

## Schools that work for everyone

### Response of the Association of School and College Leaders

#### A Introduction

- 1 The Association of School and College Leaders (ASCL) represents more than 18,000 education system leaders, heads, principals, deputies, vice-principals, assistant heads, business managers and other senior staff of state-funded and independent schools and colleges throughout the UK. ASCL members are responsible for the education of more than four million young people in more than 90 per cent of the secondary and tertiary phases, and in an increasing proportion of the primary phase. This places the association in a strong position to consider this issue from the viewpoint of the leaders of schools and colleges of all types.
- 2 ASCL welcomes this Government's ambition to create an education system that extends opportunity to everyone. The stated policy intentions of the Government's consultation paper are to:
  - expand radically the number of good school places available to all families, by providing the right incentives for all schools with a strong track record and valuable expertise to expand their offer to even more pupils;
  - leverage the expertise of high performing institutions to set up new good places in the state sector as well as turn-around existing schools; and
  - deliver a diverse school system that provides all children, whatever their background, with schooling that will help them achieve their potential.
- 3 The non-selective state sector is by far the largest school sector, and almost nine out of ten such schools are good or outstanding. This sector is surely absolutely key to making these policy intentions a reality.
- 4 We are concerned that there is a significant mismatch between the government's policy intentions and the proposals in the consultation document. There are many excellent independent, faith and grammar schools. However, there is no evidence that increasing selective provision will raise attainment, improve social mobility, or meet the government's stated policy intentions.
- 5 The policy of 'schools that work for everyone' must have at its core a good education for all. If Britain is to be equipped to be a truly global player, we need an education system in which the vast majority of young people are prepared for the service-led, knowledge-based and digital economy we now have. In other words, we need an education system in which **all** young people achieve, not just a few. This is a clear economic imperative.

6 Our remarks are organised in sections as follows:

- A Introduction**
- B Families who are just about managing**
- C Independent schools**
- D Universities**
- E Selective schools**
- F Faith schools**
- G Conclusion**

## **B Families who are just about managing**

*How can we better understand the impact of policy on a wider cohort of pupils whose life chances are profoundly affected by school but who may not qualify or apply for free school meals?*

- 7 We agree that it is important to consider the impact of policy on those pupils whose life chances are affected by the quality of education they receive. The problem with targeting these families is that there's a lot of them - the entire bottom half of the income distribution. In some parts of the country, the *majority* of families are "just managing."
- 8 Our view is that policy cannot target this group centrally with something like a pupil premium because the group is too big – in some schools, it will be all or almost of the cohort. The only way to help families who are just managing is to focus on excellence across the system through high quality curriculum, assessment, good teachers and leaders.
- 9 We would however urge the government to consider doing more to ensure that pupils eligible for pupil premium funding are identified.

*How can we identify them?*

- 10 We think it may be helpful to develop a new definition to capture 'just about managing' families. It would then be possible to track the progress of these pupils in the school system and target policy at schools which serve large proportions of such pupils.
- 11 However, such a definition may be challenging to determine, not least because of regional variations, and the data complex to collect, because there may not be an incentive for families to declare their income (such as free school meals and benefits arising from the pupil premium). However, it would be worthwhile exploring this option because of the prize of being able to focus policy and system level intervention to benefit these families.

## **C Independent schools**

- 12 ASCL has more than one thousand independent school leaders in membership in a wide variety of independent schools. This places the association in a strong position to consider this issue from the viewpoint of those leaders as well as leaders in the state sector.

*What contribution could the biggest and most successful independent schools make to the state school system?*

- 13 We have been pleased to see the growing collaboration between our members in most independent schools and their state school counterparts and agree that it is both necessary and desirable for resources to be shared and ideas mutually exchanged. This is likely to be effective if encouraged to grow meaningfully and voluntarily, rather than mandated. Compulsion may reduce the current broad, and often imaginative, range of collaborations.
- 14 The consultation question refers to 'the most successful independent schools.' We have members in all sizes of independent schools and are aware that 'biggest' and 'most successful' are not synonymous terms. Some big schools work on economies of scale to keep fees affordable and/or are less 'successful' than some smaller schools.
- 15 Many independent schools work on very small margins – and additional pressures could force closure. Figures from the Independent Schools Council show that only 70 independent schools have over 1000 pupils, whereas most state secondary schools are in this bracket. We therefore query whether independent school leaders are sufficiently experienced in large-scale or system leadership to be of practical assistance to large state-funded institutions.
- 16 We refute the idea that independent schools would necessarily be better than state school leaders in understanding the best needs of state schools and their pupils, especially in disadvantaged areas.
- 17 Rather than assuming independent schools will *necessarily* have the capacity and capability to sponsor academies, we are interested in exploring the model of mixed multi-academy trusts such as United Learning and The Girls Day School Trust, which sponsors two non-fee paying academies (The Belvedere Academy in Liverpool and Birkenhead High School Academy in The Wirral).
- 18 However, we would point out that the much higher level of per-pupil funding in the independent sector makes a significant difference and we call upon the government to ensure state school funding is sufficient, equitable and sustainable.

*Are there other ways in which independent schools can support more good school places and help children of all backgrounds to succeed?*

- 19 Yes, through the extension of the wide variety of Independent/State School Partnerships mentioned above. The independent sector can for example support the teaching of Modern Foreign Languages, music, and minority subjects like the Classics at A level, which are under threat in the state system due to the funding crisis.
- 20 ASCL supports the expansion of independent school contribution through realistic levels of sharing of facilities; and particularly by increasing the already proven range of Independent/State School Partnerships. However, any scheme must be of genuine benefit to the state school and not an additional burden for busy senior staff.

*Are these the right expectations to apply to all independent schools to ensure they do more to improve state education locally?*

- 21 We do not accept the premise that state schools need to be 'improved' by all independent schools, and warn against adverse consequences on both sectors from

compulsory independent sector involvement in schools local to them. We see the evolution of mutually beneficial and sustainable partnerships as the way forward.

- 22 Initial teacher education and professional development are areas where close collaboration and the input of the independent sector could be very valuable and productive. This is fertile territory to explore.

*What threshold should we apply to capture those independent schools which have the capacity to sponsor or set up a new school or offer funded places, and to exempt those that do not? Is setting benchmarks the right way to implement these requirements?*

- 23 We do not believe that mandatory thresholds should be applied to independent schools in relation to sponsoring or setting up new schools any more than mandatory thresholds should be applied to state schools. Coercive instruments are not the way to build a world-class education system.

*Should we consider legislation to allow the Charity Commission to revise its guidance, and to remove the benefits associated with charitable status from those independent schools which do not comply?*

- 24 No. ASCL does not see this as a necessary or productive step, nor a good use of scarce public resources. The Charity Commission takes its brief to regulate independent schools as charitable organisations very seriously. Scrutiny of schools has been intense for many years. We would cite the 2011 High Court judicial review (ISC v The Charity Commission for England and Wales). Further, it seems unreasonable to revise the law for one category of charitable organisation alone.

## **D Universities**

- 25 ASCL does not accept the evidence presented in the government's consultation document for universities to establish new schools in the state system or to sponsor academies. The consultation document cites a single example – that of Kings College London. The Kings College London Mathematics School is undeniably successful, but it does not follow that some or all universities would have the capacity and capability to establish or sponsor schools.

- 26 Indeed, Professor Louise Richardson, the Vice Chancellor of Oxford University said that it would be a 'distraction': "We are having this conversation because we are very good at running a university. We have no experience running schools." (The Independent, Thursday 22 September 2016)

- 27 As stated above, coercive instruments are not the way to build a world-class education system.

*How can the academic expertise of universities be brought to bear on our schools system, to improve school-level attainment and in doing so widen access? Are there other ways in which universities could be asked to contribute to raising school-level attainment?*

- 28 There is enormous potential for the academic expertise of universities to support school attainment and widen access through for example:
- Strategic partnerships with schools in the provision of high-quality initial teacher education and professional development;

- As research and development partners to enhance the capacity of the teaching workforce to be research-literate and to contribute to research;
- Through widening participation programmes and widening access to Higher Education;
- Through using the Research Excellence Framework (REF) to focus on the impact of education research outside of academia and measuring the effect on, change, or benefit to educational outcomes beyond academia – raising school-level attainment could be a key measure in the REF;
- Through providing high-quality governors – we note that for example Manchester University has a track record of doing this really well.

*Is the DFA guidance the most effective way of delivering these new requirements?*

- 29 The DFA already possesses (as is acknowledged in the consultation document) the power to refuse to renew an Access Agreement, meaning an institution would not be able to charge higher fees if it fails to deliver against its own Access Agreement.
- 30 We do not object to a clear expectation that universities contribute to school-level attainment through their Access Agreements, but we do not believe that this should be limited to establishing or sponsoring schools.

*What is the best way to ensure that all universities sponsor schools as a condition of higher fees? Should we encourage universities to take specific factors into account when deciding how and where to support school attainment?*

- 31 As stated above, ASCL does not accept the premise that *all* universities should be required to establish new schools in the state system or sponsor academies as a condition of their Access Agreement.
- 32 Decisions about how and where to support school attainment should be a matter for individual universities given the wide variety of local/ regional circumstances and challenges.

## **E Selective schools**

- 33 As we stated in our introduction, there are many excellent independent, faith and grammar schools. However, it is a concern to us that the government is not consulting about *whether* to increase selection in the system, but rather *how* to do so.
- 34 We do not accept the validity of the Department for Education's evidence making the case for *increasing* selection. Overwhelmingly, the national and international evidence suggests a school system's performance overall is not better if it has a greater proportion of academically selective schools – in fact, increasing selection is likely to be associated with growing attainment losses for those not attending grammar schools – losses which will be greatest among poor children.<sup>1</sup>
- 35 The Sutton Trust report, *Evidence on the Effects of Selective Educational Systems*, by Durham University in 2008, cited in the consultation document, found that that there is

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<sup>1</sup> For example, Andrew, J., J Hutchinson and R Johnes. (2016) *Grammar Schools and Social Mobility*. Education Policy Institute.

a small positive advantage in GCSE achievement for pupils at grammar schools. The research found that pupils who attend grammar schools appear to achieve between zero and three-quarters of GSCE grade more than 'similar' pupils in other schools.

- 36 However, the important policy point is that while the *minority* of pupils in grammar schools do slightly better, the remaining *majority* of pupils who are not educated in grammar schools do slightly worse in overall attainment. So while a selective system has a small positive effect for some young people, it has the effect of widening educational gaps at system level.
- 37 In relation to whether selection impacts on social mobility, the recent Education Policy Institute (EPI) report did not find a positive impact. The gap between children on FSM (attaining five A\*-C GCSEs, including English and Maths) and all other children is actually wider in selective areas than in non-selective areas – at around 34.1 per cent compared with 27.8 per cent. The EPI analysis indicates the reason for this is:
- grammar schools attract a larger number of high attaining, non-FSM pupils from other areas and so, in selective areas, there is a disproportionately large number of high attaining, non-disadvantaged children. Indeed, pupils travel, on average, twice as far to attend a selective school as a non-selective school.
  - pupils eligible for Free School Meals in wholly selective areas who don't attend a grammar school perform worse than the national average.
- 38 We would urge the Department for Education to follow the evidence in respect of schools that work for everyone.

*Questions related to increasing selection (How should we best support existing grammars to expand? What can we do to support the creation of wither wholly or partially new selective schools? How can we support existing non-selective schools to become selective?)*

- 39 We do not agree that the government should support the creation of wholly or partially new selective schools. Nor do we agree that non-selective schools should be able to become selective.
- 40 The evidence from the Education Policy Institute report is clear that an expansion of grammar schools in areas that already have a large number of selective schools could lead to lower gains for grammar school pupils and small attainment losses for those not attending selective schools – losses which will be greatest amongst poor children:
- In the most selective areas, the positive effect of attending a grammar school is 2.3 GCSE grades spread over 8 subjects (0.3 grades per subject).
  - Within those highly selective areas, that gain falls to 0.8 of a grade overall (or 0.1 of a grade in each of eight GCSEs), in areas where grammar school places outnumber the proportion of high attaining pupils.
  - In the most selective areas there is a small negative effect of not attending grammar schools – an average of 0.6 grades lower per pupil across all GCSE subjects (or just below 0.1 grade per subject).
  - But that impact is greater for pupils eligible for free school meals who do not attend grammar schools, they achieve 1.2 grades lower on average across all GCSE subjects (or just below 0.2 of a grade lower in each of eight GCSEs).

- 41 The Education Policy Institute report concludes: “If you compare high attaining pupils in grammar schools with similar pupils who attend high quality non-selective schools, there are five times as many high quality non-selective schools as there are grammar schools. This means high attaining pupils perform just as well in high quality non-selective schools as selective schools.”

*Questions related to the conditions to ensure that selective schools improve the quality of non-selective places (including the proportion of children from lower income households and sanctions)*

- 42 As stated above, we do not support the principle of increasing selection in the school system in England and the evidence does not support it.
- 43 We do however see a role for existing selective schools in the system to form or join multi-academy trusts in order to share resources including teachers, work together on curriculum design, and share accountability for the educational outcomes for young people in selective and non-selective provision.
- 44 For existing grammars, it is right that they should take a proportion of pupils from lower income households for the reasons stated in the consultation document.

## **F Faith schools**

- 45 The proposals for reform in this section amount to little more than removing a technical obstacle to Catholic Free Schools being created. We accept the government’s evidence that the 50 percent cap on faith-based admissions does not promote diversity.
- 46 We welcome the consideration of strengthened safeguards to promote inclusion, enhance understanding of other faiths and those with no faith, promote community cohesion and prepare children and young people for life in modern Britain.
- 47 While we accept the lifting of the 50 percent cap on faith based admissions, we do not envisage that the government will achieve its policy intention of “expanding radically the number of good school places available to all families” through the expansion of faith schools. Nor do we think this would be right.

## **G Conclusion**

- 48 We would reiterate our position that the non-selective state sector is by far the largest school sector, and that almost nine out of ten such schools are good or outstanding. This sector is surely absolutely key to making the government’s policy intentions a reality.
- 49 The central principles of ASCL’s [Blueprint for a Self-Improving System](#) are that education is for the common good. Achievement can be realised at scale for **all** children and young people. We reject determinism either by social background or by perceived intelligence.
- 50 A good education creates the social conditions that allow young people, both as individuals and in groups, to reach their fulfilment more fully and more easily. A good education system builds character and resilience in **all** young people. Government has a role to play in ensuring that the system serves **all** equally well.

- 51 In a global society, Britain needs an education system in which the vast majority of young people are prepared for the service-led, knowledge-based and digital economy we now have. This is a clear economic imperative.
- 52 The most important challenge we face now is to work together to ensure the education system supports all young people to achieve. We need the combined forces of independent schools, universities, grammar schools, faith-based schools and non-selective non-faith schools working together to create schools that do indeed work for everyone.
- 53 I hope that this is of value to your consultation, ASCL is willing to be further consulted and to assist in any way that it can.

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