

Comparison of different types of school

A guide to schools in England

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Growing schools
advice | support | ideas



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 and maintained schools?

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 as ‘academies’. 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 traditional academies all have this status, yet there are a number of differences between them. This is focused 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? Teachers, parents, existing schools, educational charities, universities, community groups. In order to do so, the group must form a company limited by guarantee and choose members and directors to run it. 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 independent, free from local authority control. They are held accountable through a ‘funding agreement’ - a contract with the Government.
- **How do they get permission?** Free schools must submit an application to the Department for Education. They must demonstrate that there is a clear demand for that type of school from the parents in the area.

Traditional academies

- **What are they?** Usually, they are underperforming existing schools which are allocated to an academy sponsor who will take them over.
- **Who sets them up?** Academy sponsors can be universities, FE colleges, education charities and business sponsors.
- **How are they run?** Traditional academies are independent, free from local authority control. They are held accountable through a ‘funding agreement’ - a contract with the Government.
- **How do they get permission?** The Department for Education ‘brokers’ between academy providers and the underperforming schools.

Academy converters

- **What are they?** Usually, they are high performing schools already in existence, who opt out of Local Authority control to gain independence and autonomy.
- **Who sets them up?** They are 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 apply to the Department for Education for approval.

Maintained schools

While the number of academies in England is expanding, the majority of 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. Their differences are over:

- 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 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 its own admissions criteria. The land and buildings are usually owned by the governing body or, in trust schools, a charity.

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 schools 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.

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 local authority employs the staff and sets admissions. The foundation or trust (usually a religious organisation) owns the land and buildings, and usually forms a quarter of the governing body.

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 in the middle-ages to those founded by new companies and charities.
- **How are they run?** They are funded by fees, gifts and endowments and are governed by an independently elected board of governors.

Differences between school types

Between these school types there many detailed differences between free schools and academies and the maintained sector.

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. 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. No external targets set.
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.	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 that could include charities, parent/teacher groups, universities etc)	Charitable trusts	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 (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)

Other useful links

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