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WIDER PARENTAL CHOICE: PAPER BY THE SECRETARY OF STATE FOR EDUCATION AND SCIENCE

1. On 8 March I was invited, with assistance from colleagues, to develop my proposals in MISC 91(82)1 for a two-limbed voucher scheme in the light of the comments at the MISC 91 meeting and the meeting on 8 March.

Independent Schools

- 2. My colleagues and I agree that the objective here to give far more parents access to independent schools so as to widen choice and put maintained schools on their toes is best met by a voucher or fee-remission scheme on the lines set out in Annex A. I invite the group to consider the question of taxing or means-testing the voucher; and whether the scheme should be national and operated by the Secretary of State or apply only where there is a local education authority (LEA) willing to operate it.
- 3. We agree that our objective could not in practice be well served by expanding the Assisted Places Scheme: to do so would be to destroy the scholarship character which has made it so popular. There is no mileage either in creating a new category of direct grant schools: in the nature of things these would be so vulnerable politically that I doubt that we would ever get enough takers.

Maintained schools

4. I remain convinced that much can be done to widen parental choice in the maintained sector, and to improve standards there, by a new discretionary power to assist through specific grants those LEAs who propose cost-effective schemes for expanding popular schools and improving or closing unpopular ones. Such a discretion would be a flexible and controllable means of

mobilising parental and financial pressures and experimenting with devolved financial management, without fundamental change to the legal structure created by the Education Act 1944.

Details are at Annex B.

- 5. As a modest supplement, I also suggest requiring the governing body and head of every maintained school to convene an annual meeting, to which all parents of pupils would be invited, for the purpose of giving an account of their stewardship.

 Parents would be entitled to pass resolutions about the school which the LEA, governors and head would be required to consider.
- 6. The special advisers have suggested an alternative arrangement for maintained schools on the lines of their paper at Annex
- C. Like the proposals in Annex B, the advisers' proposals would be implemented only through willing LEAs. Once again the key would be a bargain with the Secretary of State to secure additional money. Instead of a high rate of grant directed specifically at named activities or projects, however, the grant here would be a supplementary one with a much wider , coverage but less leverage. A participating LEA would be able to adopt a new legal framework for their school provision which would turn most maintained schools into independent charitable trusts responsible for their own affairs. These would be maintained and funded by the LEA through vouchers weighted according to social factors: the LEA would initially determine its total expenditure for all schools and the amount of financial support for each school would thereafter be related through the voucher mechanism to the number of pupils the school attracted. The LEA would have some discretion (under rules made by the Secretary of State) to vary the support it gave per registered pupil. If the school got into financial difficulties, the LEA would subsidise it under rules agreed with the Secretary of State, or take it over, or cease to maintain it, subject to a right of appeal by the school to the Secretary of State.

SECRET AND PERSONAL

Pilot projects

7. Both sets of proposals for maintained schools (and the local variant of the proposal for independent schools) are by their nature local experiments and as such will serve as pilot projects. If the scheme for the independent sector were a national one, it would grow piecemeal in practice, so that one might dispense with pilot projects for it also.

Assessment

- 8. The proposals for independent schools, and those in Annex B, are, I believe, technically feasible subject to the resolution of certain questions identified in Annex A and B. The proposals in Annex C are attractive in principle. They have however only just emerged and are plainly far-reaching. I would like to recommend them if further work shows them to be politically and practically feasible. They would require thorough appraisal by officials. This will take time.
- 9. In my judgement, the proposals in Annex B could now be worked up into a worthwhile scheme. In our earlier discussions colleagues thought that a scheme on these lines did not go far enough. A scheme on the lines of Annex C is certainly more radical. One of its attractions is the potential shift in the balance of power from the LEA to school and parents through a voucher which has a financial meaning. But there are some big political difficulties which will need to be resolved. For example:-
 - 1. It is open to doubt whether we shall find willing LEAs to volunteer to change to a school regime which deprives them of many of their existing powers. The strongest doubts attach to those urban LEAs in whose areas the need for reform is greatest. We must also not presume on the support of the churches.

- 2. There will be difficulties in reconciling the independence of the schools under the proposed voucher regime with the continuing responsibilities and duties of the LEA. Problems will arise as to how the LEA will perform its duty to secure minimum standards and about the reality of the transfer of power from LEA to school where schools are subsidised by the LEA.
- 3. Parental rights and choice will paradoxically be diminished. Parents will lose the right of appeal given to them by our 1980 Act. Experience in the independent sector suggests that it is unlikely also that over-subscribed schools will expand voluntarily. Only those parents who are fastest off the mark will get the school of their choice.
- 4. There will be instability. A LEA having opted to adopt the new regime might opt out on a change of political control. For various reasons, a school's status may change more than once in a pupil's career.
- 5. There will be difficulty in securing the right kind of governor representing the parents, or enough such governors for the smaller or less popular schools, particularly in areas with no obvious community focus.
- 6. The proposal entails substantial changes of the 1944 Act and the political and religious settlement which underlies it. The necessary legislation will provoke strong opposition and the Parliamentary effort may prove disproportionate to the take up.
- 10. I invite my colleagues:
 - i. to endorse the proposals for wider access to independent schools in Annex A, and to resolve the main outstanding points of principle set out in paragraph 2 above.

ii. to decide whether further work should be done on the proposals in Annex C to see whether they can result in a feasible alternative to the proposals in Annex B.

KJ

24 March 1983

WIDER ACCESS TO INDEPENDENT SCHOOLS

1. The objective is to give more parents access to independent schools so as to widen choice and in so doing to put maintained schools on their toes.

Assisted Places Scheme

- 2. This objective cannot appropriately be secured by extending the Assisted Places Scheme. This is in effect a scholarship scheme for secondary schools whose character and popularity would be destroyed if greatly extended. When the scheme reaches the peak now envisaged for it, about 40% of the pupils on average in the 221 participating independent schools will benefit from it. The scheme could be dove-tailed into a much wider scheme for assisting parents. A much wider scheme
- 3. Our aim instead should be a new, much wider scheme which would also encourage entrepreneurs and parents to set up new independent schools and which would be open to all schools satisfying certain conditions on standards who admitted pupils to day or boarding places. MISC 91(82)1 described such a scheme which would be applied nationally. It is based on the idea that since parents should not be offered more financial support for private schooling than is available in the maintained sector, the maximum assistance to parents would be the expenditure which we judge appropriate for a pupil in the same age range in a maintained school. The limit on assistance means that until satisfactory existing or new independent schools come to operate with lower unit costs, parents would be required to find on average about £300 a year per pupil from their own pocket to bridge the gap between the face value of the voucher and present fee levels.
- the special advisers have suggested that

 4. Alternatively,/the level of assistance to parents using the independent sector could be set locally by the LEA. Every parent in the area of the LEA would receive from the LEA a voucher in respect of each child of compulsory school age equivalent to approximately the average unit cost of maintained school provision in the area. Under such an arrangement, the value of the assistance to parents would vary from area to area and the scheme would be administered locally. Both variants would be applied nationally or introduced as part of a series of experiments with willing participating LEAs. Neither variant need depend on parents being issued with vouchers. Whether administered nationally or locally, it could operate through participating schools as a fee-remission scheme.

Tax or means-test?

- 5. The most important issue for decision is whether and how the assistance should vary with parental income. The main considerations are these:
 - i. unless the assistance is taxed or means tested, the deadweight cost of assisting those who now pay for themselves would be about £500m a year. Even if we exclude all those schools which formerly did not meet the minimum standards required for registration as efficient and also assume that 20% of the remaining independent schools prefer to stay outside the scheme, the deadweight cost is still £330m.
 - ii. To tax the assistance would give help to all, however rich. Only families with gross incomes below £2795 would normally be entitled to full assistance: most parents would have to find more than £300 a year per pupil, at least initially. On the other hand, families with gross incomes above £42,000 would still receive about £400 per annum in assistance towards independent school fees.
 - iii. A special means test could be made more favourable than taxation for lower income parents and less favourable for rich parents. Both the means test used for mandatory awards in higher education and that for the Assisted Places Scheme discriminate in favour of the poorest families.

Any means test could be structured in more or less favourable ways.

6. The table below shows for purposes of illustration how assistance would be distributed under three different models. It assumes a voucher with nominal value of £104Ω; a family with 2 children of that are secondary school age; and/the means tests/applied to 1981/82 income.

pproximate income distribution (% of population in band)	Gross family income (£s)	Benefit received as % of nominal value of assistance		
		Taxation	Awards means test (without minimum award)	APS means test
	3,000	70	100	100
25	4,000	70	100	100
	6,000	70	100	93
40	8,000	70	89	67
	10,000	70	65	33
	12,000	70	46	Nil
23	15,000	70	17	Nil
12	20,000	55	Nil	Nil
	25,000	55	Nil	Nil
	38,000	45	Nil	Nil
	42,000+	40	Nil	Nil

7. The deadweight costs of assistance to those already using feepaying schools for a national scheme would be as follows:

	£millions,	1983/84	prices
No taxation/means test		330	
Taxation		210	
Awards means test		110	
APS means test		60	

These estimates assume a national scheme. Clearly, the cost is much less if Limb 1 is confined to the areas of those LEAs willing to participate in Limb 2.

Capital guarantees

8. Given the political and other risks, discretionary guarantees by the Government for capital expenditure on expanding existing or creating new schools are essential to get the scheme off to a solid start.

Direct grant schools

9. An alternative approach which has been suggested is to give assistance direct to independent schools, as opposed to parents, in the manner of the former direct grant schools scheme. The essence of such assistance is that it should be generous enough to allow high standards and ready access to families from all income groups. However, there is no prospect of bringing most of the 167 former direct grant schools back into such a scheme. 119 went independent (and 113 of them

are in the Assisted Places Scheme), 44 became maintained and 4 closed. A school which depends wholly or mainly on direct Government subsidy is so vulnerable to the vicissitudes of political change that few groups of people are likely to set up new schools of this kind. We do not therefore favour such an approach.

SECRET AND PERSONAL Criteria for approval of local schemes The criteria for such schemes could ensure substantial experimentation. Since each scheme would essentially be the subject of a bargain between the Secretary of State and the LEA there would be scope for appropriate local variation and initiative. The basic criteria would include: the cost-effectiveness and educational soundness of the i. measures for increasing access to popular schools: this would need to specify targets for the number of places to be added to over-subscribed schools and the details of admissions policies in relation to the additional places; the cost-effectiveness and educational soundness of the ii. measures for improving or closing unpopular schools. LEA would be required to indicate a lower limit for each under-subscribed school which if breached, would oblige the submission of closure proposals for consideration by the Secretary of State. In relation to under-subscribed schools, the LEA would be expected to identify a plan of action based on the results of inspection to improve the quality of performance and the quality of a school's management including where appropriate changes in personnel. HM Inspectorate would be available to assist in the development of such plans and would be strengthened for that purpose. how far the LEA efficiently delegated to the schools in iii. question the management of the school budget determined by the LEA. There are already some worthwhile developments in a few authorities to give schools wide budgetary freedom which are designed to improve cost-effectiveness and to encourage a greater sense of financial responsibity in the schools. We can ensure that LEAs build on these developments. the effectiveness of the schools' participation in their iv. community, eg by making facilities available out of school hours; development of links with local industry and commerce; and action to improve the involvement of parents in the work and life of the school. - 2 -

6. LEAs would themselves meet the cost of improving undersubscribed schools under a scheme approved by the Secretary of State. Since empty places in a school send up its unit costs per pupil, LEAs have a strong financial incentive to close schools which are heavily under-subscribed. This option also provides a financial incentive for tackling the problem of under-subscribed schools by making help for the expansion of popular ones conditional on tackling this problem.

SECRET AND PERSONAL Optional use of vouchers This option does not depend upon the use of education vouchers. It is explicitly designed as a means of increasing parental choice inthe maintained sector by increasing the supply of places in schools that parents want and by improving performance in those schools that lack of parental demand has shown to be inadequate. No LEA is however prevented from basing its proposals, in discussion with the Secretary of State, on the use of vouchers and organising its financial support for schools so that the voucher is an influential element in a school's budget. The voucher could not however be the sole determinant of the budget. Annual parental assemblies To improve schools' accountability to parents, legislation should also be introduced to require the governing body and head of every maintained school to convene an annual meeting, to which the parents of all pupils would be invited for the purpose of giving an account of their stewardship. Parents would be entitled to pass resolutions about the school which the LEA, governors and head would be required to consider. Parents could also require the school to make available information on performance and policy not contained in that which schools are now required to publish under the 1980 Education Act. Public expenditure and manpower The cost of this approach depends on the willingness of LEAs to submit suitable schemes (and to find 25% of the cost) and on our readiness to approve them. So in principle we could limit the cost to what was financially and politically feasible. The current cost of each additional school place is likely to be somewhat less than the average cost per pupil which is now £800 for primary pupils and £1050 for secondary pupils aged 11-16. As an illustration, we calculate that additional current expenditure of say £10m in the first year might secure about 20,000 new primary school places or about 15,000 new secondary places in over-subscribed schools. Even if that were the full extent of the annual shift to more popular maintained schools, it would entail a subsequent growth of

expenditure rising to £50m in year 5. The capital cost of the extra places, spread over several years, might be up to £250m if they were

examination and monitoring of local schemes would also entail some

primary and up to £300m if they were secondary. The devising,

extra manpower in central and local government.

ANNEX C: ADVISERS' VOUCHER SCHEME

- 1. The aim of this scheme is to introduce vouchers and financial accountability not only in the independent but also in the maintained sector, and thereby to treat the two sectors in a manner that will generally be regarded as even-handed. The scheme does not, however, exceed the limits imposed by the Ministerial Meeting of 8 March 1983. Compulsory education is continued; the prohibition on charging in maintained schools is continued so as to avoid any narrowing of the choice available to the poorest parents; and the independence of existing independent schools preserved.
- 2. We propose a scheme with two limbs. Limb I consists of arrangements for a voucher to be used at independent schools; limb II consists of a new set of arrangements for maintained schools. The body joining these two limbs would be the LEA.

THE LEA'S BUDGET

3. In order both to minimise disruption and to make allowance for current variations in spending, we propose that the GRE/RSG system of external funding for LEAS should remain intact. The novelty would be in the internal organisation of the LEAS schools-budget: it would be obliged to allocate much the larger part of this budget to a voucher-fund; central government would fix the precise proportion to be devoted to this fund, subject to national consultation. The LEA would then have to distribute this fund in the form of vouchers. The voucher would have different face-values for the three age ranges, 5-11, 11-16 and 16-18; the aggregate face-value of all vouchers issued by the LEA would be equal to the total sum in its voucher-fund. The small proportion of the LEA's schools-budget not devoted to the voucher-fund would be retained by the LEA in the form of a discretionary fund.

LIMB I - THE INDEPENDENT SECTOR

- 4. Every parent residing in the area of a given LEA would receive, from the LEA in respect of every child aged 5-18 inclusive, a voucher that would be usable as part payment for the fees of an independent school. The maximum value of the voucher, if taken to an independent school, would be its face value. But not all parents would be entitled to receive this maximum value. We recognise that those with high incomes would have to be subject to tax or means-test.
- 5. Since the face value of the voucher would vary from LEA to LEA, parents living in different places would receive different amounts of help the the cost of independent education. (This is an almost inevitable result of leaving the GRE/RSG system intact.) We believe that such variations, though not ideal, are reasonable (i) because they reflect variations already present in the maintained sector, and (ii) because parents whose LEA gave vouchers of high value would also be subject to high rates.

creation of LEA-managed schools.

schools; and they would have both powers and discretionary funds enabling them to fulfil that responsibility.

A VARIETY OF SCHOOLS

20. Since each voucher school (whether maintained or independent) would be free to determine its admissions policy, the scheme would permit the development of a large variety of schools: some would be academically selective, some single-sex, some reserved for members of particular religious or ethnic minorities, and some devoted especially to the cultivation of artistic or technical skills.

PUBLIC EXPENDITURE AND MANPOWER

21. Public expenditure on education, at least in the first decade, would rise over what it would otherwise be, on two counts:

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