
A Bad White Paper and a Bad Education Bill

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ABSTRACT This article argues that the provisions in the White Paper and the Education and Inspections Bill mean the end of a coherent system of state education, locally administered. The education proposals are clearly part of the Government's ongoing transformation of the public sector. It is argued that the Government's education agenda is all about selection, segregation, fragmentation and privatisation.

Introduction

Back in July 2004, the Department for Education and Skills, headed at that time by Education Secretary Charles Clarke, published its *Five Year Strategy for Children and Learners*. As the second Blair administration was entering its final phase, the Government was keen to emphasise choice and diversity in crucial areas of public provision – and particularly with regard to education and health. The goal(s) specified at the start of Chapter Four of the *Strategy*, a chapter concerned with the reform of secondary schooling, was 'More choice for parents and pupils; more independence for parents and pupils; more independence for schools'.

In 2004, the chief means of achieving the Government's objectives in the secondary sector was an increase in the numbers of two types of school: specialist schools and city academies. The number of specialist schools and colleges had already increased from 196 when New Labour came to power in 1997 to 1,955 in 2004, and it was envisaged that there would be a further massive expansion over the next four years. It was envisaged that the number of city academies – 17 in September 2004 – would have increased to at least 200 by the year 2010. And it was hoped that 95 per cent of all state secondaries would be either specialist schools or city academies by the year 2008.

Although many on the Left have been understandably worried by the threat of 'selection by specialisation', it seems clear that the specialist schools policy has been steadily growing in popularity and that it will be very difficult

to reverse this initiative. It is at least reassuring to know that the right to acquire specialist status is no longer restricted to an elite group of schools and that only a small percentage of specialist schools choose to select up to ten per cent of their pupils on the basis of 'aptitude'.

Much more worrying, of course, is the concept of the city academy, modelled as it is on the Conservatives' City Technology Colleges Project dating from 1986. Academies enable private business people and companies to take control of state schools and are clearly a form of privatisation of public schooling.

A Frightening New Direction for Government Policy

Much of New Labour education policy since 1997 – and particularly the proposals outlined in the 2004 *Strategy* document – could hardly be labelled 'progressive' or 'enlightened'; but things have really become scary with the publication in October 2005 of the White Paper *Higher Standards, Better Schools For All: More Choice for Parents and Pupils*. Here the proposals clearly signal the end both of genuine comprehensive secondary schooling and of a national system of state education, locally administered.

In his Foreword to the White Paper, the Prime Minister argues that we are at an historic turning point: we now have an education system that has 'overcome many of the chronic inherited problems of the past'; and, after eight years of investment and reform, it is poised to become world class, 'if we have the courage and vision to reform and invest further and put the parent and the pupil at the centre of the system'. Further reform must build on the freedoms that schools have already received and extend them radically; and, to underpin this change, 'the local authority must move from being a provider of education to being its local commissioner and the champion of parent choice'. According to the Prime Minister, comprehensive schools were introduced to deal with the weaknesses of the post-war divided secondary system, but their introduction was often accompanied by all-ability classes, which meant that setting by subject ability was rare and overall standards were far too low. The Government has apparently sought to 're-energise comprehensive education', which is Blair-speak for destroying it. This has meant creating a greater diversity of secondary schools; and the aim is now to set up a system of 'independent non-fee paying state schools', with all schools deciding whether they wish to acquire a Trust – similar to those that support academies – or become a self-governing foundation school.

Elsewhere in this number of *FORUM*, John Dunford, General Secretary of the Association of School and College Leaders, argues that the main proposals in the White Paper are not as radical as New Labour spin doctors have tried to suggest. In fact, Labour critics and Conservative supporters have been reacting to the *spin* on the White Paper, rather than to the White Paper itself. In Dr Dunford's view, the much-trumpeted freedoms to be enjoyed by the new 'Trust'

Schools are largely a mirage and are already enjoyed by existing foundation schools.

It is, of course, true that Tony Blair has had his own reasons for wishing to overstate the ground-breaking nature of the White Paper's measures. Yet, having said that, the essential message of the document is that comprehensive education has failed and that the future lies with new types of school with specific rights and privileges. There is no talk in the White Paper about human educability, one of the underpinning principles of the comprehensive reform. In fact, on page 20, we come across the extraordinary statement that pupils can be divided into three main categories: 'the gifted and talented, the struggling and the just average'.

What, then, are the contentious proposals in the White Paper which have turned the education debate into a battle for the heart and soul of the Labour Party; and how have these issues been addressed in the subsequent Bill?

New Proposals for Admissions

The White Paper proposes that more schools will be able to 'control their assets, employ their own staff and set their own admissions criteria', while 'taking full account of the Admissions Code of Practice', whatever that means. And many critics argue that this could easily result in an admissions 'free-for-all', with enormous implications for the selection of pupils and the segregation of schools.

There is already research evidence to show that a number of over-subscribed secondary schools use a variety of overt and covert selection methods to ensure that they acquire a more privileged pupil intake. At the same time, figures indicate that Church of England primary schools are able to take in a far lower than average proportion of children from impoverished and working-class backgrounds, largely owing to their separate admissions arrangements. There is real concern that the Government's education programme will encourage more schools, particularly at the secondary level, to select only those pupils who will place no pressure on the school's resources and will enable the school to perform well in the all-important league tables.

Some commentators argue that most headteachers and governors will be reluctant to cut loose from existing local arrangements. But union activists like Martin Powell-Davies, Secretary of the Lewisham Branch of the National Union of Teachers, argue that once a few schools opt for the route of greater independence, others will quickly follow, for fear of being left behind in the competition.

It is also very worrying that over-subscribed schools that are popular with local parents will have 'an easy route to expansion', while those schools that are failing to attract 'a sufficient number of pupils' will be forced to close. It is true that few schools will be in a position to actually provide a greater number of classes, but where they are able to expand, the effect on neighbouring schools

that are less popular will be disastrous, causing them to lose pupils and the funding that comes with them.

The Role of Sponsors

There is tremendous anxiety about the loss of local accountability involved in encouraging private sponsors and faith groups to set up their own educational 'brands', grouping schools together in 'Trusts'. We already know that 21 of the 57 open or planned academies are linked to various Christian organisations. Yet there are many who feel that the proliferation of faith schools will simply lead to the greater fragmentation of society. And it is not clear why those with money should be able to acquire a major say in the education of our young people. The White Paper is keen to provide 'a straightforward route to bring new providers into the system' by requiring all new schools to be self-governing foundation, voluntary-aided, Trust Schools or academies, with 'competitions' to decide who will take them over.

The Education Bill

A significant proportion of the original Labour opponents of the White Paper seem to have decided that the Education Bill published on the 28 February addresses their major concerns; and this partly explains why they overcame their misgivings to support the Government at the Bill's Second Reading on the 15 March. Similarly, there are those academics who argue that the Government has listened to its critics and removed a number of the White Paper's glaring anomalies. For example: an article by Professor Geoff Whitty, Director of London University's Institute of Education, in a recent number of the *Education Journal* (Issue 93) is entitled 'Better than expected – the Education and Inspections Bill'.

The basic architecture of the original White Paper's intention remains in the Education and Inspections Bill; but there are, in fact, *three* key respects where the drafters of the legislation have taken account of criticisms of the White Paper. There is now an agreement to require schools to 'act in accordance' with the Admissions Code, rather than just 'have regard to it'; and there is a proposed ban on interviewing for selection (other than for boarding places). At the same time, the local authorities can propose new *community* schools, if a new school is needed or a 'failing' school has to be replaced, but only following the approval of the Secretary of State.

That being said, the Bill still contains a number of major defects as far as supporters of genuine comprehensive education are concerned. Our secondary schools will still become more fragmented, with local authorities unable to ensure fairness and justice at a local level. Informal selection can still be practised and will continue because of competition between schools for the most 'motivated' pupils; the weak and vulnerable will inevitably suffer in the process. The Secretary of State retains a veto over the creation of traditional

community schools; and the future clearly lies with the spread of 'independent state schools', even if they will be known by the existing name of 'foundation schools' instead of as Trust Schools, a term which has attracted deep hostility. Above all, there is still the fear that foundation school governing bodies and school assets will fall under the control of unsuitable external interests such as entrepreneurs with a specific capitalist agenda and those referred to by many Labour MPs as 'creationist nutters'.

The NUT has welcomed the Bill's proposals to strengthen the Admissions Code and prohibit the use of interviews for selection, but would want each local authority to be able to establish the admissions policy for *all* schools in the maintained sector in its area, including all foundation schools, voluntary-aided schools and existing academies. It would indeed be desirable if academy status could be ended and all academies returned to the community of schools. The NUT would also like to see the removal of the ability of some specialist schools to select a minority of pupils by aptitude. And there remains, of course, the additional problem of grammar-school selection which New Labour has singularly failed to tackle since coming to power in 1997.

Amidst all the fuss over admissions and foundation school privileges, an important section of the Bill has received very little media attention, even though it could have a damaging effect on traditional comprehensive schools. The little-noticed clauses linked to the *Education and Skills 14-19 Implementation Plan* and dealing with the provision of the new specialised vocational diplomas will probably mean that many comprehensive schools find it very difficult to offer the full range of curriculum entitlement at the post-14 stage. There are, in fact, those who believe that Tony Blair's long-term aim is to move vocational education for 14-19 year olds into further education where it can be provided more cheaply. The post-war bipartite system of grammar schools and secondary moderns will then be transformed into secondary schools for those on the 'academic' path; while further education colleges take the place of secondary modern schools for those labelled as 'non-academic'.

Conclusion

The Education and Inspections Bill passed its Second Reading in the House of Commons on the 15 March, but only with the opportunistic support of the Conservative Opposition. A total of 52 Labour MPs voted against the Bill, and 23 Labour MPs abstained. It was thought at the beginning of March that the rebellion would be even larger; but a number of White Paper critics, including comprehensive school campaigner David Chaytor, decided to support the Government in the hope that the Bill could be improved at the committee stage. It remains to be seen whether this is naïve optimism on the part of some Labour MPs, or whether the Bill can indeed be radically amended. As it stands, it will do immense harm to an education system that has already undergone a remarkable amount of detrimental change over the last sixty years.

A number of the articles that follow in this issue of *FORUM* examine and try to understand key elements of New Labour's education policy since Tony Blair's third election victory in 2005. Some concentrate on the White Paper and were written before the publication of the Education and Inspections Bill; all analyse the new education proposals in the context of the Government's declared intention to promote greater fairness and opportunity within the system.