

Comparison of different types of school

A guide to schools in England

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Growing schools
advice | support | ideas



New
Schools
Network

Introduction

There are an increasing number of different types of school in England, and it can be difficult to distinguish between them. The New Schools Network is an organisation geared towards helping you set up a free school, but what separates free schools from academies, maintained schools, and other types of school?

This document is designed to help you distinguish between the different kinds of schools in England. The first section provides a brief outline of academies (of which free schools are a type), maintained schools, and other types of school. The second section goes into further detail, comparing these different categories of schools in such areas as curriculum, personnel management, admissions and finance.

Outline of different school types

Academies

While there are different types of academies in operation in England, they all have the same status in law. Academies are publically funded, independent schools, held accountable through a legally binding ‘funding agreement’. These schools have more freedom and control over curriculum design, school hours and term dates, and staff pay and conditions.

Free schools, academy converters and sponsored or traditional academies all have this status, yet there are a number of differences between them. This is focussed on:

- 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 includes independent schools becoming state schools for the first time).
Who sets them up? It is possible for any type of organisation or person to be involved in setting up a free school. Proposers include teachers, parents, existing schools, multi academy trusts, educational charities, universities and community groups. In order to do so, the group must form a company limited by guarantee and choose members and directors to run it unless the school is being set up by an existing (multi) academy trust. Free school companies must use the DfE model memorandum and articles of association, meaning that once constituted the company will be an academy trust.
- **How are they run?** Free schools are run by an academy trust, and are independent from local authority control. They are held accountable through a ‘funding agreement’ - a contract with the Government.
- **How do they get permission?** Free school proposers must submit an application to the Department for Education. They must demonstrate that there is a clear need and demand for their school in particular in the proposed area.

Sponsored/traditional academies

- **What are they?** Usually, they are underperforming existing schools which are allocated to an academy sponsor who will take over responsibility for running for school.
- **Who sets them up?** Academy sponsors can be other schools or multi-academy trusts, universities, FE colleges, charities, faith communities, educational foundations and business sponsors.
- **How are they run?** All academies are run by an academy trust, and are independent from local authority control.. They are held accountable through a ‘funding agreement’ - a contract with the Government.

- **How do they get permission?** The relevant Regional Schools Commissioner (RSC) matches underperforming schools with sponsors and finalises agreements after gaining the support of the local headteacher board, and the school's governing body.

Academy converters

- **What are they?** Usually, they are high performing schools already in existence, who opt out of Local Authority control. This gives them greater independence and autonomy.
- **Who sets them up?** They are existing state schools.
- **How are they run?** The school's governing body sets up an academy trust in the manner outlined above for free schools, and existing governors usually take the roles of members and/or directors of the trust. The school is run by the academy trust, and is independent from the Local Authority.
- **How do they get permission?** High performing schools apply to the Department for Education for approval.

Maintained schools

While the number of academies in England is expanding and the majority of state secondary schools are now academies, most state schools are maintained schools. This means they are overseen, or 'maintained', by the Local Authority. These schools must follow the national curriculum and national teacher pay and conditions.

There are four main types of maintained schools. The differences between them include:

- Who employs the staff;
- Who owns the land and buildings; and
- Who controls the admissions arrangements.

Community schools

- **What are they?** Schools which are controlled and run by the Local Authority.
- **How are they run?** The Local Authority funds the school, 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, buys in and administers support staff and sets its own admissions criteria. The land and buildings are usually owned by the governing body or, in trust schools, an external body such as a charity. The local authority funds the school.

Voluntary Aided schools (VA schools)

- **What are they?** The majority of voluntary aided schools are faith schools. A foundation or trust (usually a religious organisation) inputs a small proportion of the capital costs for the school and forms a majority on the school's governing body.
- **How are they run?** The governing body employs the staff and sets admissions criteria. The land and buildings are usually owned by the religious organisation. The school is funded partially by the local authority and partially by the governing body and the charity.

Voluntary Controlled schools (VC schools)

- **What are they?** VC schools are like VA schools, but are run by the local authority.
- **How are they run?** The foundation or trust (usually a religious organisation) owns the land and buildings, and appoints some members of the governing body. The local authority employs the staff, provides support services and sets admissions.

Other types of school

While academies and maintained schools form the majority of schools in England, there are two other types of school that are different from the ones already discussed.

They are different from academies and maintained schools because of:

- How they are funded; and
- How they can select their pupils.

Grammar schools

- **What are they?** State funded schools which select their pupils on the basis of academic ability. Grammar schools can also be maintained schools.

Independent schools

- **What are they?** Schools that charge fees to attend, rather than being funded by the government, and can make a profit. They are governed and operated by the school itself. They are lightly regulated by government and inspected by a range of bodies.
- **Who sets them up?** Independent schools vary from those set up by foundations many years ago to those founded by new companies and charities.
- **How are they run?** Most independent schools have charitable status. They are funded by fees, gifts and endowments and are governed by an independently elected board of governors. The governing body and Headteacher set the admissions policy and employ the staff.

Differences between school types

There are many detailed differences between free schools and academies, and schools in the maintained and independent sectors.

These centre around:

- The curriculum;
- The students;
- Finance;
- Personnel management;
- Governance; and
- Accountability.

These differences are discussed in more detail in the table below.

	Free schools	Academies	Maintained	Independent
Curriculum				
Content	Exempt from following National Curriculum. Must teach certain subjects including maths, English and science. Curriculum must be 'broad and balanced'.	Exempt from following National Curriculum Must teach certain subjects including maths, English and science. Curriculum must be 'broad and balanced'.	Must follow National Curriculum Secondary schools 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 in accordance with their funding agreement – including at key stage 2 and 4	Students must be assessed at all key stages (although there is no external assessment for key stage 3).	Not required to perform national assessments (e.g. GCSEs). However, most choose to.
Teaching hours	Free to change day and term lengths	Free to change day and term lengths	Free to change their school day but must follow the LA term dates.	Free to change day and term lengths

Specialised programs	Must establish a clear Special Education Needs (SEN) policy following the SEN Code of Practice.	Must establish a clear SEN policy following the SEN Code of Practice.	Must follow the SEN 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. 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. No external targets set.
Students				
Restrictions on age-range of school	Age range of 4-19. Can also have a nursery from 2-4, though this is funded separately.	Age range of 5-19. Can also have a nursery from 2-4, though this is funded separately.	Depends on LA.	None
Admissions	Must adhere to the School Admissions Code . No selection by ability permitted. Can prioritise up to 10% of pupils on specific aptitudes listed in the School Admissions Code . Faith-based admissions limited to 50% of pupils and only for faith designated schools.	Must adhere to the School Admissions Code . No selection by ability permitted. Can prioritise up to 10% of pupils on specific aptitudes listed in the School Admissions Code .	Must adhere to the School Admissions Code . Selection by ability allowed for grammar schools but no other schools. Can prioritise up to 10% of pupils on specific aptitudes listed in the School Admissions Code .	Not required to adhere to the School Admissions Code – the governing body sets the admissions criteria. Selection by ability permitted.

Class sizes	Primary – classes limited to 30 pupils by statute. Secondary – No requirements.	Primary – classes limited to 30 pupils by statute. Secondary – No requirements.	Primary - classes limited to 30 pupils by statute. Secondary – No requirements.	No requirements.
Finance				
Source of revenue and disbursement	Publicly funded. Funding disbursed according to the DfE’s funding formula by the Education Funding Agency. Funding varies between LAs.	Publicly funded. Funding disbursed according to the DfE’s funding formula by the Education Funding Agency. Funding varies between LAs.	Publicly funded. Funding disbursed by the LA.	Privately funded through fees and bequests.
Revenue per pupil	Comparable to maintained schools in the local area.	Comparable to maintained schools in the local area.	Varies significantly by Local Authority.	Variable – dependent on level of fees charged.
Allocation	Schools have full flexibility to allocate funds as deemed fit, including for services normally provided by LA.	Schools have full flexibility to allocate funds as deemed fit, including for 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.	Not required to have teachers with QTS (except SENCO) but are required to have a training and development plan.	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.

Pay and conditions	Free to set their own pay and conditions for staff.	Free to set their own pay and conditions for staff.	Follow national pay and conditions.	Free to set their own pay and conditions for staff.
Governance				
Ownership of physical asset	EFA owns the land and has an understanding with the trust running the school which is operating there.	The academy trust will usually be granted a 125 year lease by the body that owns the land (local authority or religious authorities) or own the land outright.	LA for community schools. Other types, the land and buildings may be owned by a charity, religious group or governing body.	Private. Usually, but not always, a trust.
Decision-making & fiscal responsibility	Trustees/ governing body	Trustees/ governing body	Governing body, overseen by the LA	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	Overseen by Regional Schools Commissioners and Ofsted.	Overseen by Regional Schools Commissioners and Ofsted.	Overseen by the LA and Ofsted (with some DfE requirements too).	Required to provide information about exam results to be published alongside comparable information on state schools.
Public transparency	All results made publicly available.	All results made publicly available.	All results made publicly available.	Inspection reports publicly available. Most also publish exam results.

Other useful links

- Gov.uk has a [guide](#) to different types of school