RESEARCH PAPER

Towards a new governance of schools in the remaking of civil society

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Part 1: The transforming of education

> *If these concerns towards a system organised around children, young people and families…*

Since the turn of the century schools have been the focus of an accelerating programme of reform that has sought nothing less than a cultural transformation in the purposes of education, its professional organisation and governance. The Government's many-sided agenda for change grew out of an analysis presented in *The Five Year Strategy for Children and Learners* (DfES, 2004), which set out their claims about the principal underlying problems and flaws of the education service: disengaged pupils and the need to personalise learning; compartmentalising of services and fragmentation of funding; and the centralisation of governance squeezing innovation and entrepreneurship. Most significant, fifty years of policy development had not broken the link between class disadvantage and underachievement. Many schools have been unable to engage not only these youngsters but also their parents and carers.

If these concerns were to be addressed, the Government argued, a new system of education would be needed that would involve

> *'…profound change in the cultures and practices of working with children towards a system organised around children, young people and families…This must be a long-term programme of change and should embed new principles and relationships across the whole system – between the centre and localities, between sectors and between children, young people and families and service providers…The system must be both freer and more diverse – with more flexibility to help meet individual needs; and more choices between courses and types of provider, so that there really are different and personalised opportunities available.'*

> (*Every child matters: next steps*, DfES, 2004)

1.1 Cultural change: from Education to a Children's Service

The Green Paper *Every Child Matters* (2003) and the ensuing legislation (*Children Act, 2004; Education and Inspections Act, 2006; The Children's Plan, 2007*) began the most significant reconstituting of education as a Children's Service, integrating education, health and social services to constitute a new framework of holistic care for young people. The Government's policy agenda has sought to prescribe a new community of practice for the education service to support all the needs of all young people and their families, but also to re-imagine the organisation and governance of schools.

Changing the object of education

The near-universal tradition of providing an education service has been to conceive the object of learning as the child in the classroom of a school detached from the community. Now the focus is on creating a more inclusive learning community embracing family and neighbourhood, with teachers, health and social workers collaborating to support all the learning needs of all children throughout their lives. A broader range of learning *outcomes* is created to help young people realise their potential and improve their chances of succeeding in life. These are: 'be healthy, stay safe, enjoy and achieve, make a positive contribution, and achieve economic wellbeing'. Emphasis is given to early years provision, with health, education and social care closely integrated through Children's Centres, support for parents at each stage of their children's development, and schools working in partnership with families and their communities. This vision of educational renewal is envisaged as necessitating fundamental changes in the culture and practice of supporting the education of children and young people.

Schools working together in clusters and localities

Policy initiatives have necessitated the re-configuring of schools, children's centres and agencies into *collaborative 'localities and*

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clusters': in particular, the policies of *extended schools* and the *14–19 specialised diplomas*. Because all the services and curricular opportunities required by these policies cannot be provided by each institution alone, they will need to be offered in consortium arrangements. This is leading to fundamental changes in local education.

(i) Extended schools:

'provide a range of services and activities, often beyond the school day, to help meet the needs of children, their families and the wider community'.[1] The idea of schools providing services to 'extend' the school day grew out of the Exclusion Unit's neighbourhood renewal policies for 'schools plus' (DfES, 1999):

> '*We want all schools to be able to access a core of extended services which are developed in partnership with others. Extended services can include childcare, adult education, parenting support programmes, community based health and social care services, multi-agency support teams and after-school activities.*'

> (DfES, 2005)

The Department argued, building on the 'full service extended school' initiative[2] (DfES 2003a,b), that the extension of services and opportunities provided the conditions for achievement:

> '*Extended schools know that by working in partnership with parents they can enable children and young people to fulfil their potential. They know that children's wellbeing and high educational standards go hand in hand. And they know that children will be better placed to achieve their full potential if they are in childcare that allows them to complete their homework, have their health problems addressed and get help from their parents to support their learning.*'

> (DfES, 2005)

The *Education Act 2002* required schools to consult widely with families and the wider community before providing extended services:

> '*by consulting with parents and involving them in the planning of services, schools will be better able to develop the package of services which best meets the needs of their community.*'

> (DfES, 2005)

The Education Act 2002, and the *Education and Inspections Act 2006*, stated that by 2008 the Government expected half of all primary schools and a third of all secondary schools to be offering extended services at or through the school, and that by 2010 all schools should be offering or 'signposting' extended services through other schools.

(ii) Vocational diplomas for 14–19 year olds:

As part of the wider concern to address the disengagement of many young people, the Government has developed a programme of specialised vocational diplomas to encourage young adults to stay in learning, and to have the opportunity to experience a curriculum that is motivating and leads to qualifications that better secure a preparation for their lives in work and the community. This national strategy of re-engaging young people while raising standards of attainment through the development of specialised diplomas has an unfolding programme of development between 2008 and 2013. The programmes will be delivered locally through local collaborative consortia. Schools will not deliver every diploma and will have to form local clusters and work in partnership with local colleges and training providers as well as their local authority and sector skill councils.

(iii) Supporting community cohesion:

The Government required all schools to be working together in *local behaviour and attendance partnerships* by April 2008. A number of policy directives have focused on

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[1] Cf. DfES, 2002a,b; 2005a,b; Ofsted, 2005,06; NCSL, 2006a,b,c,d.

[2] This DfES initiative built on policy development in America, and planned to sponsor each local authority to create one or more schools that provide a comprehensive range of services, including child care, health services, adult learning and community activities. By 2005 the Department wanted all schools to become extended schools.

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> *Public policy has set in train a long term process of cultural transformation to change education into a Children's Service which will work with families and children to create a wider learning community beyond the boundaries of the school as we have traditionally understood it to work.*

youth work and the leisure time activities of young people. Section 6 of the *Education and Inspections Act 2006* (which came into effect in January 2007) places a duty on local authorities in respect of leisure time activities for young people aged 13–19 and specific groups of young people up to the age of 25 to secure sufficient educational leisure time activities for the improvement of their wellbeing, and sufficient facilities for such activities; and recreational leisure time activities which are for the improvement of their wellbeing, and sufficient facilities for such activities.

Since September 2007 schools have been under a duty by the *Education and Inspections Act 2006* 'to promote community cohesion'. 'Schools will need to consider how to give their pupils the opportunity to mix with and learn with, from and about those from different backgrounds, for example through links with other schools and community organisations.' (DCSF, 2007, p.1). Schools' contribution to community cohesion is grouped under three headings:

- *Teaching, learning and curriculum* to learn to understand others, to value diversity whilst promoting shared values…;

- *Equity and excellence*; to ensure equal opportunities for all;

- *Engagement and extended services:* to enable interaction with people from different backgrounds and build positive relations. (p.8)

A new community of professional practice: integration and participation

Public service professionals have traditionally been defined by their training in a specialist body of knowledge which only they can practise with their clients. The reforms, by placing the child and the family first, meant working out from the complex needs of the individual which would not necessarily fit within the narrow specialisms of any one profession. If the needs of the child and family were to be addressed as a whole then teachers, health and social workers would have to work together in new ways across their professional and organisational boundaries. A further change would involve the professions working much more closely with families and communities and young people, being willing

to listen to their voice and engage them in a conversation about their needs and concerns.

These proposed changes of professional orientation would require a new community of practice, with professionals working across boundaries to develop a new language of practice (*Common Core of Skills and Knowledge for the Children's Workforce,* 2005; *Making it Happen,* 2008) to prepare a 'whole system' approach to developing flexible and responsive and integrated processes to children's services:

> *Information sharing; the Common Assessment Framework: covered all aspects of a child's development from health, education, and social development; The lead professional: to be chosen to act as a coordinator helping to create a partnership between professionals and with the child or young person and their family; and Multi-agency working: to ensure a coordinated approach to supporting children and their families.*

> (*Making it Happen*, 2008)

Public policy has set in train a long-term process of cultural transformation to change education into a Children's Service which will work with families and children to create a wider learning community beyond the boundaries of the school as we have traditionally understood it to work. What re-configurations of organisation and governance are being put in place to secure the promise of cultural changes? (See *Figure 1.*)

Figure 1: Model of whole system change, the children's trust in action

- *Inter-Agency Governance*

- *Integrated Strategy*

- *Integrated Processes*

- *Integrated Front-Line Delivery*

- *Outcomes for children and young people, Parents, Families, Community*

> (*Every Child Matters: Change for Children*, 2004, p.13)

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1.2 Re-configuring the governance of schools

" … it was clear the Government believed that institutional systems and their governance were essential to providing the conditions for cultural change. "

When New Labour took power in 1997, its favourite mantra was 'standards not structures' as the key to transforming achievement. An emphasis on the processes of learning and school leadership became the focus of education policy and reform. By 2004–06 (*The Five Year Strategy, 2004; and Higher Standards, Better Schools for All, 2005; Education and Inspections Act, 2006*) it was clear the Government believed that institutional systems and their governance were essential to providing the conditions for cultural change. The Education Service itself needed to be restructured into a Children's Service that integrated services to support the development of children, young people and their families. New policies such as extended schools and 14–19 Diplomas required collaborative arrangements, and significantly, the Government argued that if the necessary leadership and innovation were to be injected into school improvement, new forms of ownership and governance were a precondition: thus Trusts and Academies.

Governing school collaboration

The vision of *Every Child Matters* requires co-operative practice in delivering services and care as part of the creation of a wider learning community. 'System leadership' is now the focus, moving 'towards a more deliberately collaborative and interdependent system and probably one more oriented towards the locality' (Fullan, 2004). There is growing recognition that these changes are re-describing not only frameworks of professional leadership but also governance (Bentley and Craig, 2005).

The Government has provided legislative frameworks and guidance to support schools in developing forms of governance appropriate for this new system leadership: education improvement partnerships, federations and clusters of schools.

(i) Education Improvement Partnerships

The Government has, since 1997, encouraged a number of forms of partnership working.[3] Education Improvement Partnerships (EIPs) (DfES, 2005) sought to promote partnership working, while providing an overarching framework for including and rationalising these collaborative innovations. EIPs had the potential for devolution of responsibilities and resources from local authorities to groups of schools and other partners, including colleges and work-based training providers, to secure improved attainment, personalise learning and deliver on the outcomes of *Every Child Matters*. Education Improvement Partnerships described a number of principles of governance, including defining common purposes; securing a joint agreement (by way of protocol or service level agreement) with the local authority to deliver a specified set of functions; and ensuring mutual accountability for shared functions, and for outcomes delivered.

EIPs would have considerable potential for a variety of contexts of educational development, including childcare and extended schools, 14–19 provision, and for behaviour improvement and alternative educational provision. They could embrace the different institutional forms of partnership, including federations and the emerging forms cluster and locality consortia.

(ii) Federations

The Government saw more formal collaborations between schools in the form of *federation*s as a key part of its school improvement programme to enhance standards of achievement in schools (*Transforming Secondary Schools; The Education Act, 2002*). The ambition for federations was broad in scope:

> *'Federations are viewed as an innovative strategy for transforming education across groups of schools that are working*

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[3] Excellence in Cities (EiC), The Leadership Incentive Grant (LIG), the Leading Edge Partnership Programme (LEPP), Network Learning Communities (NLCs).

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> *A particular strength of the programme was the framework which had the ability to foster structural change in a range of settings combined with the flexibility to support schools and their communities to engage in the re-culturing of their locality.*

together – sharing staffing, resources, professional development, curriculum development, leadership and management. Federations offer schools the opportunity to look at how best to develop Specialist, Leading Edge, Training and Extended Schools within and across federations. It is also argued that a federation can extend curriculum opportunities for young people at 14–19 level and promote inclusion in the broadest sense.'

(Lindsay *et al*, 2007, p.12)

In their study of federations between 2004 and 2006 Lindsay *et al* (2007) report that almost all were created to improve standards, some including the formal collaboration of a successful school with one or more schools having difficulties, while a variety of other reasons for federating included the need of particular schools to address common issues in order to produce enhanced opportunities and inclusion.

The *Education Act 2002* provided two models of school federations. The first involved the constituting of a single governing body, or joint governing body committee between two or more schools. Such federations were known as *hard federations*. The second model involved a group of schools entering into a written agreement to work together to raise standards and improve teaching and learning. These less formally integrated federations became known as *soft federations*.[4]

The Lindsay Report found a considerable variety of models of federation governance with most involving 'softer' rather than 'harder' collaborations reflecting the concern of schools to retain autonomy. More informal collaborations built successfully upon prior relationships. Successful federations were, moreover, likely to be based on mutual learning rather than relationships promoting one-way transfer of ideas, knowledge and resources from a 'good' to a 'weak' school.

The researchers commended the federations' 'loose-tight' model for change.

'A particular strength of the programme was the framework which had the ability to foster structural change in a range of settings combined with the flexibility to support schools and their communities to engage in the re-culturing of their locality. In short, the federation policy offers a welcome blend of co-constructed educational reform.'

(Lindsay *et al*, 2007, p.76)

(iii) Cluster governance of extended schools and 14–19 consortia

Extended schools policy proposes that reaching out to pupils and families and the wider community can increase pupil motivation, attendance and behaviour, increase parental and family involvement in children's education, while enhancing adult role models for learning. 'Extended schools can support social regeneration and economic wellbeing by bringing together different sections of the community and through enabling greater access to community services and facilities. In particular access to learning opportunities and child care help support adults and parents into training and work.' (*NGA, 2005*)

National guidance (*Extended Schools – A Guide for Governors, 2006*) focuses on the role of the governing body in developing extended schools. Proposals for developing extended services need to be authorised by the governing body because they are 'equal partners' in leadership of the school with the head and senior management team. Other roles for the governing body include:

- 'ongoing monitoring, evaluation and overseeing of the extended activities, maybe as part of a steering group

- helping to locate supplementary funding sources for initiatives

- safeguarding the delegated budget

- securing suitable insurance and appointing extra staff.' (GRG, 2005)

The governing body of the school has a key role to play in consulting with the community about

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[4] (cf *Statutory Instruments Education, England Federation of Schools Regulations, 2003; Guidance on the School Governance (Federations) England Regulations 2004; Statutory Instruments Education, England Federation of Schools Regulations, 2007*).

> *… the governing body holds the responsibility for activities and services that they deliver and for ensuring that lines of responsibility are clear for other providers on the school site.*

developing extended services. The governing body is also perceived as providing continuity of vision and connection with the community when new headteachers are appointed.

The legal responsibilities of a school governing body for extended schools were established through Sections 27–28 of the *Education Act 2002* and supported by guidance.[5]

Extending the school provides considerable opportunities to encourage community participation in the governing body by appointing members of the community as associate members to serve on committees or working groups. The composition of these groups will tend to vary with their purpose. The Department hopes that by becoming involved in the extended activities it will generate a wider interest in the work of the governing body, hopefully encouraging them to become full members of the governing body.

Departmental guidance (*Governors' Roles and Governance,* DfES, 2005) suggests a number of models for governing extended schools, emphasising that *'the governing body holds the responsibility for activities and services that they deliver and for ensuring that lines of responsibility are clear for other providers on the school site. Whilst some responsibilities may be delegated to committees, these responsibilities may not be delegated to parent-teacher associations, or 'friends, or stakeholder groups'.* (DfES, 2005). Suggested models included:

Model 1: a sub-committee of the governing body

Model 2: a 'friends association' of the governing body or PTA

Model 3: a cluster committee: where two or more schools form a cluster to deliver services

Model 4: an extended schools board: to allow representation of all the governing bodies, stakeholders and community groups involved

in the delivery of extended services in an area. This forms a 'locality partnership'. This would be an example of a hard federation if the board integrated the school governing bodies.

Consultation with parents and the community is judged essential. One London local authority which held a training session for its governors on their roles and responsibilities in extended schools 'highlighted the importance of the community having a say in the decisions that impact on it. Ownership and leadership of an extended school should not rest solely with professionals employed in the school.' Discussion groups were asked to consider whether it should change and to explore the importance of the pupil and parent voice. 'A school should not go to the community with a fait accompli.' (NGA Guidance, 2005)

Governing diversity and independence

The governance and ownership of schooling has also been developed to reinforce diversity and choice. The *Five Year Strategy for Children and Learners* (2004), followed by the White Paper *Higher Standards, Better Schools for All* (2005) and the *Education and Inspections Act, 2006*, proposed that schools and services must be 'opened up to new and different providers and ways of delivering services'. Obstacles to innovation needed to be removed and a diversity of school providers created to harness energy and talent in support of schools. Educational charities, faith groups, parent and community groups and other not-for-profit providers would be brought in to run schools to enable this diversity and energy (2005 para 1.30). Every school needs to be free to develop a distinctive ethos and to shape its curriculum, organisation and use of resources. These decisions cannot be prescribed uniformly.

> *'What is important to these schools is their ethos, their sense of purpose, the strength*

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[5] See: *School Governance (Collaboration) (England) Regulations 2003; The Collaboration Arrangements (Maintained Schools and Further Education) (England) Regulations 2007; The School Governance (Procedures) (England) Regulations 2003;* as amended by *The School Governance (Constitution and Procedures) (England) (Amendment) Regulations 2003;* and the *School Governance (Constitution, Procedures, and New Schools) (England) Regulations 2004* and *The School Governance (Procedures) (England) Regulations 2007, and the School Organisation and Governance (Amendment) (England) Regulations 2007.*

> *What is important to these schools is their ethos, their sense of purpose, the strength of their leaders, teachers and support staff the motivation of their parents and pupils.*

of their leaders, teachers and support staff, the motivation of their parents and pupils. And much of that comes from the can-do attitude of their principals and staff, the drive that their business and educational sponsors bring to their development – backed by their willingness to innovate and use their freedoms imaginatively.'

(White Paper, 2005, Foreword by the Prime Minister)

Schools working with parents, children and local communities will drive reform, not central or local government. (2005 para 2.7) 'This cannot just be a partnership of state providers – the voluntary and community sector, business and private enterprises need to be a part of this partnership.' (DfES, 2004). Trust and Academy schools have been the focus of this diversity agenda.

(i) Trust Status

At the heart of this new vision of governance lay Trust schools, first included in the White Paper *Higher Standards, Better Schools for All* (2005).[6] Trusts would build on the experience of Children's Trusts which were believed to 'be able to respond more quickly to the needs of parents and children, deliver on an ambitious agenda beyond schools, but by being able to work with health services, voluntary agencies and the police, 'will also be able to work better with schools' (2005 para 1.36). Trusts would also, it was argued, build on the success of specialist schools which encouraged external sponsors, strong leadership and sense of mission:

'self-governing Trust schools will bring drive and direction, spreading innovation and diversity. Trusts will expand the freedoms and flexibilities currently enjoyed by foundation schools.'

They are responsible for the conduct of the school, can enter into federations, and can innovate in the National Curriculum. Self-governing (Foundation) schools also control their assets, employ their own staff and set their own admissions criteria, within the law and taking account of the Admissions Code of Practice. All schools, the White Paper proposed, should have these freedoms. Trusts will accelerate the diffusion of these freedoms and innovations.

'Trusts will be not-for-profit organisations, able to appoint governors to the school, including – where the Trust wishes – the majority of the governing body, as in existing voluntary aided schools. The governing body, which can be as small as 11 members, will also include elected parents, staff governors and representatives from the local authority and the local community. Where a Trust appoints the majority of the governors, it will be required to establish a Parents' Council to ensure that parents have a strong voice in decisions about the way the school is run.'

(para 2.11)[7]

A governing body with a minority of foundation governors is not under any duty to create a Parent Council, though if the Trust has a minority of members of the governing body nevertheless the largest category of members will be parent governors on a foundation governing body.

It is expected that Trusts will enable groups of schools to operate with a common ethos and a shared identity. Trusts associated with a group of schools will be able to drive innovation and best practice rapidly across these schools, for example by developing a distinctive approach to the curriculum and teaching (para. 2.17). Trusts will therefore be a vehicle for efficiencies in administration, as well as the sharing of best practice, and be 'an engine for real collaboration between schools, including between secondary schools and their feeder primaries' (para 2.18).

'Trust schools will be, in effect, independent state schools, but will remain part of the local authority family of schools. The National Curriculum, the assessment regime and the usual provisions on

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[6] Though the 2004 *Five Year Strategy* referred to Foundation schools with similar powers.

[7] In the 2006 *Education and Inspections Act* the existing governing body decides whether the Trust is to have a majority of members on the new governing body.

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> *Trust schools will be, in effect, independent state schools, but will remain part of the local authority family of schools.*

teachers' pay will apply, except where the trust has agreed flexibilities (as above). Trust schools will be funded in exactly the same way has other local schools. They will be subject to the Code of Practice on admissions and to all of the accountability mechanisms that apply to state schools.'

(para. 2.26)

The Trust is envisaged as a source of support, innovation and possibly investment in a school and therefore improving standards of achievement and expanding opportunities. Trust schools are intended to support the strategies and outcomes of *Every Child Matters*, to broaden *14–19 provision*, and to enhance *community cohesion*. A variety of models is considered for developing Trusts including: a group of local schools working with a Trust; a group of schools spread through the country working with a single Trust; and an individual school working with a Trust.

To become a Trust school a school has to change its status to be a foundation school. The trust is separate from the governing body. Once the current governing body decides to acquire a trust, it must first re-constitute itself as a foundation school with a new governing body which includes a number of foundation governors who will be members of the Trust. Once the Trust exists it will be separate from the new governing body, though its membership will correspondingly include the set of foundation governors. The current governing body will decide whether the Trust will have a majority or a minority of membership of the new governing body.

(ii) Academy schools

In its *Five Year Strategy 2004* the Government announced a programme of 200 academies to be opened or in the pipeline by 2010. This commitment has increased to 400 and in June 2008 the Secretary of State revealed that 270 'failing schools' would be closed over the next three years and replaced with academies known as 'national challenge trusts'.

> *'Academies are all-ability, state-funded schools established and managed by sponsors from a wide range of backgrounds, including high performing*

schools and colleges, universities, individual philanthropists, businesses, the voluntary sector and the faith communities.'

(DCSF Standards site, 2008)

Most of the academies have replaced underperforming schools and are intended to challenge traditional thinking on the running of schools, and to play a key part in raising standards and in regenerating communities.

Academies are not maintained by the local authority, but are expected to collaborate with it and with other schools in the area. The governing body and the headteacher have responsibility for managing the academy. 'In order to determine the ethos and leadership of the academy, and ensure responsibility and accountability, the private sector or charitable sponsor always appoints the majority of governors. This is the case even when a local authority is acting as co-sponsor for wider purposes. The number of governors on an Academy governing body is not prescribed, but the expectation is for the body to be relatively small' (DCSF standards site, 2008). Academy schools follow a 'core' of the National Curriculum (teaching English, maths, science and ICT) and will typically specialise in one or more subjects.

Academies are set up as companies limited by guarantee with charitable status. The sponsor sets up an endowment fund, the proceeds of which are spent by the academy trust on developing the work of the school. Each academy will be under the control and direction of the governing body and accountable to the Secretary of State, as a state-funded school, through the requirements of a Funding Agreement.

Although there are many similarities between the governing bodies of good local authority maintained schools and academies, there are also significant differences. As independent schools, academies are set up as charitable companies to give sponsors and governors broader scope and responsibility for ethos, strategic direction and challenge in order to tackle the entrenched low standards in what are some of the most deprived areas of the country. In academies, governors have responsibility for:

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employment of academy staff; the appointment of the principal administration of the academy's finances; authorisation of any appointments or changes to terms and conditions; approval of personnel policies and procedures.

This chapter has described the framework of policies which have been designed to transform the organisation and practice of schools through a programme of long-term cultural change. Over a decade there has been continuing concern with underachievement, disengagement, and fragmentation of services, particularly in areas of disadvantage, which has led to a programme of regeneration of education and the governance of schools. Re-constituting the form of school governance has been seen by the Government as playing a crucial role in securing this cultural change in policy and practice.

1.3 Research design

The distinctive finding pointed up the relationship between disadvantage and innovation: where deprivation is higher, collaboration is more likely to be pursued as a means of countering failure.

The purpose of the research has been to study the implications for the governance of schools of the policy agenda to *integrate* services and agencies involved in the education and care of children, and to encourage the *participation* of parents, families and communities in support of schools. The research would take into account, where appropriate, the extent of ownership innovation in the governance of schools. The study was located in areas of disadvantage because this lay at the centre of national concern and the focus of the Government's standards agenda.

The first phase of the research examined the changing national context of school governance, in particular exploring the extent of *pressure* on schools (including indicators of disadvantage and exclusion, and the pattern of market choice); the system of schools and patterns of *innovation*; and educational *performance*.

The distinctive finding pointed up the relationship between disadvantage and innovation: where deprivation is higher, collaboration is more likely to be pursued as a means of countering failure. Also there are more innovations in terms of institutional variety, extended schools and public/private partnerships.

A Questionnaire Survey on Changing Governance was distributed to the 70 local authorities in England serving areas of most socio-economic deprivation, to gain information on: local authority organisation; the local governance of education; and recent changes of governance. The data was used to create a typology of local authorities which mapped them in relation to the key design dimensions of Integration (for example, the extent of partnerships, multi-agency agreements) and participation (for example, the creation of forums for students, parents, and governors).

Visits were made to nine local authorities located in different positions on the typology, and to discuss with Directors of Children's Services and Governor Coordinators how the purposes, practices and organisation of education were changing locally, and how school governance was adapting to policy. Visits were also planned to a number of key informants to help the team understand the changing policy context of school governance: the Department for Education and Skills (as it then was); National Coordinators of Governor Services (NCOGs); the National Governors' Association.

The last section of the questionnaire invited local authorities to describe impending changes to their practice and organisation of school governance. Most of the returns described plans to introduce 'clusters and localities' of groups of schools, and a number proposed that they were intending to introduce experiments of cluster governance.

Almost every authority in the survey planned to implement or develop two interdependent innovations: the first to enable inter-agency working at the area or neighbourhood level; and second to facilitate the extended schools policy and encourage clusters of schools to work together to enable a community focus, or community leadership. The significance for this study lay in plans to introduce innovations in governance to the school clusters or children's centres.

The review of the first phase of study suggested an original and timely opportunity to focus the research on a major development of policy and practice in school governance: the creation of cluster governance. The findings of the questionnaire (25 local authorities) and the initial visits to nine of them indicated that many of these authorities were responding to the policy drivers of ECM, extended schools and children's centres, by preparing innovations of 'localities and clusters'. While authorities and their schools may have developed collaborative practices, what was original was the intention of a number of local authorities to introduce a dimension of governance for clusters. This became the focus of the research. The research questions for localities and cluster governance included:

- What patterns are emerging in the organisation and governance of localities and clusters?

- What functions will cluster governance fulfil: managing service coordination? mediating learning needs? institutional and community development?

- How are clusters and governing bodies reconciling their new dual responsibilities for the standards agenda and the agenda of care?

- What place will governors and governing bodies have in the new forms of locality governance? Will the voice of governors be heard? And will volunteers be able to cope with the expansion of responsibilities?

- What place will the democratic 'stakeholder' tradition of governing bodies have in the emerging order of school governance?

- What interrelationships exist between governing bodies, clusters, localities and the local authority?

In the second phase of the study three cases of cluster governance were selected for study in the spring of 2007, based on their location in the typology, the provisional evidence of commitment to develop particular forms of cluster or locality governance, and support of the authorities for the study. We define a locality as an area, or sector, of a local authority, typically comprising a number of secondary schools (say five or six), primary schools (ten or more), a special school, children's centres, and a further education college. We define *cluster* as a neighbourhood partnership grouping: perhaps including a secondary school, surrounding primary schools and children's centres. The cases are as follows:

- Coast City: in the typology the authority was positioned high on the participation dimension, but at the lower end of the integration dimension. This authority was making preparations for a committee of governors for a school cluster.

- Centro City: in the typology this authority was positioned high on each dimension of participation and integration. It had eighteen months' experience of a joint committee of governors for a 14–19 locality.

- Met Borough: in the typology this authority was positioned just in the high section of participation and in the middle of the integration dimension. It has early experience of a locality partnership committee for extended schools.

(A further local authority had wished to contribute, but the school cluster identified for the study dissolved its meetings for a period.)

A cycle of meetings was planned with each of the three participating local authorities over eighteen months, though fieldwork tended to be concentrated in one authority at a time, with follow-up meetings being arranged to assess progress.

A *framework of analysis* was developed to focus on the following characteristics of cluster and locality governance: their

- purposes and values

- practices: participation, voice, deliberation, planning and decision-making

- structure: membership, roles, relationships with schools, local authorities; powers and responsibilities; organisational forms; and accountabilities.

Part 2: The cases of cluster governance

2.1 Coast City: Getting clusters started

> *Unless you address the all-round needs of a child within the family, within the community, you are not going to produce any lasting changes to many children, or to society.*

The new Children's Service and cultural change

Coast City established its Children and Young Persons Trust in October, 2006, and then appointed its first Director of Children's Service. The Trust worked to develop a series of policies that expressed its distinctive vision for the new Children's Service which placed the individual needs of all children at the centre of its practice.

Linking the school to the community

The Children's Service recognised that the whole agenda of developing extended school services would be a significant challenge for schools and their governing bodies. The key to the new approach was linking the school to its community, understanding that the quality of learning in school was linked inescapably to the lives children lead in the family and community:

> *'Unless you address the all-round needs of a child within the family, within the community, you are not going to produce any lasting changes to many children, or to society.'*

The leadership team of the new service has learned from schools that when teachers tap into the learning experience of young people beyond school and keep that alive it helps to generate interest and motivation in school. This approach of considering the emotional and psychological conditions for learning provides the basis for high expectations and high standards of achievement. What follows is that schools should understand more clearly the needs of their children, connect more systematically to their home environments, and learn to provide more support for their families and communities. The City wants schools to begin to audit the needs of children on an annual basis.

Assessing learning needs in family and community

The new orientation to developing the Children's Service, of placing the child and

the family at the centre of its work, so that needs can be assessed and the appropriate services and agencies brought together to support children, is shared at different levels of management: 'The whole concept of the Trust is the child and family at the centre, with people involved in providing the services working together to become more effective.' (A Development Worker)

> *'What we are trying to do is work in a more holistic way. What this means is instead of looking at individual children you look at whole families. Instead of looking at just one aspect, for example, SEN, we will look at a whole range of needs in conjunction with one another and then decide who is the best placed to take the lead – who is going to be the lead professional.'*
>
> (Officer)

The common assessment framework (CAF) is the authority's mechanism for identifying, in conjunction with the family, what their additional needs might be. The CAF is the trunk from which all the professional service branches spread out. The idea is the different professions will work as a team and collaboratively with parents. The system works in layers. Where the CAF identifies no additional needs the children will be working through the universal services such as the school. If more specific assessments are made then the relevant professional within an area team will be involved to provide additional support. Where children are 'at-risk' then they are provided with very intensive services.

The role of the *lead professional* in the team is to involve and coordinate the contribution of other professionals as needed. 'For us the kind of rule of thumb is the professional who has the greatest stake in a child's need would be normally the lead professional for that child. So if the child's need is primarily behavioural you might actually have a learning mentor who would be their lead professional. There is a need for all to be clear who the lead professional is going to be to coordinate support'.

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> *"…governors have tended to be rather energy focused on the working of the school. One of the things we are trying to do is to make sure that they are more outward looking and partnership minded."*

The community challenge for school governors

The authority has been encouraging its school governors to reflect on and adapt their role in the new Children's Service:

> *'Traditionally, although the governing body is meant to represent the wider community and if you like be the voice of governors on behalf of the wider community for the school, in practice the governors have tended to be rather energy focused on the working of the school. One of the things that we are trying to do is to make sure that they actually get more outward looking and partnership minded.'*

> (Officer)

Governing bodies will need to think through the implications of the extended services work in terms of the composition of the governing body. For example, one governing body reviewed its membership and it found it had many parents but no representative from the health centre. Governors will also need to understand the changes of function that will affect their practice. The authority has considered a number of experiments to encourage governors to think more broadly about the community, and to strengthen the potential for collaborative governance:

- combining governing bodies – two or more schools;

- governors serving on more than one governing body;

- designating individual governors with various sets of responsibilities (not just one): for example three or four members of the governing body would actually have specific responsibilities for liaising with different areas of service or different extended schools.

Governing bodies will be expected to review many aspects of their procedures, protocols and practice. Support for this is provided by a highly regarded governor training programme which places considerable emphasis on governors taking up and promoting the new community vision of the Children's Service, rather than just for the purposes of their particular school. Governors are encouraged to see themselves as serving an area or a community of the city rather than just one institution within it.

Towards cluster governance

Coast City gained experience of developing school clusters before it began to introduce its extended schools policy. Clusters were introduced for their *behaviour improvement programme* and for *Excellence in Cities* with two schools in more advantaged areas providing support for schools in areas of disadvantage. It was believed to work well, improving the expectations of children in the schools involved. The collaborations involved children from different schools coming together as well as staff.

Following these issue-based clusters the authority moved to consolidate and formalise its neighbourhood clustering of schools. The Director restructured the City into three areas for planning purposes, making the basic unit of management the local area. The vision is for all the services that work in support of children to collaborate in identifying and supporting their needs.

> *'In the areas I want the schools to work with the GPs, with our own teams of social workers, health professionals and so on to work together to have a list of all the children and their families in their area and to know what their needs are. Then, agree together how they are going to meet those needs most effectively.'*

> (Officer)

The three areas have created smaller, localised extended school clusters, eight in all across the City. The clusters are primarily the unit of cooperation for the primary schools, while the secondary schools develop a broader reach of collaboration within one of the areas. The research team visited two clusters, focusing on 'the Dunes' cluster in particular.

Creating the Dunes cluster

The Dunes area lies rather detached at the eastern edge of the City. There are pockets of isolation and disadvantage within the area that includes more affluent villages. In other

> *…in the Dunes the heads wished the money to come to them as a cluster.*

areas of the City the extended school grant was delegated to a particular 'hub' school to allocate. But in the Dunes the heads wished the money to come to them as a cluster. Perhaps because they felt more isolated the heads felt they needed to club together to achieve a stronger voice. They formed a steering group and their initial activity was to prepare a bid for an Extended School Coordinator (ESC) to begin work in the Spring of 2006:

The ES Coordinator began working with the group of headteachers in the cluster, meeting them at the local adult education centre. He reflected in retrospect that much more should have been achieved in the initial development period to begin working differently in two respects: firstly, to introduce coordinated working between the schools and agencies to provide extended services. Some of the headteachers began to understand and engage with the opportunities that were presented, but not all. Time and resource constraints were often offered as reasons for the reluctance to develop extended services. But the coordinator felt that leadership and commitment were sometimes lacking.

Secondly, it was also felt they should have been doing more to involve the governing bodies. 'We probably stuck with the headteachers for too long. We thought it was easier, cosier to stay as we were. We didn't realise how important it was to get 'buy-in', commitment from others even though there was anxiety about whether governors would understand the extended schools initiative, and whether they might block it. The urgent need was to broaden out this steering group and to include governors and other groups.' (Community Development Worker)

Constituting Cluster Steering Groups

Following a period of consultation and discussion, in May 2007 Coast City's Children and Young People's Trust circulated its plans and terms of reference for creating Cluster Steering Groups (CSGs). These set out the purposes and governance arrangements.

The principal purpose of the CSG was to deliver the Extended Services In and Around Schools Core Offer: *Quality childcare*, 8am–6pm all year round; A varied menu of activities

such as homework clubs and study support, sport, music tuition, dance and drama, arts and crafts; *Parenting support* including information sessions at key transition points, and family learning sessions to allow children to learn with their parents; *Swift and easy referral* to a wide range of specialist support services; *Community access* to ICT, sports and arts facilities including adult learning.

The Trust emphasised that while all stakeholders were important, schools were considered to be fundamental to the multi-agency cluster. Their relative autonomy and independence was recognised and headteachers were considered as essential community leaders in making positive change happen for children and young people. The Trust believed that it could not achieve the purposes of the Cluster Steering groups without headteacher and governor engagement and participation.

Cluster group membership could include: headteachers reflecting different types of school (there would, however, be no restriction on the number of heads allowed to attend); and two governor representatives. (Early plans proposed one representative from each school, but this was reduced to a maximum of two representatives to be selected through the Governor Support Forum.) Other representatives would include: Children and Young People (two representatives); Parents and Carers (two representatives); Neighbourhood Management groups; Community and Voluntary Sector groups and external agencies (two representatives); Early Years (one representative); Youth (one representative), and the Cluster coordinator.

Developing partnership governance in the Dunes Cluster

The Dunes worked at three levels to develop partnership working in the Cluster: the immediate task was to establish the new steering group and to expand its membership; a second task was to organise larger 'thematic meetings' for interested stakeholders in the cluster, and a third task was to create an association of governing bodies to provide an arena for governors to develop understanding of the extended school issues

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> *The Governor Support Team believed that if partnership governance was to work at the level of the cluster, then considerable work was needed to develop the understanding and commitment of governors.*

as well as the practice of school governance across the cluster.

(i) The Steering Group:

The approach in the Dunes cluster during 2007 was to build upon the informal steering group of headteachers which had been working for nine months and to include other partners in gradual stages. The first priority was to widen the steering group to include two governors. Then the focus turned to recruiting the voluntary organisations. There was discussion about what should be the approach to including representatives, whether they should be elected or nominated. In the absence of a clear steer by the Trust about the nature of the democratic process the cluster decided to select its initial set of representatives to enable the steering group to begin working relatively quickly. The adoption of a more elective system could be developed over time.

(ii) Thematic meetings:

In addition to the Steering Group meetings the Cluster would identify three or four themes for a larger meeting of stakeholders to engage with. Four priorities were identified by the headteachers and it was expected that they would change year by year:

- the need for counselling in schools, supported by with people from Child and Adolescence Mental Health Services (CAMs)

- exclusions and potential exclusions

- the issue of behaviour at the secondary school

- lack of family support in some areas, which was regarded as the most significant issue. While there is a family support centre and family support services in the most disadvantaged area it is difficult for parents in other areas to travel to it.

> *'For some people at the back of S… it's three buses to get to the family centre. Well you know three buses is not really on for some. I think all services should be a one-bus service. I've got to think about buses.'*

The first issue chosen was family support which was regarded as the priority in the cluster. 'It was selected by the headteachers but we had to start from somewhere.' Heads were concerned about parents not being able to attend extended service activities because of being unable to afford the two or three bus connections needed to travel across the cluster to schools.

(iii) Creating a governor association:

The Governor Support Team believed that if partnership governance was to work at the level of the cluster, then considerable work was needed to develop the understanding and commitment of governors. They were fortunate in having a Chair of the secondary school who was particularly committed to the idea that school governing bodies in the cluster should begin to work together so that in time a committee of governors could be formed to contribute to, or lead cluster decision-making. The early plans were to create an Association of Governors to begin to meet regularly and discuss the issues facing the cluster. An initial meeting was convened in March 2007 in a local community centre. It was well supported by local governors with over 30 attending.

The opinion of a number of governors together with the cluster support team was that it had been a valuable occasion which enabled governors to come together across the cluster for the first time, although there were sceptical voices. One governor, a chair of a primary school was doubtful that collaborative governance could ever work in the cluster. 'Have we got the time for this? There is no community pressure for this. Schools are competitive, budgets are tight; schools need to increase their admissions if they are to improve their budgets, keep teachers and survive.' (Chair, Primary School A). One of the Governor Support Team described the differences between schools in the progress they are making towards embracing extended school practice:

> *'One primary school is inward looking, anxious about and not supportive of extended school developments. Another primary school, however, is reaching out to exploit the opportunities, is the best extended school in the area; and is offering seven or eight services, arranging for a bus to pick up the kids. This school*

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> *Other governors spoke in support of the important role that governors had to play in the cluster, because of the authority they bring to decision-making and their potential to be a critical friend of the professional leaders in the cluster.*

was developing good practice and has a 'gateway' children's centre on site.'

(Governor Support Team member).

The Chair of the Governing Body of this Primary School was emphatic about the important role governors had to play in schools and in the cluster, and understood the educational value for schools of collaborative practice: 'Collaboration will actually involve less work, because through collaboration we will learn about other facilities – one school may have Special Educational Needs facilities, while another school will have language facilities. By sharing, both gain without duplicating resources and provision. So there are collaborative advantages to cooperation. Governors will be better placed to ensure the best use of resources.' (Chair of Primary School B.)

Other governors spoke in support of the important role that governors had to play in the cluster, because of the authority they bring to decision-making and their potential to be a critical friend of the professional leaders in the cluster. If provision of extended services required knowledge of the community then school governors had an essential role to play in governing the extended services cluster. It was recognised that it would take time to create a joint committee of governors.

Assessing progress over time

Coast City envisaged school governors playing a significant role in the new framework of governance for the extended school clusters. The constitution of the Cluster Steering Groups included places for two governor representatives and the authority was particularly supportive of the initiative in the Dunes Cluster to begin a Governor Association that might progress in time to play a formal role in cluster decision making. What do we learn about progress made in cluster governance from March 2007 to mid 2008?

Governors from both primary and secondary sectors believe that while formal evaluation is needed to assess whether the extended school cluster has made a difference to school improvement and pupil attainment, a year of

implementation of the policy has, they believe, enhanced the relationship between their schools and the community. The cluster had provided a structure to deal with opportunities available to support learning in schools, and especially had helped schools develop understanding of the needs and challenges the children face at home and in the community. A number of concerns, however, had been raised about the practice of establishing the arrangements of governance for the new extended school cluster:

1. *The constitution of cluster governance has not been fully implemented:* the membership of the Steering Group was to include a range of representatives from different agencies as well as parents and children and young people. This has not happened, and some agencies that were included did not necessarily continue to attend the meetings once resources were allocated in their field of expertise. Failure to implement the plan for representation means, in particular, that the community is underrepresented at the expense of professional representation.

2. Protocols of voting and decision-making have not been agreed, so that if each member has one vote, a sector such as secondary, or special educational needs, can feel systematically unable to influence decision-making in an arena where if the primary schools form a lobby they cannot be defeated.

3. The relationship between the cluster, the school and the authority has not been worked through to clarify the locus of authority for decision-making. What are the protocols for delegating decision-making powers of the school to the cluster, what is the mechanism for getting something 'signed off', what is the relationship between the strategic decision-making of the local authority and the local decision powers of the cluster? This requires shared understanding to develop across the authority about what issues are common to the city as a whole and which are particular to a neighbourhood. This process of collectively agreeing spheres of interest and influence appears to have been underdeveloped.

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> *We are providing a pre-school breakfast club, but we are not reaching the right sort of children.*

4. *Voice and deliberation:* governors have been a weak force in Cluster Steering Group deliberation, typically reluctant to contribute to conversations because they feel they lack information or knowledge about the issues being discussed to be able to contribute sensibly. What processes of communication can be established to ensure governors are informed before attending Steering Group meetings? Because of their numerical membership of the meeting they also feel their voice is systematically diminished. Can governance ever carry weight with such a limited representation of governing bodies?

5. The failure of the governor association to take off has also disappointed leading governors and authority managers, weakening governors in the steering group and reducing the prospect of a significant tier of governor decision-making in the cluster.

6. The authority has been concerned about the neglect of the action planning framework for developing extended services in the cluster. There has not been adequate deliberation about which activities qualify to be included in the 'core', nor about establishing criteria for deciding the allocation of resources: for example, whether allocation is to be based on need, or equity. Decisions have been made about activities without establishing 'base-lines', nor putting in place procedures to monitor and evaluate the difference which the services make to pupil achievement, and thus the bases for proper accountability.

7. *Need and cost:* Meeting need could be undermined by charging. A Chair of Governors acknowledged that charges had to be levied for some of the extended school activities and this meant that many for whom the activities were intended were not able to take advantage of them:

   'We are providing a pre-school breakfast club, but we are not reaching the right sort of children. Those who need a breakfast are not able to come, because they can't afford the charge. And those who have had a breakfast at home are coming to the breakfast club! (It's like child care for parents who have to get

up early and go to work.) It's not a great deal, but we have to charge a fee.'

(Primary School Chair).

The Secondary School Senior Manager was concerned that the after-school club which was being supported by the cluster to the level of £10k was not sustainable when the annual cost was £20k. The school was charging parents £5 per session (for snack food and 3.25 hours of child care). Did this mean that the club was not attracting the children it was designed for? The Manager said that when the club became Ofsted-registered this would allow parents to enjoy tax breaks, reclaiming £4 that would leave the fee at £1 per session. But would parents be willing to do this? The head was choosing to support the club 'but if he did what else in the budget will have to be sacrificed?'

8. *Service and sustainability:* Some managers saw the extended school policy as providing resources for the short term and the challenge for clusters was to ensure the developments they were introducing now could be sustained in the longer term. This would require using resources to develop systems and processes as much as new direct service delivery.

The governors who were interviewed valued the contribution that school governing bodies made to school improvement. Their role in clarifying and shaping strategy provided essential leadership for a school, while their independent experience beyond the school brought social capital and the basis for critical friendship. The governors were predominantly supportive of the concept of the cluster and a wider process of governance for the cluster, but were unsure how that would work in practice and were anxious about the implications for their workload and responsibilities in addition to their commitments to the standards agenda in their own schools. Only a few had thought through that these processes of improving standards of attainment while enhancing family and community engagement were mutually reinforcing rather than incompatible purposes.

2.2 Centro City: Forming a joint committee of governors

> *Participation and consultation informed the Children and Young People's Strategic Children's Trust Plan, which is also linked to the wider Local Strategic Partnership for the City as a whole.*

Policy, partnership and participation

Centro City has a high proportion of its children and young people living in the most deprived wards: 30% of 0–19 year olds living in the 20% highest deprivation in the country. The City also has 30% of its school-age pupils from minority ethnic backgrounds, although their proportion of the total population is 23%. To address the needs of the disadvantaged Centro City has placed considerable importance on the practices of partnership and participation.

The Education Department had begun to work on an agenda for children in 2003 with the Social Services Department and the Family Care Trust, even before the consultation papers on *Every Child Matters* and the *Children Act*. A strategic partnership had been created and colleagues in the different departments began to shadow each other to learn about their work. The City felt that they were in advance of national planning. A large consultative Partnership Forum was formed, supported by a smaller joint management group and a shadow commissioning board. The emphasis has been very much on partnership and collective responsibility for services.

The City had its Joint Area Review (JAR) in March 2007 and did particularly well. Everything was graded as good and 'making a positive contribution', which is about engagement with children, was graded as outstanding. The authority values the practice of participation:

> *'We believe that you learn from listening to parents and from listening to children. Parents have insights to share about their children, which is very useful to educators. And children, in terms of how they are taught and how they feel, … are very engaged by the learning process if you listen to them.'*
>
> (Education Officer)

Participation has been selected by the City as its 'sixth Every Child Matters outcome' following a consultation with children and families about what was important to them. This last outcome is about having supportive family and friends and community. There is, the Service leaders emphasise, an important relationship between consultation, listening and engagement.

Participation and consultation informed the Children and Young People's Strategic Children's Trust Plan, which is also linked to the wider Local Strategic Partnership for the City as a whole. The Trust arrangements included representative views from parents, carers, children and young people into the highest level of the Commissioning Board. 'Two parent representatives were invited to join the Board and were supported by a youth and adult involvement officer who focused on parents and carers specifically.' (Education Officer). A Children's Champion was appointed to the Commissioning Board and supported by a network of advice and consultation, a virtual and real participation network to bring the voice of young people to the Board through the Champion.

There is a long history in Centro City of cross-party political commitment to supporting and involving young people:

> *'It comes from a belief in the future of the City. If you think about the huge amount of change it's been through from being a boom town and then the industry going, the motto of the City – the idea of the Phoenix rising from the ashes – is very appropriate. There is a commitment to regeneration, to building the city and the young people and youth of the city being at the centre of that future.'*
>
> (Planning Officer)

The City has placed education at the heart of its regeneration strategy. The local authority departments had a tradition of working independently of each other. But the City has come to learn that regeneration needs cooperative activity: 'when you look in the JAR you will see that the hallmark of work in Centro City is partnership'. Partnership is the key to releasing the social strategy of regeneration.

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> *So, the idea of a joint committee arose partly from the fact that schools were needing to work together in the 14–19 area in order to do things.*

'Social regeneration is the long term bit in saying we need to invest in education, in Early Years education. It's about getting that early intervention so that you start to break down some of the cycles of decline because without that you never really change anything.' (Planning Officer)

School clusters and governance

To improve accessibility and responsiveness of services the City has begun to develop clusters of schools within areas. The focus of the clusters varies from area to area. 'So where we know we have got areas which have got a lot of speech and language delay on entry to school, you might want to get a speech and language therapist working with those schools, or a children and adolescence mental health worker working with a bunch of schools. That might be totally different to another area where you have got high levels of literacy on entry.' (LA Officer)

The City will consider developing the governance of these clusters in the future. Extended school clusters are regarded as providing a real challenge for governing bodies because of the range of changes required: for example, basic health and safety, conditions of services in terms of the contracts that are needed. Yet, although the City envisages a slower pace to the development of cluster governance for extended school services, it has made significant advances in building partnership governance in the 14–19 policy sector. It is to these developments that we now turn.

New forms of governance

Two significant forms of development of school governance have been taking place in the City: the formation and governance of 14–19 partnerships, and the diversifying of school types and governance.

(A) 14–19 Federation Governance

The City is particularly proud of its collaborative frameworks for governing upper secondary school provision. There has been a long history of sixth form consortia that ensured access for students to a wide range of courses. This practice also helped to diminish the rivalry between schools for sixth

form admissions during period of contracting school rolls. The plan to develop 14–19 federations builds upon this long tradition of collaborative practice.

Piloting the 14–19 federations

The governance arrangements for the City's four post-14 federations built upon the good practice in the north east of the City which led the way in developing the more formal arrangements for working together. It was a partnership between five secondary schools and the local college and was managed by a group of their senior curriculum managers from the schools and the college, together with representatives from the local authority and the Learning and Skills Council (LSC). A full time coordinator had been appointed funded originally by the LSC.

These arrangements worked well on a routine basis, but the volume of national policy development was growing, and concerns were developing about accountability – to whom was the coordinator responsible, and who was taking an overview of the work of the partnership as a whole. The answers, an Adviser reflected, 'were not at all clear'.

> *'So, the idea of a joint committee arose partly from the fact that schools were needing to work together in the 14–19 area in order to do things. So much was beginning to come through from the Government it suggested that they needed to have some kind of formal body to deal with it.'*
>
> (LA Adviser)

The federation believed they needed to involve governors because it would give the process of decision-making an overview, a legal entity which it otherwise would not have. The coordinator's employment provided an example. Funded and hosted by the Learning and Skills Council (LSC) and with an office at the local LSC, he was employed by the City Council because there was nobody else to employ him. In fact, however, the coordinator did not work for the Council, but for the schools and colleges in the federation. But a joint committee would accept responsibility for staff. So the coordinators would be appointed by and responsible to the joint committee for

> *It was imperative that governing bodies were involved more because of the commitment of their schools to this growing organisation.*

the work they did. That illustrated how the practices of the partnership could be given legal status they would otherwise not have.

School governors were also beginning to ask questions about the growing commitment of their schools:

> *'I suppose the argument was that as schools became increasingly involved in the federations and were making greater commitments in terms of teachers, students on courses and greater collaboration, it was imperative that governing bodies were involved more – because of the commitment of their schools to this growing organisation. Governors were beginning to ask questions such as What is the North West Federation? or what is our commitment to this particular group of schools? and so on. Also I think a body like the joint committee does give the federation some kind of public status basically.'*

> (Partnership coordinator)

In January 2004 an officer of the authority was given the responsibility of preparing a draft constitution for a joint committee of governors. He wanted to draw upon the model of school and college governance where headteachers and college principals are responsible to governing bodies for the routine management of institutions, while the governing body takes an overview of their direction and policy formation.

This would allow membership from all the schools, with a college governor accorded associate status with full rights of attendance and voting. The school governing bodies could delegate to the joint committee powers to act on their behalf in matters concerning the partnership. The local authority and the local LSC would have a right of attendance in an advisory capacity.

A constitution was drafted and put round for consultation amongst the federation members and discussions were held with the constituent governing bodies, the local authority and the Learning and Skills Council to reach agreement on a new joint committee. There was support for the initiative but also concerns from governors 'about delegating

their powers to a body over which they did not control.' (Adviser) The central issue was how much power to accord the joint committee so it did not result merely in a further layer of bureaucracy. The proposal was for the joint committee to begin with responsibility for the strategic plan, together with the finances and staff of the federation. A key test for the new joint committee would be to create trust between schools and the college while generating 'confidence that the new body would deliver and contribute to the achievements of the young people in the schools and colleges.' (Adviser)

Constituting the Joint Committee
The experiment in the north east of the City became a model for the other three federations and a general joint committee model constitution was published for the City in August 2007.

> *'The constitution is a mixture of the legal stuff and the way in which a partnership thinks it might work. One half is a set of legal regulations set out in a way which would blend itself to these particular joint committees and the other half is to do with the way in which the federations have come about and therefore needed to work together. These bits that are not legal requirements but are an agreement between the schools are things such as: who's going to be in joint committee, how many members they are going to have, how often the meetings are going to be. This was necessary because none of that is laid down in the regulations. So it's up to them to decide those sorts of things for themselves.'*

> (Adviser)

The research made the creation of the federation in the north west of the city the focus of study so that the process of development could be examined. The NW Federation is regarded as one of the successes of collaborative governance. It comprises five mainstream secondary schools, two special education schools, and a further education college.

The NW Federation is governed and managed by three committees. The *Joint Committee* is

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constituted as in *Figure 2*, with nine governors attending, though headteachers are invited to join the meeting which makes for a larger gathering of people. The Joint Committee is supported by two further committees. There is a *Steering Group* whose membership comprises all the partners to the 14–19 Diploma programme including: secondary schools, further education colleges, and training providers. What is distinctive about this committee is the status of those attending, typically the headteachers of the constituent schools and the principal of the local college. The work of the Steering Group is supported by a *Working Group* of Heads of Post-16 and Curriculum leaders and managers, such as aiming-higher leaders and enterprise managers. This group strives to include all those developing programmes of learning in this 14–19 field. It develops the working papers for the deliberations of the Steering Groups and the Joint Committee.

The City Adviser who created the constitutional arrangements for the governance of partnerships was clear about the relationships between these committees:

> *'When I was drawing up the constitution I thought of the relationship between the steering group and the joint committee in the same way as I would think of the relationship between the head and his/ her governors – meaning that in terms of the management of what goes on you would look to the head and the staff to provide the professional leadership. But in terms of oversight of things and having responsibility of budget of the partnership (though not the schools' budgets), and the direction of the partnership, the heads*

Figure 2:

The terms of reference

(a)   The governing bodies of [names of the schools and college(s) in the Federation] will:

    (i)   establish a joint committee to be known as the [NE/NW/SE/SW] Federation joint committee

    (ii)   delegate to the joint committee powers to act on behalf of the governing body in matters concerning the general direction of the partnership, the general direction of staff employed on behalf of the partnership and the general direction of the partnership's finances;

    (iii)   elect one of their governors to be a member of the joint committee

    (iv)   allow each member to represent only one establishment within the partnership

    (v)   *review their membership of the joint committee and its constitution and terms of reference annually* at a governing body meeting in the summer term.

(b)   All schools and college(s) who are members of the Federation will be members of the joint committee. *The governing bodies concerned have the right to withdraw from the joint committee, withdraw delegated powers for their governing body, or change their representative on the joint committee at any time*.

(c)   *Governing bodies of the schools of the Federation can override the decisions of the joint committee as a normal exercise of their functions.*[8]

Membership of the joint committee consists of:

(i)   one governor from each of the schools in the Federation

(ii)   one college(s) who will be an associate member of the committee on a four year term with full rights of attendance and voting at meetings of the committee. *An associate member cannot vote on any decision concerning admissions, pupil discipline, election or appointment of governors or the budget and financial commitments of the governing bodies of the schools in the Federation.*

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[8] This sentence was omitted from the 2007 version of the model.

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> *What we have found is that kids we have put on our courses – their attendance rates are very high, they stay with us and they do pretty well.*

are responsible to the joint committees for these things. So the head has most of the power but not all of it.'

<div align="right">(Adviser)</div>

The steering group, therefore, 'is the locus of power but they do have to account and report to the joint committees'. The Adviser believes this is the reason why some of the partnerships are more effective than others. 'I think this is the measure of how successful or not successful the partnerships are, because I think in the ones that work the heads do see themselves as responsible to the governors for the working of the partnership.'

Funding
The federation received £60k from the Learning and Skills Council (LSC) during 2006–07 to manage the federation and £20k for development. That ended in April 2007. The federation then had to become self-funding which entailed inviting schools to take up the funding burden. The coordinator commented that 'it means asking the question of schools 'do you believe in this partnership, are you willing to put your money in?' Fortunately, the LSC was willing to provide £25k for another year. The coordinator's school was willing to give £10k from its Leading Edge budget, and the local authority was willing to provide £10k. This reduced the shortfall which the participating schools would be asked to fund from their budgets.

The activities of the North West Federation
The work of the federation began with courses for seventeen-year-olds. There was a gap in provision within the area for Post-16 Level 2 courses in Media and Sport. Federation courses are funded by the partnership and can be accessed by the students from all the other schools. For example, a BTech 1st Diploma in Sport is taught for a day at one school, and then a further day at another school, with half a day at the local college, followed by work experience. For the remainder of the week the students are in their 'base' school 'for entitlement'.

> *'Entitlement means general studies and 're-take' English and maths or whatever they do on Wednesday: sport or human enterprise or something like that. Now for some kids that is a very rich experience. It*

means that they are still based in a school but they are going to other places for their learning, they are having a taste of college, they hare having a taste of work experience. What we have found is that kids we have put on our courses – their attendance rates are very high, they stay with us and they do pretty well. I would like to do more of that, I would like to develop more courses. But obviously it depends on: you have got to get the staff from the schools, you've got to get the schools to agree, you know you need venues, you need space, you need customers as well – you've actually got to get the kids, get bums on seats as well, to run these things'.

<div align="right">(Coordinator)</div>

The federation believes it is very important to bring together young people from very different backgrounds not just for formal learning experiences in course work, but also for non-formal educational experiences. The federation supported a group of 35 students to visit France for 'accelerated learning'. It is part of the federation's contribution to community cohesion:

> *'The working together of kids across different schools – our kids meeting kids from the inner city; you know that's really powerful. Getting kids from different backgrounds to work together and enjoy each other's company. I think one of the things that the partnership does is to develop their understanding of different cultures.'*

<div align="right">(Coordinator)</div>

The recent preoccupation of the federation has been the specialised diplomas, with the diploma 'lines' to be introduced in 2008: Health and Social Care, ICT, Creative and Media, Construction and Engineering. Before Christmas 2006 teams were working hard to prepare bids that would be assessed against 'gateway' criteria. The Construction bid was led city-wide by Centro College. For the other Diplomas the Coordinators were invited by the City Post-16 Officer to name a lead school and the other schools in the partnership that would be collaborating with the lead school.

> *'They are going to take a hell of lot of delivering I think. Because it's specialisation*

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very early, each diploma will take a big chunk of a kid's week. We are going to have to sell them to parents – it's going to be a big marketing job. But everybody is saying this is the biggest curriculum development since 1944 because of the impact it's going to have on the curriculum and what we offer to our kids before 14 as well as 14–19.

(Coordinator)

The coordinator likes the opportunities which more vocational courses provide for some young people. The BTech courses provided by the federation have been successful with some students preferring the continuously assessed nature of these courses. But he acknowledges that he is still fighting 'the vocational means second class' argument with some colleagues in his school. The coordinator insists that as 'a Leading Edge School' in the federation the school 'has to be in the forefront of this'.

The federation and school governing bodies

The relationship between the federation and its constituent schools was principally one of feeding back information, rather than encouraging discussion about the strategic issues facing the federation. But the coordinator acknowledged that he found 'parent governors were very keen to know what it means for their kids, will it improve the offer to them, will it make their lives better. They were intrigued by it, partly because it gave them a different slant on their role as governors as well. Because I mean their interest was their school but here they are hearing about other schools and contacts with them and links between them and different groups and so forth.'

'I think being a governor has become a really interesting and more demanding, more challenging role over time, hasn't it? In terms of their commitments, of coming to meetings, the things that we expect of them, linking maybe with faculty in schools, keeping up with the literature, you know a whole range of things. But I think for some people that's been a real challenge and an enjoyable challenge for them. I think it has enhanced the role, it's made the school governor a more important role I would say.'

The coordinator thought that some governors had risen to that sort of challenge. They liked to hear about what was happening elsewhere and they became interested in the federation 'as long as it didn't damage their school. So there remained an undertow of anxiety potentially, but generally speaking a lot of support for the basic idea and working with different schools and working with different groups of kids, I think, that's all been very positive'.

Future development of federation committees

The City believes that the work of the federations will grow in significance. They are expected to develop more formally because of the range of policy initiatives coming from Whitehall. 'My understanding is that they will need to continue to develop in a formal way because there is more and more coming to us from the Government which is being channelled through collaborative arrangements.' (Officer). The City is encouraging this development. Its plan for *Building Schools for the Future*, known as Strategy for Change, has clear lines for some of the funding to come through the federations.

The City received funding from the DfES (as it then was) for a particular policy development and the Department required that the resources were managed and spent by the partnership. The DfES was impressed by the City's federation development and asked for a case study to be written about their organisation and practices.

'One of the things, very important things, that the governors, the joint committee decided last meeting was that they decided they would be ambassadors for the federation to go back into their governing bodies to talk about the work and talk about the importance of it and therefore get their support for any funding arrangements and that's very powerful then and they agreed to do that and that's absolutely brilliant.'

There are plans to establish the federation as a Trust.

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(B) Diversifying Governance

Centro City as been proud of the collaborative spirit it has created, in which heads and governors have developed a shared commitment to the City's traditions of comprehensive education. Senior Officers were pleased that during the 1990s when schools had the possibility of opting to become 'grant maintained' none chose to do so.

> 'When the national agenda was competition… we always felt that with collaborative structures you had much more to offer young people because in the end we want the heads of schools and governors of schools to be interested in all of the children of the City: it's an inclusive agenda. It is living that really, developing structures that enable you to 'win win': you want schools to succeed as individual institutions but not at the expense of other schools. It's like Marks & Spencer you know, I am sure that they compete but there is a standard as well, of services and expectation in terms of what they deliver. So it's developing that. But individualised because all schools are not the same – they don't all deal with the same pupil context, they need specific things.'

> (Senior officer)

The City retained its cohesive comprehensive school system during that earlier period. But now the City is in the process of creating a number of Trust (5) and Academy schools (2). The values and commitments of senior officers, heads and governors to comprehensive education have not changed but the pressure to diversify the system of schools has. Officers and heads are clear that Whitehall has used its programme of *Building Schools for the Future* to insist that a proportion of schools become Trusts and Academies. One head commented that the City had been particularly good in looking after the fabric of its schools over the years yet inevitably there was a need to rebuild and refurbish in response to the natural deterioration of buildings over time, as well as the need to rethink the architecture of educational spaces to accommodate the changing practices of learning. However, a disadvantaged city lacked the resources as well as the powers to continue to assert its autonomy over its preferred shape of the school system. To win capital for rebuilding the city's schools meant complying with Whitehall power.

> 'I would say the subtlety rating on the way in which they have done this equals 1 out of 10, if that, because there is no subtlety about it at all. I mean my responsibility is that all five schools that have been identified should become Trust Schools. Although that's only a tiny little bit, the whole programme depends on that change. Because they are saying we will not agree with you unless you have diversity.'

> (Officer)

The authority was able to negotiate down the number of trusts and academies. 'We have negotiated with them what the diversity will be. It will be two academies which are both going ahead and it will be five trust schools. Negotiations took place because they started out as I understand it with a wider range, with more academies and more trust schools. For some, I don't know what process we went through in order to be able to reduce that but it's been reduced to five and it is literally a requirement of the BSF programme being accepted.' (Officer)

With two exceptions all the schools were reluctant to change their status, and had to be persuaded by the Authority. 'None of the others had any interest in it at all and have had to be persuaded that this is a good thing… It's a political requirement to have a diverse range of schools in your local authority. Centro City is particularly difficult from that point of view because we never had any grant-maintained schools. So we haven't got any foundation schools: all we have got is the traditional community and aided schools with a few controlled, which is what every authority has.' (Headteacher)

Those who have been persuaded against their preferred wishes to accept a change of status to support the City in winning a programme of capital regeneration for Centro City as a whole sometimes remain at a loss to understand what the purpose is:

> 'I have to say when I am asked what the advantages of trust schools are I am really at a loss to tell. The heads will say to us well why are we are going through all this

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> *If someone is not happy about the way something is done at this council-funded school, they have got recourse to an officer in the authority and to elected councillors who vote money to run the schools.*

business? and the answer is well it gives you a new dimension because it gives you this trust of people who are interested in the school and who are able to help the school to develop its curriculum and develop in other activities within the school and so on. But you could do that without being a trust school. The university here has links with lots of our schools in a variety of ways. You don't have to have trust schools to do that. So I am at a loss to know why it has to be a trust school and it's politically driven. And it's not the Department itself doing it, it's because it's politically an imperative.

(Officer)

A Chair of Governors of one of the schools which has become a Trust still did not understand the purpose and benefit of acquiring trust status even after the legal process had been completed.

The North West Federation included two schools about to change their status: one to acquire a Trust, another to become an Academy (a further school had a Private Finance Initiative (PFI) building development). In the schools to become trusts and academies, there was grudging consent to the changes in order to achieve the rebuilding and refurbishing they desired. In both cases while the governing bodies were in the position of having the legal power of authorising the changes, they lacked understanding of the purpose and the process. They became passive pawns in a larger game of power that was led by Whitehall with the local authority struggling on behalf of schools, to retain something of their prevailing values and institutional formation in exchange for the largesse of capital that it could not do without. Even the headteachers were reluctant participants. One head said firmly that he did not believe in self-governing trusts or academies:

'A trust belongs to itself. I don't believe in these foundations. I believe in local authorities. It's the funny old thing about democratic accountability. If someone is not happy about the way something is done at this council-funded school, they have got recourse to an officer in the authority and to elected councillors who vote money to run the schools. Most of the money comes

from central government, and it might even be 'passported', but there is still some sense that the education service in Centro City is the responsibility of Centro Council.'

In both governing bodies there was conflict and formal opposition to the changes based on arguments about the loss of accountability and control of education in schools and the City. They were defeated when the change was put to the vote.

The school governing body that was to acquire a Trust did not really appreciate this, not understanding the purpose of change apart from the instrumental gain of rebuilding. When the change achieved legal consent the Chair commented 'I still do not understand what it is all for'. There was a sense of 'waiting for Godot': waiting to see whether the new year would bring auspicious omens from the manufacturing sponsor from the north whose purposes and ethos were, as yet, unknown.

The North West Federation school in the process of becoming an academy looked to be a more favourable case of change, being presented as a largely public sector sponsorship. The plan for an academy in the inner city school grew out of a need to rebuild the school and for this to be part of a broader inner city regeneration project, the driving theme of which would be learning. A sponsor was sought for regeneration, but the person identified pulled out because the Christian ethos he wanted to introduce was inappropriate for a largely Muslim school. (An alternative largely white, disadvantaged community was found for this sponsor.) Centro Council stepped in to lead the regeneration project. To secure the resource for rebuilding the school, however, the Council had to agree to it becoming an academy. The governors, having agreed to the school being rebuilt, felt trapped into accepting the academy as 'the only show in town' to finance the rebuilding. The academy would be sponsored by the City Council, the FE College, the City University, and a local manufacturer.

Yet tensions began to develop which reflected significant differences about the purpose and focus of the new school academy. One set of interests wanted to change the focus of the school's curriculum, another set of interests

wanted continuity with the school's tradition and achievements. The school's heritage was as a distinctive multi-ethnic, community school. Parents and the community were valued as partners with the school. The school was recognised in Ofsted reports for its considerable achievement in modern foreign language, maths and computers, and the arts. Not only did this cultural diversity generate positive relationships but the incomers' determination to succeed in their learning led to success in results. This improvement in the school grew out of a skilful matching of the pedagogic focus of the school and the families and communities it was serving. Learning and teaching were developed to mediate the cultural strengths and traditions of the community.

The school, its professional leaders and governors wanted its name and curricular tradition to carry over to the new academy. Another set of interests, led by Whitehall and including the Further Education College, wanted the academy to become a technology school developing vocational courses that would enable students to progress naturally to the college. The school argued that such a curricular programme would be alien to its student and parent body, imposed for instrumental institutional benefits rather than naturally growing out of an understanding of the students' learning needs.

The site for rebuilding was also drawn in to this struggle of interests. Was the school to be rebuilt in its own grounds, or alongside the further education college, thus potentially reinforcing its status as an annex to the college? These struggles of name, focus and location were not resolved at the time of this research, but reflected potentially deep differences of values and interests.

Assessing progress over time

In developing the Federation

1. There is a much shared understanding amongst the partners to the North West Federation that a great deal has been achieved which is of benefit to the young people in the area as well as the constituent institutions. There are reports from officers and heads that the work of the federation has been highly valued by the Department

and in Ofsted reports of schools in the consortia. A number of factors tend to recur in the partners' narratives about why they believe the federation has been a success.

- The *geography* of the Centro City is believed to help the federation working.

- The long *history* of effective collaborative working in this field of 14–19 course provision, driven by the desire to allow each secondary school to keep its sixth form with students travelling between schools to take subjects that were not provided in their own school is significant.

- Good *relationships* between the headteachers. The coordinator emphasised building strong relationships, and building strong trust between schools. 'Clearly you need to get the headteachers on board, but there was a good spirit among the heads from the word go. I think they have grown up with each other in Centro City.' Including the special education schools has been important 'helping them to feel part of what's happening'. They are no longer on the periphery and contribute significantly to the work of the federation.

- The *relationship between heads and governors*. The City Officer who developed the partnership constitutions is clear that a key to the success of the more effective partnerships is a proper relationship between heads and governors. 'I think the hub of a successful partnership is that the heads do see themselves as responsible to the governors for the working of the partnership.'

- Relationships have also been fostered through bringing teachers together in conferences, regular networking and a strong city-wide programme of *in-service education and training* based at the Teachers' Centre. 'We brought about 100–150 middle leaders to a hotel in Centro City – a Friday-Saturday thing. That's been incredibly good for them (and me) to get to know each other, and not just middle leaders but aspiring middle leaders, plus all the senior teachers as well and that's been incredibly powerful in the last two years. One was a curriculum conference and the last one was about self-evaluation conference'. (Coordinator)

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> *Schools are generally very good at teaching A levels and that should be our core business.*

2. The research would emphasise a number of practices that have contributed to the effective establishing of the federation: the *seniority* of those involved: headteachers, chairs of governing bodies, and senior, experienced officers; the *resources* invested, including money from the LSC; the *layers of support* including a steering committee and a working party of experienced senior teachers; and all supported by an *experienced coordinator* who was a particularly able communicator, networker and tireless servant of the federation. Recognition of the time it has taken to establish the federation should also be acknowledged. In addition to the long history of inter-school consortia working at post-16 level, the coordinator concluded that 'it has taken 3–5 years for the good practice of the federation to develop. Personally I now think we are in a good position to take off in a really big way.'

3. Much has been achieved, yet tensions are still reported in the relationship between the values of mutual collaboration and the interests of institutions in competition. At the outset schools and their governors did express anxiety about the effect of the federation on their student numbers. Schools were concerned about keeping their post-16 numbers and sometimes were reluctant to let their students know about the opportunities elsewhere. The coordinator believed this began to change when schools began to work together to plan federation courses and to share information about provision. The schools' commitment to the federation was also put to the test as the funding from the Learning and Skills Council came to an end in 2007 and schools were prepared to find resources if necessary from their own budgets to continue the work of the federation.

4. Nevertheless reports continue of protection of institutional interests that resists transparency and full collaboration. Some partners still talk of institutional 'core businesses':

   'There is a thin line that you tread though, because the colleges have got their core business (vocational Level 3) and we've got our core business (A Level) and we should not be trying to take the core business from the college. Schools are generally very good at teaching A levels and that should be our core business. Increasingly, though, I mean there are schools that are very good at teaching vocational education as well. Up to Level 2 I think schools can offer a very good package. I think when you move on to Level 3 and more advanced courses I personally think that that is the college's core business.'

   One officer argued that this showed that schools were still reluctant to release their sixth formers to attend other courses, especially at college. Another officer commented that 'institutional interests are still a barrier'. Schools, he said, present themselves as having a duty of institutional care for a number of young people they regard as more vulnerable. Friction is also reported about differential standards of attainment achieved between schools and colleges, with some schools reluctant to send students to a college which may have received a poor Ofsted report. Quality assurance, this officer proposed, was a problem for the federation as a new system: more robust quality procedures needed to be implemented across the federation. 'The federation is as yet too weak to develop the quality assurance role'.

5. While there is much to commend the emerging 14–19 federations their development is unfolding independently from the primary school level extended school consortia. There is a lack of coherent planning to integrate 14–19 partnership and extended school partnership. Too few are able to articulate an understanding of what the policy relationship between them is.

6. A potential contradiction exists between the objective of the federation to maximise opportunities for students to personalise their learning profile, while the present 14–19 agenda seeks to introduce a vocational purpose to learning.

In developing governance of the federation

1. There is a lack of clarity about the purpose of the federation and there is ambiguity about the status of the federation. One chair views it as a voluntary scheme

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and not a legally constituted federation, whereas others believe a legally formed 'soft' federation has been established. An officer agrees: 'the federation has terms of references, but no teeth. It is an agreement'.

2. There is a lack of clarity about the function of governance. One chair believes that the heads perceived the federation as a technical collaboration, managing a set of federation courses, rather than deliberating and determining the strategic purposes of the 14–19 education across the federation.

3. The role of the governing body is unclear. It acts more as a sounding board to authorise decisions by the heads in the Steering Group, than providing strategic leadership. One head commented that the federation was not providing strategic leadership.

4. The membership of the Federation Joint Committee is constructed as a power-sharing arrangement between heads and chairs of governors rather than a governing body of user stakeholders as with school governing bodies. One chair described it as 'a professional club'. Some heads on the joint committee are there ostensibly in their role as members of the College governing body. It is not yet established as proper forum of public accountability. The joint committee is also criticised by some governors for excluding key interests in the business community.

5. Liaison between federation and parents and employers is weak or non-existent.

In developing school governance

1. The role of the governing body in these transformations of status is an intriguing one. They must authorise the change which involves the creation of a new governing body: even in the case of where the change only allows the trustees to form a minority of the governing body. The governing body must set in train processes which require that they abolish themselves and re-constitute a body that in all likelihood will erase the purposes and policies they have developed over time. They initiate actions that end in their own extinction. Yet in 'choosing' they could be seen to have publicly consented to whatever outcomes unfolded.

2. Governors taking a decision about the legal status of their own particular institution are changing the character of the system of schools, thereby undermining the integrity of a whole system of schools

In the layers of governance

1. The strategic role of the local authority in establishing 14–19 federations is not acknowledged in functions accorded them in present legislation. The LA has initiated and led the creation of the federation, providing a model for Whitehall. Given all the interests involved, only the LA can negotiate a system to meet local needs. The LA has negotiated with Whitehall on behalf of schools and colleges regarding the interests of institutions and the city as a whole.

2.3 Met Borough: towards area governance

Background and policy development

Met Borough's population of 220,000 is highly diverse ethnically and culturally. More than half the population comprises black and minority ethnic members. New arrivals and refugees seeking asylum are a prominent feature in the borough, contributing to considerable mobility in schools. Heritage languages include Turkish, Albanian, Somali, Urdu and French. Levels of deprivation have grown in the authority, with 30% of children eligible for free school meals.

Met Borough Education Authority had a troubled beginning to the new century but has in recent years been making impressive improvements. In 2000 Ofsted reported that the Local Education Authority was failing in its duties to schools. The DfES responded and imposed a direction on the local authority to outsource its LEA and School Improvement functions. A private company – 'Learning Support' – was appointed in 2001 and was successful in building relationships with schools and gaining the trust of headteachers. Early in 2007 the local authority received a

particularly favourable Educational Performance Assessment (EPA) rating, jumping from a 1- to a 3-star assessment. As a result the DCSF said the direction on the authority was to be lifted in March 2008.

The Children's Service (CS) was established, and a new Director appointed, in the autumn of 2006. The new service faced the choice of whether to bring the outsourced services back into the council or to continue to commission external services. The authority, in the event, elected to create a 'mixed economy' of services bringing some services back in, including the educational psychology service, special educational needs, the educational welfare service and the behaviour support service as well as extended schools. A more tightly specified outsource contract included: the School Improvement Advisory Service, the management of School Improvement Partners, and the management of the national strategies. The authority also wanted to change the focus of these improvement services from 5–16 to 0–19, to look at delivering some of the early years functions particularly related to quality and standards in the new early years foundation stage and some of the developing 13–19 functions.

The Children and Young People Plan

The Plan, published in March 2006, set out the Authority's 'strategy for the development of services for children and young people, 2006–09' (See *Figure 3*). The founding principles of the plan were:

> *'based upon the needs of our communities while being consistent with the framework set within Every Child Matters: We will develop services that wherever possible, are:*
>
> - *Local to the area in which the child and the family lives;*
>
> - *Designed around what children and their families say to us;*
>
> - *Integrated with other services required; and*
>
> - *Appropriate to the individual child/young person's needs'*
>
> (Foreword)

Vision of integrated front-line service delivery

The authority sought to create an integrated vision for children and young people aged 0–19 and their families. 'Our conceptual

Figure 3: Strategy – Transforming services

Current services for children			
• all children and young people • vulnerable children • children and families needing intensive and urgent assistance **are being transformed through -----**	1. Integrating front-line delivery for 'universal' services	(a) involving children's centres, schools, colleges, health and youth service and Connexions	P R I O R I T Y D E V E L O P M E N T
		(b) devolved resources to three areas	
	2. Moving from a child protection to a safeguarding model	(a) safeguarding and promoting the welfare of vulnerable children	
	3. Establishing children's services	(a) new staffing structure	
		(b) common working practices and workforce development	
		(c) targeted resources for priorities	
		(d) new governance framework	

> *We are making sure that our children's centres are co-located in schools.*

framework for the children's programme offers services 0–5 and then that has to be backed strategically with extended schools framework and the PE and schools supports club link programme which obviously looks up to school age and also with our youth service provision which offers services for 13–19 year olds. We had to look at arrangements for integrated processes which are officially the arrangements that we are piloting around the common assessment framework (CAF), the framework for the lead professional role, information sharing and the establishment of an index for children.' (Officer)

The development of integrated front-line services has been in two stages:

(a) children's centres and extended schools

(b) integrated youth support service.

Phase I: Children's centres and extended schools were the steps towards creating integrated front-line delivery in order to realise better outcomes for children and young people. 'The Government is committed to establishing a children's centre in every community that will deliver integrated services for babies and children under five years and their families. In Met Borough, we want to be in a position to deliver an integrated offer so that services in a local area or 'cluster' are available from the moment of birth through to 19 years of age. Therefore many of our extended primary schools will also have a co-located children's centre, or a relationship with a nearby children's centre. As many of the family support and health-oriented services will be similarly located, this will be more effective use of resources. Our phase 1 children's centres are mainly multi-site. Most of our phase 2 children's centres will be school based, and will include the voluntary sector, particularly where schools do not have adequate space.'

The authority's policy has been to 'co-locate' children's centres in schools believing that the schools are the central universal service for parents. Thus co-locating other services like child care, health, Jobcentre Plus, parenting and support, in schools was believed to be the right course of action:

> 'We are making sure that our children's centres are co-located in schools. So from the point of view of a parent if you have a 4 year old and a 6 year old and a 12 year old you can access the same level of service including child care across the age range. Because it seemed nonsensical to us that if you had a children's centre you can access child care for your 4 year old but you know if you are a single parent or even if you are working parent you can't access the same level of child care for your 6 year old. So that's why we have proceeded in that way.'

(Officer)

Children Centres were developed in phases. The first phase, to be completed by 2006, was to establish the first six children's centres in the most deprived areas of the borough. The second phase, completed in 2008, created a further eight children's centres in areas that were above 50% on the index of deprivation. There is the potential, dependent on available resources, for a further two children's centres in phase 3 that would then see a children's centre established in every community in the borough.

The Integrated Core Offer

An integrated 'core offer' for *children's centres* consists of:

• Early education integrated with childcare

• Family support and outreach to parents

• Child and family health services

• Parental involvement

• Links with Jobcentre Plus and the National Childminding Association

Each children's centre would provide a base for a childminder network, a link to other day-care provision and to the out-of-school clubs within the host schools. Links would also be developed with local training and education providers, Jobcentre Plus and CIS. Services were to be offered 48 weeks a year, with childcare offered from 8am–6pm five days a week.

Extended services (children's centres and extended schools) have the potential to generate a range of positive outcomes for young children, schools, their pupils and families and the wider community. Met Borough's policy statement, *Our Strategy for*

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> *We are requiring schools to make services available, not because the government is.*

the development of services to children and young people, sets out their intentions for whole-system change. The founding principles were based on the needs of communities while being consistent with the *Every Child Matters* framework. The services, wherever possible, would be:

- local or easily accessible

- Integrated with other services required

- appropriate to the individual child/young person's needs.

Extended services would seek to support and not detract from school improvement/early years settings priorities. The key outcomes of extended services needed to be:

- the provision of good quality, holistic day care and education

- increased pupil motivation and achievement

- improved attendance and behaviour

- increased parental and family involvement in pupils' education

- more adult role models for learning.

Effective partnership working across stakeholders and providers would ensure the involvement of children and their families. Services should:

- provide value for money

- be responsive to local need and be accountable to the local community

- meet the core offer

- provide positive outcomes for the whole community.

Extended provision, it was believed, could support social regeneration and economic wellbeing by bringing together different sections of the community, and through enabling greater access to community services and facilities. In particular access to learning opportunities and childcare could help support adults and parents into, and maintain them in, training and work.

The *Extended Schools Prospectus* defined the core offer for extended schools as:

- high quality 'wraparound' childcare provided on the school site through local providers

- a varied menu of activities, including homework clubs and study support, sport, music tuition, dance and drama, arts and crafts, special interest clubs such as chess and first aid courses and at least 2 hours per week of sport beyond the school day

- parenting support, including parenting programmes run with the support of other children's services and family learning sessions

- referral to a wide range of specialist services, including some services that may be delivered on school sites

- wider community access to ICT, sports and arts facilities, including adult learning.

Developing extended services locally

Met Borough believed the statutory basis of extended school services remained unclear: 'We are requiring schools to make services available, not because the Government is.'

> *'There is, under the Education and Inspections Act now a new legal duty on local authorities to provide a comprehensive offer of positive leisure time activities which clearly links with the extended schools agenda but does not define the extended schools agenda because they fly past the extended schools offer. I think that is quite an important thing.'*

> (Senior Officer)

The early DfES prospectus on extended schools indicated that each school would provide the core offer, but this was challenged by local authorities such as Met Borough as not being feasible financially:

> *'We were very challenging, saying that there is not enough funding to do that and also from a moral or ideological perspective we would not be wanting to kind of institutionalise children in schools from 8 o'clock in the morning until 6 o'clock at night which is when schools are meant to be open for offering child care. We were quite clear on the advice that we will make the offer through schools but will not require schools to deliver the full core offer themselves.'*

> (Senior Officer)

We will help you to be Ofsted registered to be providing registered child care provision and we will signpost that provision through schools.

The authority was also concerned about the effect of the core offer on the jobs of local childminders, and thus on local employment. 'So we have said to the local childminding association, we will work with you, we will establish those relationship in schools with you. We will help you to be Ofsted registered, to be providing registered child care provision and we will signpost that provision through schools. We are not in the business of putting you out of business. That's been quite important I think.' The Department, Met Borough asserted, was also naïve in believing that extended services could become self-sustaining through charging, without thinking about the implications for those disadvantaged, hard to reach communities that would not be able to afford charges.

Phase II: Integrated Youth Service

The authority began to push forward to integrate many of its front-line services in the three areas, specifically the services that target specific needs. For example, one development was to set up an integrated youth support service. 'We won't have a youth service any more – we will have an integrated youth support service that will include youth workers, but also Connexions personal advisers and it may include housing advice for young people. There would be support for young people leaving care, and support for teenage parents. So a range of services for young people but kind of integrated front line within the context of an integrated youth support service.'

Developing Area Partnerships

The Children and Young People Plan set out the commitment to deliver extended services in three local areas (north, middle and south). It intended services to be: local to the area in which the child and the family lives; designed around what children and young people said to the authority; and integrated with other services. Schools would have to collaborate to be able to delivery the core offer for extended schools. Resources would be devolved to these area partnerships so that schools together with other appropriate partners could devise and manage locally a set of appropriate services that met the needs of children and families in their area.

Since September 2005, Learning Support, on behalf of the Council, had been working with schools to deliver extended services within the three local areas. 'Extended services are key to ensuring that we meet the priorities in our plan.' By 2008 the government expects half of all primary schools and a third of all secondary schools to be offering extended services at or through the schools. By 2010, all schools should offer extended services.

Governance arrangements for area partnerships

Met Borough developed extended services by working with a range of agencies to develop area partnership arrangements. This model was believed to provide the best model of serving a number of schools in an area effectively. Schools would be the lead stakeholder in the partnership, and the grant funding to develop extended services was devolved to an 'account-holder' school in each of the three Area Partnerships.

Remit of the Area Partnership Group (APG)

Each APG would meet once a quarter. It would be both community driven and professionally coordinated. Its role would be to:

- 'Ensure the delivery of appropriate services to local families. It will set local targets to ensure that the PSA and SDA targets are met and oversee the work of the staff team in delivering on these

- Input into service design and delivery

- Monitor the quality and value for money of services to families

- Develop and review the strategic direction of the children's centres and extended schools programmes

- Assist in decision making and its implementation

- Have a financial and monitoring overview

- Make recommendations and undertake reviews

- Be accountable to the local authority as the accountable body

- Be accountable to stakeholders.'

Area Partnership Group membership

Each APG would have an inclusive membership of known stakeholders (including statutory, voluntary and community sectors) and those involved in service delivery for and/or supporting children and their families in the North Borough area. Each Area Partnership would:

- 'be the local focus group for extended services and activities

- frame local service design and delivery

- monitor the provision of services against targets and evaluate their effectiveness ands cost benefit

- be kept informed of relevant developments

- be the focus group for local consultation and user involvement activity

- have defined and agreed membership for the main group and any sub-groups.'

A Joint Committee

It was proposed that senior leaders and governors of schools within the Area partnership and LA and LS officers form a Joint Committee. The School Governance (Collaboration) (England) Regulations 2003 allow two or more governing bodies to form joint committees to take legally binding joint decisions. It was proposed that each partnership group would be constituted as a joint committee to take legally binding joint decisions about the delivery of extended services. Individual governing bodies were not absolved from responsibility for what actually happened in their schools. The governing body of each school held the responsibility for activities and services that the schools deliver and for ensuring that lines of responsibility were clear for other providers on the school site.

The accountable bodies would have an ongoing responsibility to ensure that the views and comments from all partner agencies and individuals were given due regard in undertaking the above functions. Relevant information was to be made available in a timely manner to partners to enable them to effectively contribute to the running of the extended provision. (See *Figure 4*.)

Figure 4: Schematic diagram of the relationship between the joint committee and the Area Partnership Group

Area Partnership Group (APG)

Partners include

- Providers of aspects of the integrated core offer (nurseries, NCMA, childminders, Jobcentre Plus, libraries, adult education/family learning providers, out of school hours learning providers, named partners in children's centres)
- Voluntary and community groups and faith groups
- Statutory sector (Education, PCT, CAMHS, Social Services, ACPT, Police)
- Independent sector
- Other partners as determined by the APG

Joint Committee

- Senior leader and member of the governing body of schools funded by the local authority to offer extended services and schools with a co-located children's centre
- A senior members of staff and member of the management committee for children's centres hosted in voluntary sector settings
- Senior local authority and Learning Support officers

Non-voting members

- Children's Centre Coordinators
- Extended schools Adviser/Area Manager

Area Partnership plans would be aligned with corporate council plans, in particular Our Strategy for the Development of Services to Children and Young People.

The model enabled stakeholders and community groups to support the development of services in a way that made sense for communities where there were a number of potential providers. The model helped to avoid duplication and would deliver better outcomes for children and families. Area Partnerships would provide the shape and direction of delivery plans. Area Partnership plans would be aligned with corporate council plans, in particular *Our Strategy for the Development of Services to Children and Young People.*

Decision-making

It was proposed that Joint Committee senior leaders and governors from schools with extended provision (children's centres and extended schools), a senior member of staff and a member of the management committee for children's centres hosted in voluntary sector settings and senior local authority and Learning Support officers should be the decision-makers within a wider Area Partnership Group.

Recommendations from the joint committee (or partnership group) would still require ratification by the individual governing bodies and other partners with their own trustees, for example, voluntary sector representatives in relation to services delivered from the school sites. The authority recognised however that the school governing body had ultimate responsibility for deciding whether the school should offer additional activities and services and what form these should take. Governors were partners in leadership with the headteacher and senior management team in providing vision and support to schools that are developing extended services.

> *Section 27 of the Education Act 2002* gives governing bodies of all maintained schools the enabling power to provide, or enter into contract to provide, facilities and services that 'further any charitable purpose for the benefit of pupils at the school, their families or people who live and work in the locality in which the school is situated'.

> *Section 28 of the Act* puts in place a number of safeguards that include a duty on the governing body to consult before establishing extended services and a

duty to abide by provisions that may be contained in the local authority's scheme for financing schools.

Thus the governing body of each school held the responsibility for activities and services that the school delivered and for ensuring that lines of responsibility were clear for other providers on the school site. However, the area partnership model would enable provision of services and activities to be considered on a broader front and provide continuity for those families who move around the borough. The model enabled stakeholders and community groups to support the development of services in a way that made sense for communities where there were a number of potential providers and would help to avoid duplication and deliver better outcomes for children and families.

Where a children's centre was co-located on a school site, the headteacher and governing body would be responsible for the children's centre. The children's centre coordinator would be employed as a member of the school staff. Line management of health staff would rest with the PCT/clinical heads and delivered at the children's centre through a service level agreement. It was recommended that where a children's centre was co-located on a school site, the governing body establish an 'under 5s committee' to oversee the centre developments. (In voluntary sector sites, the governance arrangements should establish a children's centre sub-group of their management committee.)

Area Partnership Groups would not be empowered to appoint or line-manage staff; set budgets; undertake certain commissioning, auditing, performance reviews, risk assessments. Personnel issues, contracting and auditing would remain the responsibility of the local authority.

Area based team managers

Area team managers worked together under the direction of a group manager within each local area to ensure a comprehensive offer of services and activities that met the needs of communities within each area. Children, young people and parents would be consulted in the design of services. The group manager for each local area was responsible for ensuring

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"We have employed an area partnership group manager and they actually work in an operational way with clusters of schools within the area partnership group to talk about cluster priorities."

that the work of the area-based teams within the Children and Young People's Services directorate was linked to other area-based work, including better neighbourhoods, regeneration programmes and sports partnerships. The authority believed that their approach to area partnerships was not only about an integrated offer of services and activities for children, young people and families; it was also about learning and teaching and the pattern of educational provision in each local area.

The practice of Area Partnership governance

There was pressure to get the Area Partnerships established, and it became the work of one officer to implement the partnership plan across the authority as a whole: needing to do a lot of the networking and facilitating electronically to enable progress. The area managers then came into post: the first in April 2006, the second in September, and the third in October 2006. The number of schools participating in the area partnerships grew and by mid 2007 50% of schools had become members of their area partnership, helping the authority to hit its target of school involvement.

Developing clusters

The Area Partnership Group proved to be too large a meeting and too unwieldy a decision-making mechanism, and so smaller cluster units were formed to allow smaller community groups of schools and agencies to clarify needs and priorities. The appointment of the area partnership managers provided the opportunity for clusters to be formed and supported in their decision-making.

'We have employed an area partnership group manager and they actually work in an operational way with clusters of schools within the area partnership group to talk about cluster priorities. Then the area partnership group meets together as a whole to ratify the priorities and the spend defined by the clusters in an area.'

The clusters were meeting bi-termly approximately with the area manager, and the area partnership group as an entirety met

termly. 'According to the terms of governance that we adopted, the APGs had formalised agenda items, standing items, and the major agenda item was to ratify decisions about spend. So that was set up last year, early 2006 when our first schools came on board.'

Tensions in decision making

A number of tensions were experienced in the meetings of the Area Partnership Group meetings. Rights of voting on proposals for extended services were accorded only to school representatives (leaders and governors) because the grant is specifically allocated to support the work of schools, but agencies felt excluded. They wanted to be able to communicate what they had to offer schools and this came to dominate the agendas of the APG meetings, crowding out more strategic and evaluative decision-making.

When the clusters were formed, they only included the local groups of schools, and the professional leaders of those schools, thus excluding a number of stakeholder interests from the discussions and priority setting.

'The APG wasn't a particularly fruitful meeting environment. The agendas were getting unwieldy. Lots of the services who wanted to speak to schools, kind of wanted to be on the agendas so we got too bound up with other interests. The partners, say for example, the youth service and early years, didn't feel that it worked because they didn't come to the cluster meetings, they just came to the area partnership group meetings. So therefore their opportunity to advise was lost. It meant they just heard the decisions: they weren't able to impact on the decision-making. However, we couldn't ask them to every cluster because they don't have the capacity nor is it necessary because some clusters might be focusing on health as their priority and some clusters might be focusing on early years.'

These concerns led to changes in the practice of organisation and governance during 2007/08. The cluster meetings continue to be supported by the area managers, but schools were encouraged to send to the cluster meetings, not a senior manager, but a middle

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> *The area partnership group still exists but it will be for strategic leads only and will still be there to ratify the spend priorities suggested by the clusters.*

manager, or a learning mentor, somebody with operational responsibility for the delivery of extended services.

The cluster meetings prepare bids for extended services which are then submitted to a meeting of the Area Partnership Group as a whole – who make final decisions on the spend of that budget according to extended school priorities in that area. The APG decision making is seen as largely ratifying the decisions of the cluster meetings.

> *'The area partnership group still exists but it will be for strategic leads only and will still be there to ratify the spend priorities suggested by the clusters. But it will just have kind of one priority of discussion which will have been informed by the themed events.'*

Themed events

To accommodate the need for the service agencies to be able to communicate the services they have to offer schools, the authority decided to introduce the idea of 'themed meetings' that would be organised by the APGs. 'This is so the partners can be involved in the decision-making process more and we can focus partners where they are needed most. So for example one of our themed events is inclusion. So we can get all the people that help us with inclusion there.'

Assessing progress over time

1. Is the extended schools agenda making a difference to achievement? The answer of one of the managers coordinating area partnerships was that 'the jury was still out'. A specific study in one full-service school revealed that extended services had not made a difference to standards of achievement. But the manager reported that other schools were pleased with the effect extended services were having on the practice of engaging children and families and in providing enriched learning opportunities.

> *'I think the jury is mixed or still out. Some schools very much see extended services as helping to engage children and providing support for families. They value the planning with other agencies. They see extended services as supporting*

their educational agenda of learning in school, as a great opportunity for enriching a range of activities. Inevitably there are additional tasks, but the need to undertake them is recognised.'

2. The scale of the resource made available for extended services has been an issue for some schools that are more sceptical about the process: why should they make the investment of time and energy for a collaborative process that may yield them less than £10,000 for a scheme to introduce a partnership with parents or support an after-school club?

> *'Is it a revolution or a damp squib? There is a huge architecture of procedures and funding forms etc all for £10k. We are already doing some of the activities for TDA, so why should we give teachers time off to attend meetings of the Area Planning Group?'*

The extended schools resource is small compared with the overall budget for a school, and thus the expectations need to be in proportion to the level of finance involved. The benefit of extended schools in the short term is likely to be in developing the community of practice between professionals and between them and children and families.

3. The process of bidding for extended service projects left something to be desired for some participants. The proposals for projects were often being calculated in terms of what resource might be made available. One Area Planning Group was trying to ensure that each of the participant schools received some money to participate in a project. A representative of one of the schools who benefited from the allocation nevertheless asked whether the group should have gone through a more rigorous process of deciding criteria and assessing needs against them.

4. The organisation and accountability process of managing extended services was a concern for one area manager. Were some projects being double-funded, and what was being achieved with the money allocated from the extended services funds? There was a need, the manager argued, to put scrutiny procedures in

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place and to strengthen the accountability process. It was not necessary, the manager proposed, to establish new committees of the governing body, just to ensure the appropriate questions were asked, clarity of organisation established, accountability procedures put in place:

> *'Who's going to perform that, who's going to own that and at what level in the school from the rhetoric to the actual delivery of whatever it is?'*

5. Having developed experience of partnership initiatives for extended services, behaviour policies, youth work, and facing the need to develop collaborative partnerships to accommodate the 14–19 Diplomas, Met Borough believed the important next step required these separate initiatives to be brought together into a coherent system of partnership governance.

Met Borough is one of the leading local authorities nationally in working to develop layers of governance and in recognising that the different rationales of cluster governance (extended schools, 14–19 planning, social cohesion) are leading to confusion and need to be rationalised. A conference of headteachers in 2008 reported that the national regulations for governance were no longer fit for purpose and that professionals in communities were now in advance of Whitehall in developing forms of governance appropriate to the policy demands being placed on them.

Part 3: Analysing the new governance

The research has studied the implications of the programme of education policy changes for the governance of school governing bodies, in particular the requirement that schools, agencies and sometimes colleges, form partnership 'clusters and localities' to deliver those policies. We have studied how those collaborative arrangements have been governed and their intersection with related reforms to the governance of schools such as self-governing trusts. The next two chapters will review the research, bringing out the different layers of analysis that are needed to provide an adequate interpretation of the changes taking place in school governance and what it reveals about wider changes to the governance of civil society.

3.1 Developing partnership governance

The first phase of the research and the case studies that followed showed the development of different forms of collaborative governance at the level of cluster and locality (*Figure 5*) which we will refer to as partnership governance.

A typology of cluster and locality governance

The research found no instances of schools across a locality integrating all their governing bodies into one legally constituted *Federated Governing Board* (a 'hard' federation). Some local authorities have acknowledged that this kind of federation could emerge in time as a potential form of governance, especially for the 14–19 policy field. The research did, however, investigate a case – Centro City – of a 'soft' federation. To support its 14–19 Diploma policy, the City had developed in each of four localities, formal consortia of schools, colleges, agencies and the Authority, a legally constituted *Joint Governing Committee* with statutory delegation of powers, 'to act on behalf of the governing bodies in matters concerning the general direction of the federation, the general direction of staff employed on behalf of the federation, and the general direction of the federation's finances.' This arrangement followed *The School Governance (Collaboration) Regulations 2003 (as amended)*.

While Coast City had not formed a layer of governance at the level of the locality, Met Borough formed, in three areas of the borough, non-statutory *Area Partnership Groups* ('strategic committees' as Lindsay/DCSF would refer to them). These Partnership Groups define a formally constituted body of representatives of all the stakeholders in a decision field such as extended school provision. They include schools, children's centres and service providers. They also include members with different statuses: governors and parent representatives as well as headteachers, service directors and children's centre leaders. In the Met Borough Area Partnership Groups only the schools have voting rights. It is argued that this is because the extended school resource legally has to be allocated to schools. (In another authority visited during the study, all the members of the committee were accorded voting rights over this 'schools' resource.)

The research visits to a number of authorities included reports of statutory federations between schools, typically between purportedly 'strong' and 'weak' schools. Centro City had one federation of this kind which lasted for a few years but was then dissolved as the 'weaker' school began to flourish. Met Borough had plans which were close to agreement for statutory 'campus' federation to include a primary school, a children's centre and a youth centre. Though this federation had its origins in helping strong institutions to manage falling rolls, and integrate IT, the campus was also seen as embodying the authority's emerging 0–19 vision of learning communities.

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Figure 5: The typology of locality and cluster governance
Locality Governance
We define a 'locality' as an area, or sector, of a local authority, typically comprising a number of secondary schools (say 5 or 6), primary schools (10 or more), a special school, children's centres, and a further education college. Governance models can include
A Federated Locality Governing Board (sometimes known as a 'hard' federation)   • A legally constituted governing body integrating the governance of two or more schools;   *A Joint Governing Committee (sometimes known as a soft federation)*   • A formally (though non-legally) constituted committee of governors from a locality in a local authority;   *A Partnership Committee*   • A formally constituted body of representatives of all the stakeholders in a decision field such as extended school provision. They will include schools, children's centres and service providers. They will also include members with different statuses: governors and parent representatives as well as headteachers, service directors and children's centres leaders.
Cluster Governance
We define 'cluster' as a neighbourhood partnership grouping: a secondary school, surrounding primary schools and children's centres.
Federation   • A legally constituted governing body integrating the governance of two or more schools;   *A Cluster Joint Governing Committee (sometimes known as a soft federation)*   • A formally (though non-legally) constituted committee of governors from a locality in a local authority;   *A Cluster Committee*   • A formally organised (though non-legal) committee representing all the schools in a neighbourhood. This committee typically includes professionals, though may include a governor on an informal basis.   *A Primary School Cluster Committee*   • A formally organised (though non-legal) committee including all the primary schools in a neighbourhood. This committee typically includes professionals, though may include a governor on an informal basis.

Centro City did not develop a cluster or neighbourhood dimension to support its 14–19 locality governance arrangements, and although it had begun to develop clusters to support extended school services, it only envisaged creating a layer of cluster governance over the next three to five years. The other two case study authorities had each developed forms of cluster governance. So Met Borough was the only case authority to develop locality and cluster partnerships.

A Cluster Governing Committee, a formally (though non-legally) constituted committee of schools, agencies and centres was established in Coast City, though in practice schools dominated the membership of meetings. A couple of governors were included but were a minority influence. *A Cluster Committee*, a formally organised (though non-legal) committee representing all the schools in a neighbourhood, was formed in Met Borough. This committee typically included only professionals, though in one cluster a governor was, atypically, included. A Primary School Cluster Committee, a formally organised (though non-legal) committee including all the primary schools in a neighbourhood was formed in a number of areas in Centro City. Governors were not invited to join these meetings.

What has been learned from the research about the purposes, structures and practices of these cluster and locality governance arrangements?

Organising partnership governance

The three case study local authorities each sought to establish arrangements for governing the clusters and localities they were planning for extended schools and 14–19 diplomas. But they differed in the forms of constitution they created, the degrees of formality of organisation and participation, in the inclusion of governors, in the structure of committees established, and the accountability relations formed. The characteristics of constitution are set out in *Figure 6*.

Changing the nature of partnership

The 1986 Education Act established 'the stakeholder model' for constructing school governing bodies based on the principle of partnership between all the groups with an interest in the school: parents, teachers and support staff would be elected, while other governors would be appointed by the local authority, and drawn from the local community (including local industry and commerce). The stakeholders were conceived essentially as *users* of education, the constituencies in society that have an interest in the institution of

Figure 6: Case Study Partnership constitutions			
	Coast City	**Centro City**	**Met Borough**
Function	Extended school Planning and Resource allocation	14–19 course & diploma plans and Resourcing	Extended school Planning and Resource allocation
Constitution of Partnership – location – formality – participation	Cluster Extended neighbourhood Local agreement Expected	(Soft) Federation Locality (Quarter of City) Formal Necessary	Area Partnership Group Locality (Third of Borough) Local agreement Voluntary
Structure of Committees	1. Steering group 2. Cluster Thematic Forums	1. Joint Committee of governors 2. Steering Committee 3. Support Committee	1. Area Partnership Group 2. Cluster Committee 3. Area thematic forums
Composition	1. Principally schools 2. Schools and inter-agency	1. Governors and heads 2. Heads and professional providers 3. Deputy heads	1. Schools and inter-agency 2. Heads 3. Schools and inter-agency
Governor composition	1. Two representatives (of circa 20 members)	1. 50 per cent 2. None 3. None	1. Each member School can select one governor (circa 5–6 governors of 20 members) 2. None 3. Random
Accountability	Local Authority/ Schools	Schools/Local Authority/LSC	Local Authority/ Schools

> *The greatest distinction between the case study authorities lies in the extent to which they involve school governors in their collaborative structures.*

the school working well to benefit the variety of needs which they believe schools should serve.

The local authorities in this study have formed the governance arrangements of clusters and localities to service very different purposes of partnership. The consortia have been designed to form a partnership between *providers*, rather than users, the agencies which deliver services, activities and opportunities to children, families and communities. Governors are involved, but in their role as institutional leaders rather than their user/stakeholder role. Parents are sometimes involved in their user role, but this is not typical and stands in contrast to the organising principle that shapes the partnership being formed.

Governors included at the centre or the margins

The greatest distinction between the case study authorities lies in the extent to which they involve school governors in their collaborative structures. Coast City includes only two school governors in its representation, and while Met Borough involves more governors, one from each school, they still form a minority in the larger partnership forum. Centro City is unique in forming a Joint Committee of Governors. However, the 'jointness' is ambivalent here, formally meaning a joining of the constituent schools, but actually referring to a power sharing between governors and headteachers.

Commitment and detachment

The relative commitment to collaborative arrangements is indicated in the degrees of formality established. The partners in Centro City have chosen the concept of 'federation' to describe their partnership. They are not 'hard' federations which would mean that the several institutions had constituted a legal integration embodied in the creation of one governing body. Nevertheless the term federation does reflect the degree of formality informing the partnership, reflected in the elaborate constitution, informed by legislative understanding, which underwrites the formation of a joint committee of governors and headteachers and the delegation of some powers from school governing bodies to the Joint Committee of Governors.

Participation in the clusters in each case also reflects the differing commitments to partnership working. In the case of Met City participation is voluntary and a number of schools had not decided to join the Area Partnership Group or the smaller group clusters. In Coast City participation was strongly 'expected' but in the last resort voluntary. In the North West Centro City federation participation is required by the statutorily-created joint agreement, though one head and chair of governing body nevertheless do not attend the Joint Committee (although the head joins the professionals' steering committee).

Degrees of management support

There are two kinds of variation in the organisation of clusters and localities. The first difference is in the extent to which the local authorities have created both clusters and localities. Met Borough has created a two-tier structure of partnership working to support its extended school policy development. There is a larger meeting of the Area Partnership Group which seeks to include all the providers and agencies involved in delivering extended services supported by local cluster committees that typically only involve heads/ teachers from schools. Coast City and Centro City have differentiated the function of partnership working between different tiers: using the locality for 14–19 partnership working and the cluster for extended school service planning.

The second difference between the local authorities is in the layers of management support they provide for the governance arrangements. In Centro City to support the decision-making of the Joint Committee of Chairs of Governors and headteachers, is a steering group of the professional providers (including schools, a college, the local authority, and the Learning and Skills Council), and a working sub-group made up of post-16 senior managers in schools. Coast City has created a steering group for the cluster, but no working group, and Met Borough has neither a steering committee nor a working group to support the extended school planning process.

Tensions of accountability

While the partnerships perceive themselves as accountable to the constituent schools,

whose governing body retains legal jurisdiction over budgets and ultimate decision-making, in practice the weight of accountability lies in relation to the authorities that control the resources and manage and evaluate the process, the local authority in the case of Coast City and Met Borough, and the Learning and Skills Council and the local authority in the case of Centro City.

Professionalising the practice of partnership governance

The contribution of governors to the partnership deliberations in Coast City and Met Borough were typically negligible or non-existent. One or two governors, often parent governors, amongst 15 to 25 professionals lacked the confidence to contribute, or felt they had not been prepared for the meeting by a headteacher with the necessary information. Following a cluster meeting, one governor in Coast City complained that her headteacher had not provided her with any information or understanding of the issues to be discussed at the meeting. At a partnership committee meeting in Met Borough the only governor to contribute was a former councillor asking trenchant questions about the presentation of options for funding extended school activities.

The cases of partnership governance considered in this research show that the principles of a governor stakeholder committee have not been applied to creating clusters and localities. The cases demonstrate that these innovations have strengthened the voice and decision-making power of professionals at the expense of school governors, while acknowledging that legal authority remained with individual school governing bodies. It is clear that the partnerships had been constituted to ensure that *ownership* rested with professional providers in each case. This was revealed in the constitution of membership and the jurisdictions of the partnerships. Coast City and Met Borough had formally established forums which brought together the partners involved in deciding extended school services. This meant that school governors were constituted as one partner amongst others – no doubt an 'equal' partner, but numerically a minority voice in the larger colloquium of voices. The rationale for including governors, however, was that they represented a voice of the public, of public accountability, within the forum. But this was, in effect, constituting the voice of public accountability as a minority voice in a colloquium of professional voices. (*Figure 7*)

The membership and constitution of the partnerships, moreover, structured the

Figure 7: Practices of power			
	Coast City	**Centro City**	**Met Borough**
Ownership	Principally schools	Education providers Schools/Colleges LAs/LSC	Schools/Providers
Jurisdictions/Domain of decision	School provision/Budgets	14–19 provision	School provision/Budgets
Powers of decision	Schools/teachers	Chairs and Heads	Schools and Teachers (not Agencies)
Mode of Decision	Provider bidding against criteria	Provider network Planning	Ad hoc provider bidding
Participants' status	School deputies/Senior managers, Governors	Chairs of governors Headteachers	School deputies/Agency managers, Governors
Voice of Governors	Quiescent	Deliberative	Quiescent

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> *The seniority of the participants meant that a significant body had been established to legitimate the activities of the federation and provide it with leadership.*

interests of committee decision-making in favour of the schools and educational providers. This was disclosed by the jurisdictions of decision making. In the extended services cases even though other providers or agencies were involved in the meeting, decision-making, actual voting on bids, was restricted to the representatives from schools because the grants from Central Government, allocated through the local authorities, were determined as resources for schools. In the first phase of development in the North West 14–19 Federation, colleges were given the status of associate but non-voting members of the forum. This bias in favour of schools and educational providers did not, however, necessarily exclude the contribution of school governors.

Specialist rather than public discourse

A more subtle structuring of power, nevertheless, was experienced in the nature and modes of deliberation and decision-making, which were often constructed as rather technical, professional matters requiring specialist knowledge. If a meeting, for example, was asked to make a decision about providing counselling for young people, and which voluntary organisation should provide the service, this could often require specialist professional understanding to contribute to the discussion. The meetings and the agenda items were typically about making knowledgeable decisions about particular services. The meetings were typically not about developing strategic purposes and plans that allowed the decisions to be monitored and assessed. But those are the functions of strategic leadership and scrutiny which form the driving purpose of governing bodies. The partnership meetings were coded to require assertions of knowledge, rather than voices of enquiry and scrutiny.

Yet there are important differences between the partnership forums constituted by the Centro City federations and those to deliberate extended services in Coast City and Met Borough. The federation had established a Joint Committee of the constituent schools' governing bodies typically represented by the chairs of governors. The Joint Committee was not a legally constituted 'hard' federation that integrated the governing bodies of the

constituent schools, but it had a formally constituted board of governance to oversee, lead and scrutinise the work of the federation. The seniority of the participants meant that a significant body had been established to legitimate the activities of the federation and provide it with leadership. The quality of deliberation within the Joint Committee also suggested that the functions of questioning and scrutiny exercised by the best school governing bodies were being practised by the federation. The dialogues suggested the capacity of the governors to ensure that the strategic implications of the debate about the 14–19 Diplomas, and Building Schools for the Future were brought out for decision making.

Nevertheless, although the governing committee of the federation was constituted as a space of governance that was meant to be function in much the same way as a school governing body, the composition of the Joint Committee by including an equal number of headteachers necessarily moderated the voice of the governors, and ensured that the heads could control the meeting if they wished. Moreover, the powers of the joint committee were restricted compared to its constituent governing bodies because it could not control their budgets.

Concluding discussion: Questions for the layering of governance

The policy and legislative changes – for extended schools, social cohesion, and 14–19 diplomas – are broadening the responsibilities of the governing body to take in the needs of the wider learning community. The three cases illustrate how many governors and professionals are responding positively to the role of clusters and localities in supporting extended services and the expansion of learning. Governing bodies are perceived as having a considerable and valuable role to play in strengthening links between the school, family and the community that will encourage children and young people to engage in the learning process.

Governance is valued because of the legitimacy it brings to extended services and for the accountability it ensures in the use of public resources. Although one secondary school manager in Coast City was sceptical

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"Will governors be able to cope with the expansion of responsibilities?"

about the need for governance in schools, because of the growth in scale and complexity of schooling, most governors, school leaders and authority advisers were sure about the essential role for a governing body in the professional world of education. Yet the early experience of clusters and localities suggests that a number of questions need to be addressed if the experiment of cluster governance is to make progress in the future.

1. Can governors overcome the culture of attachment to the school? An officer in Centro City believes that school governors are reluctant to shift their focus from the schools standards agenda, yet he acknowledges that 'successful schools are a real presence in their local community, getting involved in the life of the community.' It is not that it is mistaken to encourage governors to take this broader perspective on their role, 'but there is a job to do there in persuading governors of this broader aspect of their work'. The local authority is working through its Governor Training Programme to help governors to develop understanding and the capabilities to take up this role.

2. Will governors be able to cope with the expansion of responsibilities? Even those governors and school leaders who are most committed to the growth of clusters and their governance are concerned about the implications for governors' time and energy.

3. Will governors have the knowledge and experience to contribute to governance at the level of the cluster and locality? While a number of governors and school leaders

believe that the community relationship is potentially more suited to the experience of governors, they remain anxious about their ability to manage the new expansion of community governance.

4. Will governing bodies delegate power to a joint governing body, and if so what conditions and processes need to be in place to support the process of delegation?

5. Will headteachers cede power to a joint committee of governors?

6. Have the protocols of voting and decision-making been clarified in the governance of clusters?

7. Have the layers of governance been addressed in the constituting of cluster and locality joint committees? Perhaps the most significant question for this embryonic formation of governance is its relation to the wider system of governance. The questions of authority, power and accountability cannot be determined for a cluster in isolation from the governance of the school, the locality and the authority itself. As a senior manager in Coast City recognised, there is an urgent need for an authority to work out the layers of responsibility in relation to what is held in common across a city and what is particular to a locality and neighbourhood.

These dilemmas and questions about the construction of governance at the level of cluster and locality, its inescapable relationship to other tiers of governance, and the demands the new system is placing on its participants will be issues that will be taken up in the final chapter.

3.2 Schools and the governance of civil society

The analysis of school governance demonstrates a distinctive trajectory of change in the growth of partnership governance, the expansion of professional power at the expense of elected volunteers, and the corporatising of school ownership. What is the wider implication of these changes in school governance that have been unfolding over the past five years and more? What do we learn about the changes taking place in the governance of civil society? Because of its

significance, education has always revealed the organising principles of the public sphere, and we argue that the remodelling of school governance exemplifies broader changes in the governing of civil society. Drawing together the three sources of data for this study – fieldwork, documentary analysis, and national interviews and observation – this chapter develops an interpretive analysis of the changing governance of schools and civil society.

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> *Trust and Academy schools have become the vehicles for new forms of ownership of schools.*

Beyond 'the partnership of state authorities'

Recent education policy (especially *Higher Standards, Better Schools for All* (2005) and the *Education and Inspections Act,* 2006) has proposed that schools and services must be 'opened up to new and different providers and ways of delivering services'. Parents' groups might become new providers. The business and private sector, in addition to the churches, would not only extend their increasing control and provision of state schooling, but also play an emergent role in a new system of local governance, offering 'some local brokerage to make it work' as well as coordination to ensure joined-up provision. 'This cannot just be a partnership of state providers – the voluntary and community sector, business and private enterprises need to be a part of this partnership to provide joined-up services.' (DfES, 2004).

This is an interesting and carefully crafted expression. At one level it separates out what is formally a unitary, interdependent system of central and local government into two distinct authorities, as if local government were independent of the state. Historically, the post-second-war system of government developed with two tiers of authority and clear differentiations of function, power and responsibility. Authority was delegated downwards to local authorities and further to institutions such as schools and colleges which acquired considerable autonomy.

The formal partnership constituted by the 1944 Education Act was that between the State and the Church, with the schools of the Church of England incorporated into the state system (as voluntary aided schools) while schools of the Roman Catholic Church remained controlled by the Church though supported by public funding. Mechanisms of partnership were developed at national level to ensure this system worked relatively cohesively.

More recently, since the late 1980s, central government has appropriated powers to restrict the scope of local authorities to make their own decisions, as considerable powers were devolved to school governing bodies. Local authorities were squeezed between the steering capacity of the State, and the power of parental preference in the marketplace of school admissions. Nevertheless, although some diversity of provision of education entered the governance of education following the 1988 *Education Reform Act* (with grant maintained schools, and City Technology Colleges (CTCs) it was still accurate to describe the system as publicly funded and state provided (by central government directly – as in GM schools – or the majority of schools by local authorities). The 'direction of travel' of education policy following the 2004 *Five Year Strategy* and the 2005 *Higher Standards, Better Schools* White Paper has been to expand the sector of self-governing schools, independent of local government, though continuing to receive funds direct from the State.

This reference to the State implies that the schools will remain in the public sector though not provided by the administrative apparatus of the public sector (i.e. central or local government). Yet if schools acquire *foundation* status and create an independent trust often supported by private or voluntary interests, then it is reasonable to ask whether the schools remain in the public service or have transmuted into the corporate sector. Trust and academy schools have become the vehicles for new forms of ownership of schools.

From state to corporate governance of schools and civil society

The nature of governing schools is, we propose, being re-configured quite fundamentally in its practices, structures and cultural codes. *At the level of the institutional ownership* a system of plural, **corporate** and self-governing ownership and regulation will replace a unitary state system of governance. A system which since 1944 has placed the governance of schools in the hands of a council of locally elected people, supported by an experienced professional bureaucracy, the local education authority, with its committee of elected councillors, is being replaced by self-governing trusts led by corporate sponsors.

At the level of the school the pressure grows from some school leaders and from some in Whitehall for an **executive** board of governors or trustees to replace the democratic stakeholder model that elects parents and teachers to a governing body of representative

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interests. The emphasis will be on a smaller board of non-executive directors, nominated and appointed, who will bring dimensions of social capital to the school, particularly the experience of running businesses, and with networks into the public sector and business worlds. The school will be led by a charismatic, transformational leader.

At the level of the cluster and locality, as our research has shown, governing committees are being constituted and led by **professional partnerships**. Parents and school governors may be included in a joint committee but not as controlling public interest, and they will be appointed rather than elected by the professional leaders of their schools.

These changes in the governance of schools exemplify a wider transformation in the governance of civil society from a local, public to a corporate civil society. These changes are described in *Figure 8*.

(i) Local, public civil society

The post-war world sought to constitute a political order of democratic civil society based upon the public values of justice and equality of opportunity designed to ameliorate class disadvantage and class division. Public goods were conceived as requiring collective choice and action. Hence, a unitary framework of central and local governance constituted the significance of cohesive *systems* of administrative planning

Figure 8: A typology of contrasting models of civil society		
Aspects of Governance	**Type of Civil Society**	
	Local	**Corporate**
Value/Purposes	Public sphere/public service Social justice as equal opportunity	Choice/personalisation Distinctive ethos/mission
Function	Mediating particular and universal	Enabling diversity
Structures of governance • Ownership • Jurisdiction • Authority • Organisation	Public ownership Local Authority Election: councillors Collective representation Delegation/ Interdependence	Foundations/ Self-governing Trusts/Chains Business performance Charismatic leadership Inter-agency chain
Practice • Voice • Deliberation • Accountability	Public deliberation Public accountability – to authority – to community	Corporate accountability – to trustees/sponsor – to constituent
Code • Space • Rationality • Citizenship	Locality/place/city Public value Collective citizenship – rights as entitlements **SOCIAL DEMOCRACY**	Association/interest group Interest (instrumental Rationality) Consumer citizenship Citizen as supplicant **ASSOCIATIONAL DEMOCRACY**

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The mode of authority informing local, civic governance is judgement about the public good, the good of all, formed by the people of a locality.

(the LEA) and institutional organisation (the comprehensive school).

Social democratic governance, although constituted by legislation and central administrative guidance, emphasised the authority of local government (over place) and schools (in their communities). A key organising principle of governing civil society in this period was the importance of specialist knowledge in delivering public services at the level of the local (education) authority and at the school: it became known as 'the age of professionalism'. Nevertheless, the schools were part of a local authority which was governed by a democratically elected council, and the councillors typically sat on the governing bodies of the schools in their constituencies. When in 1986, the Conservative Government reformed school governing bodies, they strengthened their democratic base by including elected parent representatives to become members of a body that involved all the stakeholders to become trustees of the long-term future of the school. It was a professional order governed and accountable to democratic, public authority at the level of the authority and the school.

Orienting the local education service and the experience of learning, and providing much of the motivation, would be the significance of place, being inspired by its history as well as its distinctive cultural and social traditions. An education has always been an unfolding of and qualifying of potential, but it has equally been a preparation for citizenship, for taking up a position in and contributing to the life and work of the civic community. Not all will seek, or be able to serve as volunteers in the governance of forums, bodies and councils but those who do will bring to their participation wise voices based on knowledge of local cultures that have shaped the upbringing of children and without an understanding of which formal education will remain detached and distant from their needs and unable to engage or motivate young people.

The mode of authority informing local, civic governance is judgement about the public good, the good of all, formed by the people of a locality. Public goods and public decisions acquire legitimacy when they are based on collective, public agreement and

are accountable to the public. Because public goods require public consent, it is rational to develop institutional arrangements and establish practices of participation and deliberation that enable learning about the expressed needs and wishes of families and communities. The judgement of the people is regarded as an essential and valued contribution to the process of deliberation and public choices to be made. The mode of rationality proposes that when governance is responsive to the voice of people from a locality, taking into account their expressed needs, they are likely to feel engaged and to participate in the life of the school or the community. Governance, so the rationale would have it, is more likely to succeed in its purposes when it includes and deliberates with, rather than subordinates, its public. The cultural code of public governance is thus accountable participation and practice.

(ii) Corporate civil society

An influential theory of governance in recent years (Rhodes, 1997) argued that it was the 'hollowing out of the state', that characterised the distinctive changes to the nature of governance. A strong State was replaced by quangos and hierarchical governance transmuted into networked governance. Actually the twenty years that have unfolded since the publication of Rhodes' book have witnessed an extraordinary strengthening of the State in its power of central regulation. Markets have been administered spaces. Where Rhodes' image has interpretive potential, however, is in the idea that it is democratic public governance that has been hollowed out from the practices of the State.

While the local model of civil society expressed the authority of universal purposes, the corporate model celebrates diversity of *particular* interests and ethos. The self-governing trusts will be driven by the personal ambitions of a charitable sponsor, or the particular belief systems of diverse faiths, or the private interests of business combines. The trusts will build up chains of schools and other educational agencies not based on place or locality but on affiliation to the informing ethos. The argument for ethos rather than place can be that commitment and motivation are the driving spirit in the learning process for young

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> *What has been the relationship historically between the growth in (local) democracy and the growth in educational opportunity?*

people and if a particular association can bring to school the necessary passion about learning this will communicate itself to children and young people and generate the springs of motivation on which learning depends. Such commitments, it would be argued, will bring greater benefits than the traditions of professional vocation. It can also be proposed that in a mobile society place and locality will no longer form the inspiration for young people growing up as they are likely to migrate from place to place as their families search follow opportunities in the labour market.

The emphasis upon a particular informing ethos for corporate schools and civil society will tend to entail practices of charismatic leadership. The director of the Trust will embody the inspiring transformational leadership implied in an ethos-driven organisation seeking to overcome the purported failures of the national and local state partnership tradition of schooling. The non-executive directors will be nominated and chosen for the specific benefits of social capital that will accrue to the corporate Trust, and the headteachers will also be chosen for their affiliation to the corporate brand and their charismatic, transformational leadership of their schools.

The distinctive characteristic of the corporate civil society is membership of an association, a club. Gellner (1969) described this form of civil society governance as 'modular', or 'capillary', because the parts have no necessary order and can be assembled randomly. The unifying authority of public purpose is replaced by the disparate authority of charitable or corporate purpose. These voluntary amalgamations are contingent upon affiliation or acquisition rather than the necessary association with place. By implication, therefore, it can also leave to chance the kind of education that children and young people will receive, depending on the contingent distribution of institutional trusts and chains available in a locality. A key distinction between local and corporate civil society is thus the status of arbitrariness. Does randomness matter, or does the purpose and organisation of education require forms of necessity?

Sir Peter Newsam (2005) has argued that this randomness is significant for the governance of education in civil society. The movement towards a system of self-governing chains and schools is taking the governance of education back to the pre-1902 dispensation:

> 'Education provision and maintenance of secondary education has been until recently the responsibility of locally elected people. Now this responsibility is effectively removed: they are to become commissioners of education services. Into the vacuum have stepped the unelected …
>
> Can the removal of local democratic involvement in secondary education be regarded as progress? Historically it looks more like a reversion to the confused mixture of local agencies with conflicting aims and responsibilities to which the Balfour Act of 1902, despite formidable opposition, managed to bring a now vanishing degree of coherence.'

(Sir Peter Newsam, TES, 7.10.05)

What can be learned from the changing forms of the governance of education over time and the changing distribution of educational opportunities? What has been the relationship historically between the growth in (local) democracy and the growth in educational opportunity?

Contradictions in public policy?

It can appear that the discussion of education policy through this chapter and through the report, is fundamentally fractured at two levels: in the presenting agenda of policy, and at the level of analysing emerging practice.

(i) Contradictions in the presentation of education policy?

Education policy appears torn between two very different strategies. One asserts that education and the governance of schools will be improved through strong independent institutions which compete effectively in the marketplace of parental choice, and another strategy which proposes that only a collaborative community of practice can create the conditions for all to achieve. If this bifurcation of public policy is acknowledged as contradictory then we might anticipate rational policymakers developing plans to enhance coherence and dissolve fragmentation.

> *There is a significant chunk of them who go private because they feel despairing about the quality of education. They are the people we are after.*

From a different perspective, however, the present ostensibly contradictory policies might be constructed as perfectly consistent. Education has remained inscribed by class at every level of service and practice (Ball, 2003). Ministers in recent years have been concerned about the purported fragile confidence of middle-class parents in the quality of urban secondary schools. At the time of the Labour Government's launch of its *Five Year Strategy*, the Secretary of State expressed anxiety about the drift of middle-class parents from the state sector, which had risen to 20 per cent in some urban areas and higher in London. *'There is a significant chunk of them who go private because they feel despairing about the quality of education. They are the people we are after.'* (Clarke, 2004, in Harris and Ranson, 2005). There is a duality in the *Strategy* and in ensuing legislation which the Government has sought to hold in tension by the rhetoric of choice – 'customised' for parents' choice of institutions and 'personalised' for students' choice of learning.

This duality of policy is informed, arguably, by the State seeking to regulate different class interests and concerns. One set of strategies is designed to satisfy the possessive individualism of the advantaged, providing them with the positional goods to secure their relative advantage in the spaces of the mobile global economy. Another set of strategies that are creating an integrated and collaborative Children's Service are designed to provide 'wrap around' care and 14–19 vocational training to secure adaptation of disadvantaged children and families to the changing demands of local labour in its place. *Every Child Matters*, *The Children Act* and *Extended Schools* could be generating a new sphere of participation, voice and co-production of public service, or if the broader compass of policy is taken into view then a different frame of class segmented education governance is revealed, driven by exigencies of a stratified labour market. Opportunity is mediated by the market for the advantaged while the integrated community of practice mediates the life chances for the disadvantaged. If this is the case it would reveal public policy reinforcing rather than ameliorating the tradition of differentiating and segregating educational opportunity.

(ii) Contradictions in analysing emerging practice?

The 2005 White Paper *Higher Standards, Better Schools For All* argued for self-governing school trusts as an appropriate step for the governance of education beyond the partnership between central and local state. The discussion above suggests that this could result in the hollowing out of the structure appropriate to a public service and replacing them with (pre-1902 Education Act) diversity, chance, charity and contingency about what opportunities are available for children and young people in any part of the country.

Yet the review of changes covered in this Report – for example, the clusters required to deliver the 14–19 Vocational Diplomas, supported by the *Building Schools for the Future* Programme – can suggest a very different interpretation of changes to the governance of schools and civil society. Here it is clear that the (central) state is anything but withdrawing from the governance of schools, but rather strengthening its regulation in alliance with a new corporate partner in place of local government. Having failed at a number of junctures to develop a vocational stream to schooling (for example, technical schools within the 1944 tripartite system; TVEI in the 1980s) the state is now using all its powers to create a major transformation of the curriculum for 14 to 19 year olds, using the rebuilding programme (BSF) to accommodate the new curriculum; and re-configuring governance at the level of academies, trusts and clusters to administer the transformation. Academies in particular, but also trusts to a considerable extent, involve a nationalising of these schools in association with corporate partners. It seems unlikely that these 'national schools' will be like the old Direct Grant Schools (or Grant Maintained Schools) that became elite selective grammar schools. They are more likely to provide the technical school stream that secures the national agenda of the new vocational diplomas. If something like this emerges we will in effect be returning to a bipartite or tripartite school system:

(a) (selective) grammar tradition: private schools and some foundation schools;

(b) technical schools: academy and trust schools

(c) (elementary) community schools: residual local authority community schools.

The erosion of the independent authority and power of the local authority over local schooling, with development of self-governing schools (*Education and Inspections Act 2006*)

together with the new state-corporate axis can be seen as complementary developments in the new regime of national education. The state could only act by deconstructing the fulcrum of the post-war education system: the local authority.

3.3 Questions facing school governance

> *There are the external pressures of the new policies we have described that require schools to establish a new tier of governance, or encourage them to become self-governing trust schools.*

The governance of schools is changing and, we argue, in a particular direction. The changes are responses to two kinds of pressure bearing down upon school governing bodies. There are the *external* pressures of the new policies we have described that require schools to establish a new tier of governance, or encourage them to become self-governing trust schools. But there are also a number of internal pressures that are causing the established 'stakeholder' model of governance to creak under the strain. These external and *internal* sources of change suggest the need for reforms to the organisation and purpose of school governance. This is reinforced by the experience of serious contradictions that arise in trying to accommodate the manifest tensions in education policy.

These pressures, contradictions and tensions have raised questions about the value of governance and what its purpose should be, and what form of organisation is appropriate in the present conditions. In the *Children, Plan 2007* the Government announced that a review would take place of school governing bodies during 2008. Their findings are awaited at the time of writing this report and consultation may follow. This chapter considers the different proposals for reform that are being expressed in the emerging national dialogue about school governance, and the questions that any programme of reform must address. Our own recommendations for reform are set out in the concluding chapter.

The Stakeholder model beleaguered

The 1986 Education Act constructed school governing bodies on the principle of partnership between all the groups with a 'stakeholder' interest in the school: parents, teachers and support staff would be elected, while other governors would be appointed by the local authority, and drawn from the local community (including local industry and commerce). All the interests should be regarded as equal, one no more important than another. Those included as members of the governing body should not regard themselves formally as representatives, or delegates, of their stakeholder constituencies, but rather as bringing an understanding of a perspective to a corporate body within which they would form common membership.

The principle underlying the constitution of such stakeholder governing bodies has been that schools will only work well when the different constituencies which have an interest in the success of the school are provided with a space to express their voice and reach agreement about the purpose and practices that will shape the education of children in the school. The function of the governing body was to have regard for the overall strategic direction of the school acting as the trustee of the community while taking into account national and local policies. 'The governing body is the custodian in perpetuity of community interests and ensures that developments and changes proposed by the school are in line with community aspirations and needs.' (Barton *et al, 2006*)

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Incipient concerns

By the turn of the century questions began to be raised about the roles, responsibilities and effectiveness of governing bodies, whether the boundary between governance and management of schools was appropriately drawn, whether governing bodies were too large, and whether too much was expected of volunteers in terms of time and responsibility. Most significantly doubts continued for some about whether governance makes a distinctive contribution to school improvement; whether governing bodies matter?

These uncertainties influenced Government policymakers, although sometimes there appeared to be differences of perspective within Whitehall. The Cabinet Office in 2000 commissioned Lord Haskins to review school governance, and his report (Haskins, 2001) proposed that governing bodies might be a source of bureaucracy and constraint on school leadership while overburdening lay volunteers with excessive responsibilities. However, the DfEE (as it then was) responded with a consultative paper which retained a commitment to school governance and its stakeholder model while enabling greater flexibility in the size of the governing body (*Education Act* 2002). Nevertheless, further adaptations to responsibilities have been made to the governance of schools (*Education and Inspections Act*, 2006).

Contesting the reform of school governance

Over the past twelve months a debate has been developing about the future of school governing bodies within the national policy community of governor coordinators and representatives and policymakers (including the Department, the National Governors' Association, and the National Coordinators of Governors). Articles have been written (for example, Barton *et al*), seminars held (for example, the NGA national seminar in September 2007 to discuss the nature of school governance), and annual conferences focusing on the future of school governance held (for example, the NCOGs conference in October 2007, discussing the Manchester research).

The researchers involved in this report have interviewed members of the national policy community and attended some of the seminars, for example the NGA national seminar. We believe that it is possible from these interviews and discussions to identify three models of change for school governance. Each model is presented through different modes of advocacy of individuals all involved in the national dialogue about the governance of schools: in turn, an individual governor leader, a co-authored paper, and the dialogue of a small group of governor leaders.

- Advocate A: The business model

- Advocate B: An executive and stakeholder scrutiny model

- Advocate C: Towards a community governance model

The business model: Advocate A

The existing stakeholder model of governance is crumbling. There have over time been gradual erosions of the stakeholder model. Inefficacy (too many governing bodies 'rubber stamp' heads' decisions); recruitment (especially of parents) is difficult; retention is being sustained, but does that lead to inertia of membership: 'a sort of self-perpetuating governing body. The same old fogies year after year after year'; is the task too daunting for many parents; and does the prospect of trusts imply that faith in the community as trustee has crumbled?

A new governance is needed for a new era, is Advocate A's line of argument. 'My original stance was that this (stakeholder/community model) was a great idea, the concept was a terrific idea – that the community should be collectively involved. I have sort of slid away from the 'stakeholder/community' model of governance over the years really because it seems to me that from the mid-80s onwards the roles and responsibilities of governing bodies have got greater and greater. In a way we can't really operate multi-million pound businesses on the basis of people 'helping out', this is now too serious a business to have people just helping out.' What is needed is to create a business model of a board of non-executive directors.

> *'My feeling is that we need to get closer to a sort of more, if you like – hierarchical*

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The principle of having a clear and distinct split between the executive and scrutiny functions is accepted as a prerequisite for good governance…

style, we need to move, I suppose in a way, to a business model of a board. My view now is that it's the headteacher's responsibility to manage the school and it's the governors' prime responsibility to manage the headteacher. So if that's how you see a governing body then really in a sense what I am saying is – what sort of construct would be best designed to do that in exactly the same way or in a similar way to how a board in any company manages the chief executive. I never for example thought it was a good idea for a headteacher to be a governor. I have always thought that that was confused.'

There is a need to define more clearly the task of being a school governor. 'If you said to school governing bodies, the essence of the job is to take decisions, it is to discuss things that require decisions, I think that would sort of point out that the job is much more important than in the popular perception.'

The governing body therefore would be smaller, comprising 'people with experience of running things and making them work, not necessarily in business. This does not necessarily exclude the disadvantaged. Local people from estates have got abilities at running community organisations etc. – they run all sorts of things.' And in this way a governing body could still retain a significant community dimension.

> 'The emerging characteristic for being a school governor is not who you are/your affiliation/your constituency (a parent, teacher, business rep etc) but your ability to fulfil the role. What's the role? The role is managing the chief executive of the institution to bring home the bacon, that's to say to teach our children properly. Now lots of existing governing bodies do that but I am not sure they do it *because* of the model – they might do it in spite of the model.'

Advocate A considers that this model could be attractive to people from the world of business and commerce, because it emphasises the importance of leading a large-scale significant business, contributing to the nation's knowledge economy and would present a field in which to further develop their business capabilities.

An executive and stakeholder model: Advocate B

The Centre for Public Scrutiny together with National Coordinators of Governor Services co-authored a paper (Barton, Lawrence, Martin and Wade, 2006) to address their belief that tensions and confusions were growing in the role of school governing bodies. The *Every Child Matters* agenda has brought benefits but also additional responsibilities for governing bodies – an increase in their size, as well as complexity of their business. This agenda has also made the relationship with parents increasingly central, as well as the process of accountability, given the decline in the local education authority.

The analysis of Barton *et al* has elements in common with that of Advocate A, but they are reluctant to move to business-like 'executive' governing bodies because this would place in jeopardy the representative dimension of the stakeholder model. How, they argue, 'can we ensure that governing bodies have the capacity to govern strategically whilst also maintaining the current arrangements for stakeholder representation?'

Advocates B turn to a model of governance that has developed in the public services more generally as well as in the private sector: distinguishing the roles of executive and non-executive scrutiny governance. Adapting these practices can enable school governance once more to become 'fit for purpose':

> 'The principle of having a clear and distinct split between the executive and scrutiny functions is accepted as a prerequisite for good governance… it is acknowledged as a way of introducing maximum transparency and openness into the decision-making process – ensuring that it is quite clear within a system of governance who is responsible for policy and decision making (and therefore required to be accountable for those responsibilities), and who is charged with ensuring that decision-makers are held to account. This latter 'scrutiny' function becomes a key vehicle for public accountability and enhances the legitimate role of elected and appointed public representatives.'

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Figure 9: The executive/non-executive governing body

- *The full governing body is representative of all the local stakeholders ion the school and maintains current rules of proportionality.*

- *The size of the governing body should be large enough to allow for sufficient representation which should be regarded as an opportunity for all views to be expressed in the model of a 'council' or 'forum'.*

- *A small executive board should be appointed from the full governing body with full delegated powers to direct and manage the school. The executive would include the headteacher and, as appropriate, members of the senior leadership team, who would meet regularly, perhaps monthly, to formulate and implement the strategy for school improvement. This group would take on the executive responsibilities of the governing body, for example: school planning, budgeting and resourcing, including staffing. This group could effectively subsume the committee structure as it currently exists.*

- *The main duty of the governing body would be 'non-executive' – to scrutinise decisions and policy of the executive and hold it to account for the proper exercise of the delegated powers accorded to it. Key decisions and policies would be scrutinised by the full governing body before implementation such that the executive ensured the consent of the full governing body. The 'non-executive' governing body would also have a brief to scrutinise school performance and self-evaluation, including a role in Ofsted inspections. It would ensure links between the governing body and the voice of students, through student councils, parents through the parent council and other community groups as appropriate.*

Non-executives should comprise not less than half the board, and their functions include: informed evaluation of strategic purposes proposed by the executive; monitoring the performance of executive management, especially the progress towards strategic objectives; communication of strategy and performance to leading networks in the field; and taking the lead in accounting to the shareholders. It is recognised that non-executives will need induction and training.

Barton *et al* believe that the non-executive board member model is highly applicable to school governing bodies and would lead to manifest benefits: the higher expectations of non-executives indicates a potential for higher performance; and importantly, their experience would keep the focus of governing bodies on strategy, monitoring and evaluation, preventing the typical retreat of governors into matters of operational detail.

Barton *et al* believe the executive/non-executive model is applicable to a context where schools have formed a federation or cluster. 'Each school would have its own executive board (although the executives might increasingly work together) but the governing bodies of the federation or cluster would meet as one and may rationalise membership as appropriate.'

Towards a community governance model: Advocate C

Advocate C is a group of school governors who participate nationally in the dialogue on the future of governing schools. They recognise that 'the stakeholder model' needs reviewing and that the national debate is developing very quickly. The new policy agenda is clear, emphasising the family, responsibility for welfare of the whole child, supported by partnership building and collaborative working.

> *'These policies are all about engagement, involving the community to help shape services to meet the community's needs; active community participation in shaping services, and taking schools beyond the narrow inward looking standards agenda.'*

What is being proposed here is the creation of a model of governance and accountability that reflects a very different conception of organising education, from the tradition which locates learning within an institution to one which makes the wider community

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"It is difficult though to change the individualist mentality and culture that has developed over twenty years."

responsible for developing education. If there are to be targets, the Group would like to see them placed on an area, so that all schools take responsibility for all the children in a community. This would prevent the process of passing 'excluded' children from one school to another in the attempt to improve results at the expense of others. The Educational Improvement Partnerships have begun to encourage this, asking secondary and primary schools to collaborate to address underachievement at an early age. The 14–19 diplomas will also require areas to develop joint expectations for behaviour, exclusions and staff employment. So this touches all the partners in an area, who will need to decide these issues together.

> *'This will be a challenge for the profession, but also a challenge for the governing bodies. It is difficult though to change the individualist mentality and culture that has developed over twenty years.'*

'We are living in a new world, and governing bodies need to engage with the new policy agenda that requires us to operate differently. Those who recognise this are the vanguard that will create the future. Governing bodies are at different levels of understanding and achievement. We need to raise the bar for those that are good, while lifting up the others.

The localities model is the future. Collaborations have been growing for different purposes to enable community engagement and cohesion. We need governing bodies to broaden their remit, to engage more broadly with the community, to engage with the underachieving; examine what are the obstacles, and identify those in the community who can help remove the obstacles to learning. This develops the role of governing bodies as leaders and enablers of community development. There is also a growing recognition that the new partnership agenda requires a process of accountability to the community for public services.

Joint governor arrangements are needed. At one level this is straightforward, requiring agreements to be minuted, but at the next level it is the need for joint committee arrangements. These joint committees in 5–10 years will become locality

boards. Education Improvement Partnerships use collaborative arrangements to create Joint Committees, not just for three or four schools but for the whole of a town. When partners want to speak to schools they will speak to the Joint Committee. That will become the mechanism for collective decision-making. Money in the future will be devolved to these Joint Committees.

People are ready for this. It is not being resisted by heads. But it must be owned by governing bodies themselves: it should not be imposed on them.'

The Group believes that the new education agenda needs a dimension of governance at the level of the area but It would be a mistake, they argue, for this new community-oriented governance to be implemented top-down by central government according to uniform regulations. The model needs to develop flexibly to respond to emerging local needs and local groups and the local authority is the appropriate layer of governance to take the lead in creating the emerging system of community governance.

> *'The local authority is the appropriate lead on this: flexible development bottom up. My local authority is not inventing one model to impose on all. It is responding to the agenda as developed by different heads and governor groups around the authority. If schools want a committee for 14–19 the authority supports it, sees how it goes. It is not like a federation taking ages to set up. It is a way of trying to work together and then develop. It is building on experience, and building on trust.'*

The emerging model of governance will turn governing bodies into leaders of the community. Advocates C recognise that the challenge posed by their reforms is to grow the new model out of current best practice and to grow the capability of parents to contribute to this extended community form of governance. They see the development of Parent Councils as having a more universal application than their present construction within Academies. Parent Councils are a way of engaging the parent body and establishing a more secure relationship with the governing body.

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The presenting questions

These debates present fundamental questions about the values, purposes, organisation and practice of school governance which need to be addressed if further reform is to rest on sound foundations. It is helpful, in relation to the continuing national debate, to distinguish two periods of enquiry and the different questions that were the focus of concern. Between 2000 and 2006 the damaging question to be answered was *does governance matter?* The question received a decisive answer, but from 2007 the dialogue turned to other potentially damaging questions. Firstly, *can volunteers govern* major public institutions such as schools? Secondly, *what is the object of school governance?* And, lastly, *is the law on school governing bodies any longer fit for purpose* for the emerging system of locality partnership governance?

Do governing bodies matter for school improvement?

The dominant research on school improvement through the 1990s emphasised the overwhelming contribution of professional leadership for school improvement. The role of parents was typically neglected and the significance of governance omitted from any analysis of improvement. The most challenging question in the early period from 2000, therefore, was whether governing bodies mattered for school improvement, did they make a difference? (Bird, 2000) The evaluation of Ofsted (2002) and the major programmes of research of this period conducted by London, Birmingham, Manchester and Bath provide evidence to support the important influence of governing bodies on school improvement: governance makes a difference.

Governing bodies, when they work well, strengthen the practices of institutional leadership, by clarifying and enabling strategic direction, and by providing the qualities of scrutiny and evaluation. Good professionals are ready to invite questioning of their policies because it leads to reflection and improvement of practice and achievement. Questions reach behind what is said in search of understanding, and beyond what is said to alternative possibilities. Governance that provides strategic direction, critical friendship and accountability establishes expectations that run right through a school, tightening the practices of learning and teaching and leading to improved standards of achievement.

The Birmingham research, both in the UK-wide study and in the study of Wales, demonstrated that when these practices of 'performativity', of target-setting, scrutiny and monitoring are applied by a governing body to a school that has been underachieving or failing, the results of a school can be significantly transformed. Nevertheless, a number of schools which had been successful in this way came to regard this model of 'performativity' as fundamentally limited, unlikely to extend or sustain the improvement they had been making. Further improvement, they proposed, required the school to engage with the sources of children's motivation to learn by rethinking the process of learning and teaching and by drawing parents in as complementary partners with the school in encouraging learning. This further analysis emphasised the importance of governing bodies in establishing the cultural conditions for motivation and learning of young people in schools.

Calibre and capability: can volunteer citizens govern?

The evidence that governing bodies can make a difference to school improvement was important but only focused the gaze on the variation in good governance. Have volunteer citizens the capability to govern a major public institution such as a (large secondary) school? Can amateurs, like 'ordinary' parents, rule over a professional community?

This problematises what is to count as capability, and what capabilities count. If schools are to be responsible for managing themselves – their finances, land and staff – they have indeed many of the dimensions of a business in the private sector. They will need governors, as well as professional leaders, with the capability to understand and make decisions about resources and infrastructure that will necessarily influence their primary purposes of educating young people. Many heads and governing schools have sought in recent years to strengthen their capacity to provide the leadership of these business aspects of their institutions by including

members with appropriate expertise. They have endeavoured to accumulate *social capital* by appointing governors who bring their networks of information, knowledge and resource contacts to enrich the practice of a school.

Yet although 'business' is an inescapable dimension of the work of a school it is not its principal rationale. It is a means to their primary purpose of enabling learning and expanding capability. These are public goods, activities and achievements that are of value to all in society: when the potential of an individual child flourishes, all benefit. It is because these goods of education are universal, as well as individual, that schools have been regarded as such a significant public service. Teachers, school leaders, and professional specialists will be needed to advise formal deliberation within the forums of governance about the forms of learning that a school should develop, taking into account national policies and research.

Nevertheless, an education is not in the end a technical activity about procedure, but has to take into account considerations about the kinds of lives and capabilities that families and communities believe it is appropriate for their young people to have. Discussions about the ends of learning cannot be separated from the purposes of living, the *making* of lives, and these considerations are social, cultural and political in nature rather than technical procedures. This is so because an education is a journey between worlds – parochial and cosmopolitan – and the challenge for the governance of a school, as well as for teachers is to mediate these worlds if young people are to become engaged in learning and commit themselves to developing their potential. The practice of organising and governing education, therefore, does not depend alone on *techne* (technical knowledge) but on *phronesis* (wise judgement about the purposes and practices that will unfold the potential and capabilities of lives).

The analysis here suggests that the arenas of governance may need to include different kinds of knowledge, generalists as well as specialists, but shaping and governing the deliberations should be an understanding of the universal goods that a public service should be providing

and be accountable for. The qualities that are indispensable to forming judgements about the purposes and practices of learning will be provided by the wisdom of reflective citizens who will bring critical understanding about the qualities required to make the journey between worlds. This background understanding of the cultural conditions of learning will enable them to ask the questions that bring the necessary scrutiny to professional practice: the engagement of young people in learning will be in proportion to the capacity of schools to listen and respond sympathetically to the voices of the community.

This argument suggests that the case for the continuing relevance of the stakeholder model of including the different voices in a deliberation of the purposes of learning. At best the model needs amending to respond to aspects of change rather then being redundant because its fundamental principles are no longer appropriate.

What is the object of governance?

The history of school governance is one that focuses arrangements of governance on an individual institution: the stewardship of a governing body has been a school. A number of recent policies have, as we described, sought to strengthen the individual school and its autonomous arrangements of governance. Yet, as the discussion has also emphasised, the policy agenda and empirical development in local authorities has shown the growth of clusters and localities. In our discussion of the national debate about governance Advocates C argued persuasively for expanding the object of governance from the single school ('the silo') to the wider community. This would prevent schools competing with each other to admit 'the able' and exclude 'the difficult' child, and make all schools responsible for all the children in a community:

> *'Expanding the object of governance to match the focus of post Every Child Matters education policy – the wider learning community – is necessary and urgent. This argument is reinforced by others: that the effort to transform the achievement of children and young people in areas of disadvantage can only succeed if it is part of a wider agenda of economic development and cultural recognition. Yet even if this*

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wider object of expansion is acknowledged, individual schools will always necessarily remain major public institutions in their own right that will require arrangements for robust accountable governance. We need to consider proposals that can reconcile the need for governance at the level of the school and the community.'

What is the purpose of the governance of learning?

These questions about the object of governance all presuppose questions about the purpose of education and its governance. The purpose of the governance of learning is twofold. The first is to constitute the public goods of educating all children and young people to develop their potential so as to contribute fully to the communities in which they will live and work. In so doing, governance constitutes what it is to be a citizen. Because an education is about the unfolding of a life, rather than the induction of a skill-set, decisions about the purpose and content of an education are likely to reflect differences of belief and become the subject of contestation and debate.

An essential and related purpose of the governance of schooling, therefore, is to constitute the spaces and processes that enable the relevant interests and voices to deliberate the purpose of learning and capability formation. This dialogue cannot be a technical task of calculation, but will need to be governed by the principles of public discussion – the giving and taking of reasons – that can resolve differences and secure public agreement. This process should include not only those directly involved in a school, such as parents and teachers, but take into account the interests of the wider community,

because all will be affected by the public good of educating every child.

The stakeholder model, therefore, remains crucial to the effective practice of governing schools. By deliberating and reconciling social and cultural differences, governance constitutes the practices for mediating particular and cosmopolitan worlds and thus the conditions for engaging young people in their learning as well as in the preparation for citizenship in civil society.

What do we learn from these questions that need to be taken into account in further developing the practices and organising of school governance?

1. Governance matters because: it strengthens the practices which secure institutional performance; it mediates the social and cultural conditions that engage young people in their learning; and it constitutes the practices of participation and deliberation which secure that mediation.

2. The participation of volunteer citizens matters because practical wisdom is as important as, or more important than, technical expertise or networks of social capital.

3. The object of governance should include the community as well as the individual institution. The purpose of governance is to develop the public goods of learning and citizenship, and to mediate differences so as to secure public agreement about those goods of educational opportunity. A public education cannot be left to chance and contingency, nor to the interested decisions of a corporate club or association. It is the responsibility of civil society as a whole.

3.4 A new governance for schools? Recommendations

What is to be done? The layering of school and community governance

The policy agenda over the past five years has changed the face of local education in search of a cultural transformation of learning and achievement. Development has however not been without tension and contradiction, not

least for the governance of schools. A coherent framework of school governance is, therefore, still needed to support and secure that programme of cultural change. Our research describes the way local authorities have been experimenting and innovating with new forms of governance. The leading local authorities are now looking to move beyond experiment

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> *National strategies to improve school governance have done so by addressing concerns piecemeal.*

to establish a coherent system of school and community governance. Implementing national policy has, they propose, required developing the practice of governance at the levels of cluster and locality as well as the school and the local authority, which has often led to confusion of functions, roles and relationships. They stand at the threshold of a new phase of innovation to establish a coherent framework of school and community governance. Whitehall, they believe, is not in step with the progress being made by practitioners and policymakers in communities and local authorities.

We seek here to outline what such a framework might look like, though further collaborative research will be required between policymakers, practitioners and researchers to elaborate and test the details of such an emergent system of school and community governance.

The principles for such a framework of governance should where possible, we argue, strive to accommodate and reconcile the tensions that presently frustrate the practice of good governance. Can the framework strive to accommodate:

- multi-layered governance

- executive and scrutiny functions

- specialist and civic knowledge

- difference and deliberation

- professional and citizen membership?

National strategies to improve school governance have done so by addressing concerns piecemeal. For example, *Interim Executive Boards* provide a short-term 'lifeboat' rescue for a failing governing body; *Trusts* mistakenly search for an escape from the necessary processes of public governance, and while *Education Improvement Partnerships* point in the direction of a new governance, the required systems of governance are missing. These and other measures are inadequate alone, providing part of a solution, but failing to address the principles outlined above for a coherent system of school and community governance.

Governance, as we suggested above, establishes the purposes, functions, tasks and conditions for a public service, in this

case, schools and the learning community. We set out below a proposal for a multi-level framework of school and community governance. *Figure 10* describes the set of functions and purposes, and *Figure 11* describes the organisational arrangements.

The functions of multi-level school and community governance

(i) The level of the school and neighbourhood cluster:

The cultural transformation of schooling, driven by policy, lies in expanding the object of learning from the child in an 'enclosed' school classroom to the wider learning community of the family and neighbourhood. All the schools and centres in a neighbourhood cluster take on responsibility for care and learning of all the young people and families in the community. The challenge is to engage and involve those families in the value of learning that can enhance their capabilities and life chances. Assuming this responsibility of care is not a substitute for pursuing the highest standards of attainment but a condition for realising them.

Elaborating such a learning community cannot alone be the creation of professionals, imposed on clients as in the post-war period, but can only be formed through cooperation with children, young people and families whose voices are crucial to shaping the purpose of expert knowledge. If the community, the teachers and centre workers are to collaborate in supporting the learning needs of local people, then appropriate spaces and forums will be required to allow a neighbourhood strategy and provision to be deliberated and planned. Many local authorities have been working with schools, centres and communities to develop these cooperative practices at the level of the cluster.

(ii) The level of localities

If the community cluster is to be supported with all the extended learning activity envisaged in *Every Child Matters* and the *Children's Plan*, then this will require planning and coordination at the level of 'the locality', above the cluster and below the Authority. For many local authorities, the locality is a third or a quarter of the authority, perhaps 100,000 people. There are a number

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Figure 10: The layers and functions of school and community governance			
	Cluster/Institution	**Locality**	**Local Authority**
Values	Learning community Inclusion	Civic society	Public sphere Cosmopolitan society Social justice
Purposes	Participation Engagement Care and standards Trust	Partnership Integration Networking Social capital Agreements	Legitimation Authorisation Climate creating Coalition building Collective choice Community development
Tasks	Consultation Involvement Cooperation Voice Communicative action	Coordination Inter-agency Distribution Deliberation Communicative rationality Accountability Scrutiny Evaluation	Enabling Support Dialogue
Conditions	Neighbourhood strategy Needs analysis Staff development Spaces, forums	Strategy development planning Needs assessment	Strategic development planning Sector needs analysis
	Civic capital	Social capital	Political capital

of arguments for this intermediary tier. First, the number and complexity of voluntary services and agencies offering services to schools and centres needs to be negotiated and managed efficiently, preventing duplication and avoiding market manipulation. The local knowledge and intensity of networking required suggests a point of negotiation and leverage below the local authority yet above the school community. Second, if the emergent 14–19 tertiary sector is to develop as planned it is clear that a locality tier is essential to coordinate the planning and networking of learning between secondary schools, colleges, and training providers. Third, if clusters are not to become ghettos of learning, then localities provide a space within which young people can move not only in search of specialised courses, but in order to extend their learning about different social and cultural traditions so that they learn to become capable members of a cosmopolitan civic society.

(iii) The level of the authority

What has become plainly evident during the unfolding development of clusters and localities is that the support of the local authority is indispensable. Authorities provide for a number of needs that can only be catered for at that level, if the clusters and localities are to work together to meet the needs of a just, cosmopolitan society as a coherent whole.

Strategic planning and development will be needed to assess the diversity of needs and to ensure the distribution of resources that meets all those needs. If it is acknowledged that there is no neutral, technical education that can be detached from the perspectives of different lifeworlds, then politics is an inescapable reality of the public sphere. Indeed, as we discussed above, an essential role of governing the public sphere is to ensure that differences are voiced, deliberated, and mediated. The central function of a local

authority is to govern the local debate about the purposes and content of education, through processes that ensure public reason so that the shape of local education as a whole is agreed and is believed to be fair and just. The role of the local authority is to build coalitions that create the climate for and thus legitimate change.

Organising multi-level governance

(i) Governing the neighbourhood cluster

The movement of policy and practice is to create a learning community that goes beyond the individual school to encompass the set of neighbourhood schools and centres. The task for governance is to support this direction of change with the appropriate institutional arrangements. Although a number of small federations have been established, including perhaps a secondary and a primary school together with a children's centre, the momentum for change may be slowest at this level because a number of schools are reluctant to cede authority to a federated governing body. To accommodate this uncertainty we propose a twin-track approach towards integration at the level of the cluster.

Slow pace of change: schools will continue to retain their governing body though this may be smaller than hitherto and moving towards an executive governing body. Its work will be supported at the level of the school by a series of forums that seek to involve parents, children and young people in the life and governance of the school.

At the level of the cluster, a joint committee will be formed that will encourage collaboration between schools, though it will not be accorded delegated powers by the individual governing bodies. The cluster will also form a wider community or advisory council that will include, in addition to parents and governors, public representatives from the primary care trust, as well as voluntary and charitable bodies. The task of the advisory council will be to deliberate the learning needs of the community and to scrutinise the policies and practices of the joint committee as well as local schools and centres.

Accelerated cluster development: When a cluster is ready to strengthen its collaborative practice they will constitute a federation board that integrates the governing bodies of local schools and centres. The board's membership will include representatives of each school as well as the primary care trust. The work of the board will be supported by a community Advisory Council of parents and community interests that will deliberate the learning needs of the community and scrutinise the work of the board. Each school will form an executive sub-committee of the cluster board.

(ii) Governing the locality

The appropriate tier for the diverse agencies and services to develop the practices of partnership and inter-agency coordination, planning and distribution is the locality. Here we propose a Partnership Board to be formed, that includes the variety of public, private and voluntary interests, and will focus on preparing

Figure 11: The organisation of multi-level governance		
Level of Governance	**Multi-level Governance Arrangements**	
	Slow Development	**Accelerated Development**
School	Governing Body Parents' forum Students' forum	Governing Body sub-committee Parents' forum Students' forum
Cluster	Joint Committee Advisory Council	Federation Board Advisory Council
Locality	Partnership Board (public service led Trusts)	
Authority	Local Authority Council Children's Trust	

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the strategic plan for the locality. This board might be quite large, in some local authorities perhaps 50–70 members. The board would need to elect a smaller steering committee to organise the routine business of the board.

The locality could be the tier of governance to include a trust dimension, trusts that could include private and voluntary interests but in which the public service sector would be the predominant interest. The model could be the kind of trust developed in some health sectors which have created a partnership trust to embrace, as well as service providers, local people and service users. This form of trust is conceived as a democratic cooperative society that will have a say about the provision of services, how public money is spent, to elect representatives to the board and to play a scrutiny role in relation to the board.

(iii) Governance and the local authority

If the indispensable role of the local authority in the emerging layered system of school and community governance is to be acknowledged and reinforced, its authority and powers need concomitantly to be clarified and strengthened. The local council, as the democratic centre of local services and children's services, needs to be restored to its principal role in leading the public sphere. It should be the lead voice and power in the Children's Trust, and in time local services such as health and police should be restored to local democratic planning and direction.

The conditions to support multi-level community governance

Developing the capabilities of volunteer citizens; linking the ecclesia and the agora

The dilemma facing the governance of schools, and implicit in the unfolding analysis, is the anxiety on the one hand that many volunteer citizens may lack the capabilities to contribute to the exacting tasks demanded of contemporary governance of schools. On the other hand the argument has proposed that families and their communities must be major stakeholders in the arrangements of governance because their participation is essential if schools

are to develop understanding of the social and cultural conditions of learning. A child cannot be educated independently of his/her community's webs of significance. The challenge for governance, as we have argued is therefore to mediate the lifeworlds of children and the public world into which they are journeying. Governance is not a technical task, it constitutes the conditions for effective learning.

How is this dilemma to be reconciled? There will be a need, a senior HMI reported, for a school 'to grow a governing body' if it is to fulfil the demands of constituting a learning community. Parents from disadvantaged communities are more likely to develop the confidence to become members of the governing body when they have been involved in the life of the school. When they are invited to become mentors for young people, use their local knowledge and cultural capital to support the school, in helping to organise festivals, concerts, plays and musicals and artistic events, parents will give expression to their varied capabilities. A school that creates forums for parents (in addition to those for children) at the level of the class, year group and schools creates arenas that encourage and support the capabilities of voice, deliberation and collective judgement that are the defining characteristics required for capable participation as volunteer citizens in the governance of schools.

In this way governance is not a separate assembly detached from the life of the school. Rather, governance is integrally connected to and grows out of the life of the school as an expanded learning community. In the previous chapter, Advocates C, who promoted the claims of community governance, argued that there is not a crisis of capability. Most governing bodies, even in areas of disadvantage, are well governed and find that there is a rich pool of volunteer citizens who have the experience and capability to grow into community leaders of cluster and locality governance. Schools, by expanding parent involvement throughout, become the nurseries of capability for knowledgeable participation and leadership.

Reforming the law on school governance

The Government has adapted the regulations on school governance to enable flexibility in size and membership as well as in the forms of hard or soft federation of governing bodies. However, we argue that this fails to address the need for all local authorities to reconstitute the governance of schools not just as an ad hoc exercise for this or that specific need, but systemically to accommodate the purposes and practices of the cultural transformation of learning in a children's service. School governance has, historically, been just that

– the governance of individual schools, or latterly the amalgamation of schools. But now the object of governance, when expanded to encompass the community and multiple services, suggests that the regulations are no longer fit for purpose. Whitehall, who proposed a conference of headteachers in Met Borough, is lagging behind the game which they initiated. Tinkering needs to be replaced by coherent reform of the system of school and community governance with a timeline of change over three to five years.

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