FORUM
Volume 62, Number 3, 2020
www.wwwords.co.uk/FORUM
http://dx.doi.org/10.15730/forum.2020.62.3.405

Recapturing the Castle: looking to the de-corporatisation of schools and a post-viral revival of educational values[1]

NIGEL GANN

ABSTRACT In earlier issues of *FORUM*, Nigel Gann has written on the impact of academisation on state-funded schools and the growing democratic deficit in educational leadership. In 2018, Andrew Allen and Nigel Gann wrote on the dismantling of the English education service and offered some suggestions for a new representative model. This article explores some of the outcomes of the fragmentation of school provision and identifies the seven deadly sins enabled by the corporatisation of English schooling. It draws some parallels between the academisation process and the government's handling of the coronavirus pandemic of 2020. It goes on to propose an ethical platform for an opportunistic relaunch of state-funded comprehensive community-based education following the pandemic.

The context in which academisation came about in England was part of a national movement inspired to a large extent by similar movements in, for example, Sweden, New Zealand and the USA. It has sometimes been described as the *privatisation* of state-funded schooling in that it takes school management and the ownership of school resources out of the public sector (see Meek, 2014). However, it actually hands the control – that is, the governance and leadership – of schools to corporate bodies in the form of trusts, which are exempt charitable companies limited by guarantee. They are registered with Companies House but are not required to register with the Charity Commission. It is the duty of the Department for Education to ensure that they are compliant with charities law. The Secretary of State for Education is the 'principal regulator' for academies (see Paxton-Doggett, 2014, p. 3). I therefore prefer to call this process one of *corporatisation*.

In 2020, we have seen similarities between the government's controversial handling of the United Kingdom pandemic crisis and the way the coalition

government, newly elected in 2010, used emergency powers to instigate a radical change in the leadership and ownership of the schooling system in England. This may not surprise anyone, as the same political adviser was a key player in both events. The academisation strategy of 2010-20 shares with the 'herd immunity' tactic initially adopted by the government in early 2020 the neo-liberal approach which demands the minimum of regulation, management or interference by government and the maximum of delegated private control of public funding. In both instances, a strategy designed principally to benefit the free market meanwhile fed inequality, poverty and the growth of an underclass of the old, the sick, the disabled and the otherwise vulnerable. While this approach became a matter of growing dissent and dissatisfaction in the educational settings of the 2010s, it quickly became lethal in the four to eight weeks of behaviour-management-led 'herd immunity' of 2020, before being partially, though not transparently, reversed.

Local Authority Schooling, State-Funded Independent Schooling and the Health Sector

For the most part, in huge numbers, I contend, schools are led and worked in by staff whose first interest is the welfare and education of children and young people. The serious, and often tragic, progress of coronavirus through the country has reminded us, if we needed it, that the vast majority of schools still contain such conscientious, ethical – and often underpaid and overworked – adults.

In these respects, the United Kingdom's schooling system and the National Health Service (NHS) have much in common. Highly valued, even treasured, by their users, and staffed for the most part by skilled and dedicated professionals, the organisations themselves have been subjected to persistent structural disruption and the increasing involvement of the private sector.

Until 2010, the system supporting schools, being managed by professionals mainly as part of the public sector, and aligned with all the other public services, provided not just for the benefit of the economic health of the country, but also for the welfare of its citizens. It did what it could – often imperfectly but largely with the best of intentions – to reflect those standards. We can no longer take it for granted that these are the highest priorities in the system.

This is not to say that the academy system is by contrast rotten throughout. Thousands of academy schools are good and improving schools. The same teachers, teaching assistants and support staff, by and large, serve in academies as in the remaining maintained schools. Many of the leaders and governors of such schools continue to hold to the same beliefs and standards. The new system is constantly under scrutiny and subject to government efforts to improve it, in both its efficiency and its probity. There are models of academy trust schools, such as cooperative trusts, which replicate the very best

in democratically organised, popularly accountable, community-centred education.

Also, there is ongoing work towards adjusting those parts of the academy system that tend towards abuse or corruption. There continue to be significant changes in the requirements laid on the governance of stand-alone academies and multi-academy trusts. New demands are made, for example, on the publication of governance arrangements, schemes of delegation, and relevant business and pecuniary interests of accounting officers; the robustness of evidence-based decisions on executive pay (an issue that continues to resist resolution); the declaration of the interests of trustees; the establishment of a national database of trustees, local governors and senior staff; and the adoption of a whistle-blowing policy in all academies (Education Funding Agency, 2016/2017).

So, this article is not intended to be Luddite about any new system of schooling. But the process of disruptive innovation (see Gann, 2016b, p. 181) has continued to emanate from the government. It is still the case, despite changes in Ofsted practice, that schools are judged predominantly on a narrow set of performance measures, and that they are subject to government diktat about their future. The status of schools is dependent on a set of largely quantitative assessments, with little room for qualitative judgements.

What Now?

So, what are the questions that need to be addressed about the corporate provision of state-funded education in England? The key questions posed here are:

- What risks are there in school provision in England under the new arrangements that were not significantly present in the local authority system?
- How do these arrangements compare with the government's handling of the coronavirus crisis of 2020?
- Do the benefits of academies and multi-academy trusts outweigh the costs of 10 years of structural change?
- If not, what might a coherent model of school provision and governance look like in a post-pandemic state?

Corporatisation in Education

Corporate management made its way into local government, and therefore into the administration of public education, in the 1970s, and has moved into schools themselves following the introduction of local management of schools in the 1988 Education Act. Since that time, it has manifested itself in two main ways:

- The engagement of business/quasi-political people with corporate backgrounds in educational organisations (for example, Ark, the Harris Federation, Future Academies and the appointment of an accountant as Her Majesty's Chief Inspector) and administration (for example, Theodore Agnew, John Nash and James O'Shaughnessy).
- The requirement that people working in education must behave in businesslike ways – for example, target-setting, bottom-lining, using business labels (chief executive officer, executive head, principal, chief operating officer) and recruiting governors from 'business'.

This process has resulted in a schooling system that is far more liable to media and public criticism. So, one issue we need to keep in mind as we look at the fallout of the last 10 years is whether similar criticisms could have been made of the local-authority-dominated model between 1902 and 2010.

Academies and free schools have been subjected to considerable criticism in the educational media (see, for example, Gann, 2014; Johnson & Mansell, 2014; Boffey & Mansell, 2016) for both ineffectiveness and various forms of corruption that constitute perversions of the ideals of public services. These ideals reflect the belief that public goods should focus on the interests of users, and turning users into consumers involves a set of processes that is more akin to 'business'.

The first issues to resolve, then, are whether the new models enable, or even encourage, a set of 'behaviours' that might be incompatible with the ideals of public service, and whether the new models are more effective, less effective or about the same in achieving the desired outcomes of a schooling system. Of course, these behaviours were not entirely absent from a local-authority-led service. Not for a moment should we think of the past as a golden age of unblemished professional conduct. But local-authority oversight seems to have provided some constraints on the poorest leadership behaviour, while having other precautionary measures built in – national pay scales managed largely by in-house local-authority services, national regulations on expenditure under local management of schools, and complaints and accountability systems which led directly to local council members, as well as, perhaps, a culture within the public services where the user's entitlement to a certain standard of treatment was tacitly accepted.

A study of the literature of opposition to and judgement on the academy model suggests that these behaviours might be categorised as follows. They mainly, but by no means exclusively, relate to the academy sector. But they also demonstrate the capacity of the developing culture in corporate schools to infect others across boundaries. Each also raises some questions about the values and tactics driving the government's management of the pandemic. The question that will hang at the end of this list is whether these behaviours are characteristic of a set of dominant values that are endemic in or aberrant to the schooling system.

Venality

Perhaps the most persistent of complaints about academies, from the Parliamentary Select Committees on Public Accounts and on Education downwards, has focused on leadership salaries and resultant pay inequality. The revelations of double-figure percentage increases for growing numbers of senior administrative staff, at a period of zero increases and deteriorating working conditions for teaching and support staff in schools, are now an annual event (see, for example, Staufenberg, 2018a). They are accompanied by repeated, but impotent, requests from the Department for Education to trusts to rein them in (Education and Skills Funding Agency, 2019).

Similarly, the government continues to try to regulate to control breaches of financial regulations, such as inappropriate and excessive spending on non-essentials, and to limit related party transactions. But as long as access to trust funds is controlled by a small number of individuals, often self-appointed, sometimes in perpetuity, this will continue to cause problems.

In short, the provision of state-funded schooling in England has been monetised. It can be seen by a significant number of players as an opportunity to have more power, and to make more money, in a statutory provision than can ordinarily be made by the provision of goods or services. If that were not the case, why would businesses like Harris Carpets, Babcock International and John Catt Publishers, as just three examples, want to play a larger role in the organisation of schooling than the mere selling of their specialist products?

A very similar process can be seen in the way the government has handled the pandemic. Reports emerged in May of how an artificial intelligence start-up that had worked on the Vote Leave campaign with Downing Street adviser Dominic Cummings – Michael Gove's key adviser at the Department for Education in his period of office there – was awarded 'at least seven government contracts worth almost £1m in the space of 18 months' (Evans & Pegg, 2020). Theodore Agnew (see above), a key Gove associate, minister, and academy facilitator and leader, had a £90,000 shareholding in this company, while holding office at the time of writing as a Cabinet Office minister 'responsible for the government department that promotes the use of digital technology within public services' (Evans & Pegg, 2020). This toxic mix of engagement with a state-funded provision, control of the government department responsible for the provision, and financial interest in its promotion translated seamlessly from the Department for Education of the early 2010s, through the various European Union (EU) campaigns and into the era of the pandemic.

Deceit

Between 2013 and 2017, incidences of cheating in the performance and reporting of tests and exam outcomes quadrupled (Allen-Kinross, 2018; Schools Improvement, 2018; Staufenberg, 2018b). The practice of 'off-rolling' and informal exclusion has grown to be a significant issue (see, for example, Weale,

2018; Adams, 2019b). Questions have often been raised about the performance of academies in Ofsted inspections – for example, by bringing in more experienced teachers from other schools during an inspection (Youle, 2019). Meanwhile, the Department for Education has become ever more mendacious itself under a succession of politicians notable only for their commitment to their own advancement within their party. This has involved, in particular, Nicky Morgan's ticking off by the UK Statistics Authority for her claims about Key Stage reading and writing results under Labour; an Education Policy Institute attack on figures presented by schools minister Nick Gibb for three years running purporting to show increasing numbers of pupils attending 'good' and 'outstanding' schools; a concurrent investigation into Damian Hinds' persistent mendacious assertions about school funding, leading to admonishment by the UK Statistics Authority; and Jo Johnson and Sam Gyimah's commitment to the disastrous and rightly short-lived appointment of free school founder Toby Young to the Office for Students. Moreover, numerous cases have been uncovered (Mansell, 2018) of the Department for Education pre-empting the forced-transition-to-academy process. In February 2020, the Department for Education egregiously published the names of three whistle-blowers involved in the Waltham Holy Cross forced-academisation saga, an act that is likely to lead to legal action against the Department.

Again, as the death toll of coronavirus in the United Kingdom surpassed all others in Europe, it appears that the information made available in early May 2020 about testing and the availability of personal protective equipment for health-care professionals was often highly questionable. The use of numbers and statistics and graphs often showed very poor performance by the United Kingdom against international comparisons, while being greeted as a series of triumphs by government spokespeople and ministers.

Secrecy

Secrecy has always been a key piece of armoury for governments, and the Department for Education over the last 10 years has been as assiduous in using it as any other department. The minutes of meetings containing one line – 'The [Department for Education] Board held discussions on the work of the department during the Parliament' – published two years after the event give a clue as to the government's commitment to transparency and accountability. As in all the other sins listed here, this sets a tone for the rest of the education world. The closure of Wakefield City Academies and the long-running debacle of Bright Tribe's sponsorship of Whitehaven Academy are just two examples of the scope that academisation offers to the incompetent, the self-serving and, sometimes, the overtly criminal through the prevailing opacity in trusts' governance and leadership. During 2017-18, increasing numbers of head teachers of schools identified as 'failing' by Ofsted were 'disappeared' by their local authorities, with Kent taking on the appearance of a Bermuda Triangle for school leaders (in 2017, no fewer than 10 local authority schools in that county

started the school year without a head teacher). While not attributable directly to academisation, as these were local authority school head teachers, the local authority's ability to remove head teachers without consultation with their governing boards and without informing the community was undoubtedly inspired by the Department for Education's unwillingness to demand accountability from local authorities, while displaying its own lack of transparency.

Similarly, the government met criticism about its secrecy over its early tactics in the handling of the pandemic. Was achieving 'herd immunity', recommended by some scientists and spoken of approvingly by the prime minister, really an aspiration? Who was leading government policymaking while the prime minister missed five critical COBRA (Cabinet Office briefings) meetings? And who exactly was 'on' the SAGE (Scientific Advisory Group for Emergencies) group of advisers, who attended and who was allowed to participate?

Centralisation

While presented as an opportunity for the greater autonomy of schools, which would inevitably lead to better 'performance', the academy system has predictably led to a greater centralisation of educational provision. Individual school head teachers can be subject to an academy board often miles – sometimes hundreds of miles – away, while local governing (or 'advisory') boards find themselves with no powers, little influence and, in one extreme example, in the Manor Hall Academy Trust of seven small special schools in Staffordshire, the inability even to meet, let alone discuss strategic issues with, their own chair of trustees. Elsewhere, some trusts see no role at all for parents or members of the local community in their leadership or governance (Coughlan, 2016). The government's boast that academisation offered local communities, and parents in particular, the chance to run their own schools was always, of course, laughably hollow. Regional Schools Commissioners, appointed directly by the Department for Education, with their own chosen Headteacher Boards, exercise a firm grip on statutory education in their districts, while participating in decisions about academising schools that fulfil a purely party-political agenda.

Some commentators saw the pandemic and the attendant emergency powers it gave the government in 2020 as an opportunity for it to continue and accelerate the dismantling of the NHS: 'In recent weeks, ministers have used special powers to bypass normal tendering and award a string of contracts to private companies and management consultants without open competition' (Garside & Neate, 2020). After the government instructed NHS Trusts not to purchase their own protective equipment and ventilators, but to leave procurement of 16 such items to be handled centrally, Garside and Neate (2020) suggested that:

> Centralising of purchasing is likely to hand more responsibility to Deloitte ... the shadow chancellor of the Duchy of Lancaster said, 'The government must not allow the current crisis to be used as cover to extend the creeping privatisation of the NHS'.

Cronyism

It may be inevitable that venality, secrecy and centralisation lead to cronyism. Venture capitalists, hedge funders, global outsourcers, trustees and chief executives abound in the new educational world, intertwined in the complex network of multi-academy trusts, free schools, think tanks and non-governmental organisations. And almost all of them share one outstanding characteristic (a characteristic most highly valued by the first Secretary of State for Education under the 2010 Conservative-led coalition government): they have no experience in, or knowledge of, education.

Allen (2017) writes about the democratic deficit inherent in the governance arrangements for academies, and it is hardly surprising, given the way the structure was set up:

> A handbook published in 2014 by the Institute of Chartered Secretaries and Administrators, and endorsed by the then chair of the National Governors' Association, noted uncritically that 'Generally, the first port of call for academies looking for governors is the connections of those already on the board'. (Paxton-Doggett, 2014, quoted in Gann, 2016a, p. 186)

The sin of cronyism and its very close relative, nepotism, reached, hopefully, its nadir when it was revealed that Lord Harris of Peckham has so arranged the business of his 49-school trust that, after his death, 'its "principal sponsor" – or controlling individual – will stay within the family ... passing to his wife or, alternatively, to his two sons' (Mansell, 2019). It is a remarkable moment when decisive control of nearly 50 state-funded schools can be passed from parent to child as a personal legacy.

Linked to cronyism, of course, there are the even shadier behaviours which often cross the boundary into criminality, with features redolent of the findings against Harvey Weinstein and his Miramax company – bullying, intimidation of staff and pupils, and the use of non-disclosure agreements to cover up cheating, discrimination and assault. Again, the constant reappearance of familiar names has become a wearyingly familiar aspect of the pandemic crisis. Gove, Cummings, the Warner Brothers, Agnew, Nash, O'Shaughnessy, Harris ... the names go round and round, running our schools, owning shares in the technology companies that one minute are analysing voting data for an EU referendum and the next advising on the handling of a health crisis, while producing resources for the schools which they hold in trust for the children.

Isolationism

The London Challenge, between 2003 and 2011, is widely recognised as one of the most successful initiatives in school improvement. Both the government and Ofsted accepted that there was a substantial and sustained improvement in the performance of secondary and, later, primary schools in this period: 'One of the distinctive features of London Challenge was a focus on partnership and shared purpose between schools, whilst avoiding stigmatising schools through the use of negative language'.[2] While successive right-wing governments have lauded the potential for academies to make both economic and academic improvements by virtue of scale, England's schooling has become a labyrinthine hotchpotch of small, medium and large trusts and the remnants of local authorities, impenetrable to the understanding let alone the participation of parents and communities. While school staff worked tirelessly and at personal risk through term time and 'holidays' to ensure the safety of vulnerable children and the families of key workers during the spring and early summer of the 2020 pandemic, the Department for Education took the opportunity to up the pace of its forced conversion programme. After all, what better opportunity would there be, while school leaders were engrossed in saving lives?

The larger trusts have preferred competition to collaboration since the beginning of the academy programme. While individual schools had to learn new ways of cooperating as local authorities lost the capacity to support them, through clustering and federating, the larger trusts brought overt competition to schools in a way that had been shunned by the state sector in living memory:

> In January 2015, a press release from Ark Academies Trust printed its own GCSE results in 2013 and 2014, alongside the other nine largest academy networks, which happened to show that Ark was 'the only one of the top ten largest academy networks to see GCSE results improve in 2014'. (Gann, 2016b, p. 177)

The Ark academy chain is led by hedge-fund investors Paul Marshall and Ian Wace. Marshall donated to Michael Gove's two failed leadership campaigns. He chairs the Education Policy Institute, where former investment banker David Laws, short-lived Chief Secretary to the Treasury in 2010 but later returned as schools minister, unmarked by his behaviour in wrongfully claiming more than £40,000 in parliamentary expenses over five years, serves as Chief Executive.

Such isolationism is a form of exceptionalism. Instead of recognising the strengths of other models, welcoming diversity and collaboration, it emphasises the values of going one's own way, appreciating and lauding only those achievements of one's own, and always celebrating one's own 'success', spurious or not, rather than the system as a whole. This was almost uniquely the United Kingdom's attitude in its handling of the pandemic in the first six months of 2020, proposing different solutions, claiming better performance, against all the evidence presented by the available data, and suggesting that the publication of contrary views was inaccurate and unpatriotic (Helm, 2020).

Precariousness

The coronavirus pandemic struck in the early spring of 2020. By that time, schools had experienced almost 10 years of cutbacks to their finances, to the professional support available to them, and to the academic research they rely on to continuously improve their practice, while most staff had lived through a time of static or deteriorating pay.

The sight for parents of letters from their children's school begging for donations has become wearily familiar. Operators of dozens of academy schools rely on emergency handouts from the taxpayer, with large and small chains suffering alike:

> More than half of the biggest multi-academy chains had issued warnings about funding, citing pay, staffing levels, building maintenance and mounting deficits. It has now emerged that some smaller trusts have had to ask for cash advances from the state to stay afloat. (Savage & Mansell, 2018)

Savage and Mansell (2018) went on to report that: 'The Department for Education says that school funding is rising from almost £41bn in 2017-18 to £43.5bn in 2019-20, and that every school will receive an increase in funding through the national funding formula this year [2018]'. The Secretary of State later had to admit that this was not true.

Meanwhile, incompetent, sometimes provably criminal, school sponsors come and go, and individual schools are hawked around from trust to trust because the deficit they carry with them would not be acceptable. While multi-academy trusts can walk away from schools without sanction, schools are stuck with trusts they can no longer – trust. Government policy switches from all-out academisation as soon as possible to a waiting game, ensuring that school governing boards eventually, and often against their better judgement, give up the fight to remain with their underfunded and understaffed local authority, and accept the inevitable.

Addressing the Seven Deadly Sins: corporatisation and the ethical shift

In April 2020, the second month of lockdown in the United Kingdom, there was a brief debate on Twitter between Sam Freedman and Rupert Higham. Sam Freedman is a fully signed-up member of the new educational establishment, being the Chief Executive of Ark's Education Partnerships Group (EPG). 'EPG works in developing countries to help improve the quality of education, including through well designed public–private partnerships and effective systems of school accountability' (Ark, 2019). Freedman joined EPG from Teach First, where he was Executive Director. 'He has extensive experience in education, including a period as Senior Policy Adviser to the Secretary of State for Education' (Ark, 2019). To be reasonably fair to Freedman, he is not the most closed-minded member of the establishment. Rupert Higham is a Lecturer

in Educational Leadership at the University College London Institute of Education. In a debate which addresses the government's handling of the pandemic, Freedman suggests that the government's handling of the pandemic has been incompetent, but that this does not mean it 'actively' intended that people should die. Higham's response to this claim could just as easily apply to the academy debate:

> Intent and motivation don't work in organisations like it does in people. When investigating institutional racism, we don't look for proof of the racism of individuals but for evidence of discriminatory impact of systems ... if safeguards are ignored or overturned, then the 'motivation' of the organisation is discriminatory, regardless of individuals. With COVID-19, alerts, plans and contingencies were ignored. The 'motivation' was thus to put economic and political considerations above lives. (Higham & Freedman, 2020)

My contention here is that the catalogue of sins committed in English academy schools was unlikely to have been endemic in a national provision dominated by a culture of non-profit-making public service. But the academy policy extended to all schools over the period between 2010 and 2015 was not merely *prone to* abuse, owing to the built-in capacity of the schools to provide opportunities for high salaries for professional educators and 'on-the-side' profit opportunities for a cohort of people who are not professional educationalists. On the contrary, the perverted *motivation* of the education service in these ways has been an integral element of the academy system, and it is impossible to imagine the model *without* these inherent characteristics. Because what would such a model look like?

Values

No one would argue, would they, that education can be value-free? Perhaps some might suggest that schooling could be. But the model of schooling that a nation chooses must reflect the values of the leaders who construct it.

There is no evidence of any advance consultation or of evidence-based policy construction in the shift from academies being a niche solution to intransigent inner-city performance issues into a nationwide movement. The use of emergency powers in 2010-11 to push through the legislation suggests that the Department for Education, under Michael Gove and Dominic Cummings, saw it as a predominantly – perhaps even purely – ideological move drawn out of the innovative disruption cupboard knocked together by Oliver Letwin and John Redwood (1988) to explain how to denationalise everything a Conservative government could lay its hands on (see also Meek, 2014).

We have therefore seen how a policy derived from an ideological mantra for smaller, lighter government and a society based on the concept that private interests will produce a more efficient state extended from the education department – run in tandem by two of its most extreme adherents (Michael

Gove and Dominic Cummings) and enabled by a team of dedicated, almost entirely unelected, disciples – and came to infect government in two of the key moments of the 2010s in the United Kingdom: the EU referendum and the 2020 coronavirus pandemic. Intended and other possible outcomes, the evidence now suggests, were never more than crude headlines about school autonomy, freedom from local government, the raising of 'standards', and release from the notorious education blob, consisting of anyone who knew anything about it.

Certainly, the agenda included a notable absence of values, and relied on three key assertions:

- Local government was not up to administering an education system that would deliver the priorities identified by governments – Labour, coalition and Conservative – to place England higher in the international rankings.
- People with business experience are better at providing services than the public sector.
- Politicians know better than anyone else, including professional educationalists, whether practitioners or academics, what schooling should offer and how it should do it.

These assumptions, in turn, assume – though maybe less explicitly – that the outcomes of schooling are more important than the processes and, since certain outcomes are easier to measure than others, that content is more important than method.

Effectiveness: what has it all been for?

So, we have laid out some of the eggs that were broken during the most radical rearrangement of schools in England since the 1870s. The question now is: 'Where's the omelette?'

Do Academies Work?

Perhaps the most remarkable fact in this whole saga is that, after nearly 10 years of creeping, then rushing, academisation, we have no definitive evidence that schools are performing any better than they were.

Do academies produce better measurable outcomes for their pupils? There is still no definitive evidence to show that academies work. They do not seem to produce better results per se than local authority schools (see, for example, Andrews & Perera, 2017; Adams, 2019a). They appear to be no more efficient in their use of the extra funds they receive. Indeed, the economy of scale achieved by local authorities is beyond the reach of the largest multi-academy trust.

There is no evidence available that parents are more likely to get the primary or secondary school of their choice, or that choice is greater where there are academies rather than maintained schools (see, for example, Weale,

2020). What we have ended up with is, arguably, not even a system. 'Tony Blair said that the aim [of limited academisation] was to create "a *system* of independent non-fee-paying state schools" but it always appeared questionable whether that model was compatible with the notion of a "system"' (Glatter, 2018). So, where, exactly, is the omelette?

What Now? A Caveat

What might happen now? The last few years in British, and particularly English, politics have been more turbulent than at any time since the Second World War. So, predictions may well be worthless – especially in the sphere of state education. In addition, the impact of the coronavirus is impossible to measure or foresee. Could this be a tipping point, where the realisation hits home that continuing austerity and growing poverty (turning to actual widespread destitution where the economy collapses) feed inequality in education? David Laws (see above) certainly appears to think so, and he was a significant player in the austerity regime (see Millar, 2020). From being a need identified in local, mainly urban, hotspots, where children were appearing in school unfed and often inadequately clothed, the poverty of schoolchildren became a national concern during the lockdown of spring 2020, and impossible to ignore. This led people in all sectors of education to ask fundamental questions about the nature of the work they were being told to perform (Sweeney, 2020).

New Structures

There appears to be little enthusiasm for a return to the pre-1988 system. But there may be support for a return to some degree of localism. The demand for a new Education Act addressing five systemic structural issues is rising. These are the growing crisis in teacher recruitment and retention; increasing professional and parental disenchantment with the curriculum and examination system (dramatically exemplified by the results fiasco of the past summer); the over-centralisation of governance and accountability; school admissions based on a fiction of parental choice and the actuality of school choice; and the funding deficit (see, for example, Brighouse, 2018).

Allen and Gann (2018) have proposed the following, which would reintroduce localism, tighten up accountability and reduce personal profiteering:

At the local level. Local education boards to cover all areas of England, coterminous with local authority boundaries. These would replace both existing local authorities' responsibility for schools and the Regional Schools Commissioners with their Headteacher Boards.

The local education boards would be partly directly elected by the public and partly elected by governors of existing educational establishments. They would be responsible for:

- The oversight of all educational provision from early years to further education, including all independent and private providers;
- Ensuring universal access to high-quality comprehensive provision and public accountability;
- Enabling cooperation between educational providers from all sectors;
- Ensuring fair admission arrangements and equality of access (including transport);
- Ensuring provision of appropriate education for children regardless of need;
- Disseminating best practice amongst all providers;
- Enabling innovation in educational practice;
- Providing information to the public and an appeals process in the event of unresolved complaints.

The boards would be responsible directly to Parliament for their performance, and subject to inspection against agreed criteria, including achievement levels across the locality. They 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 (Gann, 2013).

At the school level. The status of all schools that are currently academies or free schools would be required to reflect their position as community-based charities – whether as stand-alone academies or as members of a chain or multi-academy trust. They would be required to be membership charities, with membership including any parent or carer of any child enrolled in the school.

Other individuals could apply for membership – for example, members of the community served by the school, individuals connected to the school, or individuals with a skill or quality that the school would find helpful. Membership duties and responsibilities would include annual election of a third or a quarter of the board with local responsibility for the school. The membership, above all, would be empowered to hold the board to account on an agreed set of performance standards and, ultimately, under extreme circumstances (where the board's probity or effectiveness is seriously compromised), to remove it altogether. It would allow any member of the community, and would encourage parents, to become 'social shareholders' in the school (Gann, 2016a).

Instead of direct performance accountability to Parliament, I would now advocate the creation of an umbrella national education service which sets broad aims and objectives for schooling at a strategic level. Such a service would comprise education professionals from all levels of state-provided and independent education, together with academics and cross-party politicians.

Values

For a set of basic values for a national system, we should look to a system which:

- Can stand up robustly and remain in good condition (*firmatis*, durability);
- Is useful and functions well for the people using it (*utilitas*, utility);
- Delights people and raises their spirits (*venustatis*, beauty).

These were the principles laid down by Vitruvius Pollio (died 15bc) for the construction of buildings 2000 years ago. It is arguable whether schooling in England currently meets any one of these expectations.

Vitruvius understood that any construction needs a culture underlying it, not merely practical and technical skill in its building. The capacity for the wide and deep engagement of local people in their schools should join these fundamental values of public education to underlie its structures at every level, and accountability to them must be enshrined in law.

Can we change the way we do education in the United Kingdom? Can we change the way we do government? It may prove impossible to do one without the other.

Note

[1] This article is based on the final two chapters of the author's book, *Capturing the Castle: how big business stole our schools*. The book centres around the practice of the forced academisation of schools, using as a case study the deceptions practised by the Department for Education, a local authority and a multi-academy trust to transfer control of a small village primary school in Somerset. This was due to be published in 2018, had been read, approved, legally cleared and the launch date agreed. However, the publisher, without warning or explanation, contacted the author to say that he no longer wanted to publish it. The reason for this change of mind only became clear six months later when the author learnt that the managing director of the publishers is also one of the three responsible members of a multi-academy trust that was awarded the sponsorship of a Hertfordshire primary school. This school was the victim of very similar tactics to those described in the book, and the subject of a prolonged but ultimately unsuccessful struggle against the combined forces of the Department for Education, the local authority and Ofsted. At the time of writing, the book remains unpublished.

[2] Kidson and Norris (2014), in https://en.wikipedia.org/wiki/London_Challenge#:~:text=One%20of%20the%20distinctive%20features,require%20the%20most%20intensive%20intervention

References

Adams, R. (2019a) Maintained Primaries Outperform Academies and Free Schools, *Guardian*, 14 December. https://www.theguardian.com/education/2019/dec/13/academies-and-free-schools-underperform-in-sats-figures-show

Adams, R. (2019b) 'Off-Rolling' Hides True Extent of Disadvantage Gap in Schools – Study, *Guardian*, 5 December. https://www.theguardian.com/education/2019/dec/05/off-rolling-hides-true-extent-of-disadvantage-gap-in-schools-study

Allen, A. (2017) The Academy Revolution Is Ousting Governors, *Democratic Audit*, 26 January. https://www.democraticaudit.com/2017/01/26/the-academy-revolution-is-ousting-school-governors-we-need-to-hold-these-schools-accountable/

Allen, A. & Gann, N. (2018) Embedding Democratic Engagement in School Leadership: comprehensive schooling structures in an academised system, *FORUM*, 60(2), 217-228. https://doi.org/10.15730/forum.2018.60.2.217

Allen-Kinross, P. (2018) Doomed Schools Company Trust 'Double-Counted' GCSEs, *Schools Week*, 4 July. https://schoolsweek.co.uk/doomed-schools-company-trust-double-counted-gcses/

Andrews, J. & Perera, N. (2017) School Performance in Academy Chains and Local Authorities – 2017, Education Policy Institute, 19 June. https://epi.org.uk/publications-and-research/performance-academy-local-authorities-2017/

Ark (2019) Sam Freedman Appointed New Chief Executive of Ark's Education Partnerships Group. https://arkonline.org/news/sam-freedman-appointed-new-chief-executive-arks-education-partnerships-group

Boffey, D. & Mansell, W. (2016) Are England's Academies Becoming a Cash Cow for Business? *Guardian*, 12 June. http://www.theguardian.com/education/2016/jun/12/academy-schools-cash-cow-business

Brighouse, T. (2018) Social Mobility: time for a new Butler Act for the 21st century, *Guardian*, 3 April. https://www.theguardian.com/education/2018/apr/03/rab-butler-1944-revolutionise-education-act-tim-brighouse

Coughlan, S. (2016) Academy Chain to Scrap Governing Bodies, *BBC News*, 19 January. http://www.bbc.co.uk/news/education-35347602

Education and Skills Funding Agency (2019) List of Trusts Receiving Letters from ESFA about High Executive Salaries. https://www.gov.uk/government/publications/letters-to-academy-trusts-about-levels-of-executive-pay/list-of-trusts-receiving-letters-from-esfa-about-high-executive-salaries

Education Funding Agency (EFA) (2016/17) (20https://www.gov.uk/government/organisations/education-funding-agency

Evans, R. & Pegg, D. (2020) Vote Leave AI Firm Wins Seven Government Contracts in 18 Months, *Guardian*, 4 May.

https://www.theguardian.com/world/2020/may/04/vote-leave-ai-firm-wins-seven-government-contracts-in-18-months

Gann, N. (2013) in *House of Commons Education Committee: The Role of School Governing Bodies, Second Report of Session 2013-14*, Volume III (House of Commons2013). London: The Stationery Office.

Gann, N. (2014) Educating Ethics: the probity of school governance, *FORUM*, 56(3), 485-498. https://doi.org/10.15730/forum.2014.56.3.485

Gann, N (2016a) Capturing the Castle: an exploration of changes in the democratic accountability of schools, *FORUM*, 58(2), 177-194. https://doi.org/10.15730/forum.2016.58.2.177

Gann, N. (2016b) *Improving School Governance: how better governors make better schools*. 2nd edn. London: Routledge. https://doi.org/10.4324/9781315735757

Garside, J. & Neate, R. (2020) Serco Deal Raises Fears That NHS Faces 'Power Grab' by Private Sector, *Guardian*, 5 May. https://www.theguardian.com/business/2020/may/04/uk-government-using-crisis-to-transfer-nhs-duties-to-private-sector

Glatter, R. (2018) The 'Independent State School' and Its Aftermath: which way now? Keynote paper at British Educational Leadership, Management and Administration Society Review of UK Education conference, 25-26 September, Birmingham.

Helm, T. (2020) They Rang and Asked Us ... , @tobyhelm, *Twitter*, 26 April.

Higham, R. & Freedman, S. (2020) Intent and Motivation, @rupert_higham, @Samfr, *Twitter*, 19 April.

Johnson, M. & Mansell, W. (2014) *Education Not for Sale: a TUC research report*. London: Trades Union Congress.

Kidson, M. & Norris, E. (2014) *Implementing the London Challenge*. York: Joseph Rowntree Foundation.

Letwin, O. & Redwood, J. (1988) *Privatising the World: a study of international privatisation in theory and practice*. London: Cassell.

Mansell, W. (2018) https://www.educationuncovered.co.uk/

Mansell, W. (2019) Businessmen in Near-Complete Control of Schools Educating More Than 100,000 Pupils, New Analysis by Education Uncovered Shows, *Education Uncovered*, 6 November. https://www.educationuncovered.co.uk/news/143236/businessmen-in-nearcomplete-control-of-schools-educating-more-than-100000-pupils-new-analysis-by-education-uncovered-shows.thtml

Meek, J. (2014) *Private Island: why Britain now belongs to someone else*. London: Verso.

Millar, F. (2020) 'The Human Stuff Matters': heads call for a kinder school system post Covid-19, *Guardian*, 5 May. https://www.theguardian.com/education/2020/may/05/headteachers-call-for-kinder-school-system-coronavirus-michael-gove

Paxton-Doggett, K. (2014) *How to Run an Academy School*. London: ICSA.

Savage, M. & Mansell, W. (2018) Dozens of Academy Schools Need Bailouts from Taxpayers, *Guardian*, 3 February. https://www.theguardian.com/education/2018/feb/03/academies-schools-deficit-bailout

Schools Improvement (2018) Britain's Best School Has Its SATs Results Ruled Null and Void in Cheating Storm, 23 July. https://schoolsimprovement.net/britains-best-school-has-its-sats-results-ruled-null-and-void-in-cheating-storm-after-superhead-takes-failing-primary-to-top-award/

Staufenberg, J. (2018a) Named: The 92 academy trusts with multiple staff on £100k+, *Schools Week*, 30 April. https://schoolsweek.co.uk/named-the-92-academy-trusts-with-multiple-staff-on-100k/

Staufenberg, J. (2018b) SATs Results Wiped at Second Harris Academy. https://schoolsweek.co.uk/sats-results-wiped-at-a-second-harris-academy/#:~:text=Pupils%20at%20a%20second%20Harris,after%20an%20STA%20maladministration%20investigation

Sweeney, N. (2020) When the Covid-19 Crisis Finally Ends, Schools Must Never Return to Normal, *Guardian*, 7 April. https://www.theguardian.com/education/2020/apr/07/when-the-covid-19-crisis-finally-ends-uk-schools-must-never-return-to-normal

Weale, S. (2018) 300 Schools Picked Out in GCSE 'Off-Rolling' Investigation, *Guardian*, 26 June. https://www.theguardian.com/education/2018/jun/26/300-schools-picked-out-in-gcse-off-rolling-investigation

Weale, S. (2020) Thousands of Pupils in England Miss Out on First-Choice Primary School, *Guardian*, 16 April. https://www.theguardian.com/education/2020/apr/16/thousands-of-pupils-in-england-miss-out-on-first-choice-primary-school

Youle, E. (2019) Top Academy Chain Accused of 'Cheating' Ofsted Inspections at Multiple Schools, *HuffPost*, 12 July. https://tinyurl.com/y5cbwcx8

NIGEL GANN is an education consultant and author working with school governors and head teachers. He has been involved in managing and governing schools for more than 40 years. He has written, spoken and trained on school leadership throughout England, Wales and abroad for the Department for Education, Ofsted, the British Council, BBC television and radio, the Leadership College, and the universities of Leicester and Southampton. He has been a governor in nine schools, including spells as chair in three of them. He is the author of four books on leadership.
Correspondence: nigel.gann@hamdoneducation.co.uk