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Embedding Democratic Engagement in School Leadership: comprehensive schooling structures in an academised system

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ABSTRACT This article describes how a gaping democratic deficit has emerged in the English schools system as both local authorities and school governing bodies have been degraded by academisation. In arguing that a comprehensive school can only be truly comprehensive if it is based on democratic principles, the authors make the case for re-establishing democracy in state education by developing democratic governance structures at school level, and nesting these in a system of Local Education Boards.

Introduction

In *FORUM* 60(1), Melissa Benn and Jane Martin (Benn & Martin, 2018) wrote about the concluding part of their interview with former editor Clyde Chitty, dubbed by Michael Armstrong as 'the patron saint of the movement for comprehensive education'. In that article, we were reminded of Robin Pedley's influential work *The Comprehensive School* (Pedley, 1970), in which he described the larger purpose of the then-new comprehensive schools: 'the forging of a communal culture by the pursuit of quality with equality, by the education of their pupils in and for democracy, and by the creation of happy, vigorous, local communities in which the school is the focus of social and educational life'.

Here we equate this larger purpose not only with the open and non-selective access of all children in the neighbourhood and the not-for-profit provision of educational, social and leisure facilities to the whole community, but also with the democratic engagement of the community with the governance of the school. We see this larger purpose threatened by the academisation process, and propose ways in which academies, whether stand-

alone or as members of multi-academy trusts, can re-engage with their communities and offer a meaningful element of lay participation in their governance.

Academisation: the dismantling of the English national education service

The English national education service, characterised by long-established and coherent local governance and management structures, has been dismantled. The Academies Programme (AP), 'the largest democratic experiment in voluntary public participation' (Ranson et al, 2005, p. 377), has transformed the educational landscape beyond recognition. It has created myriad autonomous and privatized edu-businesses that have reduced or eliminated stakeholder involvement and democratic engagement.

The reinvigoration and expansion of the AP by the Conservative–Liberal Democrat coalition government in 2010 was an ideological imperative – and the Academies Act 2010 (Department for Education, 2010a), constructed to facilitate the expansion and dogma of neoliberalism, was fast-tracked into law using legislation intended to address the threat of terrorism. This was to be achieved in the context of a very largely comprehensive system of state-funded schooling, where a strong tradition exists that all primary-age children and the large majority, probably 95%, of secondary-age children attend their local non-selective neighbourhood school.

The government opened 207 academies in the first year of office, compared with the 203 that had been established in the previous eight-year period by New Labour. The rate of expansion, however, in the second year of office was a bewildering 1037% (Allen, 2014), reflecting an unfettered, exponential and arguably unmanageable trajectory of growth in the number of schools converting to academies. The NAO (National Audit Office, 2018) advises that there are currently 6996 academies and this figure accounts for 72% of secondary schools and 27% of primary schools. With the continued policy of academisation and the current rate of academy conversions it is possible that almost all state schools will convert to academies by 2022. This transition is consistent with former prime minister David Cameron's 'education revolution' [1], ensuring that 'local authorities running schools is a thing of the past' – even though his aim of whole-scale forced academisation was withdrawn due to mounting opposition to the programme. This dismantling of the English education service – by converting state schools to academies – is ideological, based upon the marketised framings of neoliberalism rather than on empirical data derived from pedagogical or management research. Indeed, Gunter (2011) asserts that the rise of academies is solely a political construct and not an educational one.

Data gathered by the Organisation for Economic Co-operation and Development (OECD), however, was used by the government to add legitimacy to the expansion of the AP, and in 2011 the OECD argued that 'the PISA

rankings are much more than a league table and that it is effectively a tool to assist governments develop their policies in education'.[2] This view is evident in *The Importance of Teaching: the Schools White Paper 2010* (Department for Education, 2010b, p.vi), that advised: 'the lesson of world class education systems is that they devolve power ... The OECD has shown that countries which give the most autonomy ... are the ones that do best.' Reliance on the data provided by the OECD, and the corollary that school autonomy equates to academic excellence, (neatly) supported the government's neoliberalist ideology that involved the hollowing out of the local authority, an emphasis on modes/styles of New Public Management (see Newman, 2006) and, ultimately, the 'corporatisation' of schools situated within a reformed quasi-market.

The simplistic correlation between school autonomy and excellence provided by the OECD required cautious interpretation. Many commentators, including Brockington (2015), argued that PISA statistics have provided much of the rationale and impetus for policy changes – and that these data are subject to considerable debate. Woodin (2015) and Baxter (2017) similarly advise that PISA data are contentious and contested. Moreover, Goodman and Burton (2012) advise that 'government policy is often criticized over a lack of evidence-base' and draw upon Exley and Ball (2011), who propose that 'the findings raised by research to date (on the topic of academies) provide very shaky grounds upon which to build educational reform'.

The Democratic Deficit: a complication of the Academies Programme

Autonomous; *'new-found freedoms'*; *corporatized*: whichever term is used to define the character of academy schools, the critical and unifying factor is that organisational power and subsequent control is positioned outside established systems of public accountability. This governance shift has created a democratic deficit (see Corbett, 1977), that occurs when organisations fall short of fulfilling the principles of democracy. This claim is substantiated by a body of commentators (see Farrell, 2005; Ranson et al, 2005; Glatter, 2013; Allen, 2016). Furthermore, West and Bailey (2013) contend that the national system of education in England that is locally administered via democratically elected local education authorities has radically changed because of academisation, a system that is increasingly corporately provided and is, therefore, less democratically accountable.

For Glatter (2014), a major concern is that the governance of academies is fundamentally dictated by a funding contract, an agreement between the secretary of state for education and the academy sponsor that he claims raises major issues of public accountability. Glatter draws upon Feintuck and Stephens (2013), who argue that neither the parent nor the child are party to the funding agreement (with the Department for Education [DfE]), and thus there is a growing *democratic deficit*, indicating a crisis of governance legitimacy. Similarly, Farrell (2005) highlights that there is a weakened political involvement as a

consequence of public sector–like governance boards and draws on Cornforth (2003), who advises that this shift in accountability raises serious concerns about the democratic legitimacy of governing boards. Moreover, Rhodes (2000) contends that there is a democratic deficit in the 'multi-form maze' of new governance, and this observation can be applied to academised governance – an emergent characteristic as a result of academy boards having the freedoms to determine governance arrangements that may, or often may not, be ethically robust or fit for purpose.

The Vulnerabilities of Academised Governance

Successive reports and studies have identified the vulnerabilities and democratic failings of academised governance, yet guidance from the DfE and, therefore, subsequent operational structures remain largely unchanged. A commissioned report for the House of Commons Education Select Committee (ESC), prepared by Greany and Scott (2014), advised that 'conflicts of interests are common in academy trusts and that this is not surprising given the design of academies as independent autonomous organizations spending public money' (p. 3). Arguably, in response to mounting concern, the ESC launched an inquiry into multi-academy trusts (House of Commons Education Select Committee, 2017), a key strand of the inquiry relating to the appropriateness of formal governance structures. A key conclusion was that 'there is more work to be done to ensure that MATs [multi-academy trusts] are accountable to the communities in which their schools are located. There must be more engagement with parents and clarity around the role of local governing boards.'

Such cautionary observations continue to emerge; for example, the recent House of Commons Committee of Public Accounts (HCCPA) report into Academy Schools' Finances (2018) advises that 'it is crucial that academy trusts show the highest standards of governance, accountability and financial management. Too often academy trusts are falling short of these standards and the DfE has been slow to react' (p. 3). Furthermore, the HCCPA had previously stated (HCCPA, 2013) that 'the DfE is unable to detect serious cases of governance failure and financial impropriety and that central government may be too distant to oversee academies effectively'.

Weak governance can be indicated by poor financial management, and pertaining to this is the issue of escalating salaries, from 2010 [3], for senior leaders in MATs – a thorny problem that the DfE has been slow to address, primarily because of the entrenched view, embedded in the Academies Financial Handbook, that such matters are for the consideration of the autonomous governing board. John Pugh, the Liberal Democrat MP, advised that 'we have had enough of overleveraged, overstretched and overpaid organizations in the financial world. To bring them into the world of education is reckless stupidity' (Pugh, 2013). On this matter, Unison (2015) advised that 'the explosion of senior pay across many academy trusts over the past few years is completely disproportionate', and a call was heard in 2016 from the Local Government

Association [4] for academy finances to be returned to the control of local authorities (LAs) because of poor governance.

It does appear, however, that the DfE has begun to address this issue, perhaps in response to heightened media interest and public concern [5], and is now requiring MATs to justify expenditure. This intervention, however, addresses only a ramification of weak autonomous governance and not, importantly, the root cause. While the DfE identifies academies in receipt of formal financial warning notices to improve [6], it is reasonable to assume that there are many more cases of weak governance that remain undetected by current accountability and audit frameworks. Moreover, an important question to ask is whether governance decisions are in accord with the public-sector protocols and community-based stakeholder values. Similarly, Glatter (2013) observes that such weak governance occurs when the centres of power are remote from the tempering influences of local democratic power. The governance arrangements of academies are in need of an urgent review, and further research to inform practice must be given priority (Bush, 2017).

Other Contemporaneous Manifestations of Reducing Public Influence over State-funded Schooling

The weakening of local democratic participation in school governance since 2010 has taken place alongside an increased interest in grammar schools. While it was the stated intention of Theresa May's government to enable the opening of new grammar schools for the first time in 50 years, this ambition has been diluted. There is now encouragement to existing grammar schools to expand, which is allowed in law, and this has been confirmed by the commitment of £50 million to the project, announced originally in 2016 and confirmed in the spring of 2018.

Limiting the number of people with the legal status of governors while reducing, however minimally, the number of pupils attending their neighbourhood secondary school may be connected themes. They restrict people's access to the educational facilities of the school as well as their access to the democratic governance of the school. They emphasise a preference for an elitist, specialist engagement with state-funded schools as opposed to an open participatory model where continued popularisation of democratic models of community culture are embedded. We would argue, therefore, that a truly comprehensive school does not only offer open access to pupils and open up its facilities to the wider public, offering appropriate educational, social and leisure facilities to the community – it also enables, encourages and continuously develops local lay participation in its governance. A fully comprehensive school, then, merits the title only if it offers open access to children, provides community facilities to the neighbourhood AND enables and encourages democratic engagement in its governance.

Redressing the Democratic Deficit

A more participatory form of governance is required to redress the democratic deficit and restore governance legitimacy within academised structures. This is a view consistent with Peters and Pierre (1998) and with Stoker (1999), who contends that 'greater legitimacy can only be delivered by more participatory politics' (p. 3). Furthermore, Gomes et al (2010, p. 715) discuss the 'legitimacy cluster' of stakeholder influence that involves citizens and the local community. In this example such clusters, established by democratic processes, are formed for improving organisational accountability. Moreover, Rhodes (1997) contends that to restore the injustices of a democratic deficit 'we need to reinvent representative democracy and to experiment with new forms of democracy' (p. 197). Rhodes' reinvention and experimentation relate to democratic 'innovations', and Newman (2006) advises that this concept denotes engaging in participatory democracy – involving citizens at the local level. Such systems strive for the genuine empowerment of the citizenry as opposed to autocratic control being invested in, as Wilkins (2014) observes, non-elected elites or the empowerment of 'cliques' within governing boards and management structures.

Ranson (2012) reminds us that 'autocratic power is being constructed at the expense of *inefficient* democratic spaces ... yet democracy is not the problem but the solution' (p. 185). Furthermore, Ranson argues for the reformation of the school into a learning community (see also Groves et al, 2017) and one that establishes a system of local democratic community governance.

Reconceptualising Governance: empowered participatory governance (EPG) and a Co-operative College model

A useful conceptual lens through which to view school, and specifically academised governance, is that of empowered participatory governance (EPG; Fung & Wright, 2003) – a progressive institutional reform strategy that arguably has the potential to reinvigorate, realign and reconceptualise the governance dimensions of academised schools.

EPG has three key foci:

1. *Bottom-up participation*, whereby new channels are established for those most directly affected by the targeted problem – typically, ordinary citizens and officials in the field apply their knowledge, intelligence and interest to the formulation of solutions.
2. *Deliberative solution generation*, whereby participants listen to each other's positions and generate group choices after due consideration.
3. *Practical orientation*, whereby the distinctive feature is that a governance structure is developed to address concrete concerns. The practical focus creates situations in which actors accustomed to competing with one another for power might begin to cooperate and build congenial relationships.

Allen (2017) analysed the governance arrangements of a Co-operative College (CC) academy using a thematic template technique that focused on each of the

key principles of EPG. The CC model was adopted for the case study because of the expressed values underpinning the organisation and the governance structure developed to reflect those values, that include self-help, democracy, equality, solidarity, honesty, openness, social responsibility and caring for others.[7] Importantly, the CC states that its model of governance 'provides a clear line of accountability from those who manage the schools to those that use the school and its extended services'.

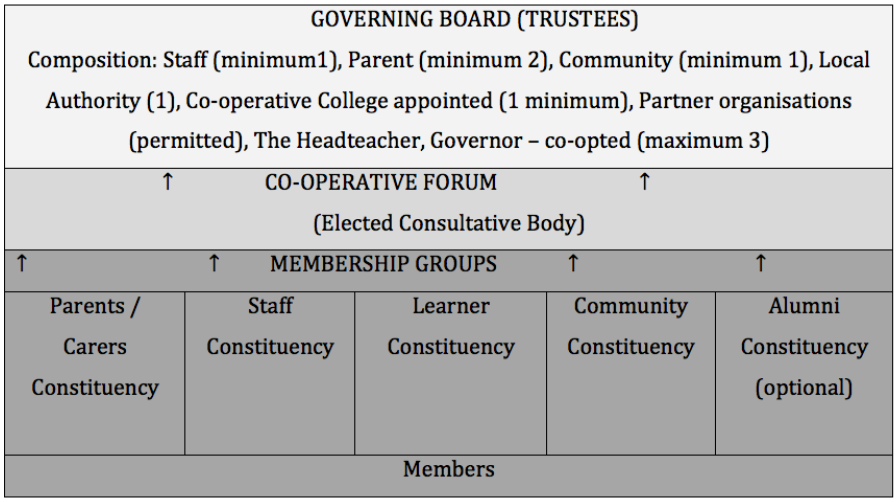

Figure 1. Governance structure of the Co-operative Academy.

Empirical data gathered from semi-structured interviews and an analysis of documentary evidence from governing board and forum meetings generated an audible 'governance voice' suggesting that the model exhibits strong characteristics of EPG. Key findings of the inquiry relate to:

1. Membership – upwards of 2500 stakeholders had actively become members of the co-operative academy by joining one of five membership groups. The case-study academy prioritised and resourced democratic processes – its 'Journey of engagement'. Within the case study, governance voice is not limited to the governing board but is heard laterally and vertically throughout the organisation.
2. The Co-operative Forum – an elected advisory body to the governing body, comprised of up to 50 members. The forum was created to champion the democratic voice of its stakeholder groups and established a dedicated and accountable collective. While the forum is constitutionally 'advisory', the governing body understands the importance and mandate of this elected voice.
3. Deliberative solution generation – deliberative conversations featured throughout the wider governance structure – the membership groups, the

forum and the governing board. Furthermore, to amplify governance voice across the organisation a meaningful communications strategy was developed to capture, share and assimilate individual and collective voices.

4. Governance capital – the governing board consisted of 20 members, all of whom were trustees, significantly deepening the democratic legitimacy of the organisation. This feature provides the capacity to sustain 19 positions of responsibility, that include link governors with specific responsibilities and areas of strategic oversight.

Governance voice indicated that 'It's hard to see how a small group of people would have the time, energy or expertise to do justice to the role ... it's hard work, we need to absorb lots of complicated information and investigate crucial issues ... I can't see how it can be dealt with by a small group of people.'

Furthermore, the governing board maintained sufficient capacity to establish eight sub-committees to provide oversight in respect to its demanding and comprehensive responsibilities.

The CC governance model provides for the Co-operative Forum to democratically elect two governors; the other positions are openly advertised across the organisation. In deepening the democratic legitimacy, however, a further innovation for consideration is the election of the whole governing board from the forum. In this scenario, the forum appoints the governing board, so effectively becomes 'sponsor'. Could this 'bottom-up' elected stakeholder group then hold the funding contract with the DfE – a radical departure from existing 'top-down' academised governance structures?

Local Education Boards: enabling coherence and deepening democracy

The expansion of the AP has led to the re-disorganisation (Glatter, 2017) of state education. What is needed is a more democratically accountable and educationally robust structure to replace the piecemeal, fragmented and ad hoc system that has evolved since 2010 (see also Glatter, 2014).

At local level, we should seek a partial restoration of the local coordination of educational provision. The challenges faced by educational establishments should be addressed by the creation of Local Education Boards (Gann, 2016) to cover all areas of England, coterminous with local authority boundaries. These structures would replace both existing local authorities' responsibility for schools and the regional schools' commissioners with their headteacher boards.

The boards may be partly directly elected by the public and partly elected by governors of existing educational establishments. Board responsibility would include:

1. Overseeing the efficiency and effectiveness of all educational provision from early years to further education (re-establishing local input to colleges of further education), including all independent and private providers;

2. Ensuring universal access to high-quality comprehensive provision and public accountability;
3. Enabling cooperation between educational providers from all sectors;
4. Ensuring fair admission arrangements and equality of access (including the provision of transport);
5. Ensuring provision of appropriate education for children regardless of need;
6. Disseminating best practice among all providers;
7. Enabling innovation in educational practice.

Boards would be responsible directly to Parliament for their performance, and subject to inspection against agreed criteria, including achievement levels across the locality. Boards would also take responsibility for ensuring multi-agency approaches to children's social care, working with local authorities while current arrangements obtain. The boards would provide oversight and some level of standardisation, while enabling and encouraging innovation and experimentation within a controlled environment.

Conclusion

Following the reforms of the late 1980s, which saw a significant growth in lay participation in the governance of state-funded schools, we have seen the rapid growth of academy schools. Stand-alone academy schools replace governing boards – whose membership included parent and staff governors elected by their constituent bodies, alongside governors appointed by the democratically elected local authority and governors co-opted by other governors – with boards appointed by their own trustees/directors and accountable to a self-selected and self-perpetuating group of members. Multi-academy trusts appoint their own members with little necessary regard to the parent bodies, staff or communities of their constituent schools. The ownership of schools has therefore shifted significantly away from the local community.

However, models of academy structures do exist which allow and indeed encourage democratic participation in their governance. Such bodies are probably more likely to help schools for all ages of children to be truly comprehensive.

Notes

[1] From *The Times* in 2015; see https://www.thetimes.co.uk/article/all-schools-to-be-academies-by-2020-cc5wwv077nw

[2] http://www.oecd.org/pisa/pisaproducts/pisainfocus/48910490.pdf

[3] See, for example, https://www.thetimes.co.uk/article/school-group-extravagant-with-money-wktv5cld2h3

[4] http://www.local.gov.uk/web/guest/children-and-young-people/-/journal_content/56/10180/7936318/NEWS

[5] See Channel 4 Dispatches, *How School Bosses Spend your Millions*, at: http://www.channel4.com/info/press/news/how-school-bosses-spend-your-millions
See also: Glatter (2016), Allen (2106).

[6] https://www.gov.uk/government/collections/academies-financial-notices-to-improve

[7] See https://www.co-op.ac.uk/co-operative-values-and-principles

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