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## Educating Ethics: the probity of school governance

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**ABSTRACT** The privatisation of state education in a variety of ways has introduced a range of risks to school governance and management which have not previously existed in the public service. State-funded education is in danger of losing its standing on the moral high ground as a public good delivered almost exclusively by individuals committed to ethics above self-interest.

Enormous changes have taken place in the governance of schools over the last twenty-five years, with the governing body moving from a marginalised group of the great and good meeting three times a year for an anodyne report of the school's progress, to become a critical element in the school's leadership. Governing bodies now take overall responsibility for the strategic direction and performance of the school. They may determine the curriculum, the staff employment conditions, the admission of pupils, and they set out the dominant mission and values of the school. In a growing number of schools, they will have established the school from scratch, or been responsible for converting it from a community-owned organisation responsible to, and supported by, a local authority into an 'independent' establishment accountable directly only to the Secretary of State.

In all that time from the early 1980s, in all the work done with governors and headteachers, the meetings chaired and attended, the conferences and workshops addressed and led, in England and Wales and abroad, there has been one principle that could perhaps be taken for granted. With the very minor exceptions of the parents who get themselves onto a governing body because they believe it may somehow advantage their children, and the people with ambitions in local government who want to embellish their CVs, it was axiomatic that everyone in the room had one sole and overriding interest in common: the wish to support their local school in doing its best for all the children attending it.

This was true not only for the volunteer governors, but also largely for the professional staff. Very occasionally, a school leader might be fuelled more by personal ambition than by regard for the children. Very occasionally, a headteacher or administrator might be found to have had their fingers in the till in some way. But such eventualities were hens-teeth rare.

The seven principles of public life drawn up by Lord Nolan in 1994 in response to Prime Minister John Major's concern about unethical behaviour by certain members of Parliament can be applied to any public office, and school governance is no exception. They were included in the first guidance document for governors produced in 1996 (Ofsted, 2014), and are:

- *Selflessness* – holders of public office should act solely in terms of the public interest.
- *Integrity* – holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- *Objectivity* – holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- *Accountability* – holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- *Openness* – holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- *Honesty* – holders of public office should be truthful.
- *Leadership* – holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Before 1990, the delivery of state education was monopolised by local government and, to a comparatively small degree, the churches. Local education authorities, established in the early years of the twentieth century, were responsible for providing and overseeing schools, headteachers had a little purchasing autonomy in sourcing teaching resources, while everything else was purchased centrally in bulk and distributed to schools. Teaching support and inspection were provided by the same authorities or centrally by Her Majesty's Inspectorate.

The opening up of the market started with the introduction of the local management of schools from 1988 onwards, simultaneously with the granting of significant powers to newly-established 'stakeholder' governing bodies. Educational suppliers approached schools directly, not just with physical resources, but with advice and support from a new breed of independent education consultants (the Society of Education Consultants, predominantly

comprising independent practitioners, was founded in 1990). Headteachers of larger schools and their governing bodies became responsible for the outlay of budgets of more than a million pounds. They could often find better and cheaper goods and support than from their local authority, while local authorities, experiencing a simultaneous financial squeeze, the first since the 1970s, bought in expertise from the private and independent sectors to broaden their skill-base and avoid the shackles of long-term employment contracts. It is not coincidental that both major political parties had discovered that strong local government was not in their own interests, being both expensive and able to undermine national policies, using the money granted to them by national government. National policies could be strengthened by a simultaneous 'devolution' of powers to apolitical governing bodies, while claiming back areas of control, such as determination of curriculum content through the new National Curriculum, and quality assurance through the newly-established Office for Standards in Education, Children's Services and Skills (Ofsted).

City technology colleges and grant-maintained schools were the first attempts at schools which would be state-funded but independent of local government in the early 1990s. Under a Labour government, the first academies were presented as ways of tackling failing schooling in inner cities. From 2010, under a coalition government dominated by unashamed pro-market neo-liberals in all public services – those, at least, which remained after the Thatcher–Major and Blair–Brown governments – the process began which would lead inevitably to the wholesale dismantling of the education services provided by local authorities. Any state-funded school could apply to convert to academy status, with significant financial advantages over those that didn't, while under-performing schools were required to convert under a sponsor. Multi-academy chains built up – with more than 70 schools in some instances; by 2014, 23 such chains had more than 10 schools each. Though barred in most cases from running schools for profit, some of these sponsors were effectively business organisations with educational arms. Others were religious foundations or other genuinely non-profit making organisations. Alarming, in the same year, of the 350 or so approved sponsors of academies, 14 were publicly restricted from further growth until they were able to show that they could bring about significant school improvement (other chains were told privately that they would not be allowed to take on more schools). Meanwhile, parents were encouraged, with healthy doses of public cash doled out by the government, to apply to open up their own academies from scratch – although the majority of these free schools were started by individuals with commercial backgrounds rather than parents, including hedge fund investors, two of whom worked in the Department of Education (DfE). It was clear that the ground was being prepared for a rapid growth in commercial management of schools, although this was stalled by the Conservative Party's partners in the coalition government, the Liberal Democrats, setting their face for the moment against profit-making from state-funded schooling.

Education, according to the Trades Union Congress (TUC) Research Report, 'Education Not For Sale' (2014), is the world's second largest traded service. So, while the market was thus being opened up, in order, according to the rhetoric, to embed ever higher standards of student achievement from the age of two to nineteen, opportunities inevitably arose for the sharper players in the educational market-place to benefit financially. In one case only, by 2014, had an academy trust contracted out its entire operation of educational delivery to a profit-making company. This was a Swedish-based company run by an American-born science teacher, Internationella Engelska Skolan (IES). The nationalities are significant for it was the American Charter School system, together with the Swedish Free School movement, that had so impressed the former Murdoch journalist (and recipient of a substantial but to date unrepaid and unrequited Murdoch advance for a biography of an obscure Tory politician) then serving as Secretary of State for Education.

A review of the educational and national press in the years following the 2010 general election reveals that there appeared to be five ways in which the new arrangements offered opportunities in education to make more than the decent living wage that senior teachers and local authority officers might have aspired to in the twentieth century, or by which players might further their own interests. Three of these are within the law:

1. The excessive rewards available to the executive heads of academy chains or single academies – unshackled from the standard teachers' pay and conditions, some individual school headteachers saw their annual salaries rise rapidly, while the head of an academy might be paid (or, if he were also chair of the trust, pay himself) over £300,000;
2. The engagement of school governors or trust directors in profit-making companies supplying services or goods to their own schools, or in other areas of potential 'conflicts of interest'. Strictly, this has to be done 'at cost' but there appear to be difficulties in determining what 'at cost' means;
3. Profit-making from state funding, as in the case of IES.

Two other activities which are definitely not legal also came to the fore, as there appeared, despite claims to the contrary, far looser oversight of financial standards in the new academies than there were in the old local education authorities:

1. A variety of financial malpractice, usually led by the headteacher, sometimes including the finance manager, involving improper use of school credit cards and other ways of diverting school expenditure into personal accounts or otherwise to personal advantage. There were also examples of headteachers and governors appointing close relatives and friends to posts in the school. There was also suspicion of a trustee who may have been making profits by letting his own land to the school;
2. The furthering of individual political or religious agendas; indeed, the very organisation which supported those setting up free schools was accused of

being a front for the Secretary of State himself, led as it was by a former adviser of his with, like him, no professional experience in education.

There were also claims that some academies were engaged in examination malpractice in order to maintain the grading awarded by Ofsted, but this also may have been happening in local authority schools.

### **Rewards for Academy Leadership**

The Academies Enterprise Trust (AET), the largest of all the academy chains, with some 70 schools, paid its Chief Executive (and founder) £214,500 in 2012, and more than £240,000 to ‘a senior employee’, significantly more than any local authority paid its chief officer at the time (the largest local authority in England in 2013-14 paid its strategic director for Children and Young People up to just over £150,000 for the responsibility of over 300 schools, plus nurseries and children’s centres and children’s social services. Harris Federation, with just 27 schools in and around London, paid its senior manager around £320,000 in 2010-11 (a 30% increase on the previous year), while E-ACT, with just 31 schools, paid its chief executive – who left following ‘major criticism over alleged financial mismanagement by the group’ in 2013 (*Daily Telegraph*, April 26, 2013) – over £300,000 in 2011. Many of these chains also paid considerably over the standard odds to the heads of individual schools. Harris, for example, paid £140,000 or more to five other headteachers and managers (as the prime minister’s salary was £142,500, this was the standard benchmark for these things). The larger chains were aped by much smaller enterprises. Richard Rose Trust, with just two academies in Cumbria, paid a manager up to £209,000, and Basildon academies, also with just two schools, paid a senior member of staff more than £220,000.

Clearly this represents a significant inflation of administration costs for senior salaries, all of which comes out of the resources provided to schools for children’s education. Equally clearly, not all academy trusts paid such sums to senior staff. Some, such as that run by the only profit-making company, were said to pay significantly below the market rate for their staff, and did not recognise professional associations. Others, such as many church foundations, were run along explicitly ethical lines and guaranteed that the percentage holdback for administration would be around 6% or 7% (compared to an alleged 20% for one chain).

The effect of this sudden acceleration in pay for senior school posts (there is no evidence that teacher salaries as a whole are increasing) has been to push up top salaries in all schools, whatever their performance. For example, the local paper in Croydon, Surrey, published an article in April 2014 exposing the increase in salary of a voluntary aided secondary school’s headteacher by around £10,000 at a time when the school’s GCSE results were dipping ‘sharply’. In 2014, the DfE published figures to show that 900 senior staff in schools were earning over £100,000 by November of the previous year. Of these, two-thirds

were working in academies. Nevertheless, there is no requirement for schools to publish the salaries of their headteachers.

This pattern created some resentment among the professional associations, and concern elsewhere, such as in the Taxpayers' Alliance. We might assume that other school staff, subject to a regime where incremental allowances are being phased out in favour of performance-related pay, and with little or no automatic increases to compensate for inflation, might also be less than delighted with a growing discrepancy between senior and other salaries.

### **Involvement in 'Connected' Businesses**

Although the arrangements for ensuring the transparency of business interests in the governance of academies are not significantly different from those in maintained schools, the absence of the local authority as a mediator and, often, the supplier or arranger of suppliers of services, does seem to be giving academy governing boards more opportunity to benefit personally from their role.

In 2013, *The Observer* newspaper revealed that the AET – a chain which was soon to be restricted from further growth by the DfE due to concerns about their capacity to support improvement for the number of schools in special measures that they were taking on – had paid substantial amounts to suppliers of services in which trustees and executives held interests. The company secretary, for example, was paid a little under a quarter of a million pounds in one year in addition to his salary for 'project management services'. The chief executive was also a director of a recruitment agency which the trust's schools were encouraged to use. Despite the Charity Commission's guidance that 'unpaid trusteeship has been one of the defining characteristics of the charitable sector, contributing greatly to public confidence in charities' (Charity Commission, 2012), the fact that a number of trustees and governors of the AET were receiving sums totalling at least another quarter of a million pounds does suggest that there was unhealthy crossover between the roles of trustee, director and governor at the AET and commercial supplier, especially in the numerous instances where services were not put out to tender. Meanwhile, E-ACT was censured by the government for the extravagance of the expenses paid to trustees and staff, including first-class travel and luxurious venues for meetings, the revelation of which led to a number of senior resignations, including Sir Bruce Liddington's.

These revelations led *The Guardian* newspaper to look at a number of other academy trusts. Nine further chains were added to the list of trustees paying themselves significant sums, accounting for some 5% of all academy schools in the country. All of this is perfectly legal. But it is a significant change in behaviour which allows taxpayers' money intended for the schooling of children, which the public might reasonably expect to be subject to careful scrutiny for 'best value', to end up in the pockets of volunteer trustees and governors. Examples given by the newspaper include payments made to companies such as consultancy firms and legal companies owned by founders of

chains, the employment of relatives of founders and trustees. In others, large amounts are paid to directors and trustees for working as consultants and for expenses. In one south-east and midlands trust, a company owned by the daughter-in-law of the chief executive receives payments for a variety of services. This is all legal, provided that the services are provided 'at-cost', that is, at no profit to the recipient – a distinction that may not always be as transparent as it sounds.

In March 2014, these revelations were commented on by Margaret Hodge, Chair of the House of Commons' Public Accounts Committee. She referred to the salary and expenses of the (knighted) Chief Executive of E-ACT as 'dubious', including 'two nights in a posh Birmingham hotel, chauffeur-driven limousines and a lot of booze when Prince Philip came to see them'. She added that there is 'a lack of accountability and transparency. It seems to be that people are using taxpayers' money meant for the education of children, to some extent, it looks like they are lining their own pockets rather than for the education of children. It doesn't look good' (*The Times*, 6 March 2014).

### **Profit-making from Schools**

Famously, the only truly 'profit-making' state-funded school in England currently is a small secondary school in Suffolk. Establishing it in 2012 on the closure of its predecessor middle school, the trustees brought in a Swedish free school company to provide all the educational and management functions. In common with a couple of other free schools at the time – most notably the Pimlico School run by later DfE Minister Lord Nash – the trustees and providers appointed an inexperienced headteacher (though in this case, unlike Lord Nash's head, a qualified teacher). Here, they chose an English teacher from the private sector with no school leadership experience. Again in common with others, this experiment did not work, and the head was removed in the autumn of 2013 (finding herself required to fly to Sweden in order to sign a resignation document – one of the drawbacks of working for a foreign-based company on English soil). An inspection conducted in March 2014 found the school inadequate overall and it was placed in special measures. Confidence in the school might perhaps already have been eroded by the resignation of the first trust chair in favour of the chair of governors, who promptly appointed her husband, father, best friend and best friend's husband to the governing body. Another free school paid companies belonging to its founders more than £100,000 before it even opened. Here, there is an entanglement of relationships between headteachers, sole directors of companies and company secretaries across schools and providing companies that, at least, raises eyebrows (though apparently not those at the DfE).

Of course, education has always provided entrepreneurial opportunities to suppliers of teaching resources and the like. However, most such supplies have been moderated through local authorities, or by groups of schools working together to reduce costs through economy of size. The capacity of individual

schools or multi-academy trusts, often associated with businesses through various models of academy sponsorship or participation in ownership, to operate in open commercial fields has grown exponentially since 2010. Already by that time, Michael Gove, the former Murdoch journalist turned Secretary of State for Education, was holding meetings with his former boss about the sponsorship of an academy in London Docklands that would use largely Murdoch-supplied IT resources. Indeed, Secretary of State Gove's first meeting in that capacity with Murdoch took place within a week of his government appointment on 12 May 2010. Six further meetings took place in short order, while Murdoch's News International prepared plans to open an academy.

Meanwhile, amidst much publicity, another journalist, Toby Young, got the go-ahead from Gove to set up the West London Free School; a year later, Murdoch announced plans to set up an education arm of News Corporation. In July 2011, a story appeared in the *Daily Mail* showing that cabinet ministers, including Gove, had met senior News International officials almost 100 times since the general election just 14 months earlier (Murdoch and his senior staff were also meeting very frequently with other senior government figures, such as the culture secretary while bidding for a licence to take over British Sky Broadcasting (BskyB), and the prime minister). The *Daily Mail* (a strongly Tory, but not News International paper) described the relationship between the cabinet and News International as 'cosy' – a claim given further currency by developments such as Young's move to a News International paper – until the Leveson Enquiry into press behaviour following claims of phone-hacking by two News International papers led to a hurried distancing of government members from the organisation. So a lead was given from the very top that commercial arrangements were okay. Indeed, in October 2011, reports appeared that Murdoch had identified the American education sector as a \$500 billion market largely untapped by companies like his. News Corporation ventured into this world in 2010 by purchasing the educational technology company Wireless Generation and hiring former New York City schools chancellor Joel Klein, who became part of the London academy proposal.

Blurred lines between educational provision, commercial interest and personal profit occurred elsewhere and on a smaller, though still significant, scale. One new free school in Yorkshire was built on land belonging to a company chaired by the vice chairman of the Conservative Party, for which a rent of £6m was charged over 20 years. However, there was confusion over whether this man was also chair of the school's governors. He may have been paid to be chair of governors – contrary to the requirements of the funding agreement – or so a DfE audit investigation suggested. He served as the school's salaried business manager too. This kind of role confusion appears not to be entirely unknown in free schools which are not subject to local scrutiny.

Inevitably, while international companies such as Murdoch's News Corporation identified a growing market in state-funded education, British companies were not slow to follow. One private company, run by a former chair of Ofsted, told its investors in 2011 that the expansion of academies and the



creation of free schools would ‘create increased opportunities for private sector companies to manage and run state-funded schools at all levels’, having ‘identified significant savings’ in existing state schools’ financial models (*The Guardian*, 20 June 2011). Of course, the free school movement was presented by the government to the public as a way in which parents would be able to set up their own schools. In the event, many more free schools were set up by other organisations. Claims were made at the end of 2013 that the DfE had spent more than three times the allocated budget on such schools, and their performance in Ofsted inspections appeared to be about three times worse than other schools.

In March 2014, the TUC published a detailed research report (Johnson & Mansell, 2014) which levelled a series of concerns at the academy and free school programme. The major issues were:

- The use of private consultants in providing ‘additional’ services to schools (calculated at over £75m);
- Poor value for money (with many free schools remaining under-subscribed);
- Conflicts of interest of major players;
- The payment of taxpayer-provided funds into private companies (termed ‘value extraction’ by the report);
- The increasingly corporate ownership of state-funded schools (contrary to the government’s stated purpose of parent-run schools, ‘between 2011 and 2013 applications [to run free schools] shot up from 8 to 25 per cent’ while ‘applications from teacher-led groups plummeted from 24 to 6 per cent and applications from parent and community groups fell by a third’ [pp. 31-32]).

In sum, state-funded education had been identified as a major source of profit in a variety of ways to the corporate world. Indeed, the TUC research report suggests that ‘education is the world’s second largest traded service’. For more than 100 years, local government’s participation in and provision of all state-funded schools had provided a significant control on this, ensuring that the bulk of taxpayer-provided funds remained devoted to the staffing and resourcing of schools, with profit-margins for private suppliers of services and resources remaining at acceptable levels. Indeed, in most schools, somewhere between 85-90% of the funding was given over to staffing, with salary differentiation based on professional responsibilities and held in check by the statutory annual Schoolteachers’ Pay and Conditions Document.

The involvement of private companies, first only in the provision of building maintenance, starting with the Private Finance Initiatives increasingly demanded of new-build schools by the Labour government of 1997-2010, to the now extensive engagement of the private business sector in the actual provision of education, buildings and all support services, can be seen as a rapid process of the commodification of state-funded education. This, as Michael Sandel has shown (2012), can have the effect of corrupting the education service – degrading it by treating it ‘according to a lower mode of valuation than is appropriate to it’ (p. 34). Thus it has become just another aspect of the

global market, no longer treated as a public good in itself, but as an opportunity for personal and corporate enrichment.

### **Financial Malpractice**

Perhaps it was inevitable that the process of commodification would lead to practices that are actually illegal becoming more common in state-funded schools. It is unlikely that the growth of press interest in such stories is just a result of the greater exposure of education to public interest. Where governments actively promote practices in public services that employees find ethically questionable, such as increased salary differentiation, profit-making and conflicting interests, it is likely that some will find crossing the boundary into activities that may break the law less of a leap – even though no action might be taken. Perhaps many of these examples sit somewhere on a legal or criminal spectrum that doesn't actually cross into illegality, but certainly they raise questions about whether the educational world is now home to a range of more or less sophisticated fraud and dubious practices. Often this would lead to resignation, as in the cases of the leaders of E-ACT and the AET, although in the former case the knighted 'Director General' went on to advise the government on developing academy sponsors.

Reports of the 'inadequacy' of education companies' accounts began to surface in the first three years of the new government. While the DfE boasted that the Education Funding Agency and the Skills Funding Agency (responsible for 16-19 institutions) provided much surer scrutiny of educational funding, this was not borne out by publicised events. In January 2014, the Barnfield Federation, comprising schools and colleges in Luton, was issued with a DfE financial notice to improve. The federation's governors had paid off its knighted director-general with two lump sums, an additional month's holiday and his very fancy company car, on the basis of an 'agreement' that the departing superhead would not poach federation staff in his new role as chief executive of a group of private schools. An audit also showed that the federation had claimed almost £1m more than it was entitled to for students it could not account for, plus other examples of financial mismanagement. Superheads were sometimes being shown to be not so super in more traditional types of school. Another highly decorated and rewarded headteacher (knighted and paid a bonus of £130,000 over two years), this time of a local authority secondary school in outer London, was stripped of his knighthood in the summer of 2014, having admitted six counts of false accounting. He was initially suspended in 2009, having garnered his knighthood as early as 2000.

Another superhead resigned from his position as executive head of five Hackney schools for the Best Start Federation in the summer of 2013, following allegations that he had awarded a computer contract to a firm headed up by his 'boyfriend'. The federation was subsequently disbanded and individual governing bodies set up for each of the member schools under the local authority.

In May 2014, reports emerged from the Education Funding Agency about the Education Fellowship Trust, responsible for 16 schools in the South Midlands. The trust's values include 'courage to stand up for what we believe in; respecting others; having fun and a good quality of life; honesty and integrity; humility, compassion and concern for others; tolerance and forgiveness; confidence to lead; and kindness' ([www.educationfellowship.net](http://www.educationfellowship.net)). The Education Funding Agency report (2014) reveals governors' expenses of £45,000, a trip to New York, and the appointment of family members to unadvertised jobs – suggesting that the leadership of the trust, under its quickly resigning chief executive (who, incidentally, started his career in the very ethical John Lewis Partnership, and is listed as a man who 'particularly enjoys lecturing on leadership skills') had taken particularly to heart the third listed of these values.

### **Furthering Governors' Agendas**

Inevitably perhaps, academies and free schools are being used to promote, through their curriculum and their staffing, particular views of the world held by their trustees. The United Learning Trust won a High Court case to show that its curriculum did not reflect the reportedly creationist views of its founder. However, it had the distinction of being one of the first academy trusts to be prevented from further expansion owing to the poor performance of its schools, back under a Labour government in 2009.

The suspicions of commentators and critics that religious groups might use academies and free schools as vehicles for pushing their own world views began to take hold in 2013. In that year, a free school in the Midlands with a largely Muslim intake fell prey to a fall-out between its (non-Muslim) headteacher and governing body. Accusing each other of racism, bullying, financial mismanagement, 'evil' and inexperience in governance, the head and governing body of the secondary school displayed such a degree of dysfunction to an inspection team that the DfE ordered its closure, although it continues as a primary free school with new trustees and headteacher.

The most serious example to date, however, has been the dramatically so-called 'Trojan Horse' plot in Birmingham, where Muslim extremists were claimed to be attempting a takeover of 15 schools. Not much defused by the DfE's decision to appoint a police officer with a specialism in anti-terrorism to deliver a report on the situation, the 'scandal' threatened to seriously undermine relationships between the range of educational providers and the community in the city – as some of the schools remain with the local authority. Accused, apparently on the basis of a forged letter, of appointing only hardline 'Islamist' staff, the schools' story encapsulates the tensions in the community exposed earlier by the police force's placement of CCTV cameras in the streets of areas largely populated by minority ethnic groups. The capacity of schools to reflect the tensions within, as well as the strengths of, the communities they serve is being graphically demonstrated. This episode – started by what some claim to

have been a hoax letter – seems to be leading to a major change in policy by enabling the DfE to insist that governors of schools will be required, for the first time ever, to commit to so-called ‘British values’ – defined now by Ofsted as: ‘democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs’.

### **Cheating**

The growth in the significance of a school’s test and examination performance over the last 20 years appears to be a significant factor in an increase in two characteristics of the twenty-first century English education system. Both are outcomes of the increasing pressure on schools from Ofsted and the DfE’s judgements and expectations. The DfE’s benchmarks for acceptable performance have hardened steadily and publicly, to the extent that there is no longer a ‘satisfactory’ category in Ofsted’s scale, and any school that cannot be described as ‘good’ (and this judgement is almost entirely dependent on the attainment of pupils and students in national testing), then it must ‘require improvement’. One response to this pressure is that rumours proliferate about the techniques that both primary and secondary schools use to ensure their results are at least ‘good’. These range from the wholly legitimate strategies of relentless and repetitive coaching to the test (reminiscent at its worst of the ‘payment by results’ of Victorian schooling), to the wholly illegitimate tactic of manipulating exam results. One school in south London was accused of this by students and staff in 2011. Parents and others were not comforted by the inability of the exam board to conclude its investigations and its refusal to publish its findings. This offered the high profile local Labour MP, Tessa Jowell, the opportunity to bemoan the absence of local authority scrutiny:

I think this really reveals something profoundly disturbing about the new academy status ... I was so concerned about the turbulence in the school, the instability ... and the minister as he was then, Nick Gibb, basically said there was absolutely nothing he could do about it because of the independent status of Kingsdale as an academy. And that is completely unacceptable.

In 2012, 130 penalties were reported to have been imposed on schools in England, Wales and Northern Ireland, more than double the number in 2011. In September 2013, another south London secondary school, which sponsors another secondary in a neighbouring authority, was accused of changing coursework marks before submitting them. In February 2014, the exam board found the charges proven. The executive head, another knighted superhead, had retired a month after the revelations became public.

The apparent proliferation of cheating highlights the pressures on school staff. It was increasingly common for headteachers (and sometimes other senior members of staff) to resign – or be ‘persuaded to leave’ – following a poor

inspection outcome. Some local authorities – reportedly Kent for one – were claimed to have secret protocols for ‘disappearing’ unsuccessful headteachers in such an event. Headteachers failing to preside over demonstrable improvement in their schools were beginning to find it impossible to find posts elsewhere, and it appeared there would be growing problems in recruiting heads to ‘tough disadvantaged schools’ – or perhaps to any school that stubbornly would not improve its test outcomes. In April 2014, one professional association leader warned that heads taking on such a school risked ‘committing career suicide’. So the increasing pressure on unsuccessful schools, as opposed to strategies to support improvement, may in some circumstances be dramatically counter-productive. If a bit of cheating might rescue a career, it may be seen to be an effective, if unethical, answer.

### **Where Are We Now?**

The upshot of all this might be that we should rely less unthinkingly than we have done in the past on the purity of the motives of those involved in leadership and decision-making in state-funded education, both professional and volunteer. From the initial motivation of both major parties to introduce representative governance of schools, looser or non-existent local authority scrutiny, and more stringent demands on school outcomes, we can now see what Conservative governments may have been aiming at – the insinuation of the profit motive into state-funded schooling. During this transition period, with over 4000 academies, free schools, university technical colleges and studio schools in place, over 60% of secondary schools being academies, and almost 2000 primary academies, the line between education as a public good and schooling as a profit opportunity for hedge fund investors, commercial companies, and, sometimes, plain old-fashioned crooks, is increasingly blurred.

Where does this leave us? If what we are experiencing is a deliberate application of ‘disruption innovation’ – an application that spreads into a number of areas of coalition government policy – then it is likely that we are in for more of the same. Disruption enables organisations to dismantle all past practices, effective or not, in order to establish a new set of protocols, aims and values. Despite the increasing popularity of disruptive practice, initially in the USA, and more frequently seen here, there is little evidence for its claims of long-term success.

Here, it appears, disruption theory and innovation are being used as a cover for the introduction of market values and practices into what have been hitherto seen as public goods. Michael Sandel (2012) suggests that the market drives out fairness – it increases inequality and poisons social relationships. In return, it enables corruption. Education, he suggests, embodies a range of important values – the pursuit of truth, the promotion of excellence, the advancement of humane teaching and learning, the cultivation of civic value. If you can buy and sell education, these values are put at risk. It is, I contend, the proliferation of the undermining of these values – that excellence, academic and

social success, access to successful careers can be rewarded with money and decorations, the implication that money is at the heart of everything we do in schools – that we are seeing. Confusing intrinsic and extrinsic rewards is the same thing, whether we promise to buy our child a car if they do well in their A Levels, or we promise a knighthood and £300,000 to someone to run a school. The good is tainted, our motives are suspect, and we might as well be running a hedge fund or a dodgy market stall.

The dodginess of state-funded education is unlikely to diminish until the moral value of education is reinstated as a higher good. This value is well summed up in Nolan's (1994) principles of public life quoted at the beginning of this article – as good a summary of 'British values' as any. As Sandel (2012, p. 114) writes:

A growing body of research confirms what common sense suggests: financial incentives and other market mechanisms can backfire by crowding out nonmarket norms. Sometimes, offering payment for a certain behaviour gets you less of it, not more.

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