Confederation
of School Trusts

Future shape of the education system in England

A sector-led 'white paper'

"There is no trust more sacred than the one the world holds with children."

Kofi Annan, The State of the World's Children, 2000

About CST – The voice of school trusts

CST is the national organisation and sector body for academy and multi-academy trusts – advocating for, connecting and supporting executive and governance leaders in School Trusts.

We are a charitable company, registered with the Charity Commission. Our charitable purpose, as set out in our Articles of Association, is "the advancement of education for public benefit". We are governed by a board of trustees and are subject to the regulations of the Charity Commission and accountable to our members.

We are strictly apolitical. We work with the government of the day, political parties and politicians across the spectrum to advance education for public benefit.

Mission, Vision and Values

CST's mission is to build an excellent education system in England, with every school part of a strong and sustainable group in which every child is a powerful learner and adults learn and develop together as teachers and leaders.

Our vision is a system which holds trust on behalf of children.

Our values:

Selflessness
Integrity
Objectivity
Accountability

Openness
Honesty
Leadership

Introduction – building system coherence

There is power in a group of schools working together in a single accountability structure. As the Education Select Committee said in a report on academies and free schools: "Primary heads told us that, whilst becoming an academy had improved their practice and their school, this was primarily because of the advantages generated by the collaborative framework of a multi-academy trust."[1]

School Trusts create the conditions for deep collaborations among teachers and leaders to improve the quality of education. They are a new civic structure created with the sole purpose of advancing education for public benefit.

The concept of legally autonomous organisations set up purely for the purposes of running and improving schools has been part of the policy of all three main political parties – the Labour administration pre-2010, the coalition government (Conservatives and Liberal Democrats) between 2010 and 2015, and latterly, successive Conservative administrations.

It is almost ten years since the 2010 Academies Act which enabled 'convertor academies' and saw the rise of groups of schools in multi-academy trusts, called School Trusts throughout this paper to reflect their core education purpose. More than half of children and young people are now educated in School Trusts.

It has taken a ten-year horizon for this change to happen. To complete the reform journey is likely to take another ten years. Therefore, the time-horizon for the changes proposed in this paper is 2030. We cannot limp on indefinitely with a two-tier system which leaves smaller maintained schools vulnerable as local authorities retract their school improvement services. It is imperative now that we create system coherence.

What are School Trusts?

A School Trust is an education charity – it is not a private provider, there are no shareholders, no dividends and the Trust cannot make profit. It has a single legal and moral purpose: to advance education for public benefit.

Like any other state school, Trust schools are free to attend, inspected in the same way, and children take the same tests and exams. As civic organisations, Trusts help local communities to thrive by giving children the best opportunities to learn inside and outside the classroom. They strive to give children a better future, particularly in some of the most disadvantaged communities in England where some state schools have never been good.

School Trusts as civic structures

School Trusts are a new form of civic structure – we need to galvanise Trusts as good civic partners working with other civic actors to advance education as a public good in their locality.

Civic leadership is enacted by many different civic structures, including but not limited to local government. Civic leadership is about the protection and promotion of public values and addressing issues of place or public concern.

Trust leaders are civic leaders. As well as leading a group of schools to give children a better future, Trust leaders look out beyond their organisation. They seek to work with other civic actors to ensure the value of the child, and that the collective actions of all civic actors protect high-quality education.

What does the evidence say?

There is an emerging body of evidence beginning with an early large-scale study by Chapman and Muijs into what they called 'performance federations' – groups of schools in shared governance arrangements, including the early multi-academy trusts.[2] The findings of this research suggest students attending performance federations outperformed a matched sample of their peers in non-federated schools in terms of their attainment.

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1 House of Commons Education Committee (2015) 'Academies and Free Schools.' The Stationery Office.
2 Chapman, C. and Muijs, D. (2014) Does school-to-school collaboration promote school improvement? A study of the impact of school federations on student outcomes. School Effectiveness and School Improvement, 25 (3), pp. 351-393

The Chapman and Muijs research also found that:

- There is a time lag of two to four years between formation of the federation and when their performance overtakes their non-federated counterparts.

- Secondary federations with executive leadership outperform federations with traditional leadership structures (one headteacher leading one school).

- Becoming a federation has an economic impact on schools with greater resources and capacity for change.

- Federal structures promote opportunities for professional learning and collaboration.

Statistical analysis by the National Foundation of Educational Research (NfER) on behalf of the Institute of Education in 2018 suggested that pupils in "convertor" multi-academy trusts (School Trusts) tend to do better than pupils in comparable standalone maintained schools.[3] Although the difference is not very big, it is statistically significant for all outcome variables that were considered across both primary and secondary phases.

This is not the same for sponsor-led Trusts. But, as the Sutton Trust Report also in 2018 clearly acknowledges, most Trusts face a greater level of challenge in terms of their intake than the maintained state school average, and some (the sponsor-led Trusts) a very much greater level of challenge. [4]

School Trusts also tend to have higher-than-average numbers of disadvantaged pupils – especially low-prior-attaining pupils. The authors of the Sutton Trust report conclude that this suggests Trusts have largely retained their original focus on pupils who need additional help and resources. This reflects the mission of School Trusts to give children a better future.

Building system architecture

Most professions have a national institutional architecture, including at least:

- **A professional body** which is typically the standard-setting body, curates the evidence and creates consensus around the body of knowledge and is sometimes also the professional regulator;

- **A sector body** to represent the sector at institutional rather than individual level, speak authoritatively to government and act in the interest of users;

- **Trade unions**, typically set up to protect employment, pay and conditions;

- **National training organisations** to deliver professional qualifications; and

- **Accrediting bodies** such as Appropriate Bodies.

This institutional architecture is emerging in the English education system and is essential to our direction of travel in a system of legally autonomous School Trusts.

3 Bernardinelli, D. and Rutt, S. Greany, T and Higham, R. (2018) Multi-academy Trusts Do they make a difference to pupil outcomes? NfER and IOE.
4 Hutchings, M. and Francis, B. (2018) Chain effects 2018: The impact of academy chains on low-income pupils, Sutton Trust.

Executive summary of our proposals

We propose political parties work together with the sector to agree a long-term plan for education, which completes the reform journey which has its origins with the Labour administration at the turn of the century and has continued through the Conservative-Liberal Democrat coalition and successive Conservative governments.

The reform journey is not simply structural, although structures are important because children learn in structures and teachers teach in structures. It includes all aspects of system design with the overall aim of bringing coherence and improving the quality of education. Our paper is organised into six sections, each with three system-level proposals. It is designed to build system capacity and support system improvement.

1. One system

- Provide financial incentives for schools to form or join a School Trust, speed up the process and cap the cost of converting schools. No school should be left behind.

- Manage the provision in regional and sub-regional areas more strategically to support managed consolidation and growth focused on quality.

- Consolidate in legislation the statutory roles we want local government to have, for example, the champion of all children, particularly the most vulnerable; ensure that there is a good place for every child and that all civic actors in the local system work together to ensure the value of the child, and that our collective actions protect high-quality education.

2. Teacher professionalism

- Establish a body of evidence that underpins teaching, which is curated and disseminated jointly by the Education Endowment Foundation and Chartered College of Teaching – as we build the education system architecture in England, the Education Endowment Foundation curates the evidence which is used and disseminated by the professional body.

- Create a coherent set of standards from initial teacher education through to executive leadership and an ethical framework owned jointly by the Education Endowment Foundation and Chartered College of Teaching.

- Establish the conditions to connect teachers to the knowledge base (body of evidence) through career-long professional learning.

3. Curriculum

- Build an evidence-informed consensus about curriculum that drives equity.

- Re-introduce curriculum knowledge into initial teacher education so that early career teachers know and understand how their subject specialism fits into an overall philosophy of education, curriculum intent and design principles.

- Develop an evidence-informed professional qualification in curriculum design and implementation.

4. Funding

- Set out a timeline for passing legislation to implement the National Funding Formula and make funding available to manage the transition to the new formula.

- Through the comprehensive spending review, increase the quantum at least to match spending per pupil in 2015/16 and commit to keep per-pupil funding in line with inflation and cost-pressures and further raise the rate of post-16 funding.

- Secure capital funding and strategic investment to build capacity of School Trusts through the comprehensive spending review – to grow the right School Trusts in the right places and incentivise community-led and spin-out Trusts.

5. Governance

- Raise the status of the role of trustee as a non-executive director and create a new Standard or Code of Trust governance, drawing from best practice in other sectors and with reference to the Financial Reporting Council's Code.

- Work with ICSA, The Governance Institute and professional body for governance professionals, to develop training and qualifications for the new cadre of governance professionals who support Trust boards and offer in-house counsel.

- Work with sector-leading audit companies, the Chartered Institute of Internal Auditors and the Chartered Institute of Public Finances and Accounting (CIPFA) to develop and strengthen corporate governance audit.

6. Improvement and accountability

- License and grant-fund successful School Trusts as providers of school improvement and instructional leadership, while the system makes the transition to ensuring education quality through strong and sustainable groups.

- Create a single regulator by bringing the regulatory functions of the RSCs and ESFA together in a non-departmental government body reporting directly to Parliament.

- Pass legislation which allows intervention at Trust-level not just at school-level, because the Trust is the accountable body.

Theory of change

LONG TERM PLAN FOR EDUCATION

Inputs ▶ A long-term plan that sets out to complete the reform journey over a ten-year time horizon, agreed as far as possible by all system actors.

Levers ▶ Levers identified across all aspects of system design with the overall aim of bringing coherence and improving the quality of education.

Outputs ▶ Every school part of a strong and sustainable group that is set up purely for the purpose of running and improving schools, in which every child is a powerful learner and adults learn and develop together as teachers and leaders.

ANTICIPATED IMPACT

Outcomes ▶ A strong school system with the capacity to focus on the substance and quality of education, characterised by high academic rigour for all children and young people.

Impact ▶ The intrinsic value of giving all children and young people access to the common body of knowledge we share and allowing all to participate fully in our society – improved equity, attainment, social and civic good, progression and labour market mobility.

Future shape

1. One system

State of play: Right now, we have two systems – a system of stand-alone schools maintained by local authorities and a system of legally autonomous schools many of which operate as a group in a single governance structure.

There is no clear role for local government. We have conflated the democratic and administrative functions of local government. While it maintains schools, local government is a provider of schools among other providers. We need to reach beyond the provider-role in order to articulate the democratic role local government should have in relation to public sector services like health and education.

Future shape: All schools in a strong and sustainable group working together in a single governance structure. There is a clear role for local government, not as a provider but as the democratic body; using their strategic capability and capacity to support and scrutinise the local education system.

Why: A two-tier system is expensive, confusing and lacks the coherence needed to drive improvement. It potentially leaves some smaller schools vulnerable as local authorities retract their school improvement services.

There is now stronger evidence that groups of schools working together in a single governance structure are educationally and financially stronger. This is not an ideological argument for full academisation, but an evidence-informed [5] argument for the power of a group of schools working in deep and purposeful collaboration through what David Hargreaves called 'structural integration'. [6]

Government should:

- Provide financial incentives for schools to form or join a School Trust, speed up the process and cap the cost of converting schools. No school should be left behind.

- Manage the provision in regional and sub-regional areas more strategically to support managed consolidation and growth focused on quality.

- Consolidate in legislation the statutory roles we want local government to have, for example, to champion of all children, particularly the most vulnerable; to ensure that there is a good place for every child and that all civic actors in the local system work together to ensure the value of the child, and that our collective actions protect high-quality education.

5 Armstrong, P. (2015) 'Effective school partnerships and collaboration for school improvement: a review of the evidence.' Department for Education DfE Research report, October 2015; Chapman, C. and Muijs, D. (2014) Does school-to-school collaboration promote school improvement? A study of the impact of school federations on student outcomes. School Effectiveness and School Improvement, 25 (3), pp. 351-393.
6 Hargreaves, D. (2012) A self-improving school system: towards maturity. NCSL.

2. Teacher professionalism

State of play: Up until recently, we have not agreed on a body of knowledge that supports teaching or school leadership. Teacher training and leadership training have not been underpinned consistently by an agreed body of knowledge.[7] The ethical formation of the teacher or leader as a professional is under-developed. There is significant variation in the development of teachers post-qualifying and not all teachers have access to the type of activities and processes most likely to impact positively on their practice and pupil outcomes.

The publication of the Early Career Framework supported by a body of knowledge affirmed by the Education Endowment Foundation is a significant step to correct this, as is the establishment of a professional body for teachers. The work being done to secure the best knowledge we have about leadership development is also significant. [8]

Future shape: There is a well-established and agreed body of knowledge, standards and frameworks which supports initial teacher education, induction, post-qualifying professional development and leadership development. There is broad agreement about what teachers and leaders should know and be able to do and ambitious curricula through initial training, early career development and leadership development.

Post-qualifying, School Trusts harness the best evidence-informed professional development practices to enhance the professional capacities of staff to improve the quality of education.[9]

Why: Established professions typically have a body of knowledge, an ethical framework [10] and a strong professional body that sets standards.

Together, we should:

- Establish a body of evidence that underpins teaching, which is curated and disseminated jointly by the Education Endowment Foundation and Chartered College of Teaching – as we build the system architecture in England, the Education Endowment Foundation curates the evidence which is used and disseminated by the professional body.

- Create a coherent set of standards and curriculum frameworks from initial teacher education through to executive leadership and an ethical framework.

- Establish the conditions to connect teachers to the knowledge base (body of evidence) through career-long professional learning.

7 DfE (2019) Early Career Framework summarises the best knowledge we have about how to teach. The content of the framework and its underpinning knowledge base has been independently assessed and endorsed by the Education Endowment Foundation (EEF).

8 For example, Day, C., Q. Gu and P. Sammons (2016) 'The Impact of Leadership on Student Outcomes: How Successful School Leaders Use Transformational and Instructional Strategies to Make a Difference.' Educational Administration Quarterly 1– 38. Sage; Hitt, D; and P. Tuckett (2016) 'Systematic Review of Key Leader Practices Found to Influence Student Achievement: A Unified Framework' in Review of Educational Research 86 (2), pp. 531–569; Leithwood, K., A. Harris and D. Hopkins (2019) 'Seven strong claims about successful school leadership revisited' in School Leadership & Management; Robinson, V. et al (2009) 'School Leadership and Student Outcomes: Identifying What Works and Why.' Best Evidence Review, Ministry of Education, New Zealand.

9 Cordingley, P., Higgins, S., Greany, T., Buckler, N., Coles-Jordan, D., Crisp, B., Saunders, L., Coe, R. (2015) Developing Great Teaching: Lessons from the international reviews into effective professional development. Teacher Development Trust.

10 ASCL (2019) Navigating the Educational Moral Maze: The Final Report of the Ethical Leadership Commission, January, available at: https://www.ascl.org.uk/utilities/document-summary.html?id=6FEEA19D-EC2F-46E5-A42A61D83FA7C4C8. (Accessed on: 1st August 2019).

3. Curriculum

State of play: Up until recently, most schools followed the national curriculum. In 2010, legislation was passed to give School Trusts curriculum freedoms. Arguably this together with renewed interest in curriculum from bottom-up research movements and more recently the new Ofsted framework, has reinvigorated curriculum debate. But this debate is currently unhelpfully divisive.

Future shape: School Trusts have clearly articulated education philosophies. They harness the best evidence on curriculum design and implementation so that every pupil can access an ambitious curriculum that clearly articulates and sequences the essential knowledge, skills and attributes that they need to be educated citizens.

The curriculum introduces pupils to the best knowledge we have and helps to engender an appreciation of human creativity and achievement. [11] As Ben Newmark says so beautifully: "Our curriculum should whisper to our children, 'you belong. You did not come from nowhere. You are one of us. All this came before you, and one day you too might add to it.'" [12] All our children need to hear that whisper.

Why: High academic ambition for all is increasingly understood to be the driver and guarantor of equity, giving everyone what they need to be successful, taking children and young people beyond their experience.

Together, we should:

- Build an evidence-informed consensus about curriculum, with high academic ambition for all to ensure equity.

- Re-introduce curriculum knowledge into initial teacher education and early career development so that early career teachers know and understand how their subject specialism fits into an overall philosophy of education, curriculum intent and design principles.

- Develop an evidence-informed professional qualification in curriculum design and implementation.

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11 Young, M.; D. Lambert and C. Roberts (2015) Knowledge and the Future School: Curriculum and Social Justice, Bloomsbury; Ofsted (2018) An investigation into how to assess the quality of education through curriculum intent, implementation and impact.

12 Newmark, B. (2019) 'Why Teach?' Bennewmark Blogpost, 10th February, available at: https://bennewmark.wordpress.com. (Accessed on: 1st August 2019).

4. Funding

State of play: The existing school funding system allocates money inconsistently across English schools. Funding pressures, particularly between 2010 and 2017-18 are creating burdens.

Total school spending per pupil has fallen by 8 percent in real terms between 2009–10 and 2017–18. This was mainly driven by a 55 percent cut to local authority spending on services and cuts of over 20 percent to school sixth-form funding. Funding per pupil provided to individual primary and secondary schools has been better protected, although it is about 4 percent below its peak in 2015. [13] We need strategic investment in education for the system to take the next step up.

Future shape: School Trusts are funded in a sufficient, equitable and sustainable way. Early intervention, prevention and support services meet local need.

Why: Inconsistent distribution and funding pressures are creating a problem across the system and lack of strategic investment has stalled reforms.

Government should:

- Set out a timeline for passing legislation to implement the National Funding Formula and make funding available to manage the transition to the new formula.

- Through the comprehensive spending review, increase the quantum at least to match spending per pupil in 2015/16 and commit to keep per-pupil funding in line with inflation and cost-pressures and further raise the rate of post-16 funding.

- Secure capital funding and strategic investment to build capacity of School Trusts – to grow the right School Trusts in the right places and incentivise community-led and spin-out Trusts.

13 Belfield, C. Farquharson, C. and Sibieta, L. (2019): 2018 Annual Report on Education Spending in England. Institute for Fiscal Studies Briefing. available at: https://www.ifs.org.uk/uploads/publications/comms/R150.pdf (Accessed on: 1st August 2019).

5. Governance

State of play: the governance of maintained schools and School Trusts is conflated in national policy, leading to significant confusion. The proposition of governing a School Trust is fundamentally different from the proposition of governing a maintained school. As we make the transition to one system, we must ensure that trustees understand their responsibilities for governing a legally independent organisation – responsibilities as employers and duties under charity law and company law. We must strengthen governance.

Future shape: School Trusts are governed well. Trustees understand and accept their contractual, fiduciary, regulatory and legislative responsibilities and duties. Trusts are well-managed financially. Tight fiscal processes and good financial controls ensure the strategic use of resources to create investment in activity to improve the quality of education. Trusts are focused relentlessly on the quality of education across the schools in their group – on the core charitable object of advancing education for public benefit.

Why: Poor governance is a threat to the system. Strengthening governance is particularly urgent in a system of legally autonomous organisations.

Together we should:

- Raise the status of the role of trustee as a non-executive director and create a new Standard or Code of Trust governance, drawing from best practice in other sectors and with reference to the Financial Reporting Council's Code. [14]

- Work with the professional body for governance professionals to develop training and qualifications for the new cadre of governance professionals who support Trust boards and offer in-house counsel – and reduce the workload on chairs.

- Work with sector-leading audit companies, the Chartered Institute of Internal Auditors and the Chartered Institute of Public Finances and Accounting (CIPFA) to develop and strengthen corporate governance audit. [15]

14 Financial Reporting Council (2018) 'UK Corporate Governance Code,' available at: https://www.frc.org.uk/getattachment/88bd8c45-50ea-4841-95b0-d2f4f48069a2/2018-UK-Corporate-Governance-Code-FINAL.PDF. (Accessed on: 1st August 2019).
15 Chartered Institute of Auditors (2019) Auditing corporate governance. Available at: file:///C:/Users/User/Downloads/Auditing%20corporate%20governance.pdf (Accessed on: 1st August 2019).

6. Improvement and accountability

State of play: Oversight of the school system in England has changed significantly in recent years. Previously, local authorities had oversight of the local school system and, since 2006, powers to intervene in underperforming schools. But the historic roles of local of employer, improver and regulator of maintained schools are in conflict. This led to the rather odd situation where the local authority exercised the improvement role and then intervention into itself and its own improvement activity.

2014 saw the introduction of regional school commissioners (RSCs) to exercise oversight over the rapidly growing sector of legally autonomous School Trusts, advised by Head Teacher Boards. The RSC role was expanded in 2015 to include responsibility for approving the conversion of underperforming-maintained schools into academies and deciding on their sponsors. Local authorities, Ofsted, the RSCs - and the Education and Skills Funding Agency (ESFA) - now form part of an increasingly complicated and expensive system of oversight, regulation and inspection.

School Trusts are the most accountable heavily scrutinised part of the school system in England and possibly anywhere in the world. There is an imbalance in accountability and scrutiny of local authority-maintained schools. This greater oversight and transparency, for example in publishing ESFA investigation reports in one place, has led ironically to the public perception that there are more problems in the academy sector than in the maintained sector. There are not. It is right that School Trusts as civic organisations funded from public money are accountable and scrutinised. The creation of one system in which all schools are part of a strong and sustainable School Trust would result in parity of accountability across these structures.

Improvement initiatives are disparate and reflect different administrations' priorities.

Future shape: There is a single regulator with responsibility for intervening in schools and Trusts where the quality of education is not good enough, financial management is weak and/or there is a failure of governance. Separately from the regulator, there is an independent inspectorate that is responsible for judging the quality of education at a point in time on behalf of parents, the taxpayer and parliament. The regulator and inspectorate have clearly articulated authority, decision-making powers, legitimacy and accountability. School Trusts are the vehicles of school improvement with the legal responsibility and accountability for the improvement of schools in the group.

Why: The current system is expensive and confusing. Clarity of function and purpose is essential if the system is to be coherent.

Government should:

- License and grant-fund successful School Trusts as providers of school improvement and instructional leadership, while the system makes the transition to ensuring education quality through strong and sustainable groups.

- Create a single regulator by bringing the regulatory functions of the RSCs and ESFA together in a non-departmental government body reporting directly to Parliament.

- Pass legislation which allows intervention at Trust-level not just at school-level, because the Trust is the accountable body.

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