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GOVERNING BODIES THAT CHOOSE TO JOIN FEDERATIONS AND MULTI-ACADEMY TRUSTS

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1. Background and Theoretical Framework

Since the 2002 Education Act, local authority (LA) maintained schools in England have been free to collaborate with other schools in a variety of arrangements, including federation. In this research, federation refers to an arrangement in which multiple schools are governed by a single governing body. Historically this has sometimes been known as a "hard" federation (a "soft" federation being a collaboration in which the governing bodies of schools remain separate). A Labour government was in power at the time of the Act and promoted collaboration as a key driver for school improvement, much as the current coalition does with academy conversion. Local authorities were given the power to require failing schools to enter into federation and it was expected that by 2007 all secondary schools would have formed or joined a partnership (DfES, 2005). However, this ambition never came to fruition, with Labour's promotion of federation having far less impact than the coalition's drive to convert all schools to academies. Indeed, the coalition government's focus on the academies programme has led to federation taking somewhat of a backseat in education policy. Schools minister Lord Nash has referred to federation as a "second best model" as it doesn't provide the "clear financial autonomy and feeling of ownership that comes with academy status". Federation has become overshadowed by the proliferation of multi-academy trusts (MATs) which are established under a different legal framework than local authority maintained federations but are similar in that multiple schools are governed under a single governing body or trust. The Department for Education (DfE) has released extensive statistics about the number of MATs in England, but has not released equivalent information for the number of federations. There is also a lack of government guidance available for governing bodies considering federation, especially when compared with the abundance of resources for those considering academy conversion.

Despite this, there is evidence that federation confers significant benefits. For example, Ofsted's 2011 study *Leadership of more than one school* made clear the advantages to pupils' attainment, cost efficiency and governance. The National College for Teaching and Leadership (NCTL) has undertaken research about federation (e.g. Chapman et al, 2009) and has produced a number of resources for schools considering federation including best practice case studies of where federation has had a positive impact. However governors' understanding of federation varies enormously, with some never having come across the concept at all. Anecdotally we know the processes for negotiating these arrangements, particularly when setting them up in the first place, can be difficult and time consuming, but there has been little work published on the detail of the process to which schools beginning the process can refer.

2. Objectives and Research Questions

The aims of the research were twofold. First, to learn more about what motivates governing bodies to consider federation, including the perceived benefits of federating. Second, to learn more about governors' experiences of the federation process. In particular, previous anecdotal reports have suggested that the guidance available to governing bodies considering federation is limited, and this information gap presents a significant barrier. A key research focus was establishing if this was indeed the case. Additional areas of interest were how governing bodies navigate through the federation process, who was involved in making decisions and any challenges faced.

The study was built around the following key research questions:

- 1) What are the drivers of the formation of federations/multi-academy trusts?
- 2) Who is involved in the decision-making process and how do they influence the decision?
- 3) What are the barriers, perceived and actual?

In practice many of the federations involved in the research had been federated for some time. This meant that they were also able to reflect upon the outcomes of federation. Although initially this was not intended as a research objective, the link between the potential benefits driving the decision to federate and the actual outcomes post-federation was of interest.

3. Methodology

Participants volunteered to take part in the study after the research was advertised to the NGA membership – as a result the majority of participants were NGA members, although a minority were not. When recruiting participants for the study, efforts were made to ensure there was variety in demography and geography. However, in practice it proved difficult to recruit governors from certain areas of the country, and there were no participants from the North West and West Midlands. It is possible that this is due to a relatively low prevalence of federations in these regions, although there is no data available to confirm this hypothesis. Representatives of fourteen school groupings took part in the research.

Semi-structured telephone interviews

A total of 18 telephone interviews were conducted with chairs of governors, headteachers and local authority representatives. Initially, these were used to gain an overview of each federation/MAT in order to select a final six for the face to face interviews. After the final six federations/MATs were selected, telephone interviews were used to record the experiences of a wider range of participants.

Face to face interviews

Representatives from five federations and one MAT took part in face to face interviews. These were selected based on a the perceived scope for further investigation from the telephone interviews. A secondary factor was school type and location, as variation was needed in the final group.

The aims of these interviews were twofold: first, to gain a more in depth understanding of the federation process and outcomes; second, to gain inputs from a wider range of stakeholders. A minimum of four individuals were interviewed from each federation/MAT including: the chair of governors, headteacher/executive headteacher, the clerk, other governors and a local authority representative. The majority of interviews were audio recorded, with permission being sought prior to recording. In two cases this was not granted and notes were taken instead. Each interview was transcribed and the transcripts were analysed.

Analysis of documentation

Minutes from governing body meetings about federating and supporting papers were examined.

4. Key Findings

A note about multi-academy trusts

Three MATs were examined as part of the research. However, two of these were originally LA maintained federations, which then chose to convert to academies as a group. In both cases the decision to convert to academy status was made separately to (and several years after) the decision to federate. Therefore, although the schools are now part of MATs, for the purpose of this research they have been treated as federations. This does not apply to the third MAT, in which the school was required by the DfE to convert to academy status as part of a MAT.

What are the drivers of the formation of federations/MATs?

There were seven “performance federations”, defined by Ofsted (2011) as consisting of a high performing school supporting one or more low performing schools. In every instance, the headteacher of the high performing school was brought in to support the low performing school, in five cases brokered by the LA and the other two by the governing body of the stronger school. These governing bodies wanted to give their headteacher a new challenge, in part to prevent this from being sought elsewhere. For the majority of schools, this arrangement acted as a pre-cursor to federation. The exception was a high performing grammar school which was supporting an underperforming comprehensive, which resulted in a collaboration with the schools retaining separate governing bodies.

Three federations consisted of small, rural schools either at risk of closure or facing difficulties recruiting a headteacher. This was not due to the schools underperforming, but rather to a combination of falling rolls and reduced funding. For example, one school judged to be “Good” by Ofsted was told that unless they federated, they would be unable to afford a permanent replacement for their headteacher, and would face closure. In addition to financial stability, perceived benefits of federating for these governing bodies included attracting and retaining staff, pooling resources, and overcoming the insular nature of small village schools.

The remaining four governing bodies were each motivated by a unique set of circumstances:

- An outstanding special school shared their headteacher with another outstanding special school, which had been unable to recruit their own headteacher. The success of this arrangement led to federation.

- A primary school and special school shared a site. The schools had collaborated informally for several years, so when the headteachers of both schools resigned at the same time the governing bodies decided to federate and appoint an executive headteacher to lead both schools.
- A community college proposed a cross-phase federation with five primary schools, to improve education standards in the community as a whole.
- Having received a notice to improve by Ofsted, a rural primary school was required to convert to an academy as part of a MAT. This is the only example of where the governing body did not have the final decision to join a federation or MAT.

Who is involved in the decision-making process and how do they influence the decision?

Usually, the governing body of each school is responsible for making the final decision whether or not to federate or join a MAT (an exception here is the primary school that was required by the DfE to join a MAT). Although the decision is made by the governing body as a whole, in practice the differing viewpoints of individual governors can make the process more challenging. A minority of governing bodies voted unanimously for federation. More frequently there was some level of disagreement about whether federation was right for the school, with some governing bodies actually losing members over the decision. The nature of governors' concerns varied, but often stemmed from a lack of understanding about what federation would entail and uncertainty about the benefits it could offer the school. The latter was particularly of concern to governors in the stronger school of a performance federation.

The School Governance (Federations) (England) Regulations 2012 require that all governing bodies considering federation consult with a number of stakeholders, including: the Secretary of State, LA, the headteacher of each school, parents, staff, and if relevant the Diocese. None of the participants received objections from the Secretary of State. The LA was more influential, in several cases having initiated discussions about federating. In general the LA contributed positively to the decision making process. This was also true for headteachers, many of whom would either remain or become an executive headteacher. The very nature of this role meant they were enthusiastic about federating, and their positive influence was key in driving forward the process. However, there were two instances where a headteacher had opposed federation, with contrasting results. The first concerns a performance federation which started out as a collaboration. It was proposed that this would include the headteacher of the stronger school becoming executive headteacher, with the headteacher of the failing school becoming a head of school. The headteacher of the failing school was strongly opposed to this as he saw it as undermining his ability. Unfortunately, he decided to resign his post when the governing body decided to go forward with the collaboration, but his opposition ultimately did not affect the decision to later federate. The second example involves a proposed "cluster model" federation, consisting of a secondary school and multiple primary schools. Despite initially expressing an interest in federating, the headteacher of the largest primary later opposed federation on the basis that the other, smaller primary schools were financially vulnerable. The headteacher's opposition was shared by several governors and the governing body voted against federating. Without this school, the federation was not viable and did not go ahead.

Responses from parents varied. Several governing bodies received very little feedback, which was generally interpreted as indifference. A number received opposition from parents, who expressed

concerns about the impact of sharing a headteacher on their child's education. This was particularly common amongst parents of children in the stronger school of a performance federation. These concerns were taken into account by the governing body, but ultimately did not prevent federation from going ahead. In practice, federation did not negatively impact the Ofsted grading of any of the schools.

As with parents, responses from staff varied between support, concern and apathy. Four participants reported that staff had expressed concerns, all relating to either the introduction of an executive headteacher or changes to their pay and conditions. In every case these issues were addressed in meetings with staff, which generally led to a positive conclusion. In one case a small minority of staff maintained their opposition to federating, but as the vast majority of staff supported federation it went ahead. A few months into federation, the discordant voices had been quietened by its success and also by the appointment of new staff members, which had broken up the clique.

Five federations/MATs included church schools, which had consulted the Diocese. One converted to an academy as part of a Diocese sponsored MAT and therefore the Diocese was a significant enabling factor. Two federations were composed entirely of church schools and were supported by the Diocese. The fourth consisted of a church and a non-church school, and in this case the Diocese was supportive of the federation. However, the fifth federation experienced resistance from the Diocese, which objected to the school federating with non-church schools. The school's rector (a foundation governor) supported federation and the governing body voted to federate. It is interesting to note that the school was voluntary-controlled and therefore did not have a majority of foundation governors. Had the school been voluntary-aided with a majority of foundation governors, who may have wanted to vote in line with the Diocese, the outcome might have been different.

What are the barriers, perceived and actual?

Opposition from stakeholders was the most common barrier. Participants were unanimous in saying the best way to deal with such concerns is prompt and effective communication, which involved listening to what stakeholders have to say but also making clear the reasons why the governing body believed federation was right for the school. Many of the schools that had not experienced resistance from stakeholders had previously collaborated with their partner schools, so parents and staff were more familiar with collaborative working. The schools also had tangible evidence of the benefits, with which they could put forward the case for federation.

A number of participants commented that a lack of information was a barrier. The majority initially sought advice from their LA, the quality of which varied significantly. Many participants said the LA had been a vital source of support and guidance, but for a minority this was not the case. One chair of governors described how the poor advice of a governor services representative had left her federation without a governing body for the summer holidays. Here, the LA did not purposefully create a barrier, but rather were themselves unfamiliar with federation. Furthermore, a number of participants commented that the support available from their LA had diminished over the past three years. Where this was the case, governing bodies looked elsewhere for objective advice, which was not always easy to find. Participants had used resources from organisations such as Ofsted, and several participants sought advice from the NGA or existing federations. A number had accessed articles on the DfE website, but reported these were limited.

5. Conclusions

This research has examined the drivers, influential factors and barriers to federation, using the experiences of fourteen governing bodies. The key drivers for federation largely fall in line with those identified by Ofsted (2011), with the majority of participants being either a 'performance federation' or a group of small schools at risk of closure. In many cases federation was driven by the governing bodies being 'outward looking', particularly where a strong school federated with a weaker school in order to drive school improvement. The coalition government's promotion of school autonomy might encourage schools to develop a more inward-looking mind set, but autonomy and collaboration needn't be mutually exclusive. Indeed, when one federation governing body decided to convert to academy status it actively sought local schools to join the newly formed MAT.

Leadership arrangements were a key factor for all participants, and it is interesting to note that every participant who went forward with federation chose to do so under an executive headteacher. In some cases, the introduction of an executive headteacher presented a barrier by way of concerns raised by parents and school staff. However, this barrier never precluded federation.

All but one governing body underwent the formal consultation process and the majority consulted with stakeholders far more extensively than required (the exception was the school required to convert to an academy as part of a MAT). There were varying degrees of response, with the most vocal stakeholder groups being parents and staff. Indeed, the most common barrier to federation was opposition from these groups, often stemming from a lack of understanding of what federation means in practice. Despite existing for over a decade, federation retains a relatively low profile in terms of education policy, meaning many parents and staff are not familiar with it. Effectively communicating with these groups is vital.

A number of governing bodies reported that they had been uncertain about how to go about federating and found it difficult to locate relevant information. In the first instance, many governing bodies had contacted the LA for advice. However, the quality of this guidance varied widely; in many cases the LA was a key enabler for federation, but in others it was a barrier. This was often because the LA itself lacked experience and expertise regarding federation and was therefore unable to offer appropriate advice to schools. The diminishing role of LAs was also a factor, with a number of participants observing a decline in the LA support services on offer since the coalition government came into power. Where the LA was unable to give advice, not all governing bodies knew where else to look.

Although many of the groups of schools examined in this research faced barriers during the federation process, every participant said going through the federation process had been beneficial. Those that had successfully federated reported numerous benefits, from improved staffing to an enriched curriculum. Even those that had not gone through with federation or had defederated had benefitted from the process, as one participant explained: "As two separate governing bodies again now, I think we've all benefitted from the experience, because it has made us more aware of our need to challenge."

Despite the coalition government's fixation with academies, this research has shown that federation still remains an attractive option for schools, especially in the increasingly fragmented education landscape. Labour are keen proponents of collaborative arrangements, so depending on the outcome of the next general election federation may indeed rise in prominence and gain the same high profile as MATs. Regardless of which political party is in power, it is clear that governing bodies considering federation or forming an MAT need to make informed decisions about whether it is right for their school. It is hoped that the findings of this research will go some way to ensuring this is the case.

6. Future Plans

The NGA would like to build on this research, with possible further work including:

- Exploring leadership arrangements in federations/MATs, particularly how the role of executive headteacher differs from that of traditional headship.
- Exploring the impact of federation on the structure and operation of the governing body.
- Exploring the whole school consequences of federation, including benefits and drawbacks.

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Lord Nash's speech to the Independent Academies Association can be found online:

<https://www.gov.uk/government/speeches/lord-nash-speaks-to-the-independent-academies-association-iaa-national-conference>