What are free schools, and what are they free from?

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Abstract

This article is based on a PhD research project at the University of Birmingham. It examines the intersection between official descriptions of the post-2010 free school programme and the actual experiences of individuals who opened such schools. The tensions between them are located within the control exerted by central government over school characteristics, even within an environment described as 'free'.

Keywords: free schools; multi-academy trusts; free school policy; Conservative education policy; traditional education

Free schools were introduced as part of reforms to England's school system brought in by the 2010 coalition government (this also included mass academisation, university technical colleges, UTCs, and studio schools). Official discourse suggested that free schools were new, small (with small class sizes), would drive innovation, and leverage competition and improvement within the school system. This was a form of policy 'borrowing' which drew on previous school models, especially the Conservative city technology colleges (CTCs), state-funded independent schools set up as part of the 1988 Education Reform Bill, and New Labour academies (originally city academies, which used the CTC model to provide new schools in areas which had experienced many years of underachievement).[1] Particular freedoms within conditions of service, pay and curriculum which had been features of the CTCs and New Labour academies were reflected in free school 'freedoms'. England's free schools can also be seen as one element within a globalised school-choice theory, which positioned parents as consumers within a market-type environment. This globalised education reform movement (GERM) promoted the benefits of state deregulation used within USA charter schools and Swedish *friskole*.[2] Free school policy was supported by a form of policy-advocacy, mobilised through the New Schools Network (NSN), a 'private' organisation by government grant with the sole purpose of promoting free schools. Within this discourse, free schools were positioned as a 'new' school type, distinctive and superior when compared to other schools. Most were also 'new', requiring a site, building and new 'customers' (parents and pupils), although a small number of existing 'independent' schools used this route to opt into the state-funded schooling system (where they were struggling financially within the private sector).

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Free schools were described as free from 'bureaucracy'. They were allowed to employ unqualified teachers, ditch national pay and conditions, and benefit from not having to teach the national curriculum. This was seen as a radical departure within England's school-supply system, creating fears within some media about a negative impact on staff (qualifications, conditions of service and pay), parents (where superior position within the market might allow selection) and existing school leaders (by dint of the disruption caused by new schools set up in a local area where there was no need). Within the right-wing press, free schools offered a welcome form of radicalism – a solution to weak and inefficient public service provision – closely associated with Michael Gove (secretary of state for education 2010 to 2014) and a 'flagship' policy of the 2010 coalition and subsequent Conservative governments.

By 2022, over 500 free schools had opened, with more planned. The free school policy remains the mechanism for central government to open new schools, a role it removed from local authorities (LAs) in 2010. The process of creating a free school was managed through an application, with associated assessment managed by the Department for Education (DfE). Despite early links within official discourse to the Conservative's 'big society' (a strand in the 2010 Conservative manifesto which promoted government exiting public-service delivery to allow local groups to take on this role), very few parents, charities and other local groups had the capacity to make successful bids. Free school applications became increasingly awarded to large multi-academy trusts (MATs), a legal structure that receives funding for groups of schools from central government, which can be seen to have replicated a role previously played by LAs, but with far greater bureaucratic control over schools. The free school application assessment criteria were never placed in the public domain, although much of the ideology which underpinned Conservative party views about education, schools and schooling was clearly to be seen in its 2010 White Paper, *The Importance of Teaching* and in a series of speeches made by Gove during the run up to the 2010 election.[3]

This official discourse focused on:

- the energy and innovation created by new schools unconstrained by bureaucracy (in contrast to 'weak' LA-run schools)
- the benefits of traditional approaches to schooling, including 'smart' uniform and 'strict' discipline
- the need for a more rigorous test and examination system, with a particular focus on particular forms of knowledge, especially a racially and culturally narrow definition of 'our' heritage
- further reform of teacher training, so that only 'bright' graduates were trained and a proposed shift in the process used to gain qualified teacher status, with greater focus on technical skills and a reduction in unwanted 'theory'

- the way a traditional model of schooling would enable disadvantaged pupils (specific terminology used to identify a cohort of pupils whose parents were in receipt of particular additional benefits funding) to achieve better outcomes. This was linked to a greater focus on core subjects such as literacy and numeracy.

The 2010 policy had inbuilt tensions, defined by its allegiance to school choice market theory which proposed benefits for consumers because of competition and innovation, whilst focusing on traditionalism as a key characteristic of 'good' schools. This tension was played out within a centralised control mechanism used to determine which free school applications were successful and the way state-funded schools in general were controlled by using school performance tables and Ofsted inspections. A hidden, but important, part of the free school application process was an evaluation of individual and group 'worth': a 'credential' check used to assess the track record and suitability.

What are free schools free from?

I want to make a distinction between the way policy discourse positioned free schools and the actual experiences of those involved in setting up and running them. Policy announcements led to a myth about their characteristics, which suggested they employed unqualified teachers, might have a non-standard approach to conditions of service (especially longer working days), reformed pay (with bonuses for the best staff) and innovative approaches to the curriculum.[4] Some elements of this policy discourse suggested free schools were also smaller than other schools, or benefited from smaller than average classes (or both). A key element of this discourse was the way it positioned free schools as distinctive, a superior type of school organisation when compared to inflexible, bureaucratic LA-run schools.

When the free school application process was announced there was considerable interest from local groups, including parents, teachers and charities. There were some areas where school places were needed (due to population growth) and this was the only mechanism to create new schools. Some charities had an interest in expanding their portfolio of provision, especially where they might already have links to existing forms of alternative provision (a form of schooling which catered for pupils excluded from school or, in some cases, at risk of exclusion). There were always more applications to open free schools than actual need, and the DfE application assessment process provided a form of quality control which focused on demand for local school places, the 'capacity' of those making an application and the 'quality' of the type of school proposed.

The successful applications quickly became dominated by large MATs, which had particular advantages in terms of resources and an existing 'track record', a feature noted by the Education Policy Institute.[5] This meant that, after an initial flurry of interest and a few high-profile cases, relatively few free schools were run by parents,

charities or local teachers. Although some influential free schools gained significant press coverage because of a particular approach to an extreme form of discipline, use of Latin mottos or 'innovative' teaching of classics, the application assessment process was shaped by official definitions of 'good' school status, which gave value to traditional models of schooling. Free schools needed to perform well compared to other schools and this meant assigning sufficient value to core subjects, 'rigorous' pupil assessment processes and meeting requirements flagged within the Ofsted inspection framework which defined how schools would be inspected. Innovation was unlikely to be an advantage within this environment and could be seen as a disadvantage, especially where there was reference to 'progressive' experiments seen as rooted in the 1960s or 1970s. Parent customers were confronted with a form of discourse (performance tables and inspection reports) which focused on a standard 'grammar' of schooling.[6] There was safety in conformity, and within this environment traditional school artefacts (smart uniform and strong discipline) provided evidence of 'quality'. Despite concerns voiced about selection there was no evidence to show that free schools had distorted the market by attracting better customers. Some did, but the values given to 'good' schools within a market environment always meant that 'alert' parents would colonise the grammar schools, particular faith-based schools or other forms of high-status provision.[7] Being a free school was not a particular advantage within this environment.

Using freedom from the national curriculum was a risk for new schools because parents were inherently 'conservative' and existing school types already had some flexibility.[8] Free schools were often start-ups and had to recruit new staff. There was little incentive for staff to work longer hours – burnout due to excessive workload was already problematic, leading to high staff turnover and shortages across the sector. Better working conditions and pay were constrained by fixed per-pupil income. Free schools were given additional funding to cover reduced numbers of pupils in the first phase of development, but after this had no advantage. There was little incentive for MATs, which became the dominant groups setting up free schools, to tolerate schools within their own organisation with different pay, or terms and conditions. There was greater value for MATs in having the same systems, enabling staff to be deployed across more than one school. Despite official discourse, free schools were, in most senses, not free from anything. A National Foundation for Education Research report indicated they did not 'perform' better than other schools.[9] They were new schools, which operated within the same government-led control framework as other schools, had a relatively bureaucratic funding relationship with central government and, once open, were pushed towards the safety of a type of conformity found within a traditional form of schooling. The mantra of school choice, diversity and innovation which underpinned free schools was constrained by a framework of central government control which discouraged innovation. The policy coincided with debates amongst the political

right wing about the benefits of grammar schools and a selective system. This form of traditionalism valorised the past, forgetting the 'freedoms' of a school-supply system in part informed by professional-led freedoms during the 1960s and 1970s.

David Bray worked for many years in schools as a teacher and school leader. He was a schools inspector, senior LA officer and worked for several MATs in roles leading school improvement. Between 2012 and 2019 he assessed free school applications for the Department for Education and helped to set up dozens of free schools.

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Notes

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