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Comparison of Different School Types

Why we have produced this document

There are an increasing number of state school types in the UK – including three different kinds of academies, four major kinds of maintained schools, independent schools, grammar schools and others. It can be very difficult to distinguish between these schools, and understand which – if any – you are interested in founding.

This guide is designed to help you distinguish between the different kinds of schools in operation in the UK, and in particular to explain the differences between free schools, traditional academies, academy converters and maintained schools.

The New Schools Network will help you set up any new state-funded school. Most of the groups we work with choose to set up free schools, but some are exploring setting up new maintained schools. We hope this document will help you decide which path you would prefer.

Brief description of school types

Academies

Free Schools, traditional Academies and Academy Converters all have the same status in law – they are all ‘Academies’ which means they are all independent schools which are funded by the state, must meet certain requirements set by the state, and are founded and held accountable through a legally binding “funding agreement”.

The differences between free schools, traditional academies and academy converters are over:

- Who sets them up;
- Why they are set up;
- Whether there is a predecessor school; and
- What the ‘provider’ has to demonstrate in order to be given permission to set one up.

- **Free schools**
 - **What are they?** New state schools (which could include independent schools becoming state schools for the first time).
 - **Who sets them up?** Teachers, parents, existing educational charities, universities, community groups. There must be parental demand for the school and a high quality application. The group must form a charity and cannot make a profit.
 - **How are they run?** Free schools are held accountable through a ‘funding agreement’ – a contract with the Government. They are free from the Local Authority.
 - **How do they get permission?** Free schools must submit an application in two stages – a proposal and a business case. The business case must detail all aspects of the school and demonstrate clear demand from parents for the particular provision being offered.

- **Traditional academies.**
 - **What are they?** Usually existing poorly performing state schools which are given to a new provider.
 - **Who sets them up?** Universities, FE colleges, education charities, businessmen. The provider must form a charity and cannot make a profit.
 - **How are they run?** Academies are held accountable through a ‘funding agreement’ – a contract with the Government. They are free from the Local Authority.
 - **How do they get permission?** The Department for Education (DfE) ‘brokers’ between academy providers and schools which are underperforming.

- **Academy converters.**
 - **What are they?** Existing, usually highly performing schools which opt out of Local Authority control to gain independence and autonomy.
 - **Who sets them up?** Existing state schools.
 - **How are they run?** The school governing body signs a funding agreement with the Government and are independent from the Local Authority.
 - **How do they get permission?** Outstanding schools go through a rapid approval process. All schools can apply to the government.

Maintained schools

The majority of state schools are 'maintained' by the Local Authority. All maintained schools follow the national curriculum, national pay and conditions, and are overseen by the Local Authority. There are four main types of maintained schools.

Their differences are over:

- Who employs the staff;
 - Who owns the land and buildings;
 - And who controls the admissions arrangements.
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- **Community schools**
 - **What are they?** Schools run entirely by the Local Authority.
 - **How are they run?** The Local Authority employs the staff, owns the land and buildings and determines the admissions arrangements.
 - **Foundation and trust schools**
 - **What are they?** Schools run by their governing body.
 - **How are they run?** The governing body employs the staff and sets admissions criteria. Land and buildings are usually owned by a charity or by the governing body.
 - **Voluntary Aided schools (VA schools)**
 - **What are they?** Faith schools are usually VA schools.
 - **How are they run?** The governing body employs the staff and sets admissions criteria. Land and buildings are usually owned by a religious organisation.
 - **Voluntary Controlled schools (VC schools).**
 - **What are they?** Like VA schools but the Local Authority runs the school.
 - **How are they run?** The Local Authority employs the staff and sets admissions, but the land and buildings are usually owned by a charity such as a religious organisation.

Other types of school

- **Independent schools –**
 - **What are they?** Schools independent from both national and local government in finances, governance and operations. They are regulated lightly by government and inspected by a range of bodies.
 - **Who sets them up?** Independent schools vary from those set up by foundations in the middle ages through to new companies and charities running schools.
 - **How are they run?** They are funded by school fees, gifts and endowments and governed by an independently elected board of governors.
- **Grammar schools -**
 - **What are they?** Schools which select their pupils on academic ability (NB grammar schools can be maintained).

Differences between school types

Highlighted cells indicate that there is a notable difference to the Maintained sector.

	Free Schools	Academies	Maintained	Independent
Curriculum				
Content	Exempt from following National Curriculum. Must teach certain subjects including maths, English and science. Must be 'broad and balanced' in curriculum.	Exempt from following National Curriculum Must teach certain subjects including maths, English and science. Must be 'broad and balanced' in curriculum.	Must follow National Curriculum Can focus on specific subjects as long as National Curriculum requirements are still met.	Exempt from following National Curriculum. Must give 'pupils experience in linguistic, mathematical, scientific, technological, human and social, physical and aesthetic and creative education'.
Assessments	Required to assess students in accordance with their funding agreement – including at key stage 2 and 4	Required to assess students at all key-stages in accordance with their funding agreement	Students must be assessed at all key stages.	Not required to perform national assessments (e.g. GCSEs). However most do.
Teaching Hours	Free to change day and term lengths	Free to change day and term lengths	Voluntary Controlled and Community schools must go through a lengthy consultation process to change school day.	Free to change day and term lengths
Specialised Programs	Must establish a clear Special Education Needs (SEN) policy following the code of practice for SEN and vulnerable children	Must establish a clear SEN policy following the code of practice for SEN and vulnerable children	Must follow the code of practice. LA oversees provision.	Must ensure that facilities and access are suitable for those with special educational needs and disabilities.

Outcome Indicators	Student outcomes monitored through inspection by Ofsted (Office for Standards in Education) Must reach national floor targets.	Student outcomes monitored through inspection by Ofsted. Must reach national floor targets..	Student outcomes monitored through inspection by Ofsted Must meet national floor targets.	No mandatory inspection requirements for achievement ¹ No external targets set
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Students				
Restrictions on age-range of school	Anything between the 5-19 age range.	Anything between the 5-19 age range.	Depends on LA.	None
Admissions	No selection by aptitude permitted. Priority by faith limited to 50% of pupils. Can prioritise up to 10% of secondary pupils on aptitude.	No selection by aptitude permitted. Can prioritise up to 10% of secondary pupils on aptitude.	Selection by ability allowed for grammar schools but no other schools. Can prioritise up to 10% of secondary pupils on aptitude.	Selection by ability permitted.
Cap on number of students	Primary – classes limited to 30 pupils by statute Secondary - None	Primary – classes limited to 30 pupils by statute Secondary - None	Primary - classes limited to 30 pupils by statute Secondary – None Other – None	Primary –None Secondary – None Other – None

Finance				
Source of revenue and disbursement	Public - Funding disbursed directly by formula calculated by the DfE. Funding varies between LAs.	Public - Funding disbursed directly by formula calculated by the DfE. Funding varies between LAs. Often have additional funding from the academy sponsor.	Public – Funding disbursed by LA	Private: Fees and bequests - no public funds committed
Revenue per pupil	Comparable to state schools in the local area.	Comparable to state schools in the local area.	Varies significantly by Local Authority. ²	Variable – dependent on level of fees charged
Allocation	Schools have full flexibility to allocate funds as deemed fit, including services normally provided by LA	Schools have full flexibility to allocate funds as deemed fit, including services normally provided by LA	Schools free to allocate all funds received but LA keeps a proportion back for ‘central services’.	Schools have full flexibility to allocate funds as deemed fit.

Personnel Management				
Teacher selection criteria	Not required to have teachers with QTS (except SENCO) but are required to have a training and development plan.	QTS required	QTS required	No QTS required
Adding non-teaching positions	Free to hire as required	Free to hire as required	Depends on school type.	Free to hire as required
Performance incentives	Free to set own pay and conditions	Free to set own pay and conditions	Follow national pay and conditions.	Free to set own pay and conditions
Performance management	Free to evaluate and manage performance as required. Inspected by Ofsted and must fill conditions of	Free to evaluate and manage performance as required (subject to TUPE restrictions)	Performed by LA	Free to evaluate and manage performance as required

Governance				
Ownership of physical asset	Charitable trusts (must be non-profits, but within	Charitable trusts	LA for community schools. Other types, the land and	Private. Usually, but not always, a

	that could include charities, parent/teacher groups, universities etc)		buildings may be owned by a charity, religious group or governing body.	trust.
Decision-making & Fiscal responsibility	Trustees/Governing body	Trustees/Governing body	Governing body (and LA) ³	School Governors/ Trustees
Involvement of private sector	Able to subcontract elements of the running and management of the school to other private sector organisations	Able to subcontract elements of the running and management of the school to other private sector organisations	Able to subcontract elements of the running and management of the school to other private sector organisations	Can be fully or partially privately operated.

Accountability				
Reporting requirements	Analysis and monitoring performed by DfE and Ofsted	Monitored by YPLA.	Monitored and analysed by LA and Ofsted (with some DfE requirements too)	No public reporting requirements
Public Transparency	All results made publicly available	All results made publicly available	All results made publicly available	Ofsted reports publicly available (most also publish exam results)