



# Passing the Test

The future of the  
academies programme

BY MARK LEHAIN



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# Executive Summary

- The most striking feature of the English education system in recent years has been the growth of academy schools – funded directly by the Department for Education, and run by charitable trusts instead of local authorities. From only 203 in May 2010, they now make up more than 10,000 of the country's 22,000 state schools.
- There has also been a change in the nature of those academies. In the early days of the programme, the focus was on individual schools leaving council control to operate independently. Thousands took this route willingly, but many poorly performing institutions were forcibly converted.
- More recently, the push has been for schools to join or form 'multi-academy trusts' (MATs), which run multiple schools, to enable resources and expertise to be pooled.
- However, recent years have seen a slowdown in conversions, as well as a slowing of the momentum behind the free schools movement. Last March, the Government said it wanted all state schools to be in or joining a strong academy trust by 2030. But it has now abandoned that deadline, insisting in a parliamentary answer that it merely hopes for this state of affairs to be achieved 'over time'.
- This report shows why the growth of academies has been a good thing for schools and pupils – and in particular the growth of strong trusts. It makes a number of suggestions for how the Government can use the remainder of this parliament to boost the proportion of schools in such trusts, and enable more teachers, pupils, and families to access the benefits this unlocks.
- Pushing forward with academisation will make the school sector more financially and operationally resilient. It will better embed the post-2010 reforms, and protect the freedoms enjoyed by schools that have driven much of the improvement of recent times. And it will save the public money by addressing the issue of 'orphan councils' – areas where academisation has been so widespread that only a handful of schools are left in local authority control, but the council still has to spend a disproportionate amount on their administration.

## **The proposals are built on three principles:**

- 1) Smoothing the conversion process
- 2) Better and easier MATchmaking
- 3) Working with willing participants



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### **Smoothing the conversion process:**

- The Government should conduct a 'Domesday Book' exercise across the state sector, to be published and then be kept up-to-date, to identify where the school system stands and provide clarity on schools' assets and legal position.
- It should also create a process for batch academisation of schools, to make it easier and cheaper for schools to join trusts in batches rather than one at a time.
- Ministers must support the sector to develop and publish interoperability standards for school information and pupil data systems, to enable more efficient and secure data sharing and transfers.

### **Better and easier MATchmaking:**

- We should define a common set of information and metrics that all trusts must publish, to enable schools to better choose which trust to join.
- Ministers should increase the funding available to support schools joining or forming strong trusts, and promote merger activity between trusts.
- The Department for Education should fund an independent MATchmaking service to help school-to-MAT and MAT-to-MAT tie-ups.

### **Working with willing participants:**

- The Church of England and Catholic Church both plan to academise their remaining maintained schools. This should be supported and encouraged by ministers.
- The Government should choose a small number of LAs to be pilots for full academisation and take on the new role this entails, which would also help to address the issue of 'orphan councils' identified above.



# The State of the Academies Programme

There are around 22,000 state-funded schools in England. Just over 10,000 of these are now academies, schools run by independent charitable trusts as opposed to a local authority, and funded directly by the Department for Education.

The past few decades have seen both Labour- and Conservative-led governments encourage greater operational and strategic autonomy for schools, and introduce different governance arrangements alongside this to drive innovation and standards.

**‘ There are around 22,000 state-funded schools in England. Just over 10,000 of these are now academies, schools run by independent charitable trusts as opposed to a local authority, and funded directly by the Department for Education ’**

The Education Act of 1988 enabled the creation of City Technology Colleges and grant-maintained schools. These were very similar to what we nowadays would call free schools and converter academies, as the former were brand new institutions and the latter created from existing schools. Both were standalone, autonomous organisations, receiving their funding directly from central government. They also took responsibility for their own buildings and land, and were the direct employers of their staff.

Tony Blair rowed back on grant-maintained schools in his first term, but then reinvented them as ‘community academies’ as part of his drive to take the worst-performing schools out of local authority control. His solution was to replace councils with hand-picked sponsors, with the same aim of enabling autonomy and innovation to drive up standards.

## What are the differences between maintained schools and academies?

Thanks to the ways the state sector has evolved over time, there are a whole variety of state-funded schools. For example, the last decade saw the growth of the free school movement, which sits alongside University Technical Colleges and many others. But in terms of raw numbers, there are two kinds of school which dominate the system: maintained schools and academies.

*Maintained schools* receive their funding via, and are overseen by, the local authority. If a school has financial issues, or is struggling with standards, it’s the council’s responsibility to put it right. Maintained schools have to follow the National Curriculum, and must employ people using standard national terms and conditions.

*Academies* receive their money directly from the Department for Education. They are overseen by an academy trust, a charitable trust created specifically to run schools.



It's the trust's responsibility to balance the books and make sure its schools are successful. Academies do not have to follow the National Curriculum, but do have to show that their curriculum is high-quality and ambitious. They are the employer and have freedom as to the terms and conditions they impose, and how staff are deployed.

It is worth flagging here that *faith schools*, which make up roughly 30 per cent of schools in England, do not constitute a category of their own, but are instead divided roughly 2:1 between those that are set up as maintained schools and those that operate as academies. For the former group, a religious body replaces the council as the parent organisation. The schools still have to adhere to the National Curriculum, but can teach their own version of religious studies (apart from creationism and other doctrines frowned on by the state). They can also prioritise admissions applications by faith, within the bounds of the Admissions Code.

‘ The governance of maintained schools can be unclear at times, with significant grey areas as to who has the final say over important aspects of school life ’

## What are the advantages of academies?

There are three key advantages to a system built on academies instead of maintained schools: clearer accountability, greater autonomy, and more effective failure mechanisms.

### **Clearer accountability**

When a school becomes an academy, it is no longer part of a council, with all the competing political and financial priorities this entails. Instead it is part of a charity whose objects focus on education alone. Alongside this the accountability regime for academies is also more transparent and rigorous.

For instance, an academy has to undergo annual audits and publish financial accounts, where a maintained school's finances are absorbed into its council's. The school may only be audited every few years as part of a broader piece of work across the local authority.

Also, while there is greater consistency in the level and detail of reporting between maintained school and academy finances these days, academies still have to share financial information to a greater level of detail than maintained schools. Financial statements have to be published within four months of the financial year end, and you can easily see details of the pay of top employees or key expenditure. This is not the case for maintained schools.

Another factor is that the governance of maintained schools can be unclear at times, with significant grey areas as to who has the final say over important aspects of school life. Day-to-day operations are the responsibility of headteachers, and oversight is meant to lie with governing bodies. However, often the council or the diocese will wade in, either directly or through the governors that they appoint.



This does not matter so much when things are going well, but all too often when difficulties arise, decisions fall between governing bodies and councils/dioceses, and paralysis ensues. This is a key reason why underperforming or cruising schools were extremely difficult to deal with in the past, until the point at which they failed an Ofsted inspection. Even then, it could be extremely difficult to push through changes that would improve standards if there wasn't local political consensus as to what needed to be done.

In an academy structure, while executive and operational decisions are delegated to the principal or other senior persons, all decision-making power ultimately lies with the trust board. If something needs to be done, it is clear that they are the ones who must make it happen.

### **Greater autonomy**

Academies currently enjoy significant freedoms regarding the curriculum they deliver, who they employ and how they deploy them, and more generally over how they allocate money and other resources.

Much of this freedom comes from existing legislation specifically referring to maintained schools, and the fact that the contracts trusts have with the DfE to run schools – known as 'funding agreements' – deliberately do not duplicate the obligations these create.

Hence academies do not have to employ staff on standard national terms and conditions, or follow the National Curriculum, or accept term dates set by the local authority. They can instead tailor these and other aspects as they see fit (within certain obvious limits). Over the years, this has led to innovations such as longer days, enrichment opportunities, more rigorous curricula, different term lengths and patterns and the growth of alternative career paths for teachers.

‘ There are now around 2,500 trusts running over 10,000 academies, with the average trust running 7 schools ’

### **An effective failure mechanism**

Greater accountability and autonomy are important, but they are ultimately a means to an end: schools which are safer and happier, and children who are better educated.

Indeed, perhaps the best argument for academies is what happens if things go wrong, or these freedoms are misused. Academisation creates a way of dealing with failure that didn't exist before. If an academy is judged by Ofsted to be unsafe, badly run, or have standards that are too low, it can be taken away from the trust and handed over to one that is better placed to improve things.

This simply couldn't happen under the old system, because the only entity that could oversee and run state schools was the local authority, and it was only allowed to do this within its own boundaries.

If a school was doing well, then it didn't matter how effective the council was. If a school was struggling within a great local authority, then officials could sometimes find ways through the regulations and murky governance to turn things around. But if



a school was struggling under a mediocre or poor council then it was stuffed – and so were its pupils.

There are now around 2,500 trusts running over 10,000 academies, with the average trust running 7 schools.<sup>1</sup> Creating a competitive middle tier of entities that are focused purely on school improvement means that those running a specific academy always know that if they don't do a good enough job, they will be replaced by someone who can. For pupils and those who work with them, this is a huge change and one that has led to the long tail of school underachievement becoming significantly shorter. There is an argument that the current system is still not good enough at identifying and improving schools that are underperforming or coasting rather than failing outright – but this is definitely a better place to be than before the academies programme got going.

**‘ In 2010/11 7% of ‘inadequate’ schools remained ‘inadequate’ when reinspected by Ofsted. In autumn 2022 it was only 4%. For ‘requires improvement’ schools, the proportion improving upon reinspection was 46% in 2010/11 but 75% in autumn 2023 ’**

For example, in 2010/11 7% of ‘inadequate’ schools remained ‘inadequate’ when reinspected by Ofsted.<sup>2</sup> In autumn 2022 it was only 4%.<sup>3</sup> For ‘requires improvement’ schools, the proportion improving upon reinspection was 46% in 2010/11 but 75% in autumn 2023.<sup>4</sup>

## What are multi-academy trusts, and what are the advantages of these?

The past decade has seen not just a huge growth in the number of academies, to make up almost half of state schools in England, but a shift in emphasis from encouraging individual schools to academies towards groups of them coming together under a multi-academy trust.

A *multi-academy trust (MAT)* is literally a trust that runs multiple academies. The funding that is due to each school goes directly to the trust, which can allocate it from there as it sees fit. It employs all the staff and is responsible for everything across all its academies: admissions, curriculum, assessment, finance, safeguarding, etc, etc.

MATs grew out of the academy system, when existing successful academies were asked to take on and run other schools that were struggling. Pre-2010, once a school was turned around, it was normally taken back to be run by its local authority. Some of the most successful MATs today came about when academy leaders asked why they couldn't keep running the schools they'd saved, and politicians couldn't come up with a decent answer.

1 N. Plaister, NFER, 'The size of multi-academy trusts' (18th May 2022). [Link](#)

2 M. Rosen, Ofsted, 'The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2010/11' (November 2011). [Link](#)

3 Ofsted, 'Main findings: State-funded schools inspections and outcomes as at 31 December 2022' (30th March 2023). [Link](#)

4 In 2010/11 these were categorised as 'satisfactory'.





Early MATs tended to be quite ‘loose’, leaving individual academies to do their own thing and providing mainly non-educational support like HR and finance.

However, recent years have seen trusts become much ‘tighter’, moving towards more consistency and standardisation across their schools, and pooling finances and people to take advantage of economies of scale and improve general resilience.

This enables effective governance and leadership to make an impact across a whole group of schools, not just one, which is hugely important given the evergreen issue of the finite number of high-quality governors, headteachers and so on.

**‘Overall, MATs are able to pool resources and risks in ways that maintained schools cannot, and do so while keeping clearer accountability for outcomes’**

It also means that money can be moved around to where it will have most impact on pupils – perhaps to support a school in difficulty, or one that is new to the trust, or to invest in extra staff or buildings on a rolling programme. Specialist staff can be appointed that individual schools might struggle to afford by themselves, and be deployed across multiple schools – for instance music or computing teachers, attendance officers, counsellors etc.

Being able to move money and people increases resilience too. For example, if a staff member is taken ill or off for a period of time, staff from elsewhere in the trust can be moved across to cover for them; standalone schools just can’t do this.

Overall, MATs are able to pool resources and risks in ways that maintained schools cannot, and do so while keeping clearer accountability for outcomes. This means that we have, almost for the first time since mass education began in England, a way to take what works and implement it at scale across a large number of schools, and across regions too.

This has led to the situation we have now where some of the bigger groups of academies have managed to consistently take over schools that have failed their communities, sometimes for decades, and implement a model that brings about excellent academic and pastoral outcomes for pupils while generating annual surpluses worth millions of pounds – which they then invest in taking over and turning around more underperforming schools. We have never had anything like this before, and the significance of this should not be underestimated.

Take one example: Outwood Grange Academy Trust (OGAT) has systematically taken on schools that had poor educational outcomes and finances. Using their ‘Curriculum Led Financial Planning’ model and other techniques honed over the years, they restructure in ways that simultaneously improve the quality of the curriculum and make it more efficient, leading to higher outcomes for pupils and financial surpluses too. The latter then enables OGAT to invest in improvements at both existing and new members of the trust, in a virtuous circle of growth.

Some have expressed the concern that MATs could end up recreating the issues that local authorities had, in a different guise. They argue that as trusts get bigger, accountability and transparency are watered down, and the risk grows that money



meant for pupils and the front line is syphoned away for inefficient central functions, or that educational standards become secondary to trust growth or other considerations.

There have certainly been some high-profile trust failures in the past, such as the collapse of the Wakefield City Academies Trust (WCAT); financial mismanagement at E-ACT; and the weak financial and educational performance of Academies Enterprise Trust (AET).

However, these generally occurred where groups had grown too fast for their capacity, or in ways that didn't allow for proper accountability to be maintained due to distance or sparsity. For example, AET more than doubled in size in less than 12 months, from 30 to 76 schools. Such expansion tended to happen when DfE pressure to academise schools combined with trusts and leaders whose ambitions exceeded their capacity.

The lessons learned from such failures have led, generally, to smarter regulation. Importantly, the bigger trusts today have grown as a result of sustained success and increased capacity, not under pressure from the DfE. As previously stated, there is a potential issue with the system having too many moderate performers. But it has certainly been successful in weeding out the mediocre.

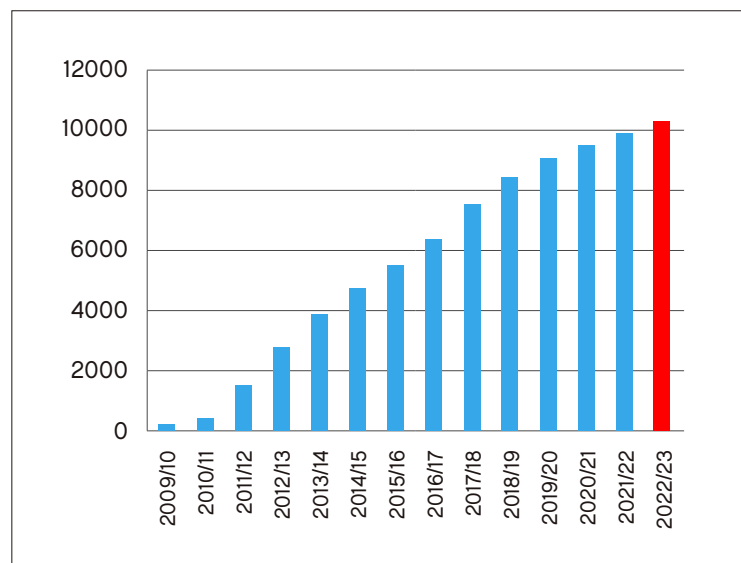
## How academies and multi-academy trusts have grown

Under Labour the academies programme was deliberately kept small. By May 2010, there were only 203 – in other words, like the later free schools, they were outliers and pilots within a much larger system. Starting from 2010, however, successive ministers put rocket boosters under academisation: last September saw the 10,000th academy created.<sup>5</sup> As of March 1, there were 10,254 academies and another 550 in the process of converting.<sup>6</sup> More than 85% of current academies are now in MATs.

Year	No. of academies
2009/10	203
2010/11	408
2011/12	1556
2012/13	2712
2013/14	3827
2014/15	4722
2015/16	5,425
2016/17	6,345
2017/18	7,469
2018/19	8,398
2019/20	9,041
2020/21	9,444
2021/22	9,836
2022/23	10,254

2022/23 data as of March 1, 2023

No. of academies since 2010



5 Browne Jacobson, 'Leading education lawyers play major role as DfE announces 10,000th academy conversion' (6th September 2022). [Link](#)

6 DfE, 'Transparency data - Open academies, free schools, studio schools and UTCs' (accessed: 11th April 2023). [Link](#)



The rate at which schools have changed from council control to academy status has fluctuated over the years, depending on the incentives and policies in place at any given time. But today, roughly 47% of state funded schools are academies – 40% of primaries, and 80% of secondaries – and 53% of pupils are educated in one.<sup>7</sup> (The disparity is because there are fewer secondaries, but they tend to have many more pupils.)

However, there is no doubt that the process of academisation has slowed, not least due to the pandemic. Pre-pandemic around 1,000 schools a year were converting, but it took around three years for the last 1,000.

**‘ Today, roughly 47% of state funded schools are academies – 40% of primaries, and 80% of secondaries – and 53% of pupils are educated in one ’**

## The impact of academisation and importance of strong trusts

Alongside the schools White Paper last year, the Department for Education published a supporting document, ‘The Case for a Fully Trust-Led System’.<sup>8</sup> Among other things, this contained detailed analysis of the various ways that academisation and strong trusts had improved schools and the wider system over time.

It hasn’t always been straightforward to point to specific or definitive statistics to ‘prove’ that academisation and MATs lead to better outcomes for pupils – not least because the aims of the policy have changed over time. It has evolved from being a way to remove the worst-performing schools from local authority control to a route open to nearly all schools, and then into a policy focused on tighter collaboration between schools more generally.

However, there is clear and growing evidence that academisation and strong trusts have played a key part in the improvements seen in English schools in the last two decades, in ways that should benefit more schools in future. Among other things, ‘The Case for a Fully Trust-Led System’ showed that:

### *Strong trusts consistently drive up standards across all schools and pupils*

- If all pupils did as well in their reading, writing and maths SATS as pupils in the 75th percentile of MATs, outcomes would have been 8 percentage points higher; if at the 90th percentile they would have been 14 points higher.
- For disadvantaged pupils, the uplift would have been even higher – 10 points at the 75th percentile, and a massive 19 percentage points at the 90th.

### *Strong trusts are better at helping ‘stuck’ schools get ‘unstuck’*

- According to research conducted by Ofsted, the majority of ‘unstuck’ schools that were part of a trust felt that the trust’s support was an intrinsic reason for their improvement, due to its part in ‘raising expectations; providing challenge where needed; developing curriculum subject expertise; and the scale and management of the trust’.<sup>9</sup>

7 DfE, ‘Schools, pupils and their characteristics’ (9th June 2022). [Link](#)

8 DfE, ‘The case for a fully trust-led system’ (March 2022). [Link](#)

9 Ofsted, ‘Fight or flight? How ‘stuck’ schools are overcoming isolation: evaluation report’ (8th January 2020). [Link](#)



- DfE analysis comparing cohorts of sponsored academies with similar local authority schools showed that before joining a trust they had performed significantly less well than similar schools, but that after joining the majority showed improvements, and that their performance matched or exceeded similar comparator schools.<sup>10</sup>

*Strong trusts can improve recruitment and retention of staff, and get them into the schools that need them most*

- Recently converted schools have found that recruitment and retention improved as a result of the change.<sup>11</sup>
- NFER research has found that teachers in MATs are, as you'd expect, more mobile between trust schools; significantly, it also found that as teachers developed in their careers, they were more likely to move into schools with more disadvantaged pupils.<sup>12</sup>

*Strong trusts have better financial management, which allows for more frontline investment and greater resilience*

- Centralised operational and administrative functions save time and money which can then be reinvested into areas which have the greatest impact<sup>13</sup> on children's outcomes, including support and investment in weaker schools.
- A higher proportion of academy trusts are in cumulative surplus or zero balance<sup>14</sup> compared with local authority maintained schools. Academy trusts also have on average higher reserves as a proportion of income.
- MATs are less likely than SATs to have a current/predicted deficit<sup>15</sup>, qualified accounts or financial concerns (including notice to improve status). On all those measures, trusts with 15+ academies outperform other trusts on average.

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10 DfE, 'Sponsored academy performance' (23rd January 2019). [Link](#)

11 DfE, 'Schools' views: benefits and obstacles to joining academy trusts' (17th November 2021). [Link](#)

12 J. Worth, NFER, 'Teacher Retention and Turnover Research - Research Update 2: Teacher Dynamics in Multi-Academy Trusts' (26th June 2017). [Link](#)

13 DfE, 'Sustainable improvement in multi-school groups' (13th December 2018). [Link](#)

14 DfE, 'Academies consolidated annual report and accounts: 2019 to 2020' (16th December 2021). [Link](#)

15 DfE, 'Academies consolidated annual report and accounts: 2019 to 2020' (16th December 2021). [Link](#)



# The Future of Academies

The overall evidence is clear that MATs – and strong MATs in particular – are beneficial for schools, children and staff. So what can and should the Government do to build on that success?

Last spring's White Paper set a target to have all schools in a strong-performing trust by 2030, albeit without any legislative backstop to force this. However, the Department for Education has since rowed back on this, returning to a position where the aim is for this to happen 'over time'.

We are thus in a situation where the current mixed economy of school types is likely to linger for some time, especially if there is a change of government at the next election. Labour has not said publicly what it would do regarding school structures, but is privately briefing that it will not look to roll back academisation, or return schools to local authority control.

**‘There is the prospect of getting enough schools over the line that full academisation becomes the most logical outcome’**

The question then is what the Government should and could do with the time remaining before an election. With the scrapping of the 2030 target, and also the Schools Bill that contained legislative levers to help more schools academise, it might seem that the programme has come to a *de facto* halt. But this need not be the case.

It is clear that some schools and LAs intend to avoid academisation and await a Labour government in the near future to secure their status as maintained schools. And there is little that can, or should, be done to force those schools to convert.

It is also clear, sadly, that the free schools programme will not be providing new schools in sufficient numbers to increase the stock of independently run, reform-minded institutions. While new free schools can still be created, that can now only happen in response to demographic demand rather than – as was originally conceived – as a way to create alternative and innovative provision in areas where parents are being let down. The idea of free schools as a goad to improve the system, or a place for experimentation within it, has quietly been abandoned, at least at any scale.

Yet as we explore in this report, there are some important and relatively simple things that the Government can do to keep up the momentum of education reform – in particular by helping the thousands of schools that are willing to convert in the near future to do so; helping them to get ready to do so; and making it easier for schools to pinpoint the best MATs and for existing academies to transfer to stronger trusts.



Getting these reforms in place in the next year or 18 months would improve the life chances of over one million additional pupils, provide a sense of momentum in education, and create a system that is more resilient and effective than what we have now. Indeed, there is the prospect of getting enough schools over the line that we near the point where full academisation is the most logical outcome.

Our proposals are built on three principles: smoothing the conversion process, better and easier MATchmaking, and working with willing participants.

## Our proposals

### Smoothing the conversion process

*Conduct a 'Domesday Book' exercise across the state sector, to be published and then kept up-to-date, to make future conversions easier in terms of legalities, personnel and assets*

For individual schools, a significant part of the academisation process consists of pulling together a full and accurate record of their employees, buildings, land and other assets and liabilities.

**‘For older schools, and many in the church systems, the precise ownership arrangements for land and buildings are often complex and sometimes not entirely clear due to the passing of time, location changes, or other reasons’**

For some schools this is relatively straightforward. The land and buildings that they own are clear, and there are no current or historical boundary or land use queries. Their staffing records have been well maintained over the years, and so pension and other liabilities are well understood, and so on.

For many, however, achieving clarity is a time-consuming and challenging process. For older schools, and many in the church systems, the precise ownership arrangements for land and buildings are often complex and sometimes not entirely clear due to the passing of time, location changes, or other reasons.

Often it is only when schools come to academise, and assets and liabilities have to be formally updated, that unclear or esoteric arrangements come to light. These can take significant time and money to clarify or resolve, and thus slow down the entire process.

However, this exercise is something that only needs to be gone through once, and keeping it up-to-date thereafter is relatively straightforward.

With this in mind, we propose that the Department for Education should:

- Design and issue a process for local authorities and dioceses to administer, to create a 'Conversion Preparation Pack' for each of their remaining maintained schools, containing an up-to-date record of staff, buildings, land and other assets and liabilities
- Remind all local authorities of their obligations in relation to the transfer of school sites to church schools, to ensure this happens before schools academise



- Require all LAs and dioceses to undertake the process for all their schools during the 2023/24 academic year
- Provide a £100,000 grant per council or diocese to contribute towards the costs of this exercise (total cost ~£20million, much of which would be saved later through a lower marginal cost per conversion)
- Create a centralised depository to store the records created, and future versions

These Conversion Preparation Packs would obviously not remove the need for trusts and schools to conduct their own due diligence and analysis, but they should significantly reduce the efforts required to collate and understand key aspects of land, buildings, and historical staffing. This will ultimately help speed up conversions when they are in motion.

**‘ Often it is only when schools come to academise, and assets and liabilities have to be formally updated, that unclear or esoteric arrangements come to light ’**

*Create a process for batch academisation of schools, to make it easier and cheaper for schools to join trusts in batches rather than one at a time*

Until recently there was a *de facto* ban by the Department for Education on maintained schools converting alongside other schools to create a new multi-academy trust.

There was a logic behind this: the thinking was that there were already too many MATs and the priority should be to move towards fewer but bigger and more resilient trusts.

However, this disincentivised a significant number of well-run maintained schools from academising alongside others that they already trusted and had relationships with.

This policy seems to have been reversed now. The current guidance says:

‘To convert as a multi-academy trust you can either join an existing trust or you can work with other schools to set up a new trust’

And:

‘There are two ways to create a new multi-academy trust. You can either:

- convert with schools you already work with
- start a relationship with a new school.’<sup>16</sup>

However, it then goes on to say:

- ‘To convert as a multi-academy trust, each school in your proposed trust needs to submit a separate application and each governing body must pass a resolution to convert to become an academy.’

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<sup>16</sup> DfE, ‘Convert to an academy: guide for schools’ (11th August 2021). [Link](#)



This seems unnecessarily bureaucratic, to say the least. We propose that the department create a process for groups of maintained schools to apply together to become academies in one trust. Once the governing body of each individual school has passed the necessary motion to convert, there is no reason why much of the process cannot be done as a batch. Where schools are in the same local authority, staff will all be employees of the same council, and the land and buildings will be owned by that same authority too. Where schools have foundation or VA/VC status, or are across two or more local authorities, much of the process can still be dealt with together and need not be handled by individual schools.

Even if a group of maintained schools wish to join an existing academy trust, if the trust's policies and contracts match or are nearly identical to those in the local authority, the conversion processes can be made much more straightforward if handled as one batch, instead of several individual ones.

Another advantage of batch academisation is that it would allow for more diverse and balanced groups of schools to be brokered into existing strong trusts e.g. a strong school alongside a weaker one, or a larger struggling school and several smaller stable ones.

This would encourage strong trusts to take on more schools by enabling a more equitable distribution of schools as they academise, and thus a fairer spread of the strengths and risks from taking on new members.

**‘Regardless of the political makeup of the government, now and into the future we will have schools moving in and out of trusts. We need to ensure that they are run by those best placed to improve them for their pupils’**

*Support the sector to develop and publish interoperability standards for management information and pupil data systems, to enable more efficient and secure data sharing between schools, trusts, and partners*

The best-run trusts are able to access the right data at the right time, to make informed decisions. For this to happen in a smooth fashion requires all schools in a trust to use the same IT systems in the same way.

A significant challenge in bringing new schools into trusts is implementing consistent processes, and the systems underpinning these – especially the key Management Information Systems (MIS) upon which everything else relies.

The schools White Paper of 2022 – ‘Opportunity for All: Strong Schools with Great Teachers for your Child’ – proposed that the DfE:

- ‘...transform and modernise our approach to data, automating appropriate and safe data sharing across schools, trusts, local authorities and government. This will provide data-driven insights for evaluation of programmes and evidence about what works, while minimising the reporting burden on schools.’<sup>17</sup>

Regardless of the political makeup of the government, now and into the future we will have schools moving in and out of trusts, to ensure that they are run by those

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<sup>17</sup> DfE, ‘Opportunity for all: strong schools with great teachers for your child’ (28th March 2022). [Link](#)





best placed to improve them for their pupils. Smooth transfer of data and other information is key to this happening effectively, so to enable this we propose that the DfE should support the sector in developing and implementing interoperability standards for key IT systems.

The DfE itself should not design the standards, or they will end up being unwieldy and serve the Department, not the sector. Instead, it should facilitate key sector organisations to do the work – with initial drafting by a few successful trusts, the Confederation of School Trusts, and perhaps one or two representatives from MIS providers.

Big trusts are already fairly aligned in terms of what these standards should cover, so work would not be starting from scratch, nor will there likely be much disagreement as to what the final standards should look like.

## Better and easier MATchmaking

*Define a common set of information and metrics that all trusts must publish, to enable schools to better choose which trust to join*

While the Department for Education ultimately has to approve which trust a school joins, individual schools are largely left to themselves to figure out which trust is best to go with. Indeed, unless they are being forcibly academised due to poor performance, schools have a lot of say in who they join, and therefore how they will be run by their new trust.

**‘ Multi-academy trusts will already be able to assess schools and other trusts because they have sufficient central staff and experience to run the exercise ’**

This is really important in achieving buy-in from the school and its wider community, and giving some certainty as to how things will work afterwards.

But the drawback to this approach is that the onus is put on the individual school to carry out thorough due diligence of any possible trust partners. For this process to be done properly requires a significant effort from governors and school leaders; joining a trust is a one-way process and a high-stakes decision for a school.

It is therefore not a surprise that many schools, especially smaller ones, have been put off conversion as they simply have not had enough capacity to assess their options in a manner they are confident of.

Part of this, as discussed below, is about the time and effort required to pull together the information about their own school.

But another challenge is making sense of all the different aspects of how academy trusts organise themselves and run their schools: how they pool and distribute money, employ central and school-based staff, develop and implement the curriculum or pastoral care, and so on.

These are all important parts of school life, and different trusts approach them differently. Being able to make an informed choice of which trusts to consider joining, or even have initial conversations with, requires being able to find out and form a view of these and other factors.



Multi-academy trusts will already be able to assess schools and other trusts because they have sufficient central staff and experience to run the exercise.

But for standalone schools, maintained or academy, this initial due diligence is a big piece of work. The Government should therefore make it easier for individual schools to be able to do this initial work by:

- Tasking an expert group of trust and school partners to define a non-exhaustive but broad set of quantitative and qualitative aspects of trust and school activity that all trusts should publish data on, online and to the DfE
- Publish this online in a searchable database – potentially as part of the Get Information About Schools service – so that schools and trusts can easily interrogate it and identify potential partners or assess performance.

Quantitative aspects could include things like the amount/percentage of total funding spent in schools vs centrally; amount/percentage of funding invested in buildings/ estates; or FTE teaching/support/admin staff employed in schools vs via the central trust.

Qualitative measures could include things like the extent to which the curriculum is different or consistent across schools; which policies are the same across schools, and which have flexibility; what school improvement support is provided by central staff; what staff development is organised by the trust, and which external partners are involved.

**‘ Even with a more streamlined and efficient academy conversion process, there will still be costs to schools and trusts – financial and otherwise ’**

It would also be important to have a description of the ethos and character of trusts. This would be especially important for faith schools, in order that they can see how their ethos and character would be protected within a trust.

Once defined by the expert group, providing this information could be done as part of a trust’s standard reporting to the Department. It should not create much additional work for the sector – many trusts have already defined much of this information already, to enable them to have meaningful discussions with schools already exploring partnerships. It would also provide greater accountability for trusts as a whole, since there would be a publicly available set of metrics that permit comparison on a local or national scale.

*Increase the funding and support available for schools joining or forming strong trusts, and for merger activity between trusts*

Even with a more streamlined and efficient academy conversion process, there will still be costs to schools and trusts – financial and otherwise.

There have been, and still are, grants available to individual schools for conversion. There are also the Trust Establishment and Growth (TEG) Fund and Trust Capacity Fund (TCaF) to help get new trusts established, or help existing ones expand in size,



merge with others, or move into new regions.<sup>18, 19</sup> These are extremely useful tools to have, removing as they do part of the financial risks to trust establishment or growth.

But given the extent to which the momentum of academisation has stalled in the wake of the pandemic, we should go further to make it easy for schools. We propose that the Department should put a rocket booster under its existing programmes by:

- Increasing the funding available via TEG and TCAF from 2025, from the current £86 million to perhaps twice as much. This would enable more applications to be approved, and larger sums to be awarded for applications where necessary
- Prioritising applications that enable areas to become fully academised or for trusts to merge
- Prioritising applications from trusts that can prove they are already ‘strong’ and have replicable and transferable models of school improvement.

In particular, applications should enable trusts to more confidently take on the liabilities and risks that come with bringing in schools or trusts struggling with standards or finances, or issues with buildings and estates, or with expanding into a new geographical area.

**‘ Even with wider publication of metrics and information, there will still be many issues for schools and trusts to consider before deciding to formally come together ’**

Helping good trusts expand is particularly important right now given the tight financial circumstances many good trusts find themselves in. This is especially true for some of the most successful, who have already driven down costs and reinvested them in the frontline, and so cannot easily make savings to expand without putting their overall financial resilience at risk.

As one high-profile CEO said to us when researching this report: ‘We’re eating the seed corn to support business as usual right now, so we will have to put growth on the backburner, as it’s too risky.’

*Fund an independent MATchmaking service to help school-to-MAT and MAT-to-MAT tie-ups*

Even with wider publication of metrics and information, there will still be many issues for schools and trusts to consider before deciding to formally come together. There is a definite need for independent matchmaking support for this discovery process.

The Department for Education’s Regional Directors (RDs) and their teams can and do play a role in this in some regions. However, some have deliberately stayed away from this kind of activity, on the basis that it should be school- or trust-driven, and that they should remain independent of it due to their role as commissioner and regulator.

<sup>18</sup> DfE, ‘Guidance - Apply for Trust Establishment and Growth (TEG) funding’ (28th March 2023). [Link](#)

<sup>19</sup> DfE, ‘Guidance -Trust Capacity Fund (TCAF)’ (28th March 2023). [Link](#)



We would argue that it is better for RDs to stay back from voluntary mergers or formations, for the reasons above: there are conflicts of interest in being both matchmaker and judge as to how well such matches are working. Also, really effective matchmaking requires all parties to be completely open about their aims, strengths, and weaknesses. This puts schools and trusts in vulnerable positions if it is the regulator they are sharing this information with.

Furthermore, schools and trusts will find it hard to resist suggestions from the DfE, given the power and influence that it has over future interventions, grant bids, etc. Yet there are all too many examples of DfE-encouraged matches that have ultimately failed. Frankly, it doesn't have a great track record, and will probably always struggle to do this well, not least because the real expertise on school improvement is in schools and trusts, not Whitehall.

This is why we propose that the DfE should fund one or more organisations to provide independent MATchmaking services. This could be done in a similar way to how it previously funded free school applications support and trustee-search services, through the New Schools Network (NSN) and Academy Ambassadors.

**‘ Alongside the dropping of the 2030 target for full academisation, it was recently reported that the Department for Education had scrapped plans to allow local authorities to set up their own MATs ’**

The advantages of doing this are many. Such an organisation would be:

- Properly independent and impartial, without the conflicts of interest the DfE has in providing such support
- More likely to gain the trust of those seeking matches, as it would exist purely to support, not judge, them
- Much more focused than a team of DfE generalists, and able to operate more flexibly and innovatively than the Civil Service

The costs of this programme would be relatively small – anything from £300,000-£600,000 per year, depending on the size of the team and the offer provided. It could be provided by a new organisation specifically set up for the purpose, in the way that NSN was, or by one of the existing medium-sized organisations that operate in the school ecosystem, e.g. those providing school support or teacher development.



## Working with willing participants

*Identify and support a small number of areas that want to be trailblazers for full academisation and a new role for the local authority*

No local authority areas have yet reached a point where all schools have converted. But many of them are extremely close to it.

Ignoring the City of London, which is a special case, the five most academised local authorities have only 10 maintained mainstream schools between them; six of these are faith schools run by the Catholic Church or Church of England, and so are theoretically in line to academise already.<sup>20</sup> The next five most academised LAs have only 32 maintained mainstream schools between them.

However, unless a school is deemed to be failing by Ofsted, it is for governing bodies to decide whether or not to convert. Until all schools in a local authority voluntarily choose to academise, councils retain a responsibility for a school improvement function, with the accompanying overheads and conflicts of interest.

**‘ We are left in a position where there are no formal levers by which the remaining maintained schools in an area can be moved into trusts, save for every single one of them to make the voluntary decision to convert ’**

This is far from an ideal situation. These ‘orphan councils’ are having to spend over the odds to run the rump of an education system. This situation also makes the planned reforms to SEND and children’s social care harder to achieve in a clean fashion, as these require councils to take on a range of different roles and responsibilities for the children within their boundaries.

Alongside the dropping of the 2030 full-academisation target, it was recently reported that the Department for Education had scrapped plans to allow local authorities to set up their own MATs.<sup>21</sup>

Local authority MATs were part of the strategy detailed in the White Paper to get more maintained schools in strong trusts, in ways that gave them confidence that they would be working with those that they knew and trusted. There had been significant interest from councils in the idea, with over 30 applying for the planned pilot.

The Schools Bill, now abandoned, also contained measures whereby councils could ask the Secretary of State to academise their remaining maintained schools, in order to achieve a fully academised local system.

It is easy to understand why some were reluctant to see local authorities form their own MATs, given that one of the core arguments for academisation was to end the potential conflict of interest between school and local authority, especially (as outlined above) when those schools were underperforming.

20 DfE, ‘Schools, pupils and their characteristics’ (accessed: 22nd February 2023). [Link](#)

21 J. Dickens, ‘DfE ditches two key academy proposals’, *Schools Week* (9th February 2023). [Link](#)



Yet without either of these two reforms we are in a position where there are no formal levers or means by which the remaining maintained schools in an area can be moved into trusts, save for every single one of them to make the voluntary decision to convert. Therefore it will require persuasion and incentives to finish the job.

Given the potential benefits of a fully academised system, we believe that the Government should support a small number of local authorities who want to see their remaining maintained schools become part of strong MATs – prioritising those local authorities where there are the fewest number of maintained schools.

This would enable proper clarification of the roles of all parties within a locality, across a whole range of functions, including sufficiency, pupil attendance, SEND provision, social care, and so on. It would also allow people to test-and-learn which ways of working have the best outcomes in such a system. And for those ‘orphan councils’, it would result in savings which could be redeployed to other functions, as there would be no need to maintain the existing administrative apparatus to supervise just a handful of schools.

**‘ Between them, the Anglican and Roman Catholic Churches run the overwhelming majority of faith schools in England, which in turn represent roughly 30% of all schools ’**

Even without formal levers the Department for Education could facilitate this in a small number of local authorities quite easily. In addition to the 10 local authorities highlighted above, there are other areas, such as Nottinghamshire, which retain maintained schools but where the local political leadership has expressed interest in fully academising.

We therefore propose that the Government supports the creation of a small number of fully academised areas by:

- Supporting the most highly academised or enthusiastic LAs in conversion discussions with their remaining maintained schools (and dioceses where necessary)
- Prioritising TCAF bids in these areas
- Incentivising strong trusts to move into the area if additional capacity is required
- Involving these councils in drawing up schemes of delegation for all post-academisation children’s services.

*Support the Church of England and Catholic Church’s plans to academise their remaining maintained schools*

We have stressed throughout this paper that academisation must be a voluntary process. Yet there is a huge group of schools that are interested in and are engaging with this process: those run by the Catholic Church and the Church of England.



Between them, these two Churches run the overwhelming majority of faith schools in England, which in turn represent roughly 30% of all schools.<sup>22</sup> Both have already begun to academise their schools – the balance is currently roughly 2:1 between maintained schools and academies. And for some time now, both have stated that their ultimate intention is to move all their state-funded schools into academy trusts.

Their support for academisation is not ideological but pragmatic, and in particular due to a recognition of the way that collaboration between schools is hardwired into a MAT-based system.

For example, to accompany the launch of the Department for Education's White Paper last spring,<sup>23</sup> the Revd Canon Nigel Genders, Chief Education Officer for the Church of England, wrote a blog in support of its plans.<sup>24</sup> He said:

*'For us, the purpose of connection and collaboration is not simply the economies of scale or the benefits of sharing practice across a group of schools (important as they are) but it is fundamentally about doing better for the children we serve and the desire for us to move from being a network of schools and leaders who share a common vision to being a powerful movement for transformational education for the common good.'*

Pertinently, he flagged a really important factor for the C of E:

*'It's a movement which needs to work for the small rural schools (of which the Church of England provides the vast majority across the country) as well as the large urban schools (where the majority of our 1 million children learn).'*

Small rural schools are among the most vulnerable to financial and other pressures. They also make up a significant proportion of the schools yet to academise. Being part of a strong MAT that can pool money, staff and expertise would make a real difference to their viability and quality. And the C of E has a lot of small rural schools that would benefit from this.

In recent times, the Catholic Church has not been as enthusiastic as its Anglican counterpart on academisation: over the years, different bishops have taken different approaches to school organisation. Now, however, every Catholic diocese in England has an academy strategy. And while some are further along than others, there is a clear sense that this is the preferred direction of travel for Catholic schools.

Supporting the Churches in their plans to convert their remaining schools would not just mean better education for their students, but transform the makeup of the English school system from one where under half are academised to one with two thirds converted, as the charts below show.

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22 N. Plaister, NFER, 'Faith schools and academisation' (13th July 2022). [Link](#)

23 DfE, 'Opportunity for all: strong schools with great teachers for your child' (28th March 2022). [Link](#)

24 N. Genders, 'Church of England schools will be at the heart of the school system for the future' (28th March 2022). [Link](#)



Now (approx. figures)			
	Academies	Maintained	Total
Catholic <sup>25</sup>	800	1,300	2,100
C of E <sup>26</sup>	1,550	3,100	4,650
Remainder	7,900	7,350	15,250
<b>Total</b>	<b>10,250</b>	<b>11,750</b>	<b>22,000</b>
	<b>47%</b>	<b>53%</b>	<b>100%</b>

Post-Faith School Academisation			
	Academies	Maintained	Total
Catholic	2,100	-	2,100
C of E	4,650	-	4,650
Remainder	7,900	7,350	15,250
<b>Total</b>	<b>14,650</b>	<b>7,350</b>	<b>22,000</b>
	<b>67%</b>	<b>33%</b>	<b>100%</b>

In addition, headteachers and sector leaders say that a sizeable number of other maintained schools are open to joining or forming strong trusts, but can't make moves to do so until they know what the plans are for other local schools and MATs, including Church ones.

If faith schools convert in large numbers, the picture in each locality will clarify and other maintained schools will likely follow. This will largely be for pragmatic rather than ideological reasons: to keep existing relationships with converting schools, or to not be the last one left behind, or simply because they see an opportunity to lead a new trust.

However, before getting carried away, there are a number of important things to consider that have specific relevance to the Church part of the system.

First, there are a number of faith school protections in legislation that apply to maintained faith schools but don't currently apply to academies. Academies are currently protected through the funding agreements used for faith schools, but the now-abandoned Schools Bill would have strengthened these protections by putting them into primary legislation. Unsurprisingly, this was very popular with both churches.

Second, there is the question of the faith basis of MATs that church schools join. The Church of England has so far allowed its schools to join or convert to trusts where the diocese appoints either the minority or majority of members and directors, with protection for their faith characteristics as described above. This means that there are a range of possible homes for C of E schools.

25 Catholic Education Service, 'Catholic Education Service Digest of 2022 Census Data for Schools and Colleges in England' (November 2022) [Link](#)

26 Church of England, 'Church schools and academies' (accessed: 6th June 2023). [Link](#)





However, the Catholic Church will only allow its schools to join Catholic trusts. This dramatically reduces the number of possible MATs available for converters. Indeed, it raises the prospect of some areas only having one possible MAT partner, with knock-on impacts on quality. It also limits options severely should a school fail and need to be rebrokered into a new trust. This is an issue that will need careful and sensitive consideration, perhaps involving the designation of specific Catholic trusts as ‘troubleshooters’ or ‘turnaround trusts’ that can provide support across the system.

Finally, and again specific to the Catholic system, it may be necessary to revisit the ‘faith cap’ in place for new schools, which limits to 50% the proportion of places that can be reserved for Catholic applicants. The Catholic Church maintains that this is contrary to canon law as it could lead to Catholic pupils being turned away in favour of non-Catholic ones, so it has not opened any new academies since the cap’s introduction. Instead, it has opened new maintained schools, to which the faith cap does not apply. However, a fully academised Catholic system would not have this option.

**‘It may be necessary to revisit the ‘faith cap’ in place for new schools, which limits to 50% the proportion of places that can be reserved for Catholic applicants’**

With these and other issues in mind, the Government should:

- Revive the faith protections that were in the old Schools Bill and place them into a new, tightly scoped Bill
- Ensure that the land ownership issues affecting many Church schools upon academisation are addressed in the Levelling Up & Regeneration Bill currently going through Parliament.<sup>27</sup> Continue the ongoing investment in faith-trust leadership capacity
- Support the creation of faith school led trusts, including turnaround trusts on the model of St Joseph’s Catholic MAT, to ensure there is national reach for such capacity and always at least two trusts for each denomination in any region<sup>28</sup>  
Commit to a full review of and consultation on the academy faith cap.

<sup>27</sup> F. Whittaker, ‘Law change eases way for church schools to academise’, *Schools Week* (27th May 2023). [Link](#)

<sup>28</sup> T. Belger, ‘How turnaround trust plans to fix ‘orphan’ school problem’, *Schools Week* (25th June 2022). [Link](#)



# Conclusion

Putting serious support behind the academisation of schools that wish to convert makes sense for a number of important reasons:

- It would significantly boost the number of schools within the more collaborative structure of MATs, give their staff and pupils access to additional financial, curricular and other support
- It allows local areas to have serious conversations about the future organisation of their schools and accompanying support services
- It would make the schools system more resilient and flexible, better able to move money, people, expertise and resources to where they can be of best use
- It would move the sector much closer to full academisation, and ideally bring some areas fully to that point, embedding the academy reforms and making them harder for future administrations to reverse

The proposals in this report aim to make such a large-scale shift as easy as possible, by smoothing the conversion process itself, enabling better and easier MATchmaking, and having trusts and officials work overwhelmingly with willing participants.

**“Moving towards a fully academised system, with all schools benefiting from the support of a strong trust, is a pragmatic, sensible, and achievable ambition”**

They would make both imminent and future conversions more straightforward, and do so at a relatively modest cost. They should also dramatically reduce the marginal cost per conversion.

We have observed the advantages of academies and multi-academy trusts for 20 years now. Moving towards a fully academised system over the next few years, with all schools benefiting from the support of a strong trust, is a pragmatic, sensible, and achievable ambition.

It is also one that is supported by those in the sector with strong track records and who have their communities' interests at heart. They just need the backing of ministers to let them get on with it.



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