School improvement architecture

Building an intelligent, proportionate, and connected system of improvement

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Confederation
of School Trusts

The voice of school trusts

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of School Trusts

The Confederation of School Trusts is the national organisation and sector body for school trusts in England, advocating for, connecting, and supporting executive and governance leaders. Our members are responsible for the education of more than three million young people.

Bringing together trusts from every region and of every size, CST has a strong, strategic presence with access to government and policy makers to drive real change for education on the big issues that matter most.

Introduction

This paper proposes an evolution of the existing accountability, regulatory and support architecture in the school system in order to provide a more sophisticated, effective and proportionate approach that will, together, better support sustained school improvement.

The architecture advocated in this paper is built on four propositions:

1. Accountability can be more intelligent
2. Regulation should allow for 'softer' as well as existing 'harder' interventions
3. School improvement expertise and capacity in trusts can be better leveraged
4. More can be done to connect organisations and professionals to each other to facilitate the creation and sharing of professional knowledge.

Together these feed into a series of policy recommendations, aimed at helping schools in England continue to improve, and ensure we deliver on the trust we hold for children.

This paper does not seek to define or describe every actor in the school improvement space. For example, it does not discuss training organisations, hubs, or third sector organisations beyond trusts. This is not because they are not important players in the overall school improvement landscape but because this paper is primarily concerned with the levers that government has to facilitate school improvement.

We would encourage organisations that play a role in school improvement to consider how their work might fit into, around and support the architecture described in this paper.

Accountability can be more intelligent

It has been said, including in a recent IPPR paper, that the current accountability system is overly punitive, particularly with the high stakes attached to single-word inspection judgments.[1] CST Chief Executive Leora Cruddas argued in a paper on intelligent accountability there are in fact several forms of accountability in the school system.[2] However, the dominance of the overall inspection grade can lead to a risk that school performance is seen as "only as good as your last inspection."

CST has previously argued that reform of school inspection is necessary to ensure that inspection outcomes are appropriate and proportionate. In the interests of brevity the details of our proposals are not repeated here, but for the purposes of this paper it is important we reiterate inspection activity must not be conflated with improvement activity.[3] While inspection can provide insight into where improvement is needed, improvement itself sits with responsible bodies. Systems of accountability and improvement should be synchronised and aligned but not confused with one another.

Accountability systems must be calibrated and understood in ways that are not excessive or themselves a cause of inappropriate levels of anxiety and instability. Rather, accountability needs to strike the right balance of, on the one hand, providing public transparency and providing regulators with actionable insight into educational standards, while on the hand not generating intolerably adverse unintended consequences. In short, accountability needs to be intelligent.

This applies to trust level accountability as much as school level accountability. Accordingly, it is important not to conflate trust accountability with trust improvement, but thought must be given to how the two align.

There have been recent calls for trust inspection. Working on the assumption that trust inspection will be established at some point in the future, it is first necessary to determine the purpose(s) we expect it to serve.

For some, trust inspection is about providing an aggregate view of the overall quality of the group of schools – a sort of 'average' or 'typical' judgement across a range of quality lenses. This is not a straightforward proposition though. We already know from extensive research that within school variation can be significant. Given there is likely to be variation within a trust too, there is a risk is that seeking an average of quality at scale flattens out detail and nuance.

That said, it may be that one purpose of trust inspection is to satisfy stakeholders that quality in relation to a well selected, narrow, and meaningful range of indicators is at an acceptable standard. The inspection would act as some sort of 'backstop' to ensure quality meets a particular threshold. Where this is not the case trusts

1   Menzies, L (2023), *Improvement through empowerment*, Institute of Public Policy Research

2   Cruddas, L (2021), *Intelligent systems of accountability*, Confederation of School Trusts

3 Rollett, R (2023), 'Why Ofsted can't do school improvement', *TES*
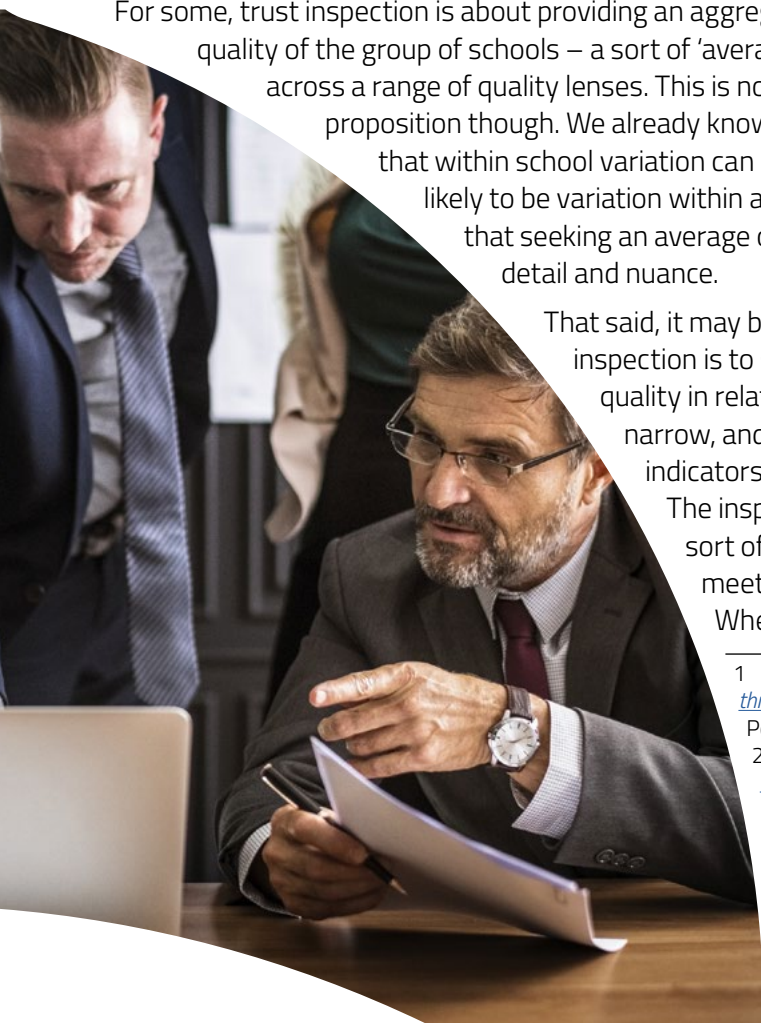
might then be eligible for forms of intervention.

Beyond that, it will be important to think more deeply about the additional value that trust inspection might bring. General calls for 'accountability' do not sufficiently speak to the current and future needs of the system. Trusts are already accountable in myriad ways, including through the Education and Skills Funding Agency (ESFA), school inspections, annual accounts, performance tables, and so on. Simply calling for accountability is not specific enough to highlight the additional potential value of trust inspection.

Arguably, the one area where trust inspection might add meaningful additional insight is in relation to trusts' capacity for school improvement. This area is pertinent to trust improvement and school quality but also to commissioning decisions made by Department for Education regional directors. Therefore, it would make sense to make capacity for school improvement a primary focus of trust inspection.

However, in order to deliver this the system needs to develop a richer evidence base about what effective improvement practice looks like at scale. It is notable and regrettable that very little funding has been dedicated to exploring how some trusts have been able to systematically improve schools across regions and nationally. Too much time has been wasted in academia by focusing almost exclusively on answering questions about whether 'academisation' works in the abstract, and not enough time spent on understanding how it has in recognized examples.

CST's inquiry into trust-led school improvement seeks to make some initial steps into this area. It is yet to report but it is already clear that a long term and comprehensive programme of research into how effective trusts improve schools is a priority for the school system. Government is uniquely placed to fund this research and must do so without delay.

Only with this work underway will the system be in a position to deliver genuinely informative trust level inspection which can be used to inform commissioning decisions and share more effective practices across the system.

Regulation should allow for 'softer' as well as existing 'harder' interventions

The National Audit Office good practice guidance on *Principles of effective regulation* says regulators should consider a "range and effectiveness of existing powers in achieving regulatory objectives – including 'softer' influencing powers as well as 'hard' enforcement powers – and how to deal with different types of problem as well as new challenges."[4]

Furthermore, it says regulators should hold a theory of change. The existing regulatory theory of change has been largely based on harder forms of intervention, typified by the ability of the regulator to sponsor a maintained school into a trust or 'rebroker' an academy school.

The school system has undergone a significant shift, with many schools having chosen to become an academy or been sponsored into trusts, including many of those that had previously been underperforming over a long period. There is evidence that school trusts have been particularly effective in improving education in these circumstances and it is crucial the regulator maintains this lever moving forward.[5]

Doing so is not an arbitrary expression of preferred structures or ideologies, as some claim; it is in fact a regulatory commitment to the principle of sound governance. Where we see significant failures in educational standards it is right that governance arrangements can be changed by moving the school to a different responsible body with the track record and capacity to make improvements.

However, there is also room for the regulatory theory of change to provide additional levers through 'softer' interventions to support schools where performance does not require governance change. In essence, this is likely to necessitate the flow of expertise and capacity across organisational boundaries into schools which would benefit from such support.

Proper separation of powers is an important principle as it maintains function and avoids conflicts of interest. In line with what CST has said previously in relation to inspection and improvement, our position is that:

- **Inspection:** Ofsted inspects. This should include school inspection and in time it may be appropriate for trust inspection - but before this it is essential to build an evidence base, along with a clear purpose and rationale. We should test the assumed benefits through evaluative frameworks, rather than move

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4   National Audit Office (2021), *Principles of effective regulation*
5   Ofsted (2020). *Fight or flight? How 'stuck' schools are overcoming isolation: evaluation report*; Department for Education (2022), *The case for a fully trust-led system*

straight to trust inspection.

- **Regulation:** The regulator makes regulatory and commissioning decisions. Currently regulation is split across the Department for Education Regions Group and ESFA. We believe that in the long term there should be a single independent regulator.[6]

- **Improvement:** Improvement expertise exists in schools and trusts, not in government departments. Accordingly, support is provided by the sector, in line with commissioning decisions made by regulators. We say more about this later.
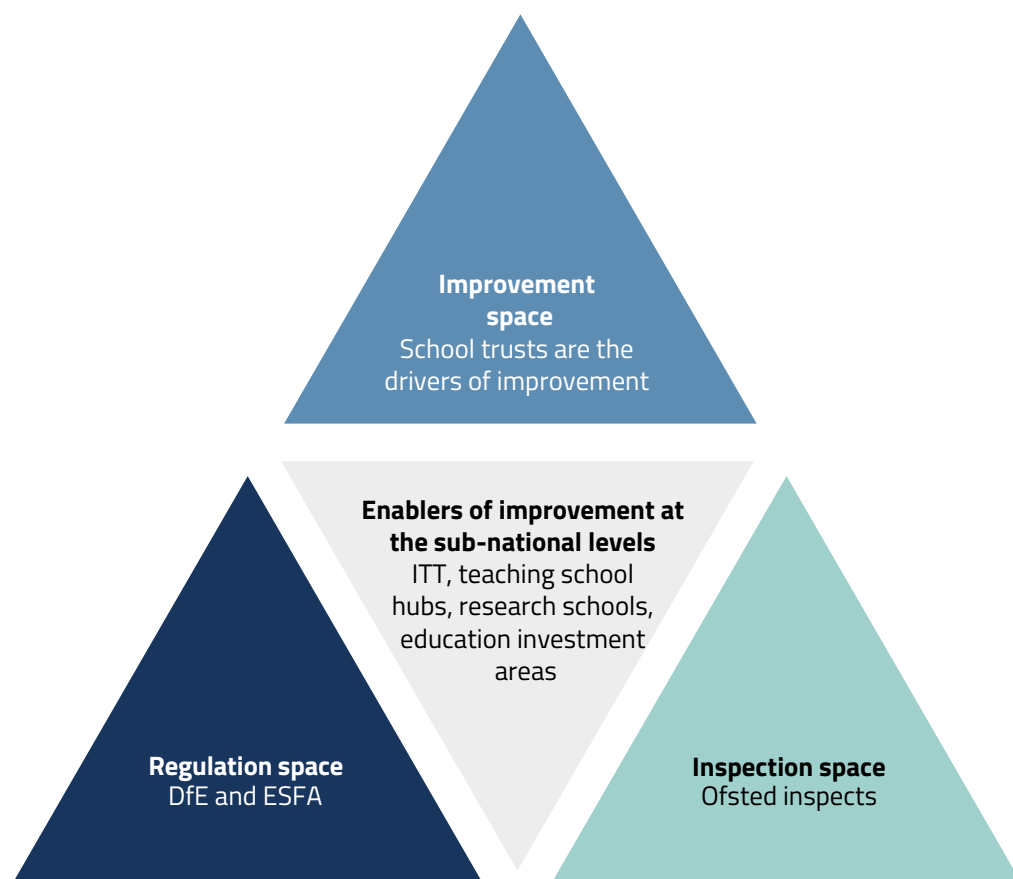
Adapted from Cruddas, L (2018) Where next for the self improving school system? Getting system governance right, CST

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6   A direct comparison can be drawn to Ofqual, the regulator for qualifications. We should not be misled by some calls for local authorities to regulate and commission for three reasons. Firstly, they continue to be responsible bodies for schools they maintain. Secondly, it would create significant conflicts of interest by making one type of responsible body (local authorities) the regulator of another type of responsible body (school trusts). Thirdly, regulatory practice is a specialist task and must be coherent – we would never consider asking local authorities to regulate qualifications and risk over 150 different approaches to qualifications across England.

School improvement expertise and capacity in trusts can be better leveraged

Given the assertion above that more can be done through 'softer' interventions to support system wide improvement, it is important to properly consider where the necessary expertise and capacity to do so exists.

Legacy approaches in this space, such as the National Leaders of Education programme, tended to be built on an assumption that expertise and capacity reside in individuals. We believe this is a problematic position that does not lend itself to system-wide scalability. Moreover, it also leans into an outdated and sometimes toxic 'hero leader' narrative.

Instead, we argue expertise and capacity are located at organisational level. Strong and effective organisations embody a collective pool of expertise and capacity that individuals cannot match. Such a position also locates individuals within systems of accountability and professionalism such that improvement approaches are not the whims of individuals, but are developed, shared and maintained by groups of professionals.

Trusts, for example, consolidate a diverse range of skills, experiences, and resources from various schools within the organisation. This allows for the development and distribution of expertise, innovation and capacity that transcends the limitations of individual capabilities. For example, an individual sporadically dropped into a school to provide support may struggle to maintain a deep and long-term relationship with a school in need of improvement. A trust on the other hand may be able to move its capacity such that it can deploy that individual to the school for a period of time in order to lead sustained change, and backfill their responsibilities in the trust for this period.

Some of this practice is already being supported by government. For example, the trust and school improvement offer (TSI) helps trusts to support improvement in schools beyond their own organisation.[7] However, the duration of that support is limited, in part by the funding available. We believe improvement in the system can be catalysed by providing the direction and means for capacity sharing between organisations to be deeper and more sustained.

This paper, therefore, sets out a vision where softer regulatory steps to foster school improvement are driven not by the isolated efforts of individuals but by the collective and strategic actions of organisations, particularly school trusts, coordinated at a regional level by the regulator. This aligns with our broader vision for education, seeking a system that prioritizes supportive, evidence-based, and collaborative strategies in a way that is adaptive, resilient, and attuned to the evolving needs of the local and national context.

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7   https://www.gov.uk/guidance/trust-and-school-improvement-offer

A connected system

CST has long argued that trusts serve as knowledge-building institutions. They bring professionals together in ways that have the potential to go beyond what can be achieved in individual schools. This potential is not only about the ability of trusts to share effective practice, but to create, debate, and renew knowledge about professional practice, encompassing the range of endeavours with which schools are entrusted, from pedagogy and assessment to attendance and safeguarding.

Coupled with the civic role of trusts, it is possible to see that trusts are sites of profound professional and community impact. Increasingly we see trusts leading and participating in local and national networks with other trusts, schools, local authorities and other services – thereby elevating the collective capacity of the group to an even bigger stage.

In some cases these networks are directly involved in peer to peer knowledge exchange/development about trust or school leadership. CST itself runs a thriving series of professional communities based around specific trust roles and problems of practice.

Other networks and partnerships are concerned with coordinating activity within a locality to address professional or societal concerns. In either case, collaboration between organisations is likely to be a key factor in organisational and system success in the future. It is right that government supports, but does not control, these sector-led initiatives.

It is also important that we understand the limits of networks and partnerships. As Greany and Kamp note, networks vary significantly in their effectiveness.[8] Moreover, they point out that:

> "Networks have been presented as 'magical concepts' which promise 'modernity, neutrality, pragmatism and positivity', but that the reality is vastly more complex and uncertain, not least as a result of often 'unremarked' but important power differentials…While networking can support equitable partnerships, it can also reproduce unequal power relations."

So, while networks and partnerships are a vital part of the system, three points are important. Firstly, accountability and governance limitations constrain the nature of activities that such groups can undertake. They are not an alternative to groups of schools operating in a single and accountable governance structure.

Secondly, the effective implementation of networks and partnerships is itself a matter of professional knowledge and expertise. The system needs to find ways of learning how to create and sustain impactful collaborations between organisations.

Finally, government must consider how it can support the flow of professional knowledge through such sector-led networks, leveraging the insights that it and other actors hold. It is not government's place to run these networks and partnerships but in a system where 'soft' intervention (as described above) is informed by local and regional understanding of what improvement capacity is and where it resides, these insights should be made available to a connected system.

8   Greany, T & Kamp, A (2022) *Leading Educational Networks*. London: Bloomsbury.

Policy recommendations

1. **Set out a long-term plan to develop and test an approach to evaluating trust improvement capacity**. While trust inspection could be a longer term ambition for the system, there are risks if this goes ahead of the evidence base we hold about how effective trusts operate and improve schools. There is also work to do to define the purpose(s) trust inspection would serve and how this would align with school inspection and regulation. The immediate focus should be on creating a solid evidence base about trust improvement capacity and how it can be evaluated effectively and proportionately. This could be tested through evaluative frameworks, such as Ofsted's multi-academy trust summary evaluations (MATSE), before being taken forward as appropriate.

2. **Organisations such as effective trusts should be strategically commissioned, within a coherent regulatory strategy, to provide expertise and capacity ('softer' support) to schools, coordinated by Regional School Improvement Commissioning Teams**. Regional teams should be empowered to commission and fund school improvement support from effective organisations, which in most areas will be school trusts. Improvement expertise and capacity should be viewed as organisational traits and as such commissioning should be done on an organisational rather than individual basis. Accordingly, the NLE programme should be transposed to an organisational footing. Trusts could be designated as the National Leader of Education or, more accurately, a National Leader of School Improvement.[9] Appropriate resourcing should be prioritised by government to support improvement relationships between organisations that are deeper and more sustained than the current arrangements such as the trust and school improvement offer allow.

3. **Slim and efficient DfE regional teams with a clear remit to regulate and commission improvement support**. Given that school improvement and expertise resides in organisations, it is important to be clear that DfE teams would not themselves be improvers of schools. Rather, they are commissioners of support, identifying where organisations are well placed to provide targeted support in accordance with need. Accordingly, regional teams coordinating this work should be slim and efficient, ensuring that scarce capacity is not drawn out of schools and trusts into bureaucratic structures that don't themselves educate children.

4. **Proportionate use of 'hard' intervention where it is needed**. It is an important point of principle that where necessary DfE regional directors must be able to intervene in prescribed ways to protect children's interests, including sponsorship and rebrokering. While the addition of greater 'soft' approaches to improvement are welcome, they must be in addition to, and not instead of, the rarer but necessary use of harder intervention.

5. **Redesign the system of accountability triggers that lead to intervention**. While Ofsted inspections should feed into regulatory insight and decision making, it is not clear the current system of grading is the right approach. Changing this is in part about redesigning the outcome of inspection.
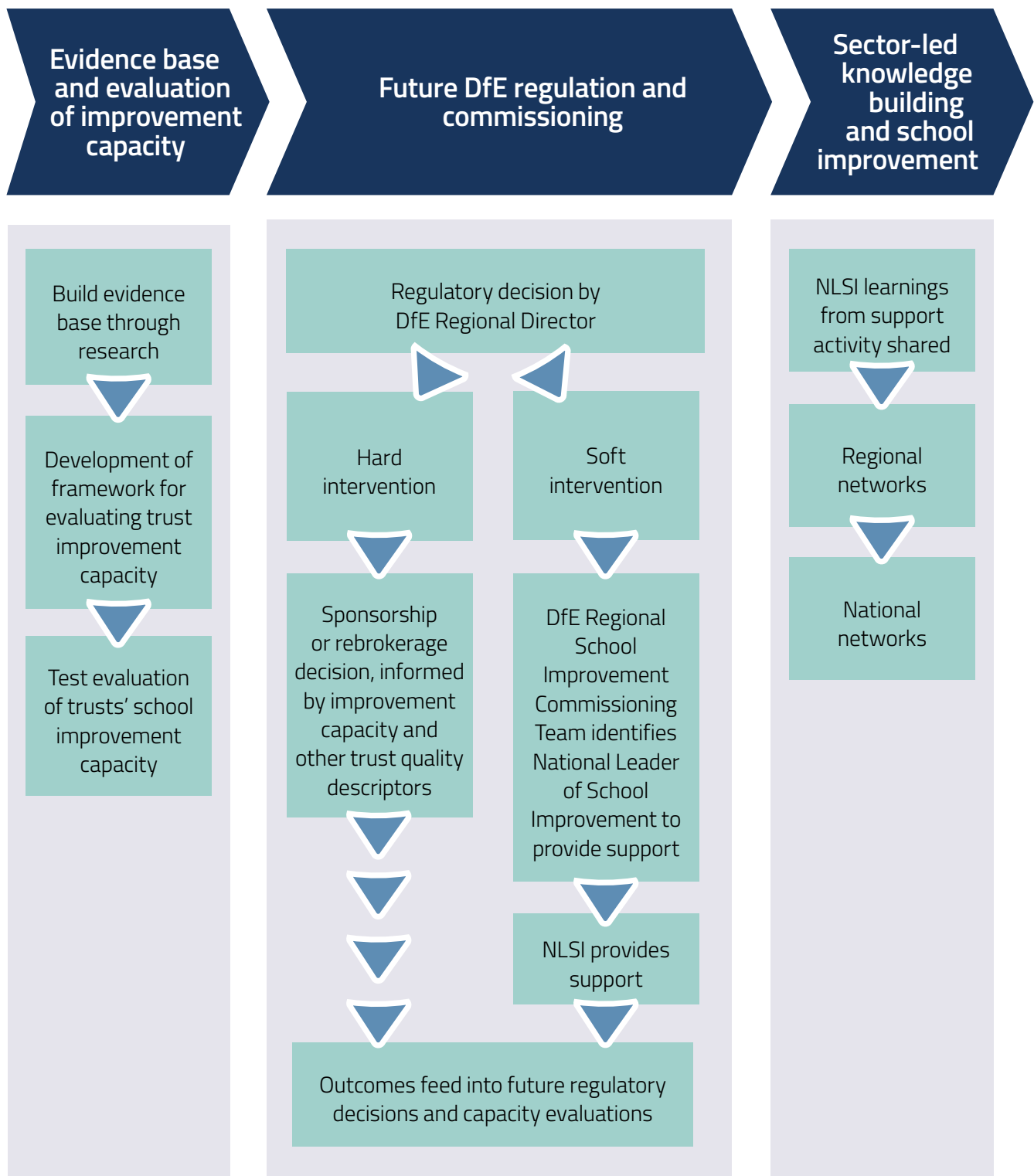
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9   The regulatory strategy should consider the role of all regulatory actors. For example, Ofsted is not the regulator of schools but inspection outcomes are used as part of a regulatory approach. Regulation is currently under-theorised, not well understood, and without a strategic basis. Going forward we need to ensure that regulation is both based in evidence and theory, but also sufficiently understood by policy makers and the sector. Any future approach to trust inspection would also need to be located within this broader regulatory framework.

However, it is also about ensuring such outcomes lead to well calibrated regulatory responses. The "double-RI" reimagining of the coasting definition (where schools become eligible for intervention following two 'required improvement' or lower Ofsted judgements) is problematic for a number of reasons and should be redesigned or abandoned.

6. **Expertise should be shared across all trusts, regionally and nationally, through high quality professional networks.** Trusts should be encouraged to participate in high quality collaborative networks. It is important to note it is envisioned these networks should be 'owned' by the sector. While they might interact with and hold constructive relationships with government and regulators, they should be driven by the sector and for the sector. Some such networks already exist locally and nationally, though it is likely that regional networks in some areas may need to be established and some resource may be necessary to seed this.

Evolution of school improvement architecture

Evidence base and evaluation of improvement capacity

Build evidence base through research

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Development of framework for evaluating trust improvement capacity

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Test evaluation of trusts' school improvement capacity

Future DfE regulation and commissioning

Regulatory decision by DfE Regional Director

Hard intervention	Soft intervention

Hard intervention

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Sponsorship or rebrokerage decision, informed by improvement capacity and other trust quality descriptors

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Soft intervention

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DfE Regional School Improvement Commissioning Team identifies National Leader of School Improvement to provide support

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NLSI provides support

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Outcomes feed into future regulatory decisions and capacity evaluations

Sector-led knowledge building and school improvement

NLSI learnings from support activity shared

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Regional networks

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National networks