

## **The future accountability and oversight of free schools and academies**

*Melanie Ehren – Address to Westminster Education Forum 2015*

Accountability of free schools and academies is developing into a complex, multi-layered system that is different from the accountability system for maintained schools. We have seen how different agencies, such as Ofsted, the RSCs, the Education Funding Agency and local authorities set different standards on school quality and performance and have different arrangements and interventions in place to monitor and improve school quality, and hold academies and free schools to account.

Some of these arrangements (such as section 5 and 8 inspections) address the quality of individual schools, while others (such as focused inspections) address the collaboration between schools and the functioning of the trust.

In my view there are three issues that need to be addressed to improve the current system of accountability and oversight of free schools and academies.

But before we think about any improvement of the current system, we need to take a step back and reiterate the rationale for holding schools to account, which in my view is:

- that we have a transparent system in which schools are treated equally and face the same level of accountability and oversight (whether they are maintained, free schools or academies),
- that accountability arrangements allow schools to find and implement local solutions to local problems while being externally challenged to improve within a framework that also incorporates a common set of standards of high quality education. A set of common standards ensures that there is consistency across the country in how we educate our children and the outcomes we aim for, and to ensure some cohesion in the system to allow easy transition of students and staff across schools
- and finally that we have an accountability system responsive to the capacity available in schools to evaluate and improve and responsive to the specific network arrangements these schools are part of and the quality of those arrangements.

A comparison of the current system against this rationale shows a number of issues that I think need to be addressed:

1. The first issue is an observation that we have a very dispersed system where free schools and academies are faced with different accountability arrangements compared to maintained schools. I recently tried to explain the system to a colleague from abroad who responded by saying 'what a mess'. I'm not sure if I would agree with the system being 'a mess', but there are some clear issues with a lack of transparency in the current system.

To name just a few:

- a lack in clarity about how RSCs make decisions on sponsorship of academies and their criteria for reviewing and renewing funding agreements,
  - a lack of transparency in how they monitor schools and the intervention ladders they use to motivate academies and free schools to improve,
  - a lack of a clear process that would allow schools to leave an academy chain, and
  - a lack of transparency regarding which MAT or federation gets a focused inspection and the lack of framework to inform such inspections
2. The second issue is the lack of local oversight and accountability of free schools and academies. The Regional Schools Commissioners were set up to ensure such local

oversight and accountability, but their work is still largely informed by Ofsted and performance data, making the current accountability system one that is still a very centralized one with little local flavour. A recent House of Commons report confirms this, saying that the unified Ofsted regime and performance data have resulted in free schools and academies that make limited use of their freedoms. So we may have an accountability system that promotes consistency and coherence in the standards schools are working towards, but stimulating very little innovation, variety and adaptation to the local context.

3. Finally we can see how the current accountability system is still very much predicated on the accountability of single schools, with little attention to what a chain of schools as a whole achieves, or the position of schools within the chain. The current regime of focused inspections, section 5 and 8 inspections primarily looks at school to school support, and trust to school support, but does not monitor the functioning of the trust, or ask schools how they contribute to network-level outcomes such as a good transition of students from primary to secondary schools in the trust, or the contribution of the chains to meeting local area needs.

Addressing these issues would see an accountability system with:

- Better alignment in HMI regions and RSC regions, and better coordination of their work. It would see Ofsted, the RSC and EFA develop joint monitoring activities and interventions where an integrated approach is used. This would look at education quality and the specific financial arrangements and governance structures that support it, for both individual schools as well and the trust.
- A more joined up approach essentially comes down to Ofsted, the RSCs, the EFA and local authorities sitting down together to think about all the facets of a high quality academy and free school: about the school as a system of interacting components; about how financial and governance structures impact on teaching and learning, and designing a framework for evaluation to capture these components. And then having joint teams evaluate these schools and coming up with meaningful and intelligent interventions that would efficiently and effectively inform the improvement of these schools and the networks in which they operate.
- There are many examples of what such an integrated approach would look like, such as the area-based inspections of the ETI in Northern Ireland (see <http://schoolinspections.eu/polycentric/northern-ireland/introduction-of-the-study/>), or the proposals for joint local area SEND inspections by Ofsted and the CQC. I hope that the current inquiry into the role of the Regional Schools Commissioners will lay the ground for developing a more integrated approach.