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LEADERSHIP AND GOVERNANCE: NEW TYPES OF SCHOOLS ¹

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Introduction and Research Objectives

This research was carried out in secondary schools and their administrative structures in two case study sites in the English Midlands. We sought to analyse the radically differing responses to the 2010 Academies Act (DfE, 2010) in two cities where demography and political constitution were similar, but reaction to government legislation contrasted sharply, at least – and perhaps crucially- in the secondary sector. Whilst almost half of the nineteen secondary schools in case-study one (hereafter CS1) were ‘converter’ academies, with three other academies pre-existing the 2010 legislation, the local authority (LA) in case-study two (hereafter CS2) had retained all but two of its twenty-one secondary schools. This paper will draw upon fieldwork including semi-structured interviews with headteachers, school governing body chairs, teaching trade union representatives and LA officers and politicians.

The research sought to:

- explore reactions and responses to potential structural change at institutional level;
- Identify what factors have led to these and why;
- Explore the implications for the future of schools, governing bodies and their leaders.

Theoretical Framework

The theoretical framework draws upon ‘new institutionalism’ and more specifically ‘path dependence theory’, as well as Michel Foucault’s theories around power and discourse. Furthermore, this paper explores the beginnings of the ‘professionalisation’ of school governors as they respond to the restructuring of their schools.

The concept of path dependence is instructive in analysing local responses to national policies. At its root path dependence seeks to attend to questions around ‘why history matters so vitally to the form and functioning of human organizations and institutions’ (David, 2002). This analytical perspective forms part of ‘new institutionalism’, a sociological approach to the study of institutional behaviour. It has been a useful tool for examining the historical context of local authorities and consequently, their behaviour following the 2010 Academies Act.

¹ This paper has been prepared by Penny Smith, Research Fellow for the Leadership and Governance Project (Principal Investigator Ian Abbott).

Foucault's (1972) theories around power and discourse are also apposite. In CS1 for example, discourses around competition were garnering significant legitimacy amongst headteachers. Conversely in CS2 the dominant discourse was collaboration with rejection of competition between individual secondary schools. This research also explored the changing role and emergent 'professionalisation' of governing bodies, particularly in schools that had become. This was considered in the light of a report commissioned by the government in May 2011 (updated in 2012) advocating radical changes to governing bodies including the payment of governor chairs and the focus on governors' professional skills.

Methods

A comparative case study approach was employed. Case studies were identified for their contrasting responses to the Academies Act 2010, despite similar demographic and political profiles. By focusing upon two cities we have developed understanding of the way schools and their leaders have responded in their local contexts. Interviews were conducted with headteachers and chairs of governing bodies in five schools in each site, along with local teaching trade union representatives, local councillors and key LA officers. The methodological approach was qualitative. Interviews were semi-structured: although there were a number of questions to be asked, there was room for elaboration by both interviewer and interviewee with the opportunity to probe into topics and areas not specified on the schedule. Analysis was influenced by discourse analysis, exploring meaning, shared discourse, the acceptable and unacceptable in the discourses surrounding the changing nature of education and leadership at national and local levels of school governance.

All place and school names have been replaced by pseudonyms to protect confidentiality.

The Case-Study Local Authorities (fig. 1 and 2)

The two localities shared demographic features, with populations of around 300,000 respectively and equivalent socio-economic profiles: CS1 and CS2 were characterized by significant proportions of minority ethnic populations. Both city councils were also Labour-controlled.

There were twenty-one secondary schools in CS1, a metropolitan authority, all with sixth-form provision. With almost half of the city's secondary schools now academies, the local education landscape had been transformed since the Academies Act 2010. Amongst the schools were: two pre-2010 academies; nine converter academies; four trust schools and six LA-controlled schools: three of these were faith schools. Two of the case study schools were early academy converters, forming part of a loose chain with a neighbouring girls' school. The third case-study school was a faith school, expecting to become an academy soon. A further case-study had converted following a protracted and controversial consultation period and a fourth was awaiting conversion, currently negotiations with local and central government. This school had recently become part of the local Teaching School Alliance.

The second of the LA case studies, CS2, was a unitary authority. There were seventeen secondary schools, most with provision for eleven to sixteen year olds, two with sixth forms. Of the seventeen, ten of the schools were under LA control and three were trusts. A further three were faith schools. There was some academy provision in the city: a purpose-build school with three to sixteen years' accommodation had been established

in the city in 2007. This school had two sponsors. There was also a Special school with academy status, converting in 2012 and a 'chain' of three faith primary academy converters. The five case-study schools in CS2 included the city's only mainstream academy and a school with Teaching School status (The Charlton).

CS1 Schools

Fig. 1

School	Type	Most Recent Ofsted Rating	Socio-economic Features
Crickleton	Academy (Aug '10)	good	Below average FSM/SEN
Cryton	LA maintained; PFI	outstanding	Below average FSM/SEN
Northfields	Academy (Aug '10)	good	Higher than average SEN
St Catherine's	VA; faith	good	Above average FSM/SEN
Wildwood	Academy	good	Higher than average SEN

CS2 Schools

Fig. 2

School	Type	Most Recent Ofsted Rating	Socio-economic Features
Burntwood	LA maintained / boys	satisfactory	Higher than average FSM/SEN
The Charlton	LA maintained	outstanding	Higher than average FSM; lower SEN; 90% minority ethnic
Farnleys	Pre-2010 academy	satisfactory	50% FSM; 50% SEN
Kenton Cliff	LA maintained	good	Higher than average FSM/SEN
St Mary's	VA faith	good	Average FSM/SEN

Findings

Introduction

The following quotes provide an insight into the differing reactions of education leaders in CS1 and CS2 to the academy agenda:

Here is a senior official in Children's Services in CS1: 'if you are an ambitious head, and we have a few ambitious heads, they thought that if you didn't become an academy, their chances of becoming local leaders of education and national leaders of education being in the loop...the D of E's approved list...teaching schools, all of that...somehow you wouldn't be in the right places, you wouldn't get invited to the right parties'.

By contrast, here is a head teacher in CS2:

'We feel in (CS2) we have many of the answers to strengthening governance that we don't feel that an academy solution - certainly one that's forced- is going to make any difference'.

In one case, a strong culture of acceptance, in the other an equally strong culture of rejection.

The contrast between the two cities was clear: in CS1 the developing discourse amongst school leaders was of individual institutional advantage and power- many headteachers were accepting and indeed embracing - the national government agenda. In CS2 the opposite applied - the dominant discourse was that of collective, shared power and local governance: the rejection of central government agendas. In this paper a number of key factors will help to navigate a path through the complexities of these diverging experiences. These relate to the history of each Authority: the priority given to education; the development - or underdevelopment -of successful collaboration between key players: teaching trade unions; local authorities and school leaders. By considering the historical development of the case-studies, the particular 'pathways' and institutional behaviour of each will be drawn upon in the analysis of differing local responses to a national political objective.

CS2: Pathways to Collaboration

A councillor describes the 'long proud history' of the city's local education authority and its 'inspirational' post-war officers. This Authority was one of the first to promote comprehensive and community education, spending generously on these. Such high level investment had paid off with many of the city's secondary schools retaining at least 'good' standards (according to Ofsted inspections). By contrast CS2's Authority had a shorter and less glorious history. The city council had become unitary in the late 1990s following a long period operating under the jurisdiction of the wider county council. One chair of governors described the Authority as having 'a lot to prove' during the early years of its inception, with one third of secondary schools in 'special measures', significant problems in the primary school sector and surplus secondary school places.

The difficulties faced by CS2 as they took on unitary authority and beyond can be analysed by drawing upon the principles of path-dependency theory. The reaction to challenges by education partners in the city shaped subsequent behaviour and practice, developing the 'habit' of collaboration. Collaborative discourse and practices grew out of periods of disruption and threats to the local governance of schools. The hard-won collaborative work in CS2 had succeeded in establishing the foundations for co-operation between teachers, unions and the LA. These working practices are described

by the leader of the Improvement Group (IG) (a group of sixteen headteachers in the city) as characteristic of the city's 'long history of collaboration'. The IG played a leading role in partnership structures in the city, providing advocacy and brokerage, an 'effective communication protocol' between partners, with a representative of the group attending key meetings across the city, sharing specialist expertise and working collectively to solve local issues such as exclusion.

It is significant that the IG – formed in 2006 – developed independently from the LA. As the leader of a local teaching union in city described, the Authority was in 'continuous reactive mode' at this time, coming to a head in 2008 when the then Labour government imposed a 'notice to improve', threatening national takeover. The collective effort towards the removal of this is described by one headteacher as testament to the Improvement Group as part of a collective determination to resist central government control: the group was instrumental in 'binding the city together'. More recently, the IG has become 'the reason why nobody yet has gone for academy status'. Echoing this, the strategic lead for education on the city council refers to the 'embedded history of secondary schools working together but also working with the LA', citing this as key for the lack of a 'rush to academy status'.

Whilst the Improvement Group was an important pressure group in the city –the main teaching union was also a powerful voice in CS2. Indeed the leader of the IG concedes that its leader was 'by far the biggest voice in the city'. Both the leader of this group and the education lead of the city council refer to the pragmatic necessity of developing positive and practical relationships. For the councillor, the objectives for education partners converge: all believe in working towards schools improvement and avoiding intervention. An example of this is the TU leader's involvement during the last Labour administration, working closely with the LA and headteachers to combat attempts to convert a number of 'failing' schools to academies. This collective action had fostered practical relationships between education partners based on a broadly agreed position: 'the policy that's accepted is that we're all collectively responsible for the children'.

These sentiments were reflected in interviews with chairs of school governing bodies in CS2. Whilst there had been some discussion and consideration of the potential implications of changing status, the academy issue was not high on governing body agendas: governors were keeping a 'watching brief' on the issue, although there was one chair of governors who expressed frustration that colleagues were not taking the academy issue seriously, concerned that national political agendas could force conversion on the school – a school which had struggled in the past. The headteacher of St Mary's school in CS2 believed that governors had an inadequate understanding of academies in any case; they were 'struggling to keep up with the enormous pace of change', although the chair of this school believed that opposition was such that governors would resign in the event of a conversion, her view consistent with the partnership approach favoured by the Authority.

The belief that collaboration led to sustained school improvement was a key driver in the rejection of academies in CS2, as a senior councillor points out: 'What we've got in this city is working, why would you want to change it?'. Echoing this, a TU leader hoped the city would 'continue to operate in the way that it is doing so it becomes an island of sanity in education'. Whilst broadly supportive of this position, interviews with school leaders revealed an element of collective pressure to stay 'on message'. Added to this was the unwelcome prospect on the part of headteachers in particular, of sustained strike action in the event of a school 'jumping ship'. This had injected a palpable fear amongst headteachers, the result of a powerful and articulate TU leader in the city. This

fear revealed the fluidity of power within the education partners despite the discourses around collaboration.

Furthermore, it was evident in interviews with headteachers that partnership working was conditional and potentially fragile: national and local circumstances were subject to change. This comment by the head of Kenton Cliff school illustrates the conditional nature of loyalty: 'whilst no school is becoming an academy they (the LA) need to be as responsive and flexible as they can to schools'. Furthermore, whilst CS2 secondary schools had considered the cost-benefits to academy conversion, this was far from 'set in stone'. The head of Burntwood Boy schools referred to the possibility of a raised Local Authority Central Spend Equivalent Grant (LACSEG) in the future bringing in to question the viability of remaining a LA school. Further pressures on individual schools also threatened stability in CS2: a 'poor' or worse Ofsted rating for example, a scenario made more likely by the tightening of Ofsted rules and the raising of 'floor targets' for five GCSEs at A-C from 35% to 40% in 2012/13.

Some headteachers referred to the inevitability of CS2 schools converting to academy status. Indeed, a former executive headteacher in the city believed the Department for Education were 'ready to pounce': '(the Department for Education) are just waiting for one school to go into 'notice to improve'...the whole lot will fall down like a pack of cards'. The leader of the IG concurs this was a real possibility. In this scenario he suggests the formation of a 'chain' including the emerging Teaching School Alliance based at the 'outstanding' Charlton school. This structure, he hoped, would work to sustain collaborative practices, mitigating against competition: 'government have made it clear that they want all schools to become academies...there's a feeling that we'd like to do it together...to preserve the ways of working... I think CS2 will be a fairly united collaborative city'.

CS1: Pathways to Independence

By contrast, in CS2 power was less dispersed. There was a disparity between an LA keen to retain power and the desire for secondary schools to 'go it alone'. Discourses of competition were more significant: leaders were more focused upon the advancement of their own institutions than upon developing partnerships with schools, TUs and the LA. A significant factor directing the schools down the path towards independence and confidence was the historical financial investment by the Authority: whilst education partners in CS2 had been forced to develop partnerships in the face of weak LA leadership, schools in CS1 had received consistent financial support until recently, contributing to good Ofsted ratings and confident and ambitious headteachers. Frustration on the part of headteachers seeking to further assert their independence was evident in interviews: the headteacher of Wildwood Academy referred to the 'strained relationships' between schools and the LA. One frustrated headteacher of an early converter was keen to engage the Authority in what he believed to be an inevitable future, as he said to a senior leader in the Authority: 'why don't we skip off into the academies future together holding hands?'

This headteacher was typical of a significant number of school leaders in CS1 who regarded academies as the *only* alternative for schools. As academy conversions took a hold on the city, discourses of competition were intensified as schools were anxious to be as one head describes 'on the right side of the divide'. Such fears, had contributed to what the TU leader in the city described as a 'domino effect', and with almost half of secondary schools now academies, the city appeared to be reaching a 'tipping point'. As the Northfields Academy head explains: 'once (the government)

they'd switched from failing schools to outstanding schools (as criteria for academy conversion) it was going to become very quickly a two-tier education system and I wanted my school on the right side of that.' Contributing to the divisive effect of the policy on CS1 was the reality of falling pupil rolls in the city, an issue TU leaders believed to be creating 'enormous competition' between secondary schools. This was 'played out in the local School's Forum where academies were 'forever questioning how they can get more money', creating an environment of 'looking after your own'.

Re-structuring School Governance

Reflecting this competitive environment, converted academies in CS1 had sought to 'reinvigorate' their governing bodies, structural change presenting an opportunity to audit skills. Newfound flexibility for converters allowed governing bodies to sideline politicians on a city council publicly opposed to academies: the headteacher of Wildwood Academy described how LA governors had been 'dropped' along with other 'passengers'. The desire to develop more focused governance resonates with Carmichael and Wild's 2011 and 2012 reports to government on school governance reform. This warned of 'fundamental challenges of structure, purpose and effectiveness' for governors in the coming years, suggesting a more streamlined, 'professional' model. Their recommendations included: the payment of chairs; the scaling down of numbers governors; an 'arms length appointments process' with vacancies advertised widely; an emphasis on professional skills such as accountancy; human resources and marketing.

The report refers to the creation of 'an environment of professionals handling other professionals, able to make appropriate/suitable judgements'. Whilst the report maintains that there should be 'an adequate parent voice and stakeholder representation', the authors also concluded that they didn't believe that 'a board without parents (was) in any way less effective than one with a number of them'. Populating governing bodies with those possessing particular professional skills and/or those likely to comply with the views of school leaders (as in the case of Wildwood Academy) raises questions about the democratic nature of school governance: the extent to which governors reflect their communities. The head of Northfields academy refutes this however, asserting that parental focus on exam results overrode any interest in contributing significantly to governing bodies.

The leader of CS1's main teaching TU also had concerns about the democratic nature of governing bodies, specifically relating to the extent governors were made fully aware of the facts when considering conversion. She believed that governors were not adequately prepared to recognize the 'potential pitfalls of academy status'. Such concerns were echoed by the head of St Catherines's who doubted the ability of her governors to cope in a crisis: 'if everything is going alright there isn't an issue but if something goes wrong you see if you've got a good governing body or not'. The lack of in-depth governor understanding was, claims the TU leader, the result of headteachers – influenced by their business managers - railroading governors into academy status. As the strategic lead for education for CS1 Authority contends however, the real responsibilities of governors may not be tested until 'some high profile cases' emerge in academies.

Competition and Collaboration: competing discourses

Interviews with LA officers, governors and headteachers revealed the way in which discourses of competition and collaboration were being played out in both case study cities. Headteachers in CS1 for example referred to a desire to develop partnerships with other schools, although this was conditional. Senior LA officers illustrate this when describing the aspirations of headteachers driven by a desire to be local and/or national leaders: as a senior official asserted, ‘for a couple of our schools that was seen as a major boost’. Indeed the headteacher of Cryton school saw academy status as a step towards Teaching School status. This headteacher was keen to develop collaboration between schools, although this was predicated on her school taking the lead. Another One headteacher in CS1 however believed her school could take on academy status whilst defying central government’s intention to create competition. This head of a faith school rejected what she saw as the Academy Act’s ‘empire building’ competitive approach, believing that the diocesan multi-academy model subverted this, creating instead a supportive, collaborative model, preventing potential failure in other schools.

This headteacher was happy to continue to work with the LA, even though city councillors in CS1 had initially opposed the Academies Act. In fact whilst councils in both case studies were against the legislation, they differed in their practical responses. In CS1 councillors initial outright opposition had been tempered to a rejection of forced academisation. This had had an impact on relationships with schools. The potential for collaboration was also affected by the loss of Building Schools for the Future (BSF) funding (a schools rebuilding/modernization programme introduced by the previous Labour administration). For senior Authority officials in CS1 BSF had had the potential to ‘forge relationships’ with its ‘family of schools’. In fact the loss of BSF incentivised schools to academise, starving LAs of an important collaborative tool, encouraging schools to act independently and competitively: as a senior Authority official explains: ‘the disappointment of BSF was an important factor...we would have been the deliverers...that would have been a benefit put against the perceived benefits of academies. It’s the engagement of schools...this was something really great, they would be a part of it’.

Having the reverse effect, the BSF initiative was also a key factor in CS2. The city’s retention of BSF was significant in the resistance to academy take-up: as the leader of the IG explains, this reflected the LA’s policy on financial support: ‘the LA make a sizeable financial contribution...The current arrangement for schools... is that the LA picks up 70% of that ‘affordability gap’. It’s a massive factor...if you go to academy status, while your BSF is protected, there’s no guarantee that the LA will cover the affordability gap’. This was however rebuffed by the strategic lead for education on the city council claiming that the Authority would ‘never countenance withdrawing BSF funds’. The position taken by the councillor exemplified the Authority’s determination to avoid overplaying their political opposition to the academy issue, leaving them open to the accusation of prioritizing ideology over education, as she explains: ‘we will not play politics with education in this city...I tried very hard not to put out a ideological, political message. I think that goes down badly’.

Conclusion

This research focused on two LA localities with analysis at the level of the secondary school, school governing bodies and local authorities, drawing on principles derived from path dependence theory and Foucault's theories of discourse and power. It was clear that local circumstances had a significant impact upon responses to the national academies agenda. In CS1 historically supported schools had developed independent pathways for themselves with academy status becoming the norm for secondary schools in the city. There was limited collaboration and dispersal of power between education partners. The reverse was true in CS2 where a weaker Authority had encouraged collaborative behaviour and power-sharing – albeit conditional - between teacher professionals, trade unions, local councillors and local government administrators, united by the rejection of the imposition of changes in the governance of local education. The extent to which discourses of collaboration and/or competition were played out in and amongst education partners at local level was important. In CS1 there were signs that competition between secondary schools would become more significant in the future whilst there was a positive rejection of this prospect in CS2.

It was also clear in the research that local circumstances were subject to change and national pressure: whilst CS1 had so far resisted the widespread academisation of its secondary schools, at the time of writing the governors of a further primary school in the city had voted to convert to academy status, with a sponsor. Furthermore, local authorities in both case-study sites were aware of their need to re-consider their relationships with schools, whether this was with a view to ensuring schools were incentivised to remain within Authority control, as in CS2, or as in CS1 to ensure converted schools were willing to engage with them as potential service providers and to have a stake in local education. One city councillor in CS1, believed that LAs needed to 'hold the ring...developing imaginative approaches' to education. Those at senior positions in local authorities agreed that realignment was inevitable but were keen to retain their advocacy role for young people. They were also mindful of the yet unknown risks of a re-structured local education system, one that was which was 'largely untested in this new world'.

For school governors responses have depended upon similar factors to those affecting headteachers, although it is notable that chairs working in schools taking on academy status have sought to take the opportunity to restructure the governing body. This has in many cases meant auditing governors' skills and in some schools sidelining local politicians who may have expressed opposition to the change in school status. This resonates with developments towards reassessing the role and function of school governing bodies. This is exemplified by the report 'Who Governs the Governors?' (2011, updated 2012), written by Member of the House of Commons Education Select Committee Neil Carmichael with Edward Wild. The report recommends the re-shaping of governing bodies according to a more business-oriented model with an emphasis on professional skills taking priority over local stakeholder representation. Our early findings will however have significant implications for changes in school governance nationally as more schools seek to convert to academy status.

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