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The need for stability: Factors driving so much change

- Education is complex
- Many conflicting viewpoints

- Annual fight for budgets
- Over-simplify initiatives for appeal
- Legislation creates a sense of achievement

Inadequate
process and
evidence

- Lack of monitoring and evaluation
- Poor institutional memory
- Short planning cycle
- No forum for collaboration
- Mistrust between Government and Practitioners

The need for policy stability in education: Extract - Causes

1 | Extent of policy change in education

2 | Examples of policy change and churn

3 | Problems created by constant change

4 | Institutional enablers of change

5 | Factors driving so much change and churn

6 | Lessons from overseas

7 | Conclusions and recommendations

4 Institutional enablers of change

- a. Centralisation of control in the office of the Secretary of State
- b. A revolving door at the office of the Secretary of State (20 in 40 years)
- c. An even wider churn of Education Ministers (Ministers of State)
- d. In all 104 Junior Ministers in 40 years (inc Parliamentary Under Secretaries)
- e. Frequent change is facilitated by low or no parliamentary scrutiny
- f. The strengthened power of OFSTED accentuates policy impact
- g. OFSTED key judgements: 10 years of change in priorities and requirements

4a Centralisation of control in the office of the Secretary of State

Over the last thirty years, LEAs, education colleges, historic councils and associations and teacher representatives have, to a greater or lesser extent, lost their authority to an increasingly powerful Secretary of State. This radically revised the power-sharing agreement of the post-war consensus era

- The **Education Act 1944** gave the then Minister of Education relatively restricted powers: It was a partnership between central government, Local Education Authorities (LEAs), and practitioners
- The LEA's influence was reduced by a succession of major Acts passed over the course of Margaret Thatcher's three terms in office from 1979-1990
 - The **Education Act 1980** made it easier for parents to choose between LEA-maintained schools
 - LEAs were required to provide parents with information about schools within their area, including examination results
 - The **Education Reform Act 1988** established grant-maintained schools and a National Curriculum (including the introduction of the General Certificate of Secondary Education and a uniform system of assessment at all levels nationwide)
- Ofsted was established in 1992 and its power bolstered by the **Education Act 1997**
- With the **Higher and Further Education Act 1992**, both higher and further education came under greater government control
- Polytechnics became independent of LEAs and were rebranded as universities
- FE colleges also came out of LEA control and were funded through the Further Education Funding Council (FEFC)
- New Labour accepted the 'Choice and Diversity' approach established by Conservative policy
- LEAs were renamed to 'Local Authorities' in 2010, marking the loss of their special competence over matters of education
- The implementation of the academies policy further increased the statutory power of the Secretary of State and resulted in further fragmentation of the state-funded school system (in the **Academies Act 2010, the Education and Adoption Act 2016** etc.)

4b A revolving door at the office of the Secretary of State (20 in 40 years)



This churn reflects a fast-revolving door resulting in insufficient time to develop and establish new educational policy that is likely to stand the test of time. Particularly as significant educational change takes 3 to 5 years to bed in

Concentration of authority into the hands of a Secretary of State immediately opens up questions of checks and balances, the process of policy development and the consistency of policy over successive administrations. The situation is made incomprehensibly worse by the frequent turnover of incumbents

- There have been thirty-seven Secretaries of State since 1941, and 20 since 1979, representing one every two years
- Most commonly a Secretary of State is only in office for 18 months
- There were seven Education Ministers in the Thatcher/Major period, one every 2.5 years; seven with Blair and Brown, one with the coalition and five to date with the Conservatives, that is, one every 12 months

4c An even wider churn of Education Ministers (Ministers of State)

With each new Secretary of State there are frequently changes of Ministers of State and Parliamentary Under Secretaries, (collectively Junior Ministers)

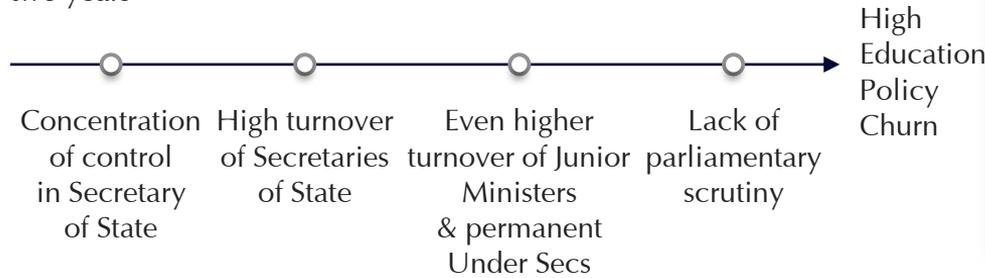
As an example, there are currently Ministers for Schools, for Universities and Services and for Apprenticeships and Skills, plus a PUS for School Systems

Over forty years there have been 104 Junior Ministers engaged in Education

In the Thatcher/Major period the Junior Ministers' turnover was around 1.5 a year

Since then, the figure for most governments has been about 3 new Junior Ministers a year

For the last 20 years the average tenure for Ministers of State was less than two years



4d In all 104 Junior Ministers in 40 years (inc. Parliamentary Under Secretaries)



The depth of the visual shows the number of positions operating simultaneously, most contributing to the amount of legislative policy

In Labour's 13 years of Government, there were 47 different Junior Ministers involved in Education policy, along with six Secretaries of State, four re-namings of the Department, and 17 major Acts

In the last five years there have been 14 new Junior Ministers, four Secretaries of State and three major Acts.

Each individual will naturally fight for their own initiatives and budgets, wishing to 'make their name' and/or 'have an impact'

The Institute for Government's research suggests an even more unstable picture for FEs, with 48 secretaries of state with relevant responsibilities since 1980 i.e. an average tenure of 10 months: 'There have been 28 major pieces of legislation, 48 secretaries of state with relevant responsibilities, and no organisation has survived longer than a decade' (Norris and Adam, 3)

4e Frequent change is facilitated by low or no parliamentary scrutiny

- » To become an Act of Parliament, a Bill goes through its first reading, then on its second reading there is typically high-level debate in the House of Commons Chamber, followed by a vote. It is rare for a bill to be voted down at these stages.
- » The Bill is then reviewed by line at the committee stage. Again, changes at this stage are rare.
- » The Executive controls a majority and absolute power of patronage over any career- and salary-enhancing roles (Harman 2019). Checks and balances are therefore relatively cursory (and practically non-existent in the case of SIs)
- » SIs are more frequently debated in the House of Lords than the Commons, and scrutiny of delegated legislation is not split equally between the two Houses. The last successful motion in the House of Lords to stop an SI was in 2000. The last successful motion in the House of Commons was in 1979.
- » Both Houses can only accept or reject an SI in its entirety. They cannot amend them. This has been described as a 'Take it or leave it proposition', doing 'nothing to encourage effective scrutiny and Member engagement with the issues' (Fox and Blackwell 2014, 6).
- » Typically, through this process, a Secretary of State or Minister need only to keep their fellow party members 'on side'. The general preoccupation of Government is to move Bills through as quickly as possible.
- » A reasonably well-briefed Minister, formulating policy in line with his party's broad ideology, is therefore highly unlikely to encounter any resistance to his or her department's legislation.
- » One commentator, outlining the procedural constraints that allow the executive to limit Parliamentary oversight of secondary legislation in a recent article, describes the amount of parliamentary time and attention devoted to SIs as 'nugatory' (Pywell 2019, 111). Others have described the system of scrutinising SIs as 'palpably unsatisfactory' (House of Commons Select Committee on Procedure 2000, 53), and 'woefully inadequate' (Select Committee on Liaison 2000, 24).

4f The strengthened power of Ofsted accentuates policy impact

- » Ofsted provides an amplified line of command from the centre of government to the heart of the individual education establishment. Its power to classify school 'performance' where funding follows student numbers makes it a particularly effective instrument of central government. As its remit has expanded, so have the tools of central government control
- John Major's **Education (Schools) Act 1992** changed HMI to the Office for Standards in Education (Ofsted)
 - The Inspector began to publish his results in the name of greater transparency and school accountability.
 - In 2001, New Labour increased Ofsted's powers further. The **Learning and Skills Act 2000** allowed for inspection of Further Education Colleges and school sixth forms. The **Care Standards Act 2000** then brought nurseries and day care into the inspection regime
 - In 2007, Ofsted assumed responsibilities for children's social care previously held by the Commission for Social Care Inspection
 - The work of teaching has been increasingly codified in Ofsted criteria (1993 and 1995) in order to ease assessment and grading by the inspectors. Ofsted has been made to take on the role not only of messenger but as interpreter of the law
 - One former LEA head comments: 'It's not enough that you have so much legislation that we have to read, master, and act upon. Thing is that Ofsted has its own interpretation that finds its way into countless forms and inspection tools' (qtd. in Gibton 2012)
 - The new 2019 revision of Ofsted Inspections may help schools to focus more on their approach to curriculum development, but this reorientation is another fundamental change that will take 3 to 4 years to establish itself

OFSTED key judgements: 10 years of change in priorities and requirements



NB. Above changes in priority can be driven by more profound change at a lower level e.g. relevance of lesson observations; grading and preferred teaching style; relevance and gathering of data; relevance of self-evaluation; definition and measurement of outcomes; pre-warning and frequency of inspection; quality of inspectorate etc.

School Accountability, published on 7 January 2010, the Commons Children, Schools and Families Committee (CSFC)

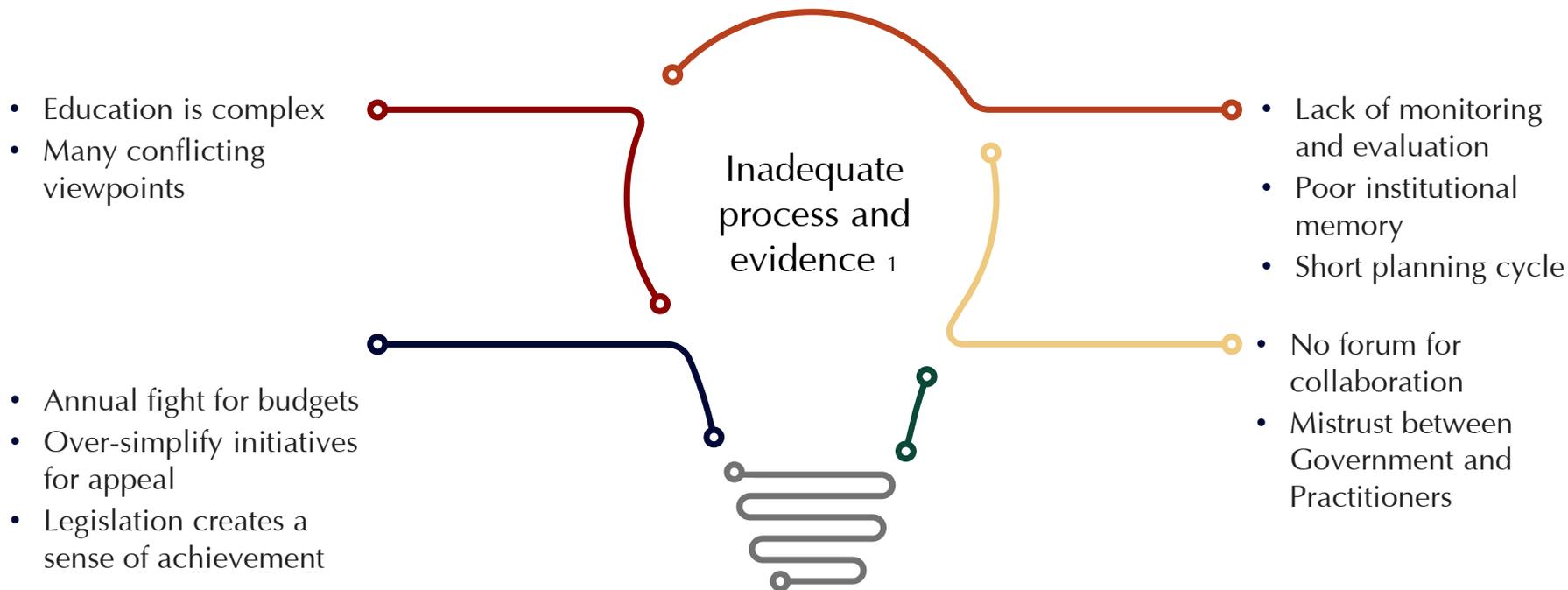
"It is time for the government to allow schools to refocus their efforts on what matters: children. For too long, schools have struggled to cope with changing priorities, constant waves of new initiatives from central government, and the stresses and distortions caused by performance tables and targets.

The Government should place more faith in the professionalism of teachers and should support them with a simplified accountability and improvement system"

5 Factors driving so much change and churn

- a. Multiple factors have contributed to the malaise in Education policy
- b. There is little consensus on fundamental questions of education
- c. Multiple statutory organisations impact policy formation
- d. Multiple non- statutory organisations influence policy formation
- e. Advice and consultation is ad-hoc and practitioners easily excluded
- f. The “need to improve standards” led to a forceful rejection of “consensus”
- g. Adversarial party politics promotes “declaration of progress” through new policy
- h. Lack of monitoring, evaluation and poor institutional memory underpin churn
- i. The swinging pendulum: 2019 political manifestos imply continued change
- j. Summary of issues: An unstable policy framework

5a Multiple factors have contributed to the malaise in Education policy



1. Shared knowledge (data and research driven evidence and evaluation) that sits between DfE, sector and professional bodies and respected institutes

5b There is little consensus on fundamental questions of education

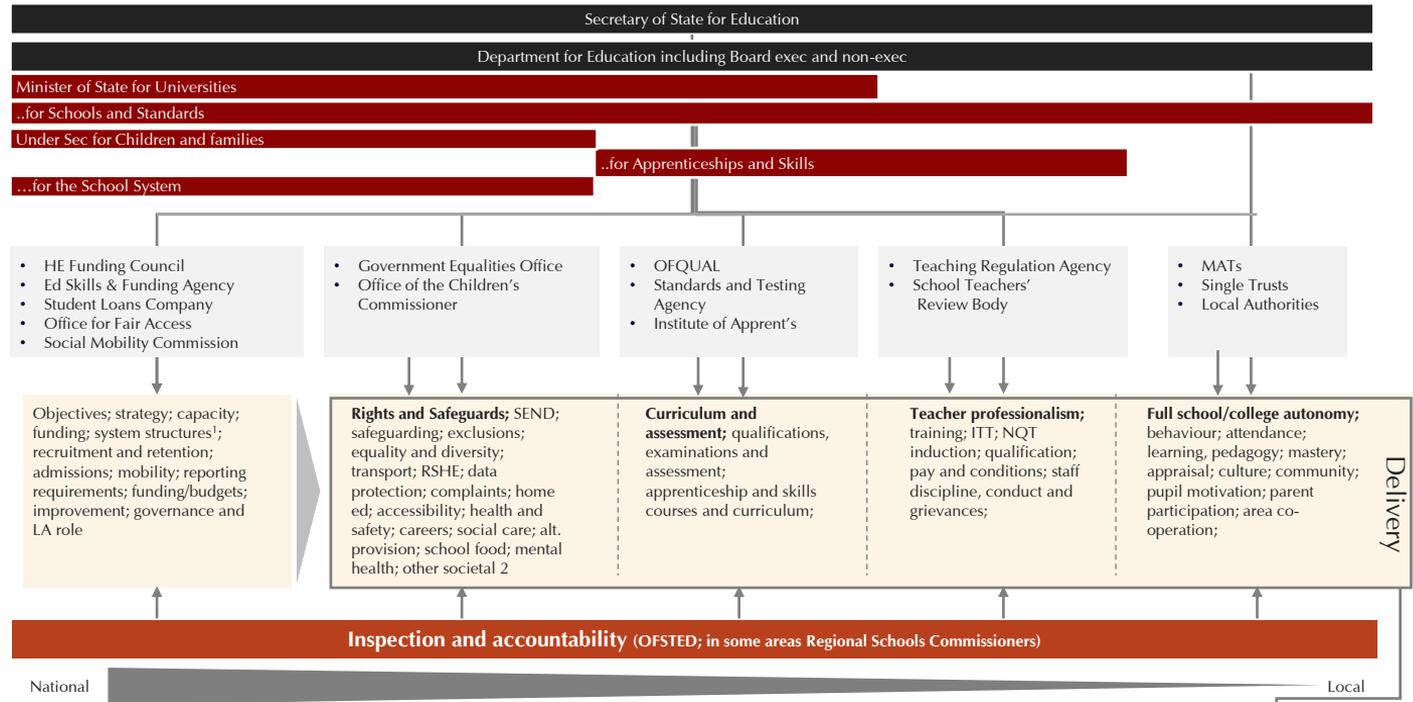
- » What is education for? How should it be delivered? These are two questions where there are fundamental differences of opinion amongst legislators, practitioners and related professionals. These are but a few of the key, yet unsettled, questions:
 - Should classroom teaching be child-centred or practitioner-led?
 - What should be the relative status of academic and vocational education?
 - To what extent should schools sacrifice equality of educational outcomes in order to develop outstanding students?
 - How far is education valuable in itself, independent of its importance for wider economic life?
 - Should curricula be nationally-uniform, or adapt to regional contexts and environments?
- » It is not for this research to comment on any of these questions. Whatever the answers may be, our current policy churn may have much to do with the fact that these issues are not being widely discussed, and new ideologies are generally imposed rather than formulated consensually.
- » Our current predicament demonstrates that these problems are too complex to be resolved by ministerial initiative alone, and education of long term national importance, to be managed on a two-year cycle.
- » Consulted groups of stakeholders are also shifting in membership and character, and therefore fail to check policy overhaul
 - Historically the content of a government Bill would have been informed by LEAs, practitioners' representative bodies, review groups and the findings of commissions
 - Consulted groups now vary with government and variously make up a shifting array of interest groups, MATs, academics, business, consultants and practitioner representatives
 - The Civil Service of the DfE might be seen as a rare constant in this process, but, as noted, its institutional memory is weak

5c Multiple statutory bodies impact policy formation

→ Policy direction

Policy origination

- 80 Acts of Parliament in 40 years empowering Ministers to add secondary legislation >
- Statutory instruments (averaging 88 per year) create detailed policy and attached initiatives >
- “Arms length agencies” and governing bodies³ can act as a buffer, but also re-interpret law, add new policy and increase reporting >
- Critical decisions on budget, sector and system structure have long term (5year +) consequences for practitioner delivery of education >
- OFSTED can re-interpret law and alter both emphasis and priorities >



1. Including but not limited to EYS, Primary, Secondary, FE, vocational and skills, apprenticeships, University, adult education, Trust and Grouped Schools, LA role;
 2. including counter extremism and integration; knife crime; drug use; 3. Academy Trust and LAs.

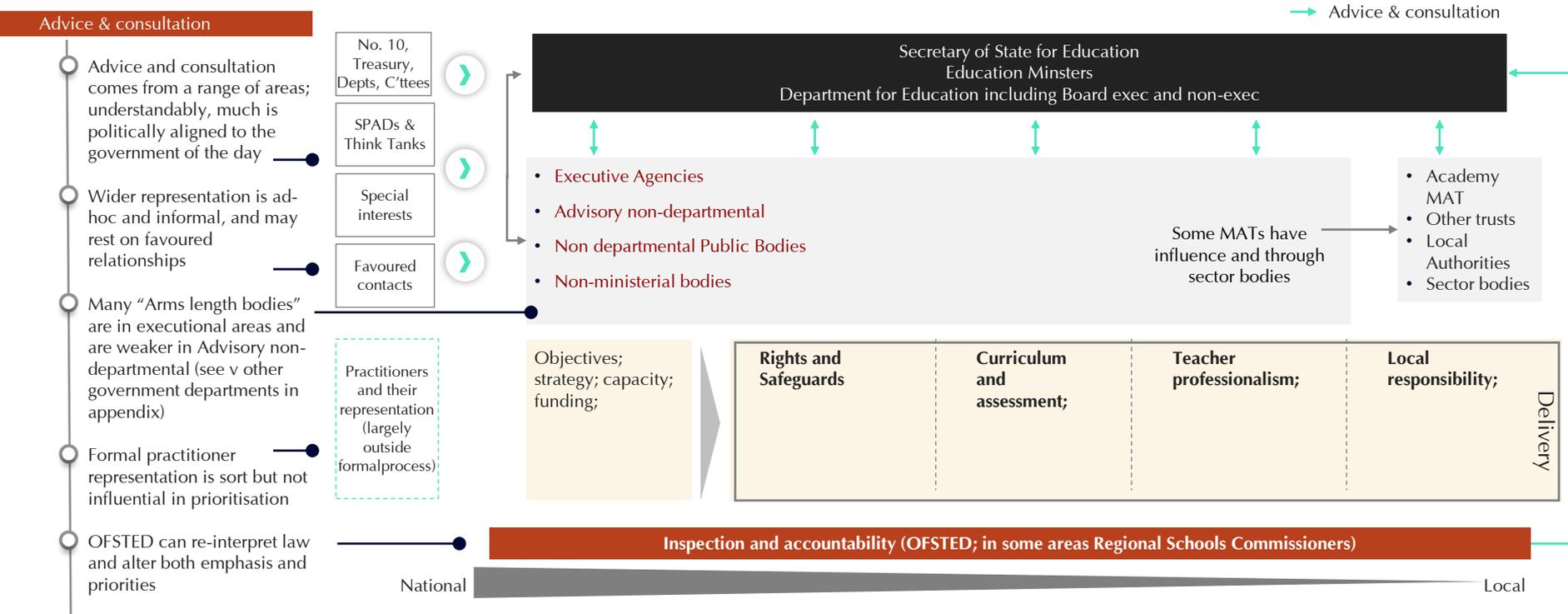
Extent of local responsibility is relatively limited (though improved), but multiple structures now exist

5d

Multiple non- statutory organisations influence policy (a selection)

ASCL – Association of School and College Leaders	NAHT – National Association of Head Teachers	Educational Endowment Foundation	Respublica	National Foundation Educational Research	Bright Blue	Reform	MATS	NASUWT – National Association of Schoolmasters Union of Women Teachers	Local Schools Network
Higher Education Policy Institute	Challenge Partners	National Governors Association	Rand Corporation	Centre for Social Justice	NEU/ATL – National Education Union: Association of Teachers and Lecturers	Onward	Legatum Institute	University Alliance	Adam Smith Institute
The Bow Group	Big Change	Public First	NEU/NAT – National Education Union: National Association of Teachers	Fabian Society	The Royal Society	Government Equalities Office	National Institute of Adult Continuing Education	National Campaign Against Student Fees and Cuts (NCAFC)	Society for Research into Higher Education
IPPR	Henry Jackson Society	Socialist Education Association	National Union of Students	Federation for Education Development	National Institute of Economic and Social Research (NIESR)	Global Education Reform Movement (GERM)	Comprehensive Future	Education Policy Institute	Centre of Literacy for Primary Education
Policy Exchange	Demos	Institute of Economics Affairs	Parent Councils UK	Teacher Development Trust	Higher Education Funding Council for England	College of Teachers	Institute of Education	Sutton Trust	RSA
Ambition Institute	Nuffield Foundation	Demos	Parent Teachers Association UK	Teach First	Compass	Work Foundation	Heads Roundtable	Democracy Matters	London Economics
New Economics Foundation	Public First	New Visions for Education	Boston Consultancy Group	Confederation of School Trusts	Joseph Rowntree Foundation	McKinsey Inc.	The Bow Group	Cambridge Primary Review Team	Social Market Foundation
Education Development Trust	Forum	Sixth Form Colleges Association	New Schools Network						

5e Advice and consultation is ad-hoc and practitioners easily excluded



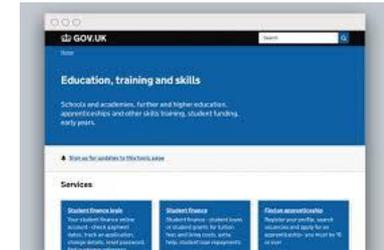
1. including but not limited to EYS, Primary, Secondary, FE, vocational and skills, apprenticeships, University, adult education, Trust and Grouped Schools, LA role; 2. including counter extremism and integration; knife crime; drug use.

5f The 'need to improve standards' led to a forceful rejection of consensus

- » The **Education Reform Act 1988** was a reaction of central government and the DfE against the perception, widely held in the public and the press, that an entrenched, diffused and institutionalised 'educational establishment' had formed in the decades since the war.
- » Action was also driven by a concern that the UK was 'falling behind'. This has been a constant of public policy discourse around education in the 20th century, and has been supercharged in the 21st century, in Britain and elsewhere, by the introduction of the 'PISA' international standardisation in 2000.
- » Increasingly it is said that education should be more responsive to the requirements of an increasingly internationalised, competitive global economy, should reverse 'declining standards', and 'empower parents' to hold schools to account for underperformance.
- » Unambitious "group think" must be avoided. With a desire for accelerated change there was a concern that many Local Education Authorities and representative bodies were not up to the job of increasing expectations and 'improving standards'.
- » To enable transformation, Government must define the standards by which schools must be measured, and specify the outputs that they must achieve. National curricula and a comparative inspection regime grew logically from the demand of schools that they make their workings more visible to parents.
- » In this environment, rapid change can easily omit many of the recognised prerequisites "address fears of change; deploy evidence; emphasise the morale purpose; join the conversation and [critically]... ensure teacher good will and co-operation" (Barber: How to run a Government)
- » The framework for much of this change was created by the Conservatives in the 80s and 90s and New Labour then went on to operate within the same paradigm. (This owed much to New Labour's suspicion of 'local democracy' and entrenched interests)

5g Adversarial party politics promotes “declaration of progress” through new policy

- » In an adversarial two-party system, the emphasis is increasingly on fast communication of benefits with the aim of securing immediate voter approval, measured only over short terms:
- Budgets are always tight and annual spending reviews require politicians to fight for their initiatives. This feeds the requirement to over-simplify and over-promise
 - The burden on ministers is considerable: typically there is simply not enough time for ministers to review research evaluating recommended ideas, let alone alternative proposals
 - Politicians increasingly use legislative documents to send signals to the electorate and media. White papers are increasingly used to make political statements, combining the purposes of party political broadcast, manifesto and policy wish-list. Very little of the content of a white paper makes its way into a bill; their purposes are more diffuse
 - Laws themselves serve this purpose. They work ‘symbolically’, showing that a ministry takes an issue seriously. Legislating is also often imagined as, of all policy approaches, the most sure-fire guarantee of intended outcomes (Gibton 2015)
 - One consequence of the allure of lawmaking is that alternatives to new legislation may be too hastily overlooked. It may be possible, for example, to make better use of existing legislation, rather than introducing new statutes. This can risk introducing duplication and inconsistency into the body of laws, increasing the challenge of practitioners to understand their legal obligations
 - The House of Lords found that ‘too little thought is given to the systematic need to rely so heavily on regulation... and monitoring whether the myriad requirements being imposed on schools are being taken seriously and implemented on the ground’ (Merits of Statutory Instruments Committee 2009, 15)

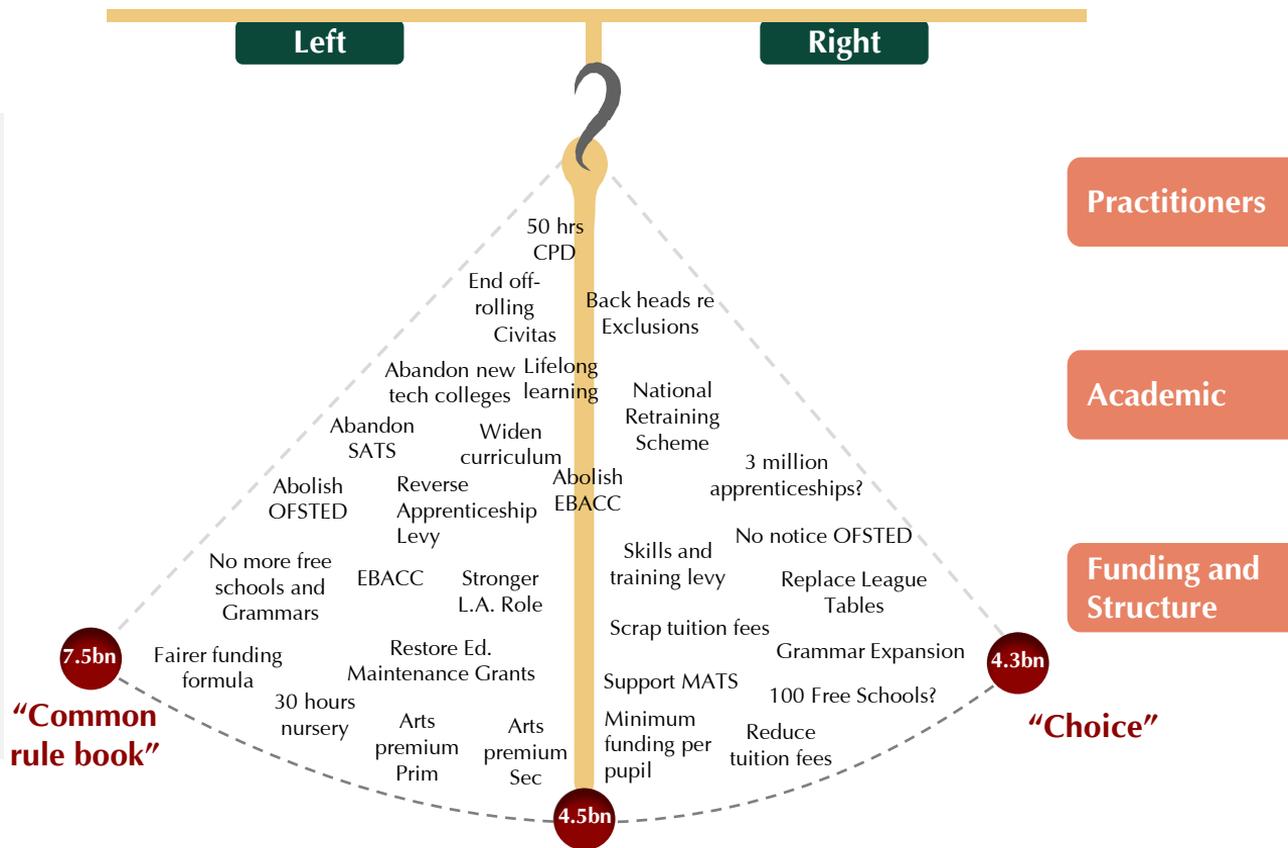


5h Lack of monitoring, evaluation and poor institutional memory underpin churn

- » There is a prevalent attitude that royal assent represents the end of a policy process, that ‘once it is in law, the work is done’. This: a) makes policy vulnerable to later reversal (or too-hasty extension), as evidence rarely exists that it has addressed the problem it was intended to address b) under-estimates the importance of implementation planning
- » Most education policy initiatives are not monitored while in progress, and, once they have been terminated or overwritten, are rarely reviewed
 - The Office of the Parliamentary Counsel acknowledges, ‘[t]here is no agreed method for assessing the need for legislation’ across ministerial departments’ (Office of the Parliamentary Counsel 2013)
 - A 2008 report published by the Royal Society concluding that waves of science education reform have succeeded each other with such rapidity that it has proved impossible to know whether any individual initiative has worked (Royal Society 2008)
- » In 2013, the DfE undertook a review of ‘the size, shape and role of central government in education and children’s services’. They provided ministerial guidelines that all policy be tested before it was rolled out. Its recommendations are not being followed (Department for Education 2013)
- » In 2017, the Institute of Government suggested holding key officials in posts over longer terms, (among its recommendations for strengthening institutional memory and continuity) (Norris and Adam 2017)
- » Over a period of 5 years, City and Guilds has responded to government policymaking practices with increasing alarm. Its latest 2019 report, ‘Sense and Instability’, highlights a failure to include evaluation and impact assessment frameworks. The report laments that ‘many of the issues identified in our 2014 and 2016 reports still persist, and we continue to find ourselves calling for adequate success measures for skills policy’ (City and Guilds Group 2019, 16)
- » Over the last three years large parts of the Civil Service have been drawn into the Brexit planning. The current situation is likely be worse than ever

5i The swinging pendulum: 2019 political manifestos imply continued change

- The 2019 political manifestos continue to reflect major differences of opinion amongst major parties
- There is an emphasis on declarative positions, new policy and change
- Many policies simply recycle prior legislation/policy
- The impact in schools will be further periods of change, instability, stress and teacher dissatisfaction



5j Summary of issues: an unstable policy framework

Process

- Policy velocity dependent on Secretary of State (i.e. centralised with no gated management)
- Inconsistent scrutiny
- Too much legislation, poorly prioritised and implemented
- OFSTED can shape, prioritise and interpret policy
- Inability for practitioners to absorb continual change

Knowledge

- Poor institutional memory
- Lack of research and evaluation
- Disagreement on fundamentals with no means to reconcile

Supporting Institutions

- Policy initiated from many quarters (→)
- External advice, consultation and favoured access is largely "ad-hoc" (→)
- Lack of formal practitioner engagement (and trust)
- No cross-party consensus on key strategic issues

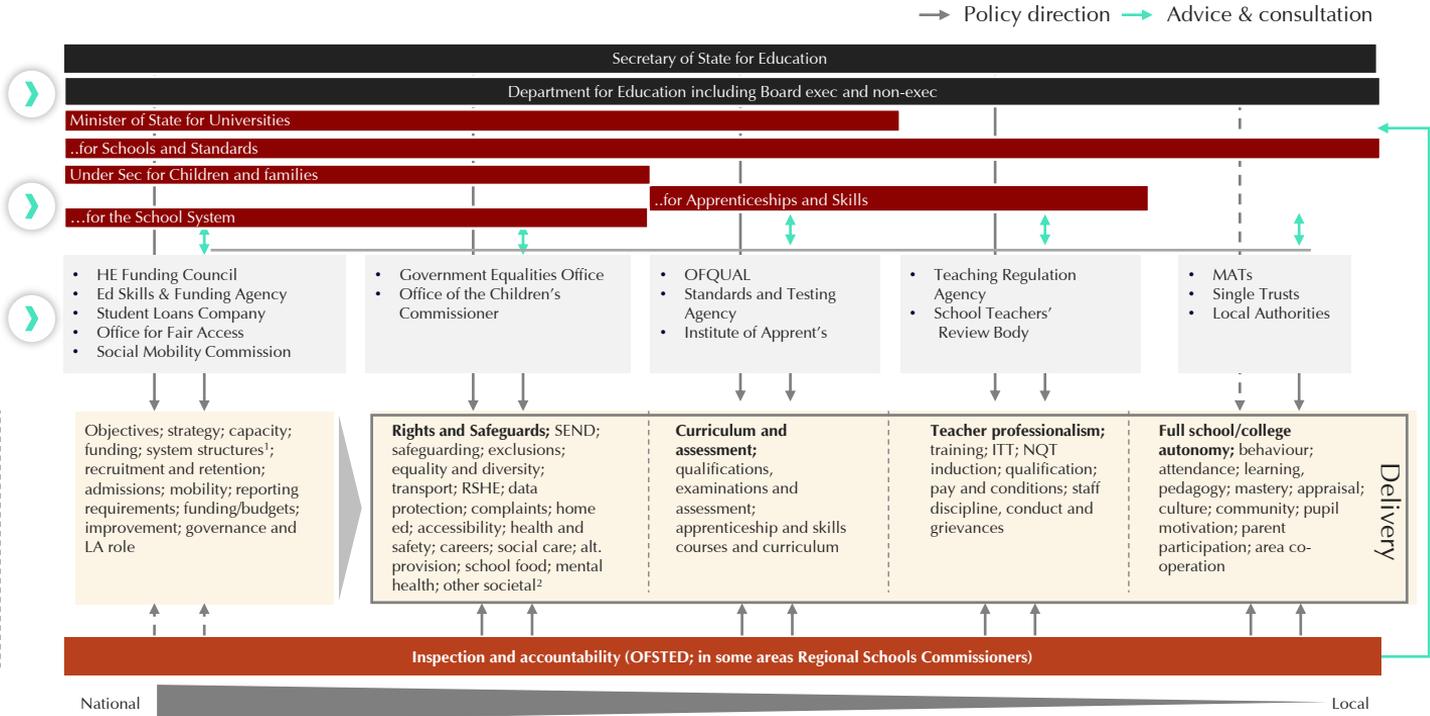
No.10, Treasury, Depts, C'tees

SPADs & Think Tanks

Special interests

Favoured contacts

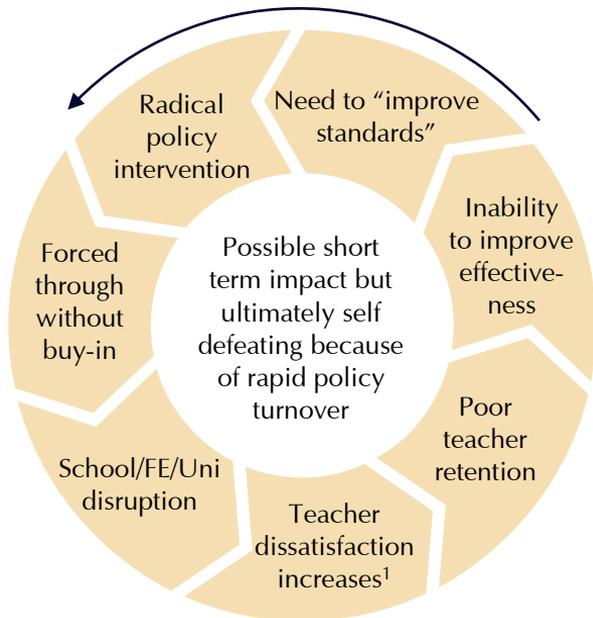
Practitioners and their representation (largely outside Formal process)



1. Including but not limited to EYS, Primary, Secondary, FE, vocational and skills, apprenticeships, University, adult education, Trust and Grouped Schools, LA role; 2. The representation of professionals, sectors, "stakeholders", "customers" and local areas

7c UK needs to move from a rapid, vicious policy cycle to a slower, virtuous cycle

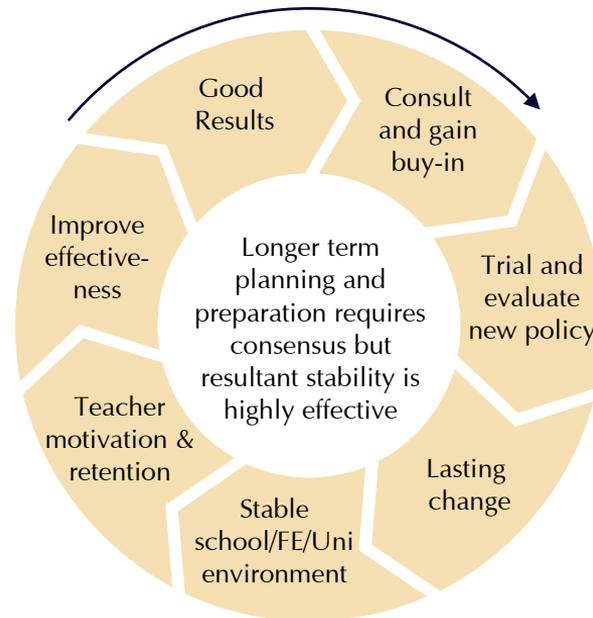
Vicious Circle: Policy Churn



Government view: "It was wrong before, but it will be right now"

1. Reduced autonomy, lower intrinsic motivation, re-setting practices, no opportunity to "master" subject

Virtuous Circle: Policy Stability



Practitioner view: "Minimise change and disruption so teachers can perfect classroom delivery and build outstanding organisations"

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Examples: education questions needing rigorous evaluation

System

Curriculum

Disadvantaged

Assessment

Accountability

National

- What do we want education to deliver in the next 5/10/20 years?
- What is the correct resource balance between sectors¹?
- What is the strategy for adult education ?
- How should the primary sector be managed?
- How is parental choice managed v balanced intake? (Choice v equity v effectiveness)
- How far will policy stability improve teacher retention?

Local

- How far can underperformance be rectified by local/area intervention? - Should Opportunity areas be continued?
- Are there benefits in local school cooperation
- What is the most effective model of cooperation between schools, FEs and local employers?
- What are the future skills needs by area?
- How do we identify, evaluate and scale successful initiatives?

- Does the KS4 curriculum meet present and future needs?
- How are minimum standards best achieved?
- Should the single curriculum run to year 9, 10, or 11?
- What is the importance of problem solving and team work?
- Does tertiary education determine secondary school goals and is this a problem?
- What is the role of technology

- To what extent should the vocational curriculum be defined locally?
- Is there a trade off between equality and excellence?

- What is the cost/benefit of early intervention?
- How far can the best schools overcome pupil disadvantage?
- How do we improve the health welfare and life satisfaction of children in school?

- How are care services coordinated where LAs no longer fulfil the role?
- At what level should care services be coordinated e.g. neighborhood; community; council level; mayoral or regional?
- How is the best teaching talent attracted to the most disadvantaged areas?

- Should we have comparable or criteria based attainment levels?
- What are the costs and benefits of the exam centered system?
- Should curriculum and assessment change be recommended to government?
- Should the timings and form of assessment/examination change?

- How is school accountability and responsibility best balanced?
- Should inspection really be “improvement”?
- How should secondary school success be measured?

- How to better engage parents and the community?

1. Including but not limited to EYS, Primary, Secondary, FE, vocational and skills, apprenticeships, University, adult education * Assumed categorization – trade-off between education beneficiaries or stakeholders

Version control

Version	Date	Category	Development	Input
4.1	27th April 2021	Major	<ul style="list-style-type: none"> Extracts from 3.4 for website sections 	
3.4	28 th July 2020	Minor	<ul style="list-style-type: none"> Addition of key questions 	
3.3	28 th May	Medium	<ul style="list-style-type: none"> New recommendation (2) re ministerial accountability 	12.5.20 meeting
3.2	7 th May	Minor	<ul style="list-style-type: none"> Formatting 	
3.0	30 th April 2020	Major	<ul style="list-style-type: none"> Significant review of recommendations; inclusion of policy framework schema; new overview; 	Various: Think Tanks, Sector bodies; head teachers
2.2	3 rd Feb 2020	Minor	<ul style="list-style-type: none"> Re-organising recommendations 2 year moratorium changed to “policy stability” 	29.1.20 meeting
2.1	27 th Jan 2020	Minor	<ul style="list-style-type: none"> Spell edits; change in headings and content pages; conclusion and recommendations to front; distributed as draft 	
2.0	17 th December 2020	Major	<ul style="list-style-type: none"> Format change to ppt Further analysis; addition of international comparisons; PISA; conclusions and recommendations 	
1.0	July 2019	Major	<ul style="list-style-type: none"> Start March 2019 - UK/England analysis 	