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Academy Schools in England: Neoliberalism, Privatisation and Governance

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ACADEMY SCHOOLS IN ENGLAND: NEOLIBERALISM, PRIVATISATION AND GOVERNANCE

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Abstract

This chapter examines the drivers of academisation in order to better understand the emergence, growth, and impact of academy schools in England. It traces the expansion of academy schools as part of ongoing educational reforms that were reinforced by a neoliberal narrative and facilitated by the state through subsidies and the underfunding and disinvestment of state-run schools. This was driven by the private for-profit and non-profit sectors as key agents in the implementation, and sometimes formulation, of government education policy, along with the state which was an active participant and beneficiary through the revolving door involving politicians, senior civil servants, and the private sector. The chapter looks at how academisation fundamentally altered governance and accountability structures and provided profit opportunities for the education services industry at a cost to taxpayers.

Key words: Academisation, academy schools, England, neoliberal, governance, education policy

1. Introduction

Academy schools in England are independent state-funded schools that are established as limited companies (in this case, not-for-profit bodies called Academy Trusts) and funded directly by central government rather than through local authorities. They are part of a wider global trend in the privatisation of schools where private companies are subsidised by the state

to ‘take over’ local authority or state schools. The significance of academy schools is not just in the change in governance where former school governing bodies (typically comprising representatives of the local authority, parents and teaching staff) are replaced by a board of trustees (company directors); it is also in the outsourcing of educational services that has led to the growth and influence of the private sector in driving the expansion of academy schools. This was made possible through ongoing educational and civil service reforms that have transformed the role of the state from provider to facilitator of services, increased private sector participation, partnerships and collaborations, and enlarged the range of private actors shaping and delivering education policy.

These reforms need to be understood as part of neoliberal policies centred on privatisation, deregulation and liberalisation that emerged in the late 1970s and early 1980s in response to the long-term decline of profits in the UK (Dumenil and Levy 2004, 2005). Academisation as the privatisation of schools created vast profit opportunities through the contracting out of educational services. This represented an ongoing shift in school governance, with the transfer of decision making away from local authorities to schools while at the same time increasing control by the central government through the introduction of performance metrics.

This chapter examines the drivers of academisation in order to better understand the emergence, growth and impact of academy schools in England. It provides a background to the introduction and expansion of academy schools (Section 2) and how this was part of ongoing educational reforms that were reinforced by a neoliberal narrative (Section 3). It locates academisation as part of neoliberal policies and looks at how this has been facilitated by the increased direct and indirect public transfers to private academy trusts at the same time as the underfunding and disinvestment of state-run schools (Section 4). It then examines the role of the private sector as a driver of academisation (Section 5) and privatisation (Section 6) before concluding on the impact of academisation on school governance.

2. Academisation in England

Academy schools in the UK are confined to England as the devolved governments of Wales and Scotland have opted to continue with local authority schools. Academisation in England has been described as “a rapid and radical transformation of publicly-funded school-based education” (West and Wolfe 2018: 1) with two distinct phases identified. The first

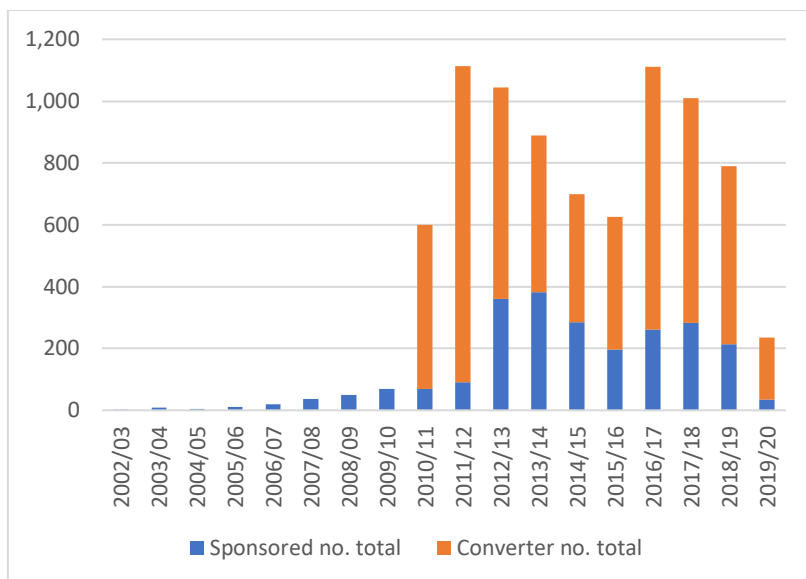
phase of academisation was introduced under the Labour government's Learning and Skills Act 2000 and is seen as "a school improvement programme directly aimed at turning around badly performing schools" by engaging with business partners as sponsors (Eyles et al 2017: 121). Instead of being 'maintained' by local authorities, sponsored academies are sponsored by businesses, individuals, churches or voluntary bodies that run the schools through a board of trustees. Sponsors "delegate the management of the school to a largely self-appointed board of governors, which has responsibility for employing all academy staff, agreeing levels of pay and conditions of service and deciding on policies for staffing structure, career development, discipline, and performance management" (Eyles and Machin 2019: 1110). Previous school governing bodies are replaced by local governing bodies (LGBs) with some parent and teacher representation, and these function as a sub-committee of, and can be overruled by, the board of trustees. Academies are thus school 'takeovers' (Eyles et al 2017) where poor performing local authority schools are transferred to private sponsors who were also expected to contribute to the academy's capital costs, with the remainder of the capital and running costs met by the state (Male, 2017: 6).

The second phase of academisation was marked by a significant expansion of the academies programme under the Conservative-led coalition government despite the lack of evidence of improvements (Gorard 2005, 2009, 2014; Keddie 2017; Elwick 2018). Where the Labour government introduced academies "as a remedial programme aimed at replacing failing schools", the Academies Act 2010 was seen as introducing "greater autonomy and competition into the state school sector" through 'converter' academies – "high-performing schools that change their institutional arrangements to acquire greater freedom" (Eyles et al 2017: 123). Unlike 'sponsored' (or forced) academies where poor performing schools were required to be taken over by a private sponsor, 'converter' academies were part of a new key policy goal for academy status to be "the norm for all state schools, with schools enjoying direct funding and full independence from central and local bureaucracy" (Department for Education 2010: 52). Initially only schools rated as "outstanding" were targeted but this was later extended to include those rated as "performing well" by the Office for Standards in Education (OfSTED) with all new schools required to be established as academies (known as 'free schools') (West and Bailey, 2013).

Academy schools currently encompass primary and secondary schools that have been 'sponsored' by a private trust, have voluntarily 'converted' from

local authority-maintained schools, and have been newly built as ‘free schools’. Also included are ‘studio schools’ (secondary vocational schools) and ‘university technical colleges’ (secondary schools with close ties to local business and industry and led by a sponsor university). Academy schools can be categorised by school type (sponsored academies, converter academies, free schools, studio schools, university technical college), sponsor type (business, charitable, further education, diocese) and trust type (single academy trusts, multi-academy trusts). A single academy trust runs just one school while multi-academy trusts (MATs) refer to trusts with more than one school. To promote economies of scale and shared services, the government stopped the creation of single academy trusts and encouraged smaller MATs to merge or join larger MATs, with 12-20 schools seen as an ideal size for a MAT (Allen-Kinross 2017). In reality, the dominance of big MATs (e.g. Harris Federation, ARK Schools, United Learning, Academies Enterprise Trust) with 50–70 schools each suggests that further mergers and an increasing concentration of MATs is likely. Following the Academies Act 2010, the number of primary and secondary academy schools increased from 207 in 2010 to 10,912 by February 2021, representing 37% of all primary and over 79% of all secondary schools in England (Department for Education 2021), driven by sponsored and in particular converter academies that account for almost all academy schools (Fig 1).

Figure 1 Academy schools: primary and secondary, sponsored and converter (total) 2002-20



Source: Calculated from Department for Education (2021).

Notes: 2019/2020 figures until Nov 2020. Figures exclude free schools, studios and university technical colleges.

3. Educational reforms and the neoliberal narrative

While the introduction of academy schools is “one of the most radical and encompassing programmes of school reform seen in the recent past amongst advanced countries” (Eyles et al 2017: 123), it is also the logical outcome of a series of educational reforms that have involved policy layering, revision and continuity since the 1980s (West and Bailey 2013). The expansion of academy schools under the Academies Act 2010 was an extension of the previous Labour government’s Education Act 2002 and Learning and Skills Act 2002. More crucially, while these legislations initially targeted failing schools, the Labour government subsequently introduced the Education and Inspection Act 2006 that encouraged all primary and secondary schools to become independent state schools (‘trust schools’) and required all proposals for new schools to be academies. The Labour government’s City Academies (early academies) were based on the Conservative government’s City Technical Colleges (CTCs) and grant

maintained schools (quasi-independent schools funded directly by central government) between 1988 and 1997 (Clark 2009; Hatcher 2010; Walford 2014; Gibson 2016; Male 2017).

The introduction of the academies programme can be traced back to ongoing educational reforms in the UK centred on the governance of schools following the Education Reform Act (ERA) 1988, with school autonomy, central control, and diversity of provision emerging as dominant themes in education policy (Woods and Simkins 2014). Academisation represented a “reinvention and reconfiguration of both the state and the public sector” through the dual process of “gradual but steady decentralisation” that created autonomy but also increased intervention by the central state and gradually marginalised local government (Junemann and Ball 2013: 426). It thus functioned as a “key driver for achieving the government strategy of sidelining local authorities’ role in school education” (Papanasasiou 2016: 4) with a clear policy continuity from the 1980s.

‘Decentralised centralism’ (Karlsen 2000) allowed for central government to take “a much more active role through steering and direct intervention while simultaneously granting schools much greater control over the management of their own resources” (Woods and Simkins 2014: 325). ‘New localism’ (Corry and Stoker 2002; Bentley et al 2010) involved the transfer of “power and responsibility from local government to schools” by successive UK governments through policies to promote school autonomy since 1988 (Jopling and Hadfield 2015: 50). Local management introduced under the ERA allowed headteachers and governing bodies to remove themselves from the financial control of local education authorities (LEAs) (Male 2019; Woods and Simkins 2014; Jopling and Hadfield 2015). The ERA, supported by a 1992 White Paper on ‘choice’ and ‘diversity’ in schooling, provided a framework for increasing the diversity of educational provision and hence consumer choice, to increase competition, introduce external sponsor innovation, and drive up school standards (Tomlinson 2005; Woods and Simkins 2014; Gibson 2016).

Academisation has been supported by a neoliberal narrative that reinforced the failure of local government through a discourse of derision based on an “unrelenting criticism of public services, often by generalising individual failures” of LEAs as a way of destabilising and creating “rhetorical spaces within which to articulate reform” (Whitfield 2001: 69). It was framed as a response to the failure of local authority schools and couched in the

language of improving schools through a “romantic discourse of perfection which represents the private and markets ... as magical solutions to the ‘problems’ of the public sector” (Ball 2007: 21). Private sponsorship of schools was intended to introduce innovation in school management and educational practice, a private sector ethos and ‘business-friendly culture’, along with the ‘discipline of the market’ (Hatcher 2006: 612; Edmond 2017).

External sponsors were seen as bringing “not only a financial endowment but also vision, commitment, and a record of success from outside the state school system” (Shaw 2004: 1) with “a better understanding of how to prepare students for the world of work” (Male, 2017, 4). New narratives about what counts as a ‘good’ education are articulated and validated through the discourse of privatisation and ‘entrepreneurial governance’ and performance metrics (Ball 2007, 2008), and the promotion of a business ethos (Edmond 2017). Policy language described “the ‘superiority’ of private sector management, in ‘partnership’ with the state over and against the conservative, bureaucratic and unresponsive modality of public sector management” (Ball 2007: 32). Education public-private-partnerships (ePPPs) were re-framed as ‘corporate philanthropy’ (Ball 2008) and as ‘voluntary, managerially initiated decisions’ mandated by the government to improve performance and standards and to address the (perceived) failure of LEAs (Davies and Hentschke 2006: 207). This served to deflate controversy and make the idea of profit thinkable, and the public sector amenable to privatisation(s) (Ball 2007; Junemann and Ball 2013).

4. Academisation and neoliberalism

Academisation is the outcome of educational reforms that emerged as part of neoliberalism. Neoliberalism encompasses a set of economic and social policies developed in response to a crisis of accumulation following a period of declining profitability in the UK between 1955 and 1975 (Dumenil and Levy 2004, 2005). As such it can be defined as “an accumulation strategy, a form of regulation of social and economic reproduction and a mode of exploitation and social domination based on the systematic use of state power to impose, under the ideological veil of non-intervention, a hegemonic project of recomposition of the rule of capital in each area of social life” (Saad-Filho 2010: 18). This definition captures many of the salient features of neoliberalism noted in the literature on academy schools in England. Academy schools are argued to be the “latest and decisive phase of a neo-liberal restructuring of state education in which the long-term aim

has been to dismantle a publicly provided system accountable to local communities, and replace it with a state subsidised market dominated by private providers” (Stevenson 2011: 178). The academies programme is seen as ‘a conservative and neoliberal restoration project’ (Gunter and McGinity 2014) “for the effective reproduction of the British neo-liberal capitalist order” (Holligan 2017: 177) and “driven ultimately by material class interests” with the government’s overriding educational goal being “the profitability of the future workforce for capital as a whole, not the profitability of the small sector of the economy represented by school education business companies” (Hatcher 2010: 2, 4).

The emphasis on performance reflected a business ethos of the ‘new public management’ (NPM) that was “the key mechanism in the political reform and cultural re-engineering of public sectors across the West” (Ball and Youdell 2007: 19). ‘Educational management’ brought “a set of methods, ideals and concepts ... from the private sector” (Ball and Youdell 2007: 18) with “policy increasingly ‘articulated in the language and methods of business’” (Ball 2007: 25-26). The new managerialism was “the logical concomitant of the market and logical antidote to the ‘failings’ of public sector bureaucracy and culture” (Ball 2007: 25). The introduction of private management values led to demands by the state for ‘performativity’, “defined publicly and politically by concerns about underperformance” that underpinned a market system of neoliberal education (Ball 2018: 220; Ball 2009b).

The primary aim of education was conceived by academy school promoters in terms of individual achievement, with the focus on examination results achieved by individual students that in turn narrowly defined teachers’ professionalism as deliverers of these results through “league tables and performance management [that] are brought into play to control this ‘delivery’ of results” (Heilbronn 2016: 4–5). Increasing levels of school autonomy have thus been accompanied by a greater concentration of power in central government through ‘instruments of control’ or ‘accountability mechanisms’ such as inspections and league tables (Glatter 2012: 568) that have led to a ‘hegemony of attainment metrics’ (Holligan 2017). These changes in school governance can be framed by a broader shift in the role and composition of the state from provider to facilitator of services that created conditions for the entry of the private sector as education service providers. Academisation can thus be seen as part of a wider neoliberal project to roll back the state and create new profit opportunities for business, including academy sponsors registered as not-for-profit-making companies.

Given the mandatory nature of schooling that has precluded the charging of fees, the government has had to provide incentives to attract private sector participation and encourage local authority schools to convert. This was done through direct and indirect state transfers (e.g. subsidies, grants, debt write offs) to academies, and by undermining the performance and viability of local authority schools. As early as 2006, the government had already spent £1.3 billion on academies, with an average cost of £25 million to set up each new academy (Male 2017: 6). As was the case with preferential funding for grant maintained schools (the precursor to academies under the Conservative government in the 1980s) (Clark 2009), academy schools received and spent more money post-conversion despite being supposedly funded on an equal basis as local authority schools (Gorard 2005; Eyles, Machin and Silva 2017). Subsidies include an extra 10 per cent funding as their share of the education budget which local authorities retain for central services, £400,000 per annum above normal school capitation as a financial incentive, a £25,000 grant for the conversion process, and a £53 million MAT growth fund (Hatcher 2010; Heilbronn 2016; Eyles, Machin and Silva 2017; Whittaker 2017). A trust is also awarded a £70,000–£150,000 grant to cover conversion costs when taking over another school. By 2019 the Department for Education (DfE) had paid out at least £18.4m to academy trusts to take over 314 primary schools that were forced to become academies, with over 300 primary schools rebrokered or moved between trusts in 2013-19 and academy sponsors paid almost £4 million in grants after taking a school from another chain (McIntyre and Weale 2019).

To attract private sponsors in the absence of private business interest, the government removed the £2 million endowment requirement for sponsors in 2009 (West and Bailey 2013) and wiped £4.9 million of debt owed to the government by academy trusts in 2020 (Schools Week 21 July 2020). Debt is normally wiped to facilitate the transfer of an academy to a 'more sustainable academy trust', to support an academy, or to aid with a school closure. The true amount of debt write-offs will be much higher as only debts worth over £300,000 are listed (Schools Week, 21 July 2020). Additionally, local authorities have to absorb the deficits of converting schools. Bradford Council for example was left with costs of £250,000 when three primary schools converted to academy status (Young 2019). The government also funds schools based on the number of anticipated students and have to write this off when student targets are not met. Recent government write offs included £823,000 in overpayments to the failed Manchester Creative Studio school (which closed following overpayments by the former chair of directors to his own company), £609,000 at Wigan

UTC (which closed in 2019), and £539,000 at Baverstock Academy (which shut in 2017) (Allen-Kinross 2019).

These direct and indirect subsidies for academy schools were mirrored by the long-term underfunding and disinvestment of local authority schools including the withholding of maintenance grants, re-directing of resources for the expansion and management of academies, and cuts under broader neoliberal reforms that undermined delivery and further fuelled criticism of underperformance (Hill 2010; Catherall 2013). The combination of policy changes and extensive budget cuts made it increasingly difficult for local authorities to offer the necessary levels of support, with one local authority for example experiencing a 52 per cent reduction in central government funding between 2011 and 2014 (Jopling and Hadfield 2015). This, along with the new focus on performance, increased the vulnerability of local authority schools “to the punitive accountability measures associated with ‘underperformance’ and hence the likelihood of forced academisation (Hill 2010). Since 2016, a local authority school judged “inadequate” will be issued an academy order by the DfE which removes the school from local authority control and forces it to join an academy trust.

5. Education businesses and academy schools

The emergence of education businesses can be seen as both a consequence and driver of academisation and is closely related to public service sector reform, privatisation and the process of ‘destatization’. Reforms in the civil service through the Financial Management Initiative (1982) and the Local Management of Schools (ERA 1988) along with the privatisation of LEA functions led to the recomposition of the state from provider of services to facilitator. The privatisation of LEA functions handed over some functions permanently to the private sector (e.g. supply teachers and school inspections), contracted out entire LEA functions to private companies including national programmes (e.g. the National Literacy Strategy), and led to public–private partnerships (PPPs) between LEAs and private companies (Hatcher 2006; Ball 2007). As a result, private, non-profit-making companies, funded by central government, “rapidly replaced local authorities as the main providers of secondary school education” (West and Bailey 2013: 137). The education services industry (ESI) has also provided a constant stream of work for ‘the Big Four’ accounting firms, corporate law firms, management services companies, and accountancy and consulting firms, including “significant but largely unacknowledged secondary markets” in facilities management and lease contracts involving

the drawing up of “hundreds of thousands of contracts and subcontracts with all those private providers” (Ball 2007: 40–41).

Academy sponsorship itself provided opportunities for profit even if academy sponsors or trusts were registered as not-for-profit-making companies. The most obvious source has been through high (and rising) executive salaries, with 988 charitable trusts paying one employee £100,000 or more in 2017–18, 146 paying £150,000 or more to at least one employee, and the proportion of trusts paying £150,000-plus salaries, excluding bonuses, rising by 20 per cent in a year despite the number of academy trusts in deficit increasing from 5.9 to 6.4 per cent (Mansell and Savage 2019). The top 20 highest paid chief executives in 2018–19 were paid £200,000–£450,000 a year and only 40 per cent of trusts committed to reducing executive salaries following a government warning (Dickens et al 2020). High salaries are not restricted to academy schools and include senior officials in the DfE’s Education and Skills Funding Agency (ESFA) where salaries were increased in 2019 for the chief executive (from £140,000–145,000 to £150,000–155,000 plus £5,000 bonus), director of further education (from £95,000–100,000 to £100,000–105,000 plus £15,000 bonus), and director of academies (from £115,000–120,000 to £125,000–130,000 plus £10,000 bonus) as a result of taking on ‘additional responsibilities’ (Schools Week 21 July 2020).

Another source of profits for trusts is through related-party transactions where contracts are awarded to companies owned by close family members or even the trustees themselves (Green and Connery 2019). These transactions “are permitted under company law, charity law and under the Academies Financial Handbook, provided that open and transparent procurement procedures have been followed, and any potential conflicts of interest are adequately and appropriately managed” (Education Funding Agency 2014). Following high-profile scandals and a government Public Accounts Committee report warning that the DfE’s current rules which allow such transactions as long as no-one profits from the deals were ‘too weak’, the government announced in mid-2018 that all related-party transactions worth more than £20,000 needed to be declared to the ESFA for approval (Dickens 2018; Camden 2018). Despite this, related-party transaction spending rose 10 per cent from £122 million in 2015–16 to nearly £135 million in 2017–2018, with the amount of money received from related-party transactions rising by 40 per cent from £75 million to £105 million (Dickens 2018). As with high salaries, related-party transactions also involved the ESFA, with £1.4m paid to firms linked to ESFA board

members, including the ESFA chair (whose travel company was paid £964,000 and £984,000 in 2018-19) and an ESFA board member (whose care company was paid £684,000) (Schools Week 21 July 2020).

At the same time, privatisation entailed greater private sector participation, including “a pervasive but often under-defined culture of partnership and collaboration” (Jopling and Hadfield 2015: 50) that saw the emergence of self-employed consultants as a new agent of school reform comprising “ex-heads and ex-LEA advisers, working for LEAs, schools, government agencies and private companies on a contract basis” (Hatcher 2006: 603). As early as 2005 there were already an estimated 8,000 private education consultants, including 5,600 freelance OfSTED inspectors, with £400 million spent on private sector consultancy in 2002–2003 (Abrams 2004, cited in Hatcher 2006: 603). This ‘revolving door’ within these ‘networks of social relations’ “between politicians, civil servants and business ... inform and influence policy thinking about education”, making it difficult to distinguish “between advice, support and lobbying for work” (Ball 2007: 41). Public sector reform also blurred the boundaries between public and private, with public sector institutions ‘re-thought’ as ‘profit opportunities’. This reflected a convergence of interest with the public sector “looking to the private sector for expertise, innovation and management of appropriate risks” and the private sector “looking for business opportunities, a steady funding stream and a good return on its investment” (Ball 2007: 36).

Public sector reform and privatisation occurred alongside a process of ‘destatization’. This refers to the replacement of bureaucratic modes of government with governance based on markets and networks (Rhodes 1997). It represents a shift from the hierarchy of ‘centralised and bureaucratic government’ with a ‘hierarchy of command’ to the ‘heterarchy’ of a ‘polycentric state’ characterised by ‘strategic’ governance “based upon network relations within and across new policy communities” (Ball 2008, 2009: 1). Destatization paralleled a broader shift where the ‘overloaded’ hierarchical state was replaced by the ‘hollowed out’ state (with the devolution of increasing powers to service providers) and more recently by a ‘congested state’ (characterised by the increase of organisational, especially non-governmental, actors and increasingly complex patterns of interaction) (Skelcher 2000).

The emergence of network relations encompasses “new policy communities [that] bring new kinds of actors into the policy process, validate new policy discourses ... and enable new forms of policy influence and enactment”

(Ball 2009a: 100). The blurring of boundaries between public and private also enlarged “the range of actors involved in shaping and delivering policy” (Newman 2001: 125). This included individual businessmen who see their involvement in academies as “the best way of getting access to ministers” (Hatcher 2006: 612), the increasing influence of new philanthropic actors over education policy (Keddie 2017), and hedge fund managers and representatives of finance capital as academy sponsors (Junemann and Ball 2013). It also involved the use of management consultants “as advisers and report writers to influence and design public sector education” through “advice, consultation, research, evaluations and forms of influence” (Ball and Youdell 2007: 36, 59).

This rise in ‘private authority’ represented a “shift in authority from the public to the private realm, and from the national to the supranational” where the state cedes “power to make decisions (as to how to frame the regulatory and operational basis of education activity) to economic actors (such as education corporations, consultant firms, venture philanthropists)” (Robertson et al 2012: 36). The private sector “was crucial in setting or informing the reform agenda from the outset, bringing its commercial wisdom to bear” with the early establishment of consultants to advise on, draft, implement or evaluate key aspects of the reform agenda (Ball 2007: 25-26). It is thus “not simply education and education services that are subject to forms of privatisation: education policy itself – through advice, consultation, research, evaluations and forms of influence – is being privatised” with private sector organisations and NGOs increasingly involved in both policy development and policy implementation (Ball and Youdell 2007: 10). This “policy creation community” included accountancy and consulting firms such as PWC, Deloitte and Touche, Ernst and Young, KPMG, McKinsey, the Hay Group and PKF (Ball 2007).

6. Academisation and privatisation

Academisation has been presented as a largely technical and apolitical exercise to improve school performance. This has been supported by a neoliberal narrative and the literature on academy schools. The former derided the public sector as the cause of underperforming schools and promoted the private sector as a solution. The latter has framed PPPs within the language of partnerships, collaboration and a convergence of public interests (in seeking private sector expertise) and private interests (in business opportunities) (Ball 2007a). Viewed as such, academies are voluntary ‘networks’ (or partnerships or alliances) of schools similar to

alliances found in other fields (Davies and Hentschke 2006), with privatisation seen as ‘a policy tool’ and “part of an ensemble for innovations, organisational changes, new relationships and social partnerships, all of which play their part in the re-working of the state itself” (Ball and Yuodell 2007: 10). This is framed by a wider discussion of the transformation of the hierarchical, centralised bureaucratic state to the heterarchical, polycentric state based on network relations and network communities (Rhodes 1997; Ball 2008, 2009). PPPs are thus narrowly defined and depoliticised despite evidence of private influence and profit seeking that help explain the rapid expansion of academy schools.

To better understand the expansion of academy schools in England, it is necessary to analyse academisation as part of the privatisation process. This needs to go beyond understanding ‘endogenous’ privatisation or ‘privatisation *in* public education’ (“importing of ideas, techniques and practices from the private sector ... to make the public sector more like business and more business-like) and ‘exogenous’ privatisation or ‘privatisation *of* public education’ (“opening up of public education services to private sector participation on a for-profit basis and using the private sector to design, manage or deliver aspects of public education”) (Ball and Yuodell 2007: 13). Instead, the broadening of the meaning of privatisation beyond private ownership to various forms of PPP and private sector participation needs to be understood as a response to high capital costs and uncertain revenues associated with infrastructure privatisation that can be extended to public services such as education (see Tan 2008). This analysis of privatisation helps explain the significance of PPP as a source of profits compared to the takeover (i.e. private ownership) of schools by corporate capital (Hatcher 2006). It also suggests that PPPs are not just another set of alliances and an evolution towards a multi-sector, alliance-oriented field in education (Davies and Hentschke 2006). Instead, privatisation is an inherently political process (Fine 1997) “mainly driven by the political actors in power at the time” (Boix 1997) and specifically by the ‘political right’ across all countries (Zehavi 2012). Rather than ‘borrowing’ from the examples of Swedish free schools and US charter schools, these examples were “used to legitimise policy decisions in the English context” (Fenwick-Sehl 2013).

This explains how academisation policies are “mediated through profoundly political factors” right down to the level of individual schools with academy conversions and applications to convert “disproportionately found in more Conservative-voting constituencies” and in Conservative parliamentary

seats, and where “nominally apolitical policy participants act in rather political ways” (Hicks 2014: 995-996). This was a legacy of the Thatcher years where school governing bodies “were to be part of the neoliberal landscape that was emerging for public services” and “encouraged to move away from apolitical to political activity ... ostensibly to improve outcomes” (Male 2019: 4), with votes to join grant maintained schools (the precursor to CTCs and academies) easiest to pass in Conservative-controlled authorities (Clark 2009).

This helps frame academisation in terms of the fundamental task to radically transform the culture of the school system in order to meet the government’s human capital objectives (Jones 2004) through the process of ‘re-agenting’ where the government introduces new agents capable of driving its agenda and overriding educational goal for the profitability of “capital as a whole” (Hatcher 2010: 2). Privatisation thus represents the re-regulation and not deregulation of education through ‘decentralised centralism’ that has increased centralisation and control by central government. The ‘dispersal’ of government as a key feature of “New Labour modernisation of the public sector” represented a “deconcentration rather than devolution” that is “not an irrational contradiction, but a predictable consequence of the overall logic” of reform (Fairclough 2000: 119, 122). The enhanced regulation through the introduction of marketisation and performance metrics has created a profitable market through the outsourcing of educational services (Ball 2008) and in the form of subsidies as incentives to ensure viability and to finance the operations of academy schools as a state-subsidised private system (Stevenson 2011).

7. Conclusion

Academisation raises two immediate concerns for the governance of schools. While local authority schools are accountable to local authorities in the first instance, academy schools are not, reporting instead to the DfE through government-appointed Regional Schools Commissioners (RSCs). Local authority schools are thus locally accountable to their communities through local governors and ultimately local council elections. In contrast, the LGB is a committee of the board of trustees of an academy trust that carries out its duties on behalf of the board in accordance with policies determined by the board. The board retains the right to review or remove any power or responsibility delegated to the LGB, and to overrule a decision of the LGB. As a result, the move to academies has reduced local community input into education (Ladd and Fiske 2016) and at the same time

reduced the role of school governors who “typically now only have delegated tasks and responsibilities, with accountability having now been transferred to the trust which runs the MAT” (Male 2019: 2).

This change in governance structures mirrors the debate between accountability and expertise as reflected in the stakeholder model and skills-based model of school governing bodies. The former emphasises the importance of “individuals who are representative of and from the groups that have an interest in them” while the latter “are constituted on the basis of their expertise and not their interest in the institution”, with the skills-based model becoming the direction of travel for governing bodies of academy schools in England following new regulations emphasising the importance of the skills of governors (Connolly et al 2017: 1). In contrast, the stakeholder model of governance continues to operate in Wales where academy schools have not been introduced.

These schemes of delegation “allow individual schools to continue to have governance at the institutional level, albeit without the previous legitimatised power and accountability” and with “the potential to allow behaviour that is illegitimate or immoral” (Male 2019: 2). This behaviour is directly connected to the profit opportunities associated with academisation and privatisation more generally, and reflected in the high costs to tax payers in the form of direct and indirect state transfers, and financial scandals. Direct state transfers through subsidies and grants are the most obvious public costs of academisation, particularly when these funds could have been made available to underperforming local authority schools. Indirect state transfers are less obvious costs to taxpayers that include high executive salaries, debt write offs, related-party transactions, and the costs associated with academy conversions, rebrokering, and overpayments that surface through regular media coverage of financial irregularities, scandals and fraud.

The case of Oldknow Academy encapsulates these costs to taxpayers. ARK (one of the largest MATs) received £260,000 (the highest payment for a primary school) from the DfE for taking over the school. Oldknow Academy was subsequently closed in 2018 after merging with Ark Victoria academy. Ark Victoria had itself been rebrokered after its original sponsor, the Perry Beeches Trust, was closed following a government investigation into financial irregularities that “found that it had funnelled £1.3 million to a private company owned by its accounting officer and ‘superhead’ who had previously been praised by ministers and who had received a second salary

of £160,000 over two years, on top of the £120,000 as head (Staufenberg 2018).

The ESFA reported a “continuing slightly upward trend aligned to sector growth” in frauds totalling £5.6 million in 2019-20 mainly related to two unnamed ‘specific cases’, with a total of 82 live investigations and allegations as at 31 March 2020, and a recovery of only £8,119 (Schools Week, 21 July 2020). These financial costs of academies matter because public funds are being used to subsidise private trusts, education businesses and the ESI rather than teachers, teaching and students. Academisation did not improve pupil performance despite converting primary schools receiving and spending more money post-conversion because additional income was spent disproportionately on day-to-day running operations rather than on ‘front line services’ such as teaching staff (Eyles et al 2017).

As with the case with privatisation in general, academisation and education reforms have been couched in the technical language of improving performance but have been driven by ideology, politics and private interests, with the state acting not just as facilitator but also active participant and beneficiary. This is evident from the revolving door involving politicians, senior civil servants and the private sector, and in high executive pay and related-party transactions. The role of the private for-profit and non-profit sector as key agents in the implementation, and sometimes formulation, of government education policy, along with parts of the DfE has been a key driver of academisation.

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