



**Confederation  
of School Trusts**

## Consultation response

# School accountability reform: Response of the Confederation of School Trusts

### About the Confederation of School Trusts

The Confederation of School Trusts (CST) is the sector body and national organisation for school trusts. We represent almost 80% of all academy schools, and academy trusts, and our members educate more than 3.6 million children.

We help shape the education policy agenda by speaking on their behalf, bringing together frontline education experts from across the country. We work to drive real, strategic, change for education on the big issues that matter most.

### Introduction

1. CST has long called for government to set out explicitly an overarching strategy for its approach to regulation and accountability. While this consultation is not quite that, CST welcomes the opportunity it creates to comment on government's proposed approach.
2. This is complex territory. In some areas CST has established positions, which we reaffirm below. In other areas, such as the introduction of school profiles, we have worked with our membership and our elected Policy Advisory Group to understand the response of trusts to the proposals the Department for Education has put forward. We have tested and iterated our positions with hundreds of members, with trusts of all sizes and locations. We are grateful to CST members for their support during this process.
3. We offer this consultation response as a product of this engagement. It reflects where we think the weight of evidence and opinion within the sector points, and where we believe rational and effective policy making lies.
4. In some areas we think government is taking the right steps to build an intelligent and proportionate accountability system. However, there are areas we are concerned about. We don't think government will be surprised by these as we have been consistent in our messaging. But we welcome the opportunity to set out our thinking here.

### The voice of school trusts

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## Chapter 1: Accountability in the state-funded school system

**Question 11: Do you agree that these are useful principles for delivering improvements to school accountability?**

**Question 12: Are there any other principles that we should consider?**

5. As noted above, CST has long called for a codified government strategy for accountability and regulation. Some welcome steps have been made over the years, such as the work done to support regulation in the trust sector, but this work has tended to be piecemeal. New government priorities emerge from time to time, such as inspection reform, and school profiles – as well as the government’s manifesto commitment to trust inspection – but without an overarching strategy we risk duplication and incoherence. This is not a criticism of this Government but of governments more generally over many years. Accountability and regulation have not been designed and enacted with the strategic intent we would like to see.
6. Chapter 1 of this consultation goes some way towards this by specifying the roles, purpose and principles that underlie the accountability system. We welcome this.
7. There is little in the ‘purposes and principles’ we take issue with. However, it would be helpful to see these mapped more closely to the accountability and regulatory arrangements in order to better surface how these are being delivered. For example, the principle of ‘encouraging collaboration’ maps well to the role played by trusts in bringing schools together in collaborative structures. It would be good to see this sort of thing stated more clearly.
8. To turn the principles and purposes listed in the consultation into a more comprehensive strategy, the Department might want to set out something along the following lines:
  - A) Aims and Objectives:
    - Clearly articulate the purpose of accountability and regulation, specifying what the government seeks to achieve.
  - B) Guiding Principles:
    - Define the overarching principles governing how accountability and regulation will operate. These might include proportionality, transparency, fairness, independence, evidence-based decision-making, and intelligent accountability.
  - C) Roles, Responsibilities, and Governance Structures:
    - Clearly set out who is accountable, to whom, and for what.
    - Establish explicit roles for regulators and other organisations.
    - Clarify the relationships and lines of accountability between regulators, policymakers, and regulated entities to avoid duplication or conflict.
  - D) Accountability Mechanisms:
    - Define the specific tools and mechanisms by which accountability will be enacted. This might include, for example, inspection frameworks and school profiles.

- Ensure these mechanisms are appropriate and proportionate.
- E) Regulatory Interventions and Support Structures:
- Outline clearly the steps the regulator will take when issues or risks are identified, ranging from supportive measures through to more robust interventions (formal warnings, sanctions, or ultimately intervention in governance).
  - Include differentiated regulatory approaches, allowing for varying degrees of risk, and demonstrated capacity.
- F) Monitoring, Reporting, and Transparency:
- Specify the mechanisms for monitoring and publicly reporting on performance.
- G) Feedback and Improvement Processes:
- Establish clear feedback loops so regulated bodies and regulators themselves learn and improve.
- H) Capacity and Capability Development:
- Address how regulators will develop capabilities over time.
- I) Evaluation and Review:
- Commit to regular evaluation of the regulatory system, assessing its effectiveness, efficiency, and responsiveness. Set out how and when reviews of the strategy will occur.

## Chapter 2: School profiles

***Question 13: Do you agree a school profile should be the place users can see the most recent performance information, where it is available?***

9. CST believes in a publicly funded education system it is important there is published information about school performance that is transparent, robust and meaningful. We are not against this being expressed through a school profile, but care needs to be taken to get this right. Importantly, as signalled above, this should be located within an overarching accountability and regulatory strategy in order to ensure there is coherence.
10. It should be noted that Ofsted's consultation proposes making performance data from the time of a school inspection available to stakeholders – which could mean remaining visible for four years or more. In this context it will be important to provide parents and others will reliable information about more recent data. While this could be done through the existing Compare School and College Performance website, as it is now, a new school profile approach provides a good opportunity to evaluate and improve the information that is shared. However, it also introduces an opportunity for less helpful or robust information to be added, and the Department will need to be clear about the principles that would underpin the school profiles. In particular it will need to guard against driving unintended consequences in schools.

**Question 14: Is there other information published by the Department that you would like to see in a school profile in future? This could include, for example, relevant data on pupil characteristics, workforce or finance.**

**Question 15: Are there other pieces of information that you might expect or want to routinely see in a school profile? This could include, for example, information from schools themselves such as its ethos or the breadth of, and pupil engagement in, curriculum enrichment activities.**

11. We believe these questions set out from the wrong starting point. Instead, we would prefer the Department sets out its aims and principles for school profiles, emergent from the overarching strategy referred to above.
12. In our recent [paper](#) we explored four key principles that should be kept in mind. We don't think these are exhaustive but we do think they provide a better starting point than 'what would you like to see?', which risks inviting an incoherent smorgasbord of possible information rather than carefully derived and intentionally calibrated set of information. The principles we outline in our paper include the need for the information in school profiles to be:
  - Consistent
  - Complementary
  - Congruent with policy
  - Contextually sensitive – where appropriate
13. We also make the point that if the intention is for information to be compared between schools that such comparisons are meaningful and supported by accurate data: *"Data from different regions and time periods, as well as the 'contextual' issues explored above, can affect the validity of comparisons we make. The way data is collected matters too. For example, the data that government holds about workforce – rooted in a traditional single school model - can create misleading impressions of staff turnover in trusts. And regarding school finances, trusts are required to make detailed financial returns both publicly and to the DfE, while maintained schools do not have equivalent reporting regimes. These sorts of differences can make comparisons hard, and potentially misleading."*
14. Therefore, the development of school profiles is linked not only to the output of information about schools but also to the input – the collection of it. This will require care in order to ensure that meaningful information and inferenced can be shared, and without adding additional burden to a school system that is already facing significant workload challenges.
15. With regards to the suggestion that school profiles might include schools' own information "such as its ethos or the breadth of, and pupil engagement in, curriculum enrichment activities", we are not persuaded that the benefits of this outweigh the risks. Schools have their own website and multiple channels for communication with stakeholders, including parents. Building this information into school profiles – a facet of the accountability system –

could drive workload, as well as potentially causing confusion for parents if unvalidated information was set out alongside other more robust and validated information. We are not yet clear on what problem this would be trying to solve.

***Question 16: Do you have any further comments on our proposal for a new school profile service operated by the Department?***

16. We reiterate our substantive point above: the need for school profiles to be developed as part of an overarching accountability and regulatory strategy. As such, if school profiles were carrying out functions such as those currently performed by Compare School and College Performance, consideration would need to be given to standing the old website down in order to avoid unhelpful duplication or contradiction.
17. It is also worth noting there is some confusion about the existence of and relationship between school profiles and Ofsted's proposed report card. While we know much of this is clearer now in policy and matters like ownership of these objects are seemingly resolved, there is nonetheless a residue of confusion in the system as a result of the way these terms have been used almost interchangeably at times over the past six months or so. Clear and consistent communications are required to ensure that all users are clear on the role, function and ownership of these objects.
18. To aid this we suggest the Department is thoughtful about how it describes school profiles. While 'service' sounds egalitarian and less high stakes than Compare School and College Performance, it's equally important to be clear, such is our understanding, that these are part of the government's public accountability system for schools rather than a 'service' in the sense that schools might choose to participate or not.

### **Chapter 3: Intervention**

***Question 17: Do you agree that a school which is judged by Ofsted to require special measures should normally be subject to structural intervention? Please explain your answer.***

19. We welcome this proposal. School trusts have proven to be remarkably successful in improving schools, especially those struggling the most (as demonstrated here: <https://ffteducationdatalab.org.uk/2024/07/what-became-of-the-failing-schools-of-the-early-2000s/>). It is right that government continues to take structural intervention by moving such schools into strong trusts in order that all children can receive the best opportunities an effective school provides.

***Question 18: Do you agree that, until September 2026, while we build improvement capacity, schools that require significant improvement should normally be subject to structural intervention? Please explain your answer.***

**Question 19. Do you agree that from September 2026, in schools that require significant improvement, targeted RISE intervention should be deployed to give the school targeted support to improve, before moving to structural intervention if necessary? Please explain your answer.**

20. We agree that structural intervention for these schools should continue until *at least* September 2026. Evidence shows that trusts have proven successful at improving schools causing concern. This is because effective trusts have the capacity to bring about school improvement – they have the expertise and agency to ensure that necessary changes are implemented in the interests of children.
21. The government's intention is to have built additional RISE capacity so that RISE will become the intervention for such schools from September 2026 this point. We believe this notion of capacity must take account of evidence of the success of RISE. As noted above, strong trusts have already demonstrated their capacity to improve schools. While it is too early to say currently how successful RISE has been, it is plausible that by September 2026 there will be sufficient evidence to demonstrate the proposal to move from structural intervention to RISE from September 2026 is appropriate.
22. However, it must also be the case that if such evidence was not forthcoming that government might wish to reconsider the fact, timing or scale of this change. We therefore suggest there is a review of this intent in the summer of 2026 when we know about the success of RISE, with a fallback policy position of continuing to use structural intervention if necessary.

**Question 20. Do you agree that following the introduction of Ofsted school report cards, we should define stuck schools as set out above? Please explain your answer.**

**Question 21. Do you agree with our proposed intervention approach for stuck schools and that we should amend regulations to give effect to this? Please explain your answer.**

23. We cannot support the definition of stuck schools set out in the consultation. This is because it fails to discern between schools which have undergone two less-than-good (or equivalent) inspections under a single responsible body and those which have undergone only one under its current responsible body. By failing to discern between these two groups of schools, regulatory policy would fail to demonstrate a coherent theory of change of the sort specified by the [National Audit Office](#). This is because in many cases this policy would conflict with recent decisions by the same regulator.
24. For example, a school judged to require special measures would, at the behest of the regulator, be sponsored into a trust. This trust might lead significant and sustained improvement such that 24 months later the school is judged requires improvement by Ofsted (possibly even with aspects of 'good'). The proposal in the consultation would mean that this school – on a demonstrable upwards improvement journey – is deemed to be 'stuck'. Meanwhile a school that has been less than good for at least the past two inspections (and

possibly longer) under the same responsible body is deemed to be in the same situation. We think this is deeply problematic.

25. It runs contrary to the theory of change that sees regulators sponsor such schools into trusts in the first place. This theory of change holds that changing the responsible body and therefore governance of a school supports the school to improve. And yet, even where such improvement is evidenced by Ofsted, in this proposal it is treated in regulatory terms the same as a school that has not seen a change in governance. This calls into question the coherence of the regulator's decisions. Was it wrong to sponsor the school? This seems implausible given, as reflected above in this consultation, that sponsoring or rebrokering special measures schools continues to be seen as the appropriate regulatory response. Therefore, one can only conclude the regulator's position is that improvement is not happening fast enough.
26. However, given the inspection of a newly sponsored school can happen from the third year of operation, this means the regulator's *de facto* view is that a special measures school must be good (or equivalent) from that two-year mark following sponsorship/rebrokering. We don't believe the evidence of turnaround supports this assertion. Indeed, Ofsted's own stuck schools research shows that school improvement can take longer than this to achieve and sustain.
27. Consequently, to avoid being labelled 'stuck', this proposal risks putting sponsoring trusts in the unenviable position of having to move the most broken schools in the system to good (or equivalent) within two years, or otherwise choose not to take on the school in the first place. This is a clear disincentive to sponsor schools most in need and runs contrary to the proposal above to prefer sponsorship for special measures schools.
28. In our view, if the regulator has taken the view that sponsorship is the best route to improve failing schools then it should provide them with the support to do so. It should back its own theory of change.
29. This should not require the regulator to give the sponsoring trust endless time to bring about improvement, but it must allow reasonable time, in line with the evidence we have about turnaround, and avoid undermining the position of trusts where demonstrable improvements are being made.
30. Instead, we propose the Department views these schools as a separate cohort to those which have been judged less than good (or equivalent) twice consequently under the same responsible body. We won't propose a particular label here but simply make the point that the regulator cannot consider these schools to be the same as those with a longstanding responsible body without undermining its own regulatory approach.
31. The Department could continue to make RISE support available to these schools, should the trust deem it helpful. But it must not undermine its own regulatory approach by treating them

the same as a school that has been with the same responsible body for at least two less-than-good inspections.

32. If, following the same period that applies to all schools, the school is deemed to be stuck then the regulator should proceed in line with its proposed policy.

***Question 22. Do you agree that RISE should also engage with schools that have concerning levels of pupil attainment? Please explain your answer.***

***Question 23. What is the appropriate measure and approach for understanding if a school has attainment results of significant concern or shows a sharp decline in year-on-year pupil attainment, and may need external help to address these concerns?***

33. Our response to the question is dependent on the nature of regulatory intervention/support envisaged by the Department. Hard intervention on the basis of attainment thresholds risks creating unintended consequences in schools. For example, the prioritisation and de-prioritisation of particular groups of pupils in order to avoid being caught by the attainment measure. This is not a hypothetical risk given we have seen this take place before, including as a result of previous floor standards.
34. However, if the Department's intent here is to provide additional support to schools as an early response ahead of routine inspection, then this could be a helpful innovation.
35. Without knowing the intent in this regard, it is hard to specify what measure should be used. However, we would argue that great care will be needed to ensure that schools of particular contexts are not penalised. Although of course if this were a supportive rather than punitive intervention, this risk might be mitigated in any case.
36. This aspect of the consultation feels less developed than the others. We would welcome the opportunity to engage with the Department in these early stages.

## **Equalities Impact**

***Question 24: Do you believe the proposed arrangements (any or all) would have a positive/negative impact on particular groups of learners or staff because of their protected characteristics? Please explain your answer, specifying which proposal your response relates to.***

***Question 25: Do you have any suggestions for how any potential negative impacts on particular groups of learners or staff could be mitigated, or positive effects enhanced?***

37. We are not aware of particular risks for groups with protected characteristics, though this might in part be because plans such as school profiles are in the early stages of development. Accordingly, government should undertake an equalities assessment for school profiles once its plans have taken shape.



## Workload and wellbeing

***Question 26: What do you consider are the likely staff workload and wellbeing implications and/or burdens of the proposals in this consultation? Please specify which proposal your response relates to.***

***Question 27: Do you have any suggestions for how any potential negative impacts on workload and wellbeing could be mitigated, without negative effects on standards for children? Please specify which proposal your response relates to.***

***Question 28: What steps could be taken to help reduce or manage any burdens leading up to and during the introduction of the proposed arrangements, without negative effects on standards for children? Please specify which proposal your response relates to.***

38. Some of the proposals, such as school profiles, are at an early stage so it is difficult to predict the workload and wellbeing impacts. However, it is important to state that changes to the accountability system tend to drive workload as schools adapt to new measures and incentives.
39. Again, we would direct you to the paper we wrote recently on school profiles which touches on principles such as congruence with policy. Ensuring accountability is congruent with other policy rather than pulling in different directions is one way of mitigating risks of additional workload.
40. Government must also be cautious about the collection of data and information from schools, which can be a driver of workload. To mitigate this government should commit to there being no aggregate increase in workload as a result of the changes proposed. Indeed, given the existing concerns around teacher and leader workload government should actively seek opportunities within this policy agenda to reduce the workload associated with the accountability system.
41. The proposals around stuck schools and RISE risk driving workload. This is particularly problematic in schools where, as explored above, there has already been a change of responsible body and changes are, therefore, likely underway. The significant risk here is that RISE intervention adds to and problematises or even contradicts the school's improvement journey, driving workload and potentially without an upside if the school is already improving. There is an additional risk to wellbeing if, in effect, school leaders and teachers are being asked to undertake one set of improvement priorities by their employer and another by the RISE advisor. This would put leaders in an unenviable position and would pose a risk to their wellbeing.
42. We note the government's intent to expand RISE is running parallel with Ofsted's proposal to significantly increase the volume of monitoring in schools. Together, this risks driving additional workload in the system and risks leader and teacher wellbeing if Ofsted and RISE advisors give schools unhelpful or contradictory messages about improvement priorities.

43. To mitigate this risk the Department should recognise this group of schools (referred to above) are not the same as the 'stuck' schools that have been less than good for two inspections under the same responsible body. And therefore, they should not be treated in the same way. The Department might wish to contact these schools to see how they could provide additional support or funding for improvement, but without labelling them as stuck and treating them as such.

## Summary

44. We welcome the opportunity to respond to the Department for Education's consultation. For a long while CST has made the case that the Department should outline its accountability and regulatory strategy and while the proposals here do not go that far, we welcome the attempt in Chapter 1 to provide a step towards this.

45. We recognise the Department is in the early stages of constructing school profiles and, while there are risks, there are also opportunities. We hope to work closely with government in the coming months to shape these so they best meet the principles we outlined in our recent paper.

46. We have significant concerns about the proposed definition of stuck schools. It risks undermining the department's own regulatory approach and should be adapted in line with what we've set out above.

47. We look forward to working with government as it develops its very early proposal to use attainment as means of triggering RISE support. If this is genuinely about support this could be a helpful policy. However, recent history reveals significant risk of unintended consequence if blunt attainment measures are used as a basis for hard intervention.