



Policy Study No 138

Opting for Freedom

A stronger policy for grant-maintained schools

Brian Sherratt



Foreword by Sir Robert Balchin

CENTRE FOR POLICY STUDIES

The Author

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Foreword

Today it is hard to believe that only six years ago virtually no one in the world of education accepted that British state schools could run their own affairs as autonomous incorporated bodies, much like independent schools. Now the thousandth such school is in the pipeline and Grant-Maintained schools have important stories to tell of how they have used their new powers to improve the quality of education for their pupils.

For every hundred pounds available for a school, local education authorities keep for their own use on average about £11. Grant-Maintained schools receive that £11 and many headteachers claim to replace LEA services for a cost of about £5, leaving £6 to be spent directly on the curriculum. Typically, one of these schools spends double on books and equipment during its first self-governing year, many add new staff, all rejoice in the real freedom from bureaucratic control that their new status brings.

Nowadays the discussion centres around not whether self-government for schools is possible but how quickly we ought to move towards it and how we must safeguard the hard-won independence of their heads and governing bodies.

There are those like myself who entirely deprecated the blind push to comprehensive education in the sixties and seventies because it appeared to be founded on ideological commitment rather than empirical experiment. We have therefore favoured a gradual change to self-governing status as schools and their governing bodies feel that they are ready to take on new responsibilities. Inevitably, however, a concomitant to this reform has been acute hostility from most local education authorities. Their officers realise that the logic of self-government for schools will lead to the loss of their jobs, and their members know that their political power-bases will be eroded.

Brian Sherratt is ideally suited to write about the subject of self-government for schools. He is the headmaster of the country's largest comprehensive which opted out in 1991 after an acrimonious campaign in which he was often personally attacked. The quality of

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education in his school is now a testimony to the independence of Grant-Maintained status and this pamphlet is a valuable contribution to an on-going debate.

A handwritten signature in black ink that reads "Robert Balchin". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Sir Robert Balchin
Chairman of the Grant-Maintained Schools Foundation
April 1994

Introduction

Today, out of 24,503 schools in England and Wales 829 are Grant-Maintained (GM). That is 3.38 per cent.* The dramatic movement to GM status, so confidently expected, has not yet occurred. Why not? First, and probably most important, is the attitude of mind among heads and senior teachers who are used to the dominance of the Local Education Authority (LEA), to its role in providing, appointing, employing and overseeing in a system which they joined as junior teachers. Second, the Government itself has appeared unsure about the future extent of its GM policy. From its inception to the present day, the signals about the number of GM schools or indeed the proportion of GM schools overall, have been unclear. Third, the practical obstacles – from LEA campaigns, to parental ballots – although not insuperable, have made the going difficult.

This pamphlet sets out to consider the obstacles and difficulties in becoming Grant-Maintained. It assesses the problems which have developed for GM schools so far; and it concludes with a series of proposals which will make not only for more GM schools but also for the independence and responsibility which are essential for good schools.

*In the case of secondary schools alone, the figures are less disappointing. Of GM schools 265 are primary and 564 secondary. A further 64 primary and 25 secondary schools have been approved for GM status; 48 primaries and 26 secondaries await approval; 23 primaries and 11 secondaries have voted 'yes' but have yet to publish proposals. Out of a total of 4013 secondary schools 14.05 per cent are currently GM. It is anticipated that by the end of the year some 20 per cent of all pupils in secondary education will be in GM schools.

1

The Difficulty of Change

Schools, heads and teachers belong to a culture in which, despite the devolution of budgets, the LEAs remain dominant. LEAs are naturally opposed to the schools seeking GM status. A *status quo* in which LEAs have paramount influence is one where change – especially change which will make schools into GM institutions, independent of the LEAs – will be resisted.

LEAs continue to own most schools and employ teachers and heads: the ‘partnership’ which they claim they wish to see with schools depends on all parties supporting a continuing and powerful role for the LEA – in whatever guise. This role may be unashamedly dominant, or simply equal to that of the schools themselves. But the point to be stressed is that as long as the LEAs maintain anything like their present bureaucracy, there will be less autonomy for schools.

Moreover, given that the LEA employs the teachers, there is no reason to presume that it will encourage teachers who stand out against the *status quo*. Nor is there any reason to presume that teachers or heads wish to do anything other than retain the *status quo*. Most current heads chose to work in an LEA system, with its pseudo-doctrinal base of comprehensive equality achieved through local bureaucracy, and a system where the real decisions – about the curriculum, about the school, about discipline, the employment of teaching staff, even about painting the walls – were the decisions of the town hall, not of the head of the school itself. Such a culture attracted those who wanted dependency, not autonomy. And that is not going to change until these teachers have worked their way through the system and retired. For the present generation of teachers and heads did not join the profession in order to take responsibility themselves: those who might have done so left teaching or entered other professions. The present incumbents, therefore, after three decades of moving steadily to the pinnacle of their career in an LEA system, have no incentive to throw overboard their existing orderly and cushioned progression to retirement under an LEA.

THE DIFFICULTY OF CHANGE

There is resistance to change too from the Department for Education (DFE), which in interpreting the law and setting out regulations, tends to reflect the assumptions of the *status quo*, as with the Office for Standards in Education (OFSTED).

If the weight of prejudice in the world of education against GM schools is to be shifted, it needs determined effort from Government to make its new policy work. In fact some ministers and their civil servants seem to have been rather scared of the boldness of what they have proposed and have developed the policy in a half-hearted way.

So far from giving the encouragement needed to lead schools away from the *status quo*, the Government has from the start appeared uncertain about its policy on GM schools. Was the aim for all schools to become GM or only for some (secondary schools and a few larger primary schools)? Or was GM status to be for exceptional cases only, so as to provide the competition necessary to improve LEA schools? Between Conservative ministers, between No. 10 Downing Street and the Department of Education and Science (DES), the differences were marked and, at local level, many Conservative politicians were as hostile to the GM policy as their political opponents were. For example, until the council elections of 1993, East Sussex, West Sussex, Suffolk and North Yorkshire had no GM schools, and originally Bromley, Solihull, Trafford and Redbridge were not at all enthusiastic.

Further uncertainty was generated when, after the 1992 General Election, it was announced that there would be a White Paper.¹ It was compounded by further proposals, such as the Common Funding Formula and the Funding Agency for Schools (FAS). 'Within a new evolutionary framework' (3.7) the FAS was set up to distribute grant to GM schools, monitor their finances and 'take on wider planning responsibilities', as the proportion of pupils in GM schools increases, for the 'rationalisation of places' and for securing 'sufficient places' (3.9). This will involve the setting up of 'regional offices' (3.10). Two years later, the position is still unclear.

This uncertainty at Government level has been exacerbated by scaremongering from various sources. Even the financial advantage of GM status has been made into the basis for confusion and anxiety, especially to potential GM applicants. The incentives, it is alleged, will end soon. But such reports are baseless. They ignore

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the fact that GM schools gain their financial advantages because they are given an extra share of the budget to cover what the LEA would have kept back for itself. So long as a school remains GM, it cannot lose this extra money. Scare stories have also been circulated about capital funding, when GM schools have put in successful bids for it. It is alleged that GM schools, which bid for capital funding from the DFE, have enjoyed unfair advantage over LEA schools, which bid for capital funding from their LEAs; this advantage, it is said, should and will be removed. In fact, there has always been a great deal of variation between the amounts received by different schools, both within an LEA and from one LEA to another. If it is unfair for some (GM) schools to receive more than other (LEA) schools, why has it not always been unfair for some LEA schools to receive more than other LEA schools? And there is much more variation between capital funding for schools from one LEA to another than between LEA and GM schools in the same area.

There is, moreover, a deeper problem: the trend to conformity and prescription within the Government's educational thinking which conflicts with the commitment to diversity most strikingly realised in the policy of allowing schools to become GM. On the one hand, the 1992 White Paper states (15.3) that 'the essential conditions to achieve excellence and fulfilment of talent – at whatever level – are those of diversity and choice' and looks to the spread of GM schools. On the other hand, LEAs continue to own most schools and employ most teachers, while the State prescribes up to 80 per cent of the curriculum for all children in GM schools. This makes for a predictable uniformity among schools as regards the curriculum and even in the organisation of the school day.

2

Cumbersome Procedure

Beyond these difficulties and uncertainties, the greatest obstacle to the spread of GM schools is the cumbersome procedure through which a school must go to opt out of LEA control.

Under the 1988 Act, there was no requirement for governors even to consider GM status.² Unless parents petitioned them, they could ignore the matter entirely. Only if 20 per cent or more of the parents submitted a petition (and there had not been a ballot the previous year) was a ballot automatically required. This still remains one of the routes to GM status. But governors are now required, by the 1993 Act, to put the question of whether to ballot parents about GM status on their agenda each year, unless there has been a ballot the year before.

Once the decision to ballot has been taken, the procedure is exceedingly complex. The electoral role must be finalised and the ballot itself, organised by the Electoral Reform Society's company, Electoral Reform (Ballot Services) Ltd, must be held no later than ten weeks after the governors' resolution or, if the ballot has been triggered by a parental petition, no later than ten weeks after the governors have received it. If less than 50 per cent of eligible parents vote, or there is a tie, then a second ballot must be held within 14 days, the vote of which is decisive, whatever the turnout. If the vote is in favour of GM status, then governors must publish proposals for it within four months of the ballot result. There follows a two-month period for objections, after which the Secretary of State must approve or reject the school's proposals. Despite the modifications introduced by the 1993 Act,³ the route to GM status remains like a tough obstacle course, as if it has been deliberately designed to make it as hard as possible to traverse.

Behind this cumbersome procedure lies an apparent contradiction between the view reiterated in the 1992 White Paper that the parental ballot should remain the route to GM status (3.4) and the belief that self-government is best for schools, and that all schools will, eventually, become GM. There are two immediate problems:

(1) of principle or interpretation of political philosophy; (2) of the practical business or procedure.

First, the stated method of going GM has been based on the idea that a local ballot of parents in a given school is somehow more democratic than central legislation.⁴ However, critics of the policy suggest, with some justification, that a parental ballot on GM status is a dubious exercise in democracy: although, on average, parents retain a stake in their child's school for longer than the average councillor stays on the council, their interest is nevertheless short-term and exists by virtue of having children at the school at a given time. In this sense they are hardly a greater example of 'democracy' than a national electorate. Historically, decisions taken by Government and the LEAs about the organisation of schools have been made without consulting parents at individual schools; and so great has been the imposition by Government, both central and local, on the organisation of schools – over a wide range from, for example, the extension of secondary education to the imposition of comprehensive education, the reorganisation and closure of schools or their Sixth Forms – that change of a similar magnitude cannot occur sufficiently quickly to be effective.

Second, the parental ballot and the mechanisms for GM status are complex, cumbersome and waste time and money: GM 'campaigns', from whatever perspective, tend to deflect the school from its primary task. Moreover it has facilitated political opposition among the LEAs and their supporters who are determined to resist reform.

Finally, the 1993 Act compounded the matter by requiring governing bodies annually to reconsider GM status and report the results of their consideration in the annual report to parents. This will merely serve to highlight the numbers not taking up the option of GM status and gain considerable disadvantageous press coverage. (What can be said about the 23,000 schools that rejected GM status and chose to stay with their LEAs?)

In some areas of the country there is no real choice for parents who might wish that their school should become GM. It may appear annually as an item on the governors' agenda simply to be dismissed. Its very appearance as an agenda item is open to abuse and political manipulation. In some areas parents may not be presented with the facts. If GM is right for schools then it does not follow that the route should be through the parental ballot.

3

GM Status: How Much Freedom?

Not only has the GM policy developed against a background of apparent uncertainty as to its ultimate aim and direction (an uncertainty exploited by political opponents and by the LEAs and schools who wish to maintain the *status quo*) but there is a deeper impediment to a flourishing GM sector: the contradiction between the policy – and principles on which it is based – and the manner in which it has been implemented or interpreted. Whereas the stated intention is to make for greater diversity and more choice, in practice the trend has been, directly and indirectly, for greater conformity and greater regulation. If that trend continues, GM schools will be undermined by the very policies intended to assist them. Schools will have less incentive to opt out; conformity rather than diversity, standardisation rather than excellence, will become the norm.

Three general areas need rethinking so that the autonomy of the school and the opportunity to develop its individual character are encouraged: (1) the internal arrangements of the school, such as admissions, governing bodies, discipline and disruptive pupils; (2) the nature of external control, now exercised by central Government and its agencies, particularly the DFE, the FAS, and the School Curriculum and Assessment Authority (SCAA); and (3) the continuing role of the LEA.

1 The Internal Arrangements of the School

What makes a school good, what makes it different, what makes it popular with parents, is the result, primarily, of the particular characteristics often developed consciously, and of qualities which heads, governors, teachers, parents and pupils bring to, and expect of, their school. This is true of admissions policies; of the way in which the school is run; and of the balance between head and governors, teachers and parents.

The Government's policy is that, subject to the law of the land, admissions criteria, procedures and arrangements should be a

matter for the school. But whereas the law intends that schools should be different and that they should be autonomous and exercise responsibility, none the less practice, in terms of DFE regulation and initiative, has tended to be the reverse. Governing bodies of GM schools are entirely responsible for admissions, but their policy and any subsequent changes to it must be approved by the Secretary of State. They must follow the detailed procedures and advice set out in Circular 6/93 which supplements Circulars 11/88 and 6/91, which remain in force. Moreover, the independence of schools in establishing procedures and arrangements for admissions has been undermined by further bureaucratic encroachment in the form of the FAS with its proposed role in respect of the allocation of schools to pupils (see below page 17).

Getting the balance of power right between head and governors in a school depends on two central factors: the character of those concerned, and the framework of law under which they operate. The question facing GM schools is whether the law has established the right framework.

In terms of routine organisation and administration, schools generally function perfectly well without the direct assistance of governing bodies. The system as we experience it works largely because most governing bodies do not actually exercise in detail the powers potentially available to them. This is not to suggest that there should be no accountability or that the existing accountability of heads to governing bodies should be transferred to DFE officials, a notion that certainly would not sit easily with that of autonomy. Accountability within a decentralised education system, however, needs to be made explicit. In any event, if a school cannot win the support and approval from parents and its local community – from which its governors tend to be drawn – it will inevitably go out of business.

Although the rhetoric surrounding the 1988 Education Act suggested that heads were to have the central responsibilities – for example, over allocating budget and appointing staff – that did not happen. Indeed the Act tended to favour governing bodies of GM schools *vis-à-vis* the heads although subsequent Departmental Circulars seemed to redress the balance. It seems inconsistent that the legislation should seek to do one thing and that the Circulars should seek to do something else. In broad terms, heads are responsible for

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implementing the statutory requirements and governing bodies are responsible for ensuring that they fulfil their statutory duties. They are each responsible for supplying the other with any necessary information. None the less the balance in favour of governors appears excessive perhaps, to the extent that it may not always helpfully complement the operational responsibilities of heads.

A more equitable balance between the defined responsibilities of the head, supported by professional staff, and those of governors would be useful in clarifying both policy-making and managerial functions. A certain creative tension between head and governors might well be a healthy one. Given, however, that self-governing schools will wish to retain the autonomy to decide for themselves the procedures for making and implementing policy, there is nevertheless a case for making the respective roles clearer. It is helpful if the head is seen in the role of chief executive, and the governors, led by the chairman, as the board of directors. The governors determine the character of the school: the head runs the school. Clarification of respective functions would make for greater efficiency and avoid confusion and misunderstanding.

The discipline in any school is as integral to its character as the nature of teaching, from which it is inseparable. So much so that any debate about discipline involves a discussion, not about whether it is necessary, but rather over how to exercise it. Thus, the trend, by the DFE, towards setting out to impose the boundaries which govern the exercise of discipline in GM schools, further undermines the prospects of diverse, independent, responsible and flourishing GM schools. (The draft Circulars on pupil behaviour and discipline make for a uniformity of approach which to an extent works against the school's freedom to create and maintain its own distinctive ethos.) Although the interference by central or local government may be designed to avoid the difficult decisions arising out of excluding pupils from schools, none the less, subject to the law itself, and proper rights of appeal, schools must be in a position to apply the ultimate sanction.

A good school will in general have good standards of behaviour and co-operation. It will in fact feel it has failed if it is forced, ultimately, to exclude a child and, other than in exceptional circumstances, will usually only reach that decision after much painful deliberation. The interest of the child will tend to come first. In

practice, pupils with behavioural difficulties should remain, as far as possible, within mainstream schooling, otherwise they will have difficulty in learning to behave socially – a task which the community entrusts to the school. However, there are other important considerations, the first of which is the safety and well-being of all other children in the school, and in particular the ability of children to proceed with their learning unhindered by the disruptive behaviour of others. Second, there is the issue of the time spent by teachers on one or two individuals at the expense of others: this can appear unfair to well-behaved, motivated pupils and can be debilitating for teachers who, necessarily, become deflected from their principal task. Third, there is the parental perspective. Parents, understandably, take the view that the school is failing if it allows some children to disrupt the work of others. Fourth, there is the issue of the school's ethos and its perceived standing in the wider community.

2 External Control: The DFE and Central Agencies

Since 1988, the Department for Education and its agencies have tended to greater regulation and prescription for GM schools. Some of the detailed regulations issued by the DFE impede the ability of heads to run their schools as initially envisaged. Contrary to original intentions, these regulations are designed to make for tidy uniformity rather than for a diversity of schools. Despite the overall aim of Government for greater deregulation, individual Whitehall departments such as the DFE have persisted with ever-increasing regulation. Schools need to be given much more freedom to get on with the business of educating pupils well and to be judged by their success, rather than to be forced through detailed (often minute) regulation to conduct themselves according to an official rule book. Schools are impeded by the detail of regulation. In an educational climate offering real choice and diversity for parents – through a wide variety of self-governing GM schools – a regulation would only be needed if no school could manage without it. Perhaps the time has come to have a bonfire of the regulations.

One of the benefits of GM status has been freedom from LEA bureaucracy. Hitherto, despite the need for deregulation and despite the obsession of the official mind to keep control on developments, GM schools have not generally felt that the DFE has intruded upon their self-governing status.

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No one would deny that the official does have a role in implementing the Government's policies, including financial policy, in such a way as to make for equity in allocations to GM schools. In effect the new FAS should do the arithmetic according to the Government's criteria, but the danger is that the FAS will be driven by an official mentality and re-create the kind of bureaucracy from which GM schools opted out.

Part of the difficulty is due to the confused role of the FAS which is seen as evolutionary. It will 'acquire functions' as the GM sector expands. At present there is no indication as to what these functions might be.

The secondary function of the FAS, 'increasing responsibilities for the rationalisation of places in GM schools', linked to the setting up of regional offices, is particularly worrying. Certainly, there was no hint of this in the 1988 legislation. Uncertainty regarding the principles regulating the future development of the FAS is not helpful to the GM cause.

Such uncertainties do little to encourage heads, governors or parents to take the initiative on acquiring GM status. However, it is perhaps among existing GM schools whose heads and governors have experienced self-government where the threat of an indeterminate FAS is most acutely feared.

Surplus places will no longer be a problem in a flourishing system of GM schools which can respond quickly to changes in the demand for places. Most LEAs have surplus places and nationally there are 1.3 million. The solution is to give parents in the areas where surplus places have built up a choice. This can be achieved by adding new places, thereby creating a wider choice, and allowing new schools to market their strengths, thus providing what parents are not receiving in LEAs with empty places.

The problem with the proposals for new schools is that under the current regulation (DES Circular 3/87) the Government will not permit a new school to be promoted where there are existing surplus places.⁵ This is entirely counter-productive because what is being counted are the existing council places. A situation could arise, for example, whereby a voluntary-aided school or a GM school wished to expand but is actually held back because of the existence of less successful council schools.

The new DFE Circular is currently being drafted. The Secretary

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of State has to balance his duty to ensure the proper use of resources, public funds, against the demand for places which may not be met by existing schools. This will involve looking at the number of school places in a given area, the need for new places (including denominational need), together with technical considerations as to whether the premises are suitable and whether the proposed school can follow the National Curriculum. The quality and diversity of schooling in an area will also be a consideration. It is to be hoped that the new Circular will not prohibit the promotion of religious or private schools as new GM schools in areas with surplus council school places.

The aim of the 1988 Act was to encourage choice but at present opting out is concentrated in only 21 LEAs (out of 109) which between them account for more than half the 'yes' votes in England; more than half the English LEAs are virtually untouched by the Government's GM policy. The fact is that in some of the large conurbations parents have little choice. New GM schools in such areas would increase choice for parents. However, we are not likely to see the growth of the GM sector in such areas unless promoters receive active encouragement. GM school promoters in the large conurbations, particularly in areas with surplus places, should be enabled to approach the FAS with a number of potential parents signed up, and receive grant to set up new GM schools. This kind of competition at the margin is the spur needed on the performance of some council schools.

One of the central contradictions of Government education policy has been the highly prescriptive regulation through the National Curriculum. When the National Curriculum was introduced to raise standards in schools through State regulation, GM status was introduced to create greater parental choice, to inject competitive spirit and allow for higher standards.

The changes to the formal, uniform, detailed and prescriptive school curriculum *à propos* the 1988 Act, so that it occupied practically the whole of the school day, ran counter to the concept of schools as self-governing, autonomous institutions able to compete on the basis of what is most important in a school – the curriculum. It is reasonable that the Government should require schools to educate pupils. This can be done through general guidelines and measured by examinations. But the school must be in a position to judge.

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The role of the school is to transmit a curriculum, in its widest context, to pupils. GM schools, like their LEA counterparts, can only spend money received as grant (or in LEA schools in the delegated budget) on what they teach, how they teach, whom they employ to teach and the environment within which that teaching takes place. So unless they can determine for themselves what they teach and how, their freedom is essentially a financial freedom to spend money on the prescribed National Curriculum.

The National Curriculum prescription, even though somewhat modified and slightly reduced to 75–80 per cent of school time for the under-fourteens, is inconsistent with the notion of the 'self-governing school'. Its imposition creates an unnecessary tension. Indeed, this is highlighted by the fact that independent schools are not required to follow it. The fact that most independent schools wish to adopt the National Curriculum is irrelevant to this argument. The principle at stake is that of autonomy.

One of the problems with a National Curriculum is that while abstract agreement exists on the possible benefits of transmitting an agreed curriculum to children across the country, in practice very little agreement is possible. Without agreement one can hardly pretend such a curriculum will be effective: it does not translate into detailed agreements at the practical level where argument, disagreement and confusion prevail.

3 The Continuing Role of LEAs

LEAs are the greatest current threat to the growth (and, therefore, continued existence) of the GM sector.

At present opting out of an LEA is like a divorce. But it is a divorce with children; the LEA still has some access and control. So a GM school is still bound to its former partner in terms of financial arrangements (the LEA's level of delegation, individualised for each LEA in respect of both primary and secondary schools) at least for the time being, while that former partner survives.

Currently LEAs have the upper hand, backed by left-wing councils or sometimes by Conservative councillors reluctant to let go. As long as LEAs continue to thrive, there will continue to be scope for the vested interests, for example members of the Education Committee or the paternalists from all parties who refuse to believe

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that schools are capable of looking after themselves, thus undermining the GM policy.

The reality is that pupils in many LEA schools have been short-changed on their education because Councils have had other priorities. Birmingham is a case in point. Birmingham City Council's own Commission raised questions about priorities:⁶ 'Whichever way one looks at it enormous sums of money which were thought to be spendable on education have never found their way into the system.' It is about time those who argue the GM case took the moral high ground. The moral argument works in favour of GMS, not against it.

We are beginning to see the multiplier effect. LEAs have begun to learn effective resistance techniques and are now sharing them with other LEAs. Organised opposition has begun to spread. This may well explain, *inter alia*, why there has not been the expected increase in GM status of late. It may be that some LEAs have actually appointed Chief executive officers with this in mind; if that is so there have been one or two successful appointments.

Coupled with this is the Government's success with devolving budgets still further under Local Management of Schools (LMS), to the extent that many heads and governors now rationalise their anxieties associated with leaving the LEA umbrella by saying that the financial incentives of GM status are no greater than with LMS, thereby overlooking entirely the fundamental benefits of self-determination.

4

The Way Forward

If the benefits of the GM school policy are to be gained, then we must move over the next decade to a situation in which all schools are grant-maintained and LEAs cease to exist. There would be two main stages to this process. The Government should introduce without delay legislation to speed up the process of change. Once a certain proportion of schools in any given LEA had chosen GM status (according to the existing procedure), the rest of the schools there should automatically become grant-maintained (and the LEA be phased out of existence). To this might be added a further provision to hasten change: governors could be allowed to decide to ask for GM status without parental vote (unless a vote is specifically demanded by, say, a third of the parents, within three months of the governors announcing their decision).

The second stage would be part of the Conservative Party's plan for their next administration. A phased programme for the introduction of GM status for all schools should be part of the next election manifesto: Phase 1 – all 11–19 schools; Phase 2 – all 11–16 schools; Phase 3 – all primary schools; Phase 4 – all special schools. Within each phase there should be a timetable for incorporation for each school, and schools should be given the option of nominating themselves for a first (accelerated) tranche to be incorporated within the next two years.

Once all schools had become grant-maintained, there would be no need for LEAs. There would, however, need to be consideration of how children with behavioural and other difficulties should be funded. GM schools catering for children with specific behavioural difficulties should be introduced, with preferential funding following such children.

Finally, it would be foolish to have a system of GM schools if their freedom remained curtailed and their diversity were drastically restricted by the requirements of the present broad National Curriculum. The National Curriculum should therefore be trimmed down to a small, basic core which will occupy only a small proportion of

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school time. The responsibilities for admissions and discipline should, subject to the law, be properly restored to schools. This would in effect mean that the steady drip of regulation and interference by the Department for Education on these and other matters would be stopped and proper freedom under the law would be restored to GM schools. (And until the LEAs have finally disappeared, their powers to direct excluded pupils to GM schools should be revoked.)

The future powers of the Funding Agency for Schools should be limited to allocating funds on the basis of a clear and simple formula – a per pupil grant – without which the potential for complex and stultifying bureaucracy is immense. Capital grants should also be allocated by the FAS on the basis of bids. New GM schools and their backers would apply to the FAS for grants to set up new schools – following the example of the independent sector, where teachers and parents have approached the bank manager with their first year's projection.

As for surplus places? The best and fairest way of increasing (or reducing) the number of places is through the schools themselves. In a school system based on parental choice, it will be for schools who fail to attract pupils in sufficient numbers to take the hard decisions about closure or retrenchment. Interventions by Government, both central and local, on closures (or 'reorganisations') have proved disastrous. Suffice for Government to set the grant per pupil across the country, for the FAS to allocate it, and for the schools to cut their cloth according to their measure.

Notes and References

1. *Choice and Diversity: a new framework for schools* (London, HMSO, 1992, Cm 2021).
2. *Education Reform Act 1988* (London, HMSO, 1988).
3. *Education Act 1993* (London, HMSO, 1993).
4. The 1987 Conservative Manifesto stated that 'we will allow state schools to opt out of LEA control'; the 1992 Manifesto stated that the Government 'will make it easier for small schools to enjoy the benefits of GM status by grouping together'. Further, GM schools will be able to change their character 'if that is what parents clearly want'. *The Next Moves Forward* (London, 1987). *The Best Future for Britain* (London, 1992).
5. Draft consultation document issued by the DFE, 1993, *Guidance to Promoters on Establishing new Self-Governing (Grant-Maintained) Schools under Section 49 of the Education Act, 1993*.
6. *Aiming High: the Report of the Birmingham Education Commission* (Birmingham, 1993).

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