



## **Grammar Schools and Multi-Academy Trusts**

### **Introduction**

This paper is designed to brief members about the implications of the government's stated aim that all schools should become part of a 'family of schools' i.e., become part of Multi-Academy Trusts (MATs). An education White Paper is due to be published in the Spring and although nothing is definite at this stage, it seems very likely that this will herald a rapid acceleration of the policy. Compulsion remains unlikely in the short term, but the policy aim is now abundantly clear. Since increasing the prevalence of MATs is not a politically motivated policy, this direction of travel is unlikely to be reversed by a change of ministerial team at DfE or indeed in the event of a change of government.

GSHA had held discussions with ministers and advisers at the highest level - along with supporters in parliament - and will be continuing this dialogue over the coming months. A recent meeting of the GSHA Steering Committee underlined the widespread scepticism about MATs across the sector and the main concerns raised by members are set out below. However, since it appears that the overall direction of policy may well be irreversible, GSHA will be making policy recommendations designed to give grammar schools the opportunity to contribute to this new landscape while addressing - as far as possible - some of the principal concerns; above all protecting the future of selection itself.

For grammar school governing bodies which are not already part of a MAT, there will inevitably be some uncomfortable conversations over the coming months and years. Although there are strong arguments in favour of the status quo, the risks of inaction are also significant. If this policy proceeds apace, selective schools could be left as an outlying minority increasingly vulnerable to political and administrative vicissitudes. At present, we have a government which is keen to develop the policy in a way which protects grammar schools, although pressure may well be applied to single academy trusts through, for example, access to capital funding. If the timeframe for the transition of the system to MATs proves, as expected, to be around eight years, that relatively benign political context is likely to change. Even if a future Labour government did not wish to risk legislating to remove selection, single academy (or maintained) grammar schools remaining outside a system otherwise wholly populated by MATs could be vulnerable in other ways.

Until the White Paper is published, GSHA recommends that members invest time in ensuring that governors understand all the issues involved, including the potential risks of

inaction. Meanwhile, GSHA will continue to lobby on your behalf working with our legal advisers, the DfE and allies in parliament.

## **Member Concerns**

### *1. Loss of independence*

1.1 Setting up a MAT or joining an established trust involves dissolving the existing legal entity and creating a new one. The ‘founding’ school of the MAT is likely to have significant control over the new trust in the short term. Once more schools join the trust, the influence of the original school can only decrease; especially as the aim is for MATs to serve 5000-10,000 pupils so that worthwhile economies of scale can be realized.

1.2 The fact that the remaining 163 grammar schools have survived attempts to remove selection is due to the steadfast support of governors who have fought to retain the character of their schools, often in the face political hostility. Removing that layer of protection would make grammar schools vulnerable to the whims of future trustees with no interest in maintaining selection, not to mention a future government with an anti-selection agenda.

1.3 Although there is theoretically a wide variety of MAT governance, the model which has been heavily promoted by RSCs is unhelpfully hierarchical. Such a model would be especially unpalatable to governing bodies and headteachers of grammar schools, many of which have a long history of independent mindedness.

1.4 It is unclear how the role of historic foundations attached to grammar schools could be made to work as part of a MAT.

### *2. Future of selection*

2.1 Since determination of Admissions Policies is the responsibility of the MAT Board, a situation is quite likely to arise in which a trust of which a selective school is a constituent part becomes opposed to selection and moves to change the character of a grammar school.

2.2 Section 105 of the School Standards and Framework Act (1998) provides clear guidance on the requirement for a secret postal ballot of parents and offers the security of a moratorium on ballots occurring more than once every five years. This is not the case where a ballot is initiated by the trust itself.

2.3 The existing regulations would also allow one trust to remove selection at a single sex school separately from a parallel single sex school which was not part of the same trust - thus creating significant equalities issues – or remove one selective school from a wholly selective area.

2.4 Although a parental ballot would still be required to remove selection altogether, a MAT board could still ‘water down’ selection simply by making changes to its Admissions Policy as the trust board rather than the grammar school’s local governing body acts as the admissions authority.

### *3. Funding & Curriculum*

3.1 Current guidance around MATs allows the practice of pooling the General Annual Grant. Being part of a large group of schools adds the flexibility to move funds to areas of greatest perceived need, but this presents a much greater than average risk for a grammar school.

3.2 Since grammar schools receive little or no deprivation or prior achievement funding under the National Funding Formula, many selective schools are surviving on the minimum funding level of £5574. This means that grammar schools already operate a highly efficient model of education characterised by large class sizes and high pupil teacher ratios.

3.3 There are already examples of grammar schools in MATs facing budget cuts to subsidise the wider priorities of their trust. The typical funding position of most grammar schools simply does not allow for GAG pooling without the risk of significant damage to pupils' education.

3.4 In the context of the significant cuts to sixth form funding, grammar schools are often the last remaining stronghold of minority subjects at A Level such as Music, Classics and Modern Languages.

3.5 The decision to retain these has been made because of grammar schools' unique contribution to academic breadth and depth. It is highly doubtful that the same 'uneconomic' decisions would be made in a MAT context.

### *4. System improvement*

4.1 Collaboration between schools is hugely beneficial and grammar schools have been at the forefront of this agenda; the fact that one in ten Teaching School Hubs is now led by a grammar school provides strong evidence of the sector's commitment to driving improvement across the system. There are barriers, however, to a single grammar school within a MAT providing meaningful school to school support.

4.2 Given their low funding base, most grammar schools run a very lean operation and would find it challenging to generate capacity to engage in meaningful school to school support within a MAT.

4.3 Grammar schools willingly share their expertise where it relevant to others, but there is a question over whether most grammar school leaders have the experience, expertise, or desire to lead a MAT with secondary modern or comprehensive schools facing challenging circumstances. Grammar school leaders are typically recruited from within the sector and consequently have limited exposure to tackling the issues facing different types of school.

4.4 Hostility to the principle of selection is widespread among headteachers of non-selective school, so it is hard to conceive that many such schools would be keen to join a MAT led by a grammar school. Where this has happened to date it has most often been the result of compulsion rather than choice.

## Policy Recommendations

To address the above concerns and enable more grammar schools to participate in the government's policy agenda with greater confidence, GSHA will be making a case for the following elements to be included in government policy development:

- a) Legal protections to be strengthened so that any future government would need to introduce primary legislation to remove selection. This needs to include the removal of the right of a trust under SSFA 1998 Section 105 to initiate a parental ballot.
- b) A new model of structure and governance needs to be developed which secures the long-term position of selection within a MAT. Such a model might, for instance, draw on the existing model Articles of Association for MATs which are comprised of a mixture of faith and non-faith schools.
- c) Early MATs were typically configured to support a school or schools which had been placed in an Ofsted category. If this is now to be the vision for every school in the country, then the purpose of MATs should be broadened to reflect this change in scale. Any new model needs to be grounded in creating the capacity for improvement in all schools, including support for good schools to become outstanding.
- d) Proposals for MATs should in future be assessed on the quality of plans to secure school improvement, with a recognition by Regional School Commissioners that such plans can be effectively delivered through a variety of models of leadership. The default assumption that MATs must have a permanent CEO or Executive Head needs to change.
- e) Grammar Schools should be allowed to form MATs composed solely of other selective schools, provided there was a clear commitment to engage in system-wide improvement. This would alleviate many of the concerns of members, including those related to watering down selection, funding, and capacity to provide meaningful school-to-school support. For example, five grammar schools operating together in a MAT could release capacity for school-to-school support in a way which would be impossible for one selective school which was a minority part of a MAT comprising one grammar and four comprehensives.
- f) In common with Church of England and Roman Catholic schools, Grammar Schools should be treated as a distinct group which makes a unique contribution to the English education system. The government should explore an MoU with the sector as a precursor to the future creation of a nationwide Grammar School MAT to serve schools in areas with few other selective schools who are concerned about being a lone voice within a largely non-selective local MAT.