract and LAs more widely. This policy ‘assemblage’ (Ball and Junemann, 2012: 138) appears to be (*permanently*) unstable, as Greany and Higham (2018) also observe, with shifting degrees of ‘steering and rowing’ (Ball and Junemann, *ibid*: 141). This fluidity not only generates uncertainty, but makes it difficult to achieve the objective distance required for authoritative academic comment.

### **Primary data gathering**

Arguably, the focus of many studies of the developing English ‘system’ (to use the contested term) of schooling examine aspects of policy narratives and their implementation such as: how was the policy articulated (and what was left unsaid), how had it gone, and what are its effects, intended and unintended? Therefore, what is the emerging *shape* of the system and what are its implications? Less frequently examined are the current nature of democratic oversight of state schooling in England (and by whom), and how parents and wider communities can be involved in children’s schooling.

Thus, interviews were sought in both Councils with the Leader of the Council (however defined, but one was a directly elected mayor), the Cabinet member for Education (similar), and the Chair of Scrutiny. In one council, the party of the Cabinet member changed due to a reshuffle and so two interviews were held. All requests were agreed, though it did not prove possible to arrange a timely meeting with one of Leaders. All politicians interviewed were extremely experienced and thus gave – in the author’s view – authoritative accounts of their

work. All interviews were recorded, though without transcripts because of the above confidentiality matters. Questioning covered the following broad areas:

- 1) Perceptions of the role of the council in relation to schooling, the nature and extent of the council's democratic mandate and the contribution of schools to their strategic priorities.
- 2) How the Council made decisions, which in open forum with the possibility of public questioning, and which in private. Which matters went to Scrutiny, how these were chosen, and whether they considered scrutiny, and involvement of broader stakeholders, effective.
- 3) Perceptions of the exercise of the Council's three major responsibilities as above: providing sufficient school places of good quality (defined by Ofsted inspection criteria), ensuring the needs of vulnerable children are met and championing parents and families (DfE, 2016: 70). In practice, all three responsibilities involved some measure of attainment and progression monitoring, as has been said, and hence school improvement functions, and how school quality was relevant to the Council's broader aspirations. This then turned into a lengthier discussion, despite the Government's *original* intention that LAs would cease school improvement work by 2017 (2016, *Ibid*).

Interviews with senior officers broadly complemented the above, seeking perceptions of the Council's work in the same areas and the contribution made by staff. Councillors and officers provided copies of relevant documents that could not be found on websites, of which there were actually a considerable number. Later comments made by heads and others, as referred to above, are drawn on here where available and relevant to the discussion, although their overall focus was slightly different.

### **Summary outcomes**

The summary outcomes to date are reported are grouped under the three headings outlined above and draw on interview data, and local and national documentation. All interviews with elected *politicians* were conducted before the significant announcement made by the newly-appointed Secretary of State (Hinds, 2018) but not those with officers.

- 1) There was broad agreement among all about the nature and extent of the council's democratic mandate and the potential contribution of schools to strategic priorities. For example, in the unitary, the development of new industrial sectors (media, creative and digital) were creating new and different demands for skills, according to the Council and its broader partners, identifying a need for more pre- and post-16 investment. In both LAs, population growth, plus in the shire, the relocation of armed service personnel, was generating a demand for more school places. This was particularly significant in the unitary. Similarly, in both, a growth in SEND referrals against diminishing yet overspent children's services budgets was creating substantial need for new places in mainstream and specialist provision.

Building new schools and creating new school places has never depended on just the LA: besides their own decision-making processes, which can be lengthy, it has depended on a statutory process and external approval for substantial change – either ministerial or more recently through School Organisation Committees – and the ability to fund any capital works involved. These have varied with national circumstance, the political colour of national government and local political control, but the requirement to run 'competitions' for new schools, which since 2010 have had to be free schools, has led to processes described by politicians and officers alike as chaotic at best. It also has resulted in a situation where the original notions of free schools as so-called 'disruptors' of local school systems (see Toby Young, various) - that was the intention of the original policy change of free schools, confirmed in these interviews – have been replaced by demands for (largely) creating new capacity. Finally, it should be noted that the final decision to open a new free school is eventually still one for the Secretary of State again, on the advice of the RSC.

The 'sponsorship' for such a new free school – which is what they now routinely are - is sought from an 'approved' MAT likely to provide and sustain 'good' school places. And indeed, it is MATs that most often write the source of bids for the competition. The forecast required for the school places (or, in the case of SEND, from Commissioning Plans) however comes from the LA, but the capital is allocated from a national DfE Team. Even when local MATs in an area agree between them which will bid on a cartel

basis for new school places – or even in the unitary where they asked the LA to run a competition for new secondary schools – it is open for a different MAT altogether to make a bid direct to the RSC (from ‘left field’ as one officer described it), which had occurred there. In a neighbouring area, the successful bid came not from a MAT with local presence, but one based in the Republic of Ireland.

The further complication for new (free) school proposals is that a separate national DfE-owned property company (see [www.LocatEd.co.uk](http://www.LocatEd.co.uk)) is responsible for finding possible sites, consistent with local planning restrictions and other pressing needs to find land for new housing – either on green or brown field sites - within the time scale required for children who are already born and getting older. In addition, neither the DfE nor its property company have the power to issue the sort of compulsory purchase orders available to LAs for sites whose ownership is still in private or other sector.

Not surprisingly, in both LAs, *substantial* delays were reported and in one of them, discussion of the conversion of a former fire station for a new special school. In the other, in the end the LA had taken the decision to expand its special school places by expanding existing maintained schools, a process not requiring such a lengthy statutory process, or at least, a far less complex and unpredictable one, and it owned all the relevant sites.

In the absence of new school places, in existing schools or otherwise, the LAs have no power to *make* existing academies or free schools even marginally increase their intake, the opposite being the case for maintained schools, reportedly (according to local media) leaving children without local accessible school places precisely when needed, in one case with the headteacher newly appointed by a MAT unable to move to a new school at all because it didn’t exist.

- 2) All interviewed in the LAs, with officers’ and politicians’ views mirroring each other, made the case for the Council being the *only* body that could identify and understand local needs and claim legitimate oversight of *all* services in and to their communities. In one LA, this was expressed in explicit moral terms, reflecting Council literature. In the

other, it was similarly claimed that the Council was the only organisation that could legitimately *represent* residents.

The nature and levels of openness of each Council's decision making was thus presented by all as vital. There are few open, publicly accessible, routine meetings of any committees of the Council any more (with some exceptions) as they were mainly abolished in the late 1990s. But the Cabinets are certainly both. Both were entirely composed of members of the majority group on the Council. Strategic or publicly important decisions about Education were brought to Cabinet by the respective Cabinet members for Education. She would explain in public what they were minded to decide, supported by a senior officer; sometimes the Cabinet would vote on the matter in public. Papers for meetings are published on the Councils' websites well in advance, according to statutory requirements, and members of the public are allowed to ask questions. In practice, members of the public were allowed to *address* Cabinet in both Councils.

Both Cabinets could refer major decisions to a full meeting of Council, with similar requirements for public access and allowance of address. Certain statutory matters can only be discussed in Council, for example, setting the annual budget and the level of the Council Tax.

Contrast with this with decision making by the RSC, who reports to the National Schools Commissioner, who is in turn accountable to the Secretary of State. This ministerial postholder is elected as an MP, but appointed by the Prime Minister and accountable to Parliament. In practice, RSCs and the NSC have since their inception been overseen by an appointed and unelected member of the House of Lords. To recap, RSCs make decisions, on the advice given by the HTB, affecting individual schools, groups of schools or MATs which are only then made public. Neither the agendas nor the papers (reportedly because of commercial confidence) for HTB meetings are published *at all*; summary minutes of the monthly meetings have been published in a timely way only recently, reportedly at the insistence of the recently departed RSC. This, according to interviewees, reportedly often leaves councillors, officials, headteachers, governors,

MAT CEOs and their Boards unaware of when and why decisions are made. The latter three have an assigned DfE official for new proposals, who is supposed to inform them when decisions will be made and what was decided, but not on *how* discussion went and *why* in these closed forums.

And at individual academy level, or MATs as a whole, decisions about staffing structures – and sometimes the futures of individual leaders – are made at a Board or executive level, then communicated, reportedly again sometimes indifferently and without any local input to a MAT whose HQ may be in a neighbouring town or ‘hundreds of miles away’ (LA officer). One example encountered was where, following a disagreement with a MAT Board, the original ‘members’ of the MAT had met in private session and decided to dismiss an academy’s local governing body, as they were entitled so to do (DfE, 2017). The academy’s staff were told of this decision at a morning briefing by the CEO with the headteacher present, who then informed the chair of governors who himself did not yet know.

Individual academies within a MAT reportedly have virtually no relation with the RSC, a matter that will be further investigated by the author. The RSC generally relates only at MAT level, not again surprising given the size and complexity of the regions they ‘oversee’. Although there is a reported annual ‘health check’ on a school’s data (including Ofsted data) undertaken by an RSC officer (and actually both the LAs visited – and Ofsted of course), any immediate concerns from the RSC are taken up directly with the MAT, usually via the CEO. There appears to be a developing pattern whereby the RSC will hold an apparently ‘challenging’ annual meeting with the Chair of the Board, who will also often be a founding ‘member’, and attended by the CEO. It is not clear whether this is established practice outside the region being studied.

Ofsted also do ‘focused’ inspections of schools, in the absence of a statutory right to inspect the MAT itself, and in one of the LAs visited, this had led to the rebrokering of a MAT by the RSC. The individual headteacher often has little say or involvement in these sorts of decision, including about their own futures. One, reflecting speculation about whether headship ‘autonomy’ may become a thing of the past (see Lord *et al*, 2016;

Greany and Earley, 2018), expressed her isolation and dismay about her lack of involvement in discussion of the future of her school and (her) annual appraisal process. Much of the everyday language in MATs noted in this research was of ‘holding to account’, ‘what are *you* going to do (about this)’; rarely ‘what support you need’ or even ‘how can we help’. These last two tropes were often to be found in earlier studies of school governors (James *et al*, 2010) and no doubt this will provide a future object of profitable study for critical discourse analysis.

Lastly, the scrutiny processes of local authorities need noting in the context of openness. Originally set up in the wake of the abolition of former Council committees, these bodies have the power to scrutinise or ‘call in’ not only decisions and processes of their Council, but all those of all the organisations in the areas the Council serves. The scrutiny process was being reviewed in both LAs visited, but there were common features, including being chaired by a member of the opposition party, being routinely consulted directly by the Cabinet member, and agreeing an annual programme with the Council leadership, especially where the Council was undertaking a major review (examples included the expansion of special school provision and closure of children’s centres). Headteachers and other stakeholders attended both commissions and often a controversial report would receive extensive public local media airing (for example, a report critical of differential school admissions processes for academies and its effects on parents). In this sense, they may resemble the functions of House of Commons Select Committees (see <https://www.parliament.uk/about/how/committees/select/>), and certainly neither have the power to *compel* change from their respective executives. However, all Cabinet members interviewed felt they were directly responsible to their electors, the communities their Councils served and the need to make an adequate, justifiable and public response to criticisms and stakeholder views.

- 3) All interviewees questioned about the implementation of the three major LA responsibilities in the 2016 White Paper (DfE, 2016) rehearsed the implications of the budget reductions outlined earlier; all referred to the increased demands for children’s services (also referred to) and elderly social care; all knew of the reported forthcoming crisis in at least one council nationally against annual assessments of council financial

sustainability (NAO, 2018). All explained the officer restructuring in their Council as being related to the difficulties of ‘focusing on the right things’ in the light of budget cuts. Officers in particular explained that they either had no one to undertake particular (recognised and accepted) responsibilities, or the ones that they had were sometimes ‘overwhelmed’ as one said. One of the Cabinet members - in the unitary - explained how consequently they had worked on developing a culture in their Council where all officers and politicians, irrespective of responsibilities (eg in Finance or Personnel), were able to contribute to championing vulnerable children, families and communities and enacting the corporate parent. Time and further research will tell whether such efforts are successful or not, but the slant this particular Cabinet member gave reflected the Council’s general hands on approach.

The complex difficulties in current arrangements of securing the provision of sufficient good school places in the context of demographic growth and change were rehearsed above, particularly so where this involves developing new schools or expanding existing ones.

The word ‘good’, however, implies more than commissioning places from the private companies that are MATs, irrespective of *their* willingness to provide them, as schools may have uneven trajectories and years of poorer outcome data or weak inspections. So both LAs continue to do an annual health check on data, and this is sent to all schools, irrespective of status. Where there are ‘concerns’ or ‘risks’, however defined, contact is made with senior leaders and a meeting offered again irrespective of status. Both LAs expressed the willingness of both maintained schools (and MATs) to respond to such approaches, and both LAs offered support (often from an existing senior leader elsewhere) and access to other programmes, but with variable charges depending on status.

However, where academies (or MATs) – both LAs have had recent poor experiences in this regard - did *not* wish to engage with LA reported concerns, officers and politicians both expressed their frustration at their complete lack of power to challenge the schools effectively. In one LA, politicians of the same political party as the government

expressed ‘utter’ frustration with the system as it now is, pointing out their worst performing schools were academies but they could do nothing save refer it to the RSC, who would then refer to the MAT, sometimes using their own ‘Education Advisers’ to undertake an investigation parallel to both that of the LA and Ofsted. These senior politicians described how they had repeatedly raised these concerns about an overly complex system that ‘just did not work’, in party political gatherings without receiving any national response. The MAT in question was the one referred to above which had been ‘rebrokered’ following a focused Ofsted inspection of the schools whereby most received at least one worse grade than when they had been LA-maintained, and with several that ‘require improvement’.

Partly as a response to these quality matters, but also the need to expand school places in the right locations, and the wish to engage *all* state schools irrespective of status at the early stages of setting the strategic objectives for their local visions, both LAs had developed LA-wide partnership arrangements in which academies, free and maintained schools were represented and, crucially, the MAT CEOs, even where regional or national. In the unitary, the schools partnership reported to a much wider partnership group, chaired by the Leader and including local HE providers, colleges, and business and community representatives that was serviced by the Council’s Democratic Services and was the source for the wider vision for education and skills.

Both LAs were in the process of refining the terms of reference for these School Groups – partnerships in new formulations compared to those considered by Hatcher (2014) and Riddell (2016) – that would help develop collective responses to the ‘development, support and challenge’ of all schools as one officer put it. The desire was to move from mere ‘talking shops’ as one secondary head in the unitary described it to bodies that actively engaged in taking more collective responsibility for monitoring and improving outcomes for all young people in their areas, something both Councils felt was part of their core purpose, including both politicians and officers.

The apparent and reported move away from earlier non-engagement with the Council to the active enrolment of all MATs represented in an area were a significant

development in both areas. More importantly still, officers in both LAs (and a Cabinet member in the unitary) reported that the RSC saw these bodies as crucial to ‘holding to account’ MAT CEOs – something considered absent before. It should be noted that this is one of the tropes of the new governance system.

This, if it develops positively, may prove to be a developing national pattern. One apparent driver, unlike in the partnerships described by Hatcher, was the very recent announcements made by the Secretary of State (Hinds, 2018). These, in response he said, to widespread concerns expressed by all parties about unclear systems and parallel inspection and data systems, was the need to set out a ‘vision for a clearer school system’ (*Ibid*). The *immediate* implications – because of the centralised nature of the state referred to - seemed to be for RSCs and their staff. They could no longer employ their ‘Education Advisers’ to give an unpublished assessment of academy outcomes or MAT’s quality – including leadership – and there were to be no more compulsory conversions to academy status. RSCs were to work more closely with LAs (though many had been doing so according to one interviewee), and their endorsement of these local school partnerships could potentially represent significant changes to the governance structure round schools.

DfE officials had recently been conducting their own research into how LAs conducted their school improvement responsibilities (one LA had been involved) saying there was to be a ‘ministerial briefing paper’. It has now apparently been announced to LAs (not publicly) that there would be consultation paper on the role of LAs to be issued in Autumn 2018. A chief officer had reported that they had been told that there had been a draft paper on the roles of LAs before the 2017 election that never emerged because of lack of ministerial sign off. This paper would presumably have not included much on LA school improvement functions but its successor – scarcely eighteen months later – might.

As has been argued, such changes do not require legislation of any sort, and so could well be altered quickly in the future, with further implications for the work and power relationships for all significant local actors in state schooling, some of them major.

As a footnote to these points about partnerships, one fairly short-lived historic curiosity has been the Strategic School Improvement Fund (SSIF). Over three rounds of bidding, £56 million was awarded to 171 projects hosted significantly and variably by MATs, teaching schools *and* Local Authorities, which led some bids (both LAs visited had schools in their areas involved). Successful local bids were to be overseen by Sub Regional School Improvement Boards (DfE, 2018), whose function was to advise the RSC. Membership included Teaching School representatives, all LA Directors of Children's Services (or their representative) in the area, representatives of the Diocesan Boards of Education (or other relevant faith groups) and the RSC. These were apparently originally intended – it would seem, though interviewees found it difficult to give specifics – to have broader roles. But the SSIF has now 'closed' (to new bids), as the DfE website announced (though the author was given some advance warning of this), and so it remains to be seen whether these SRSIBs have much further life after the current rounds of SSIF spending have finished in schools. The intention of the fund had been to provide high quality leadership support and challenge, by the means of paid time, from National Leaders of Education. Not all MAT CEOs were enthusiastic apparently, however, and an officer interviewed and a head expressed some dissatisfaction at having to turn down what could have amounted to £10,000 worth of support for one school against the background of austerity.

### **Further discussion and tentative conclusions**

There are two immediate background factors that must frame any tentative conclusions to be drawn from this research based in two local authorities, assuming (not necessarily safely) that the sorts of concerns, discussions and developing relationships are reflected elsewhere. Some of these reinforce developing knowledge, others may pose different questions.

The first is that there is likely to be no primary legislation for Education in England until the next general election which does not need to be until 2022. The main background factor to this is that there is no legislative room in Parliamentary time until then because of Brexit. Unsurprisingly, there is no official comment to this effect, but local politicians have been told this by ministers and it reflects press speculation. Even more seriously (depending on

the view taken) is that the preparation for Brexit seems to be absorbing officials' time across Whitehall – both LAs reported difficulties with getting responses to requests and queries of officials with one saying 'there is just no one at the DfE' at the moment. In other words, there would be no one to prepare legislation for political decision making even if there were a desire - even for such changes in the law on grammar schools that would be needed to allow new ones to open, leaving aside whether the current government could command a majority.

That does not mean stability, however. This is not the place to rehearse the pressures of responding to demographic change against the background of austerity or maintaining student outcomes. But the second background factor is the 'highly centralised state' as one ex-senior official described it in an interview: it is always open to the Secretary of State to make directions on the basis of the powers that have been accumulating to the postholder for considerable time, and certainly so over the highly centralised polity for English schools described by Greany and Higham (2018), not just because of the growth of free schools and academies.

The apparent shifts in the current policy assemblage signalled here mean that some unfinished work about the role of local authorities in what has been termed their school improvement responsibilities, and the apparent local isolation of some MATs, may draw to some immediate resolution, even if temporary. All the individuals interviewed by the author that have occupied RSC roles have expressed willingness to work with LAs, though the latter reportedly sometimes resisted this, especially as RSCs acquired new powers with respect to maintained schools in addition to those they had over academies (and free schools). This evidence suggests that LAs adapted very quickly to the new power relationships – as has often been the case – and have been establishing working relationships, though not without tensions. The new LA-convened school partnerships, apparently being encouraged by the RSC in at least the region concerned, may provide a more stable working relationship between all the schools serving an area – subject to all the historic tensions of course – as perhaps another stage in this work, though this will prove very challenging for LAs with much reduced or no capacity to do this work. The detail of the DfE consultation paper –

should it eventually emerge – may at least provide a national framework for the development of local relationships, which arguably is currently absent.

While LAs have been adapting though, so have MATs. Some heads in earlier interviews that reported originally wanting to ‘convert’ on the basis of (understandably) poor relations with their local LAs (or working across LA boundaries) (see Riddell, 2016) may find some difficulties in adapting to the new polity, but many self-reported pragmatists will not. CEOs have either been reported by LAs or by themselves as wanting to engage with wider discussions in the challenges facing their communities as a whole. As one secondary (academy) head interviewed for this work explained, all the children come from the same communities, irrespective of the school status. Arguably, in ways similar perhaps to what happen to headteachers after gaining control of their own budgets, and the need to learn how to respond to choice markets, academy heads, MAT CEOs and others seem to accept that the wider social and economic context for their schools remains and understanding how their role can make a contribution is important to them. In that sense, an elected local authority and its officials are better placed than most, arguably again, to act as ring holder, but may also attempt to determine what local communities want. Not everyone feels this though and it is difficult to gauge the extent of this from arguments in the education press for losing school, headteacher and teacher autonomy, and for the use of MAT-scripted lessons authored in a completely different place.

The immediate consequence for the work of school leaders which, as Gunter (2012) long ago argued, will be framed and positioned for some time, remains continuing instability. And none of this makes any change to the current contexts of outcome and inspection data and their immediate consequences, especially where schools or individuals may feel vulnerable. This regime remains highly punitive. The potential changes discussed here *may* provide some different (and more humane?) ways of responding to schools at risk, as it has become known, but that will require deeper changes to the ways senior leaders work, and the discourses that animate them. All of this is beyond the scope of this paper.

In whatever way the challenges of attainment, progression, mobility and social justice are expressed or characterised, however, neither academies (Connolly *et al*, 2014) nor now

MATs (Greany and Higham, 2018) provide *the* model of school organisation to respond to them, because of their continuing uneven performance. Any organisation requires more than just changes in its accountability and governance structures to work well however – why would it not? And the chimera of ‘standards not structures’ still remains. Any one model is not *necessarily* the best solution everywhere, or sustainable, however conceived and in any discourse. Or, indeed, everything will work somewhere.

In the highly centralised and hierarchical schools English schools system, not requiring even secondary legislation to bring change, the recently announced resignation of the National Schools Commissioner, who oversees this system, and the appointment of a successor with differing views and professional priorities, under a different minister, could well lead to further rapidly implemented changes altering local power relationships, for all the actors involved. Fluidity, as the only steady state of this obviously unstable assemblage (Ball and Junemann, 2012), will entail positioning and repositioning in relation to it for all. Instability is the new stability. In one sense, the commitment to market principles that has been a key component of reform for over thirty years might be expected to retain different solutions to similar challenges in different areas, compounding the difficulties of authoritative academic comment from an objective distance.

There remain two issues. MATs, however differently or better woven into local partnerships, are likely to remain the *de facto* preferred model for the foreseeable future. They may have varying effectiveness, and may bring technical solutions to the difficulties faced by particular schools in achieving better in nationally measured performance outcomes, but this need not involve any local community involvement under current arrangements. The arguments referred to above that are sometimes made for technical (and professional) uniformity of identical, scripted lessons, and the need to *reduce* autonomy certainly reflect the arguably ‘depoliticised’ nature of Education and its implications for governance explored in detail by Andrew Wilkins (2017). Schools are overseen either locally or at MAT level by people who are selected for their technical expertise (DfE, 2017a), not who or what they may *represent*. A ‘consensus’ about the need for better outcomes may mean this does not matter to some as long as they are good.

But a technicist and efficient oversight of or holding to account does not *require* openness – which is actually notably absent from the current arrangements described above. Decision making can thus seem arbitrary and closed to those working in or involved in individual academies within a MAT. The boundaries of the organisation with the outside world – and with the current RSC accountability structure – are managed at Board and Executive level. This may reflect earlier times before the ‘end of deference’, but this private sector model may be considered to be out of step with the times for overseeing the spending of what is public money.

MATs may be better woven into local partnership structures and thus better held to account – or offered support – and be able to make wider contributions to the broad communities they serve. But these school partnerships, however positive, where decisions are made about schools, and indirectly teachers and children and their parents, also do not meet in the open and their documents are not discoverable on the internet to outsiders. If the LA partnerships described here are successful, there may well develop wider professional involvement in and commitment to the organisational health of all local schools, and senior professional leaders may well be able to input to wider policy and other strategic developments. This may be considered satisfactory for professional matters, but there is no wider input to these partnerships, including from local democratically elected politicians. This echoes one of Hatcher’s (2014) points.

But the second issue is that there is no wider public forum of any description where these matters could ever be discussed with an input to decision making. A much wider group of stakeholders might have views about where new school places should be (perhaps technical and considered publicly by Councils in their public processes), but also for which age range, or what the provision might be for young people with SEND and how separate or segregated. So these wider policy directions and educational preferences are now never discussed as such, perhaps because of the ‘depoliticised’ consensus about outcomes; there is now no such local forum as the RSC interviewed was very clear and will not be one unless Councils, inside their resource-strained environment, invent one. Consultation, for statutory or other change, is not quite the same thing.

So finally, the implications for the nature of local public life in England are profound. What will it mean to be an informed citizen in the future in a democracy? Runciman (2018) argues that representative democracy seems to produce technocracy – this is the ‘destatalisation’ referred to (Jessop, 2002) in the abstract – but it will likely lead to the citizen as bystander and observer, informed or otherwise. Whether this matters is a longer discussion to have, beyond the scope of this paper, but the optimism reported here from local politicians could be the foundation for the re-democratisation (and opening up) of state schooling in England, whatever new organisational form it might take. And the choice will be between some LA or multiple LA based organisation of some sort, with wider stakeholder involvement (potentially the model in the unitary), or something akin to the more remote bodies that oversee hospitals or indeed MATs. Neither of these latter fits quite the bill of being embedded into local, democratic life.

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