Who controls what and how? A comparison of regulation and autonomy in the UK nations' education systems

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Introduction

Prior to devolution in 1999 the education systems of England, Scotland, Wales and Northern Ireland differed, and many aspects have gradually diverged even further since (Sibieta & Jerrim, 2021). Changes in education policy have also affected the distribution of regulation and autonomy across different levels of their education systems. This has led to variations in the ways that institutions and actors exert control over aspects of school governance and curriculum in the different nations, leading to complex and differing relationships between local autonomy and central control. A crucial part of this relationship is the "middle tier", which operates in the space between the central government and individual schools. It includes a range of actors, which differ across nations, such as local authorities (LA), school clusters and education partnerships. There is sometimes ambiguity about what the middle tier includes. For example, Woods et al. (2021b) suggest that school inspection bodies may or may not reside in the middle tier in different nations. To resolve this, it is perhaps useful to define the middle tier according to its function rather than through the agencies that populate it. The middle tier is a space where agencies mediate the process of government policy through to its enactment in schools. As such, it provides a link between policy and practice. This article examines and reflects upon such complex relationships and the distribution of power and autonomy within the educational systems of the nations of the United Kingdom.

Autonomy can be defined as "the condition in which a person or an entity, such as a country or organisation, can exercise self-rule or self-governance" (Woods et al., 2020, p. 118). It implies a considerable degree of freedom in making decisions and determining one's conduct. Regulation, in contrast, describes how rules or directives from others determine one's conduct. Regulation from higher levels directly affects the autonomy of actors at lower levels. Consequently, the autonomy of individual schools and teachers depends on how much freedom is *granted* to them by the powers to which they are held accountable. Therefore, it has been argued, one always needs to question how genuine any apparent state of autonomy really is (Woods et al., 2020). Even if schools may have a relatively high degree of rhetorical autonomy, features of the wider school system, including

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those of the middle tier, can impinge on that autonomy and effectively prevent schools from enacting it fully. Such features can reduce the effective autonomy by exerting power explicitly, such as through inspection and accountability measures, or through implicit influences, for instance the pressure to conform to the educational values endorsed by those in positions of power (Woods et al., 2020).

This article first provides a brief overview of how the education systems of England, Scotland, Wales and Northern Ireland have developed in relation to each other. It then compares the education policy-making styles of the nations. This is followed by a descriptive comparison of the distribution of power in four broad areas of the system: 1) school governance, 2) curriculum, 3) assessment, and 4) school improvement and accountability. The comparison sets the scene for discussing the interplay of autonomy and regulation within the education systems as a whole.

It is important to caveat this paper by recognising that our analysis is accurate at the time of writing (late 2022), and we have ignored policy changes that fall within the academic year 2022/23. We acknowledge that systems are continually developing, for example we are aware that there are plans for substantial changes to the regulatory bodies in Scotland as three new national organisations will be created (e.g., see https://www.gov.scot/news/new-national-education-bodies/). Rather than considering this a limitation of the paper, we argue that the timeliness of our analysis adds to the body of literature that describes the changing relations between the constituent countries of the UK. This point is important because there has been a long tradition of convergence and divergence between the education policies of the UK nations since the early 19th century, and this analysis helps to take stock of this process at the present time.

Brief overview of how UK nations' education systems developed in relation to each other

Figure 1 presents a simplified version of how the national governance structures of the four nations have evolved in relation to each other in the modern period. During the period from the 16th century to the end of the 20th century, the four nations have moved through processes of convergence, incorporation, devolution and divergence, and these shifts have inevitably influenced many areas of policy, including education.

The late 19th and early 20th centuries saw a gradual period of divergence in policy-making across the four nations. There was a devolution of education powers to the Scottish Office department of the UK Government in 1872, and in 1922 there was the creation of a devolved government in Northern Ireland which had responsibility for education in the province. Although there were some convergent pressures brought about by the imposition of Direct Rule[1] in the province in 1972, there was a very significant divergent shift in the later 1990s when a series of referenda were held in Scotland, Wales, and Northern Ireland. These referenda led to the establishment of a Scottish Government, a Welsh

1 Direct Rule is the administration of Northern Ireland directly by the UK Government. Apart from a period in 1974, it was in place for 27 years between 1972 and 1998 (Torrance, 2022).

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Government, and a Northern Ireland Executive. These devolved institutions held a range of powers that differed from each other, but they all had responsibilities for developing their own education policies. For example, since devolution each nation has undergone a curriculum review process, resulting in curricula that have varied to different degrees from the National Curriculum for England.

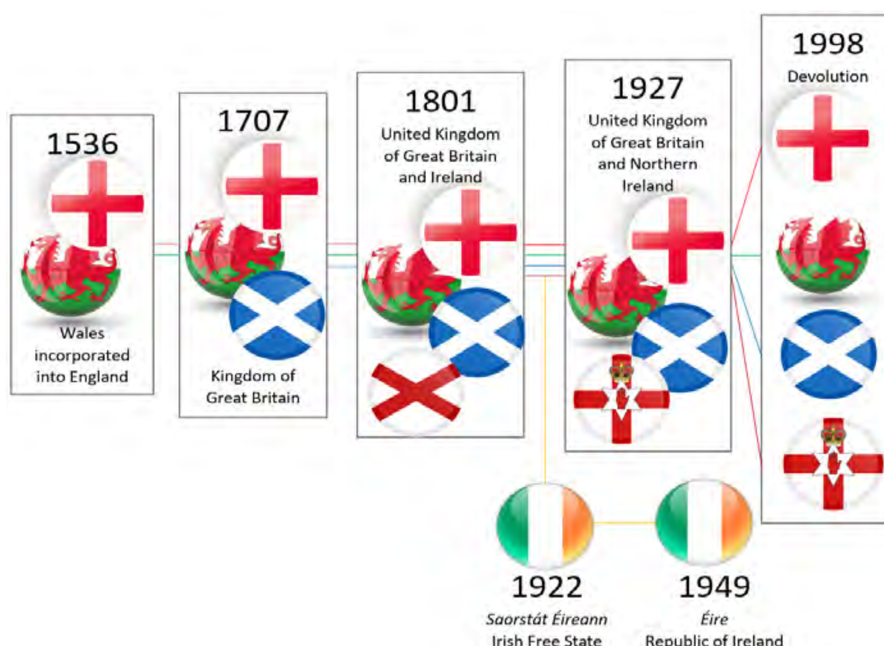

Figure 1: Four nations' governance – historic links.

While policy development variances are evident across the four UK nations, it has been observed that there are a number of common structural and social features that mean that the nations can be perceived as being more similar than different – especially when compared with systems in other non-UK nations (Croxford & Raffe, 2014; Machin et al., 2013; Paterson & Ianelli, 2007). Raffe et al. (1999) argue that comparing close neighbours' education policies can elicit nuanced analyses. This is supported by Krause (2018) who notes that close case analysis benefits from reducing the number of variables that need to be considered, and which Arnott & Menter (2007) highlight, can help to make apparent any interdependencies between nations.

Policy-making styles: (de)centralisation, hierarchy and policy mediation

Policy has hierarchic and centralised potential as policy decision-making (including budgeting decisions) tends to coalesce around the upper levels of government in the UK (e.g., see Clark, 2012; Richards et al., 2022). The execution of such policy may rely on different structures to communicate it to those enacting it. These structures may be organised hierarchically, prone to centralised direction, or through networks that distribute the responsibilities for policy enactment via mediating processes. One can thus conceive education systems to have three levels or tiers: 1) central government (tier 1 or the macro level), where national policy-making happens, 2) the middle tier (tier 2 or the meso level), where policy is mediated from central government to schools, and 3) individual schools (tier 3 or the micro level), where school leaders and teachers enact policy.

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Greany (2022) broadly considers "any aspect of statutory or non-statutory support and influence which operates between individual schools and central government" as part of the middle tier (p. 249). Given that the space between central government and individual schools is vast, it is perhaps not surprising that there are various ways in which education systems can employ the mediating tier. The areas where it can play a substantial role include finance (such as allocating funding), accountability (including support for improvement), access (ensuring provision for all children) and people (professional development, staffing) (Bubb et al., 2019).

Governance of education that involves a middle tier in policy mediation is likely to include a network of institutions, such as consortia of local authorities in Wales and Regional Improvement Collaboratives (RICs) in Scotland. Middle tier functions help to mediate policy implementation through bringing together existing elements of government-funded activity, such as school staff, university researchers and members of local authorities. The different roles of the multi-faceted middle tier within the four UK nations will be expanded upon throughout this article, and an overview of the various bodies belonging to the tiers is provided in the Appendix.

In contrast to networked governance processes, hierarchic policy enactment might reduce the role of the middle tier by capitalising on direct communication between the central government and those enacting policy (which in education would be school managers and leaders). Education policy in England may be seen to have hierarchic characteristics, relying to some extent on a flat hierarchy with a high degree of social regulation (Malin et al., 2020). Flat hierarchies can benefit from communicative clarity as messages between the executive and those enacting policies can be less susceptible to degradation. A negative consequence of flat hierarchies in education is that they might lead to a sense of isolation for some schools as there is little local-level policy mediation beyond a school, and this could lead to variations in practice (Teelken, 2000).

Scottish policy enactment exhibits a less hierarchic policy approach than England. It has been observed that Scotland has shifted from "a dominant culture of high social regulation, with its associated bureaucratic, managed organisations, to … [a] culture with high levels of social cohesion manifested through partnership" (Chapman, 2019, p. 561). This networked approach aims to support a consensual process that is heavily populated with national organisations, professional bodies and interest groups (Grek & Ozga, 2009), where central government sets overall direction but leaves implementation to regional and local actors (Chapman, 2019).

Despite the appearance that networks distribute responsibilities for policy enactment across various partners, which may suggest a more cohesive approach, it is important to explore the way that power works in practice. It has been observed that multi-stakeholder partnership networks, which seem to display less bureaucratic authority, may exacerbate established hierarchic power relations rather than undermine them (Faul, 2016), an analysis that chimes with recent comment on Scottish policy enactment (Humes, 2020).

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A brief comparison of key elements of the education systems across the UK

In this section we describe and compare key elements of the education systems of the UK nations: 1) school governance, 2) curriculum, 3) assessment, and 4) school improvement and accountability. Note that these areas overlap. In addition to some other sources, our description strongly draws on the excellent comparison of school institutions and policies by Sibieta and Jerrim (2021), and we refer interested readers to their report for more detail. The description lays the foundation for a discussion of how autonomy and regulation are distributed through the systems as a whole.

1) School governance

Governance structures, and the role of the middle tier within these, differ between as well as within nations depending on school type. This section examines who is responsible for the running of schools, including who has control over staffing, teacher pay and school spending. First, an overview of the school types is provided (Table 1).

Table 1: School types within the UK nations.

England[a]	Scotland[b]	Wales[c]	Northern Ireland[d]
• Community (LA maintained) • Foundation and Voluntary-controlled • Voluntary-aided • Academies • Free schools • Grammar • Faith schools • Private/ independent	• Public/Local (state funded) • Grant aided • Independent/ private • Denominational • Gaelic-medium	• Community • Voluntary-controlled • Voluntary-aided (often religious or faith schools) • Foundation • Welsh-medium	• Controlled • Catholic maintained • Grant-maintained integrated • Voluntary grammar • Integrated • Independent • Irish-medium

Note. School types are not all mutually exclusive. For example, denominational schools in Scotland can be state-funded or independent, and grammar schools in England can be LA-maintained, foundation schools or academies. Descriptions of the type of schools for each nation can be found here:

a https://www.gov.uk/types-of-school

b https://www.citizensadvice.org.uk/scotland/family/education/school-and-pre-school-education-s/types-of-school-s/

c https://law.gov.wales/schools-maintained-local-authorities

d https://www.education-ni.gov.uk/articles/information-school-types-northern-ireland

There are some notable differences in school type attendance between nations (see Atkins et al., 2021). A higher percentage of pupils in Northern Ireland attend selective secondary schools (43 per cent) compared to England (5 per cent), and no pupils attend such schools in Wales and Scotland. Attendance of independent schools is lowest in Northern Ireland (0.2 per cent) and highest in England (7 per cent). In addition, the vast majority of pupils in Northern Ireland attend religiously affiliated schools (91 per cent), which is much lower in England (24 per cent), Wales (18 per cent) and Scotland (14 per cent). Beyond England, it is possible for pupils to attend schools where English is not the primary medium of instruction. In Wales, a

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relatively high percentage of pupils attend such schools (23 per cent), but this is lower in Northern Ireland (2 per cent) and Scotland (1 per cent).

The middle tier plays a comparatively small role in school decisions in England compared to the rest of the UK. The regulation of schools by local authorities has reduced over time, and considerable autonomy over school staffing, pay and spending decisions has been extended to individual local authority-maintained schools (Sibieta & Jerrim, 2021). This trend has been exacerbated since 2010 when the Academies Act 2010 was introduced. Academies and free schools possess very high levels of autonomy as they can set their own admissions arrangements (subject to legislation) and deviate from national pay and conditions for staff. In addition, they are not obligated to follow the National Curriculum. In Wales, local authorities have a greater influence on school decisions compared to England, as they retain control over staffing and teacher pay. Governing boards also play a considerable role in staffing as well as admissions policies. All publicly funded schools in Wales must follow national pay and conditions. Importantly, schools in England and Wales have considerably more autonomy over their spending compared to Scotland and Northern Ireland, where middle tier organisations have more control.

In Scotland, local authorities and national government are largely in control of school decisions, such as staff recruitment and retention. Local authorities play a key role in financial decisions. Over time, the influence of school governors has diminished as school boards have been replaced by consultative parent councils and parent forums. In Northern Ireland, the Education Authority has much control over spending. Northern Ireland stands out because all schools are managed by boards of governors who, alongside the national government, have considerable control over school governance. In controlled schools, which are mostly attended by Protestants, the board of governors acts on behalf of the Education Authority. Catholic maintained schools are also funded by the Education Authority, but schools are managed by a board of governors while the Council for Catholic Maintained Schools is the employer.

2) Curriculum

A brief overview of curriculum organisation in the four nations is provided in Table 2. Of the four curricula, the National Curriculum for England stands out as the only one that can be characterised as 'subject-based', while the other three curricula focus on cross-cutting areas of learning and competencies (Atkins et al., 2021; Sibieta & Jerrim, 2021). England's curriculum clearly sets out the minimum material that teachers need to cover at each stage of education (except for those at academies and free schools – although it is acknowledged that many academies still follow the National Curriculum (Roberts, 2021)). Teachers have some flexibility over when they introduce the content, and they can go beyond the minimum requirements, but the National Curriculum remains highly prescriptive (Sinnema et al., 2020). By contrast, the curricula of Scotland, Wales and Northern Ireland give schools and teachers considerable autonomy over content choice (Sibieta & Jerrim, 2021). For example, Scotland's Curriculum for Excellence sets out expectations for learners' experiences and outcomes at different educational

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stages, but it does not prescribe specific content. Similarly, schools and teachers in Northern Ireland can set content that is appropriate to learners' interests and abilities.

Interestingly though, these differences in the level of prescription do not seem to be reflected in headteachers' perceptions of who is shaping the curriculum in practice. For a detailed comparison, we refer readers to Sibieta and Jerrim (2021), who analysed data from the Programme for International Student Assessment (PISA) 2006, 2009 and 2015. Teachers in Scotland were less frequently perceived to have considerable responsibility over course offerings and content compared to the other UK nations. In addition, the national government and local education authorities were perceived to play a larger role in shaping course offerings and content in Scotland compared to England, with Northern Ireland and Wales falling in between. This is at odds with the emphasis on teacher autonomy in the Scottish Curriculum for Excellence, which demonstrates the challenge of achieving a teacher-led curriculum when national and local agencies play a considerable role in the wider school governance (Sibieta & Jerrim, 2021). The reduced role of the national government and the middle tier in shaping course offerings and content in England might partly be explained by the prevalence of academies.

Table 2: Curriculum organisation.

England	Scotland	Wales	Northern Ireland
National Curriculum for England (2014)	Curriculum for Excellence (2010)	Curriculum for Wales (2022)	The Northern Ireland Curriculum/Statutory Curriculum at Key Stage 3 (2007)
Subject-based model: Organised around disciplines, such as English, Maths, History, Geography, Science and Physical Education	Cross-cutting areas of learning: Expressive arts; Health and wellbeing; Languages; Mathematics; Religious and Moral Education; Sciences; Social Studies; Technologies Aims to help young people become successful learners; confident individuals; responsible citizens; and effective contributors	Cross-cutting areas of learning: Expressive arts; Health and Well-being; Humanities; Languages, Literacy and Communication; Mathematics and Numeracy; Science and Technology Aims to help young people become ambitious, capable learners; enterprising, creative contributors; ethical, informed citizens; healthy, confident individuals	Cross-cutting areas of learning: Language and Literacy; Mathematics and Numeracy; Modern Languages; The Arts; Environment and Society; Science and Technology; Learning for Life and Work; Physical Education; Religious Education

3) Assessment

While there was a general reduction in external testing across the UK in the period from devolution to 2010, national assessments resurged from 2010 onwards (Sibieta & Jerrim, 2021). An overview of the major internal and external assessments that pupils take throughout primary and secondary school is provided in Table 3.

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In contrast with the other UK nations, England has maintained and expanded the use of school performance league tables (Sibieta & Jerrim, 2021). The other nations abolished such league tables in the early 2000s (although Wales adopted a publicly available school categorisation system in 2011 which triggers different levels of external support). League tables expose schools in England to strong market pressures (Machin et al., 2013) which place schools in direct competition with each other and concentrate decision-making outside of the middle tier.

Table 3: Primary and secondary assessment.

England	Scotland	Wales	Northern Ireland
• Baseline check (age 5) • Phonics check (age 6) • SATs (Maths & English, internally marked, age 7) • SATs (Maths & English, age 11)	• Scottish National Standardised Assessments: Literacy & Numeracy (P1, P4, P7)	• National Literacy and Numeracy Tests (Y2–Y9)	• Levels of Progression (Literacy, Numeracy and ICT in Y4, Y7) • Unofficial transfer tests to secondary school
• GCSE uses 9–1 system • GCSEs and A levels focus on linear end of course assessments	• SNSAs: Literacy & Numeracy (S3) • National 1–5s, Highers, and Advanced Highers	• National Literacy and Numeracy Tests (Y9) • GCSE uses A*–G system • Retained AS levels and a modular system of assessment for both GCSEs and A levels	• Levels of Progression (Literacy, Numeracy and ICT in Y10) • GCSE uses A*–G system (including a C* grade) • Retained AS levels and a modular system of assessment for both GCSEs and A levels

Note. This table is based on Sibieta and Jerrim (2021). SATs = Standardised Assessment Tests.

Importantly, the fact that Scotland reduced external assessment as well as participation in large-scale international studies such as the Trends in International Mathematics and Science Study (TIMSS) and the Progress in International Reading Literacy Study (PIRLS) after 2007, makes it very difficult to evaluate the success of its curriculum (OECD, 2015). The Scottish government has also been criticised for the replacement of the Scottish Surveys of Literacy and Numeracy (SSLN), which ran from 2011 to 2016, as the lack of data hinders scrutiny of the education system (Education and Skills Committee, 2019). The role of assessments in school improvement and accountability measures is addressed in the next section.

Again drawing on PISA data, Sibieta and Jerrim (2021) found that Scotland stands out when it comes to headteachers' perceptions of what agencies and actors are responsible for establishing internal and external pupil assessment policies. Across nations, headteachers reported they themselves play the largest role, followed by teachers. Yet, in Scotland, the national and regional government were perceived to have substantially more responsibility compared to the other three nations, whereas governing boards were perceived to have substantially less responsibility. There thus seems to be less autonomy at the school level and more regulation at the national level and middle tier in Scotland.

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4) School improvement and accountability

Assessments and league tables are an important factor in school improvement and accountability measures. According to Arnott and Menter (2007), the culture of performativity[2]

> "... effectively ensures compliance within the system and enables government to 'be accountable' for its policies. So the combination of testing, league tables for schools, targets and target setting, key performance indicators, standards and inspection creates a discourse where comparison becomes simple and where 'failure' and 'success' can be identified very easily" (p. 255).

Schools in all four nations seem to use assessments to make comparisons with regional and national performance, to monitor the school's progress from year to year, and to identify aspects of instruction or curriculum that could be improved (Sibieta & Jerrim, 2021). In England, schools are more likely to use assessment data to judge teachers' effectiveness compared to the rest of the UK, in particular Scotland.

All four nations employ regional or national agencies as part of their school improvement and accountability systems. An overview of such bodies and the areas they inspect is provided in Table 4. While school inspection plays a key role across the UK, Sibieta and Jerrim (2021) note some interesting differences. In Scotland, national agencies rather than middle tier organisations appear to play a larger role in the accountability system. Education Scotland has joint responsibilities for school improvement, the curriculum and inspection, whereas inspection is in the hands of agencies that are separate from those responsible for school improvement and the curriculum in the other nations. The areas that are inspected are quite similar across nations, although Scotland stands out because they only examine between two and four of their 15 quality indicators at each inspection. Notably, inspections in England and Wales occur more frequently compared to those in Scotland and Northern Ireland.

Poor inspection results tend to result in formal notices as well as additional interventions and support (often provided by the middle tier) and follow-up inspections across the UK nations, which is described in detail by Sibieta and Jerrim (2021). For example, if schools in Wales require significant improvements or special measures, Estyn must inform the Minister for Education, and the school and local authority must submit action plans to address the problems. Schools that require urgent improvements enter a Formal Intervention Process involving external support, and the Regional Consortia play an important role in providing that support, which again highlights the importance of the middle tier.

2 A culture of performativity in education is characterised by an emphasis on performance evaluation, quantifiable targets and comparisons (see Ball, 2003).

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Table 4: School inspection.

England	Scotland	Wales	Northern Ireland
Ofsted	Education Scotland	Estyn	Education and Training Inspectorate
Areas include: • Quality of education • Behaviour and attitudes • Personal development • Leadership and management	Areas include 2–4 of 15 quality indicators from 3 key themes: • Leadership & Management • Learning Provision • Successes & Achievement	Areas include: • Standards • Wellbeing and attitudes to learning • Teaching and learning experiences • Care, support and guidance • Leadership and management	Areas include: • Achievement and standards • Provision for learning • Leadership and management
• Schools are inspected about once every four years	• About 10 per cent of schools were inspected in 2018–19	• Legislation stipulates that all schools must be inspected at least once every seven years	• About two-thirds of primary and post-primary schools were inspected between July 2016 and June 2018

Note. This table is largely based on Sibieta and Jerrim (2021).

In England, there seem to be more severe and immediate consequences for school governance compared to the rest of the UK. The Academies Act 2010 gave a statutory duty to the Department for Education to request all maintained schools who received an Ofsted "Inadequate" rating to convert to an academy (Atkins et al., 2021). This means that sponsors take over the school and appoint an independent board of governors. If academies or free schools receive such a rating, the Regional Schools Commissioner can implement various improvement measures such as transferring an academy to a new academy trust or sponsor (Sibieta & Jerrim, 2021). Multi-academy trusts (MATs) are responsible for the performance of schools belonging to their trust and are thus another important part of the accountability system that is located in the middle tier.

A recent report highlighted key similarities and differences between the four nations in the intended mechanism of school improvement at the school level (Munoz-Chereau & Ehren, 2021). In England, Wales and Northern Ireland, the provision of feedback through the inspectorate is thought to lead to improvement. In Scotland, Wales and Northern Ireland, the promotion of school self-evaluation is regarded as crucial. In England, self-evaluation seems to play a much smaller role in the inspection process. Lastly, in Scotland and Northern Ireland, inspection is thought to enhance professional dialogue and a culture of school self-reflection, which, in turn, is considered to lead to school improvement.

Discussion

After describing various individual aspects or elements of educational systems, it is important to consider the systems' "ecology" as a whole. Similar functions are covered in each system, but the profile of where these are carried out differs. For example, the regulator of qualifications and examinations in Northern Ireland (Council for the Curriculum, Examinations and Assessment)

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can be considered a tier 1 organisation as it has a closer relationship to policy-making than the Office of Qualifications and Examinations Regulation (Ofqual) in England, which performs the same regulatory function but resides notionally in tier 2. It is likely that a series of compensations exist, where a function (such as monitoring performance) is covered by an inspection agency in one nation but is covered by schools in another system. This means that trying to make sense of a system through describing its elements (e.g., school types) without considering relational links is of limited use.

This observation gives our discussion a cultural perspective. Some of the variances across national systems are less about the functions that are performed in the systems (as these share a high degree of commonality) but in the ways that the agencies that deliver these functions relate to each other. Woods et al. (2021a) highlight how education system reform in England and Northern Ireland reflects a managerialist style where state funding is largely passed directly to school leaders who are then tasked with educational improvement responsibilities. In Scotland and Wales there appears to be a greater culture of consensus and consultation to encourage policy implementation. Similarly, there are variations of policy emphasis when looking at relationships around the middle tier in the different nations. It has been observed that Scotland, Wales and Northern Ireland prioritise policies that support relationship building across schools and communities, while the focus in England is on enhancing relationships across MATs (Woods et al., 2021a).

None of the four UK nations just lets its schools "run wild" to act completely independent of governments' intentions or aims for education, and each government exerts control in some way through a variety of agencies. Accordingly, although the extent of autonomy that is granted to individual schools may differ across countries, there has to be some kind of regulation to ensure that schools across the country provide good education to all pupils. Scotland and England present particularly interesting cases for exploring where power resides in the system. In Scotland, input regulation (e.g., prescribed content) is low and output regulation (e.g., inspection, evaluative use of achievement) is also relatively low whereas in England, both input and output regulation are high (Leat et al., 2013). Despite the low curriculum input regulation in Scotland, a greater percentage of Scottish headteachers report that national and local government have considerable control over course offerings and content compared to England (Sibieta & Jerrim, 2021). This apparent mismatch between policy intentions and headteachers' perceptions indicates the presence of other factors that determine teachers' perceived autonomy over the curriculum.

Sinnema et al. (2020) noted that there can be a conflict between the autonomy that is granted to teachers and other regulatory mechanisms that undermine their ability to enact such autonomy in practice. While there may be a tendency that input regulation is replaced by output regulation (Nieveen & Kuiper, 2012), this does not seem to be the case in Scotland, at least not in an intentional and explicit way. Instead, there are more implicit and perhaps unintended regulatory

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pressures at play. First, little prescription, and as some argue a lack of clearly articulated learning progressions, in the curriculum (e.g., Drew, 2013; Priestley & Minty, 2010) encourage teachers to seek guidance elsewhere. Examining the Scottish curriculum, Smith (2019) found that content selection can increasingly depend on the demands of external assessments rather than educational priorities, a sentiment supported by recent empirical work (Ritchie et al., 2022). There is a greater perceived role of local and national government on assessment policies in Scotland compared to the other nations (Sibieta & Jerrim, 2021). As such, teachers' perceptions of diminished agency might be a recognition that the locus of assessment control has been ceded to the Scottish Qualifications Authority (SQA) and formal examination demands. In the light of reduced curriculum input regulation, the power of the SQA is relatively strong in shaping the enacted curriculum (Priestley & Drew, 2017).

A second, more fundamental issue regarding the enactment of autonomy is that merely granting autonomy to teachers is insufficient if the system does not support them in enacting it. The idea of teachers as curriculum developers and agents of change has been fundamental in the development of the Curriculum for Excellence in Scotland (see Priestley & Minty, 2013 for various examples). And yet, Priestley et al. (2012) described it as an irony that agency is considered something that can be "demanded" from teachers. Teachers are put in a situation in which they must take on more responsibility, but they are not provided the support to develop the skills required to fulfil it. This may be another reason why teachers turn to assessments to seek guidance and gain confidence in the way that they plan learning.

It is clear, but perhaps deserves further highlighting, that a high level of teacher autonomy over the curriculum is not inherently positive or negative. This has been noted by Sinnema et al. (2020), who stated that flexibility can be considered a burden as well as a gift. For example, increased autonomy can increase teachers' sense of control, commitment and satisfaction, as well as allow them to adapt the curriculum to local needs and interests. Yet, as discussed, it can also leave teachers with a lack of guidance and encourage them to orientate their teaching towards assessments. It also means that pupils' learning experiences are highly dependent on what individual schools and teachers regard as important, which can lead to a patchwork of content that lacks coherence and leads to high degrees of variability across the country.

England is also a very interesting case for examining the relationship between teacher autonomy, input regulation and output regulation. Both input regulation through curriculum prescription and outcome regulation through accountability measures are considered high (Leat et al., 2013). However, in 2022, about 39 per cent of primary schools and 79 per cent of secondary schools are academies (Plaister, 2022), which are exempt from following the National Curriculum, and thus do not experience this form of input regulation. Nevertheless, academies are still accountable to the Department for Education, being monitored by Regional Schools Commissioners and Ofsted. The conversion of local authority maintained schools into academies, which are outside of local authority control and National

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Curriculum requirements, exemplifies that autonomy over school decisions has been a policy priority for at least two decades (Sibieta & Jerrim, 2021; Woods et al., 2020) despite high input and output regulation. The conversion into academies was strongly influenced by the idea of a "self-improving school system", which is characterised by school-led improvement (Woods et al., 2020).

However, the reduction of local authority power has led to the creation of a new middle tier as more and more authority is transferred from individual schools to multi-academy trusts (MATs) (see Woods et al., 2020). MAT powers include "direction setting" (which focuses on school performance), holding the headteacher to account and ensuring financial probity (including setting staff pay). As such, they act as the governing body for groups of academies and have considerable control over pay, conditions, the curriculum and budgetary decisions (Sibieta & Jerrim, 2021). The majority of academies are part of a MAT (~75 per cent, Sibieta & Jerrim, 2021). Hence, this de-emphasises the idea of a self-improving school system and seems counter to the reasons that academies were created in the first place (Greany & Higham, 2018). In addition, there is now "a tighter level of prescription" from central government about how MATs operate as well as "a requirement for tight vertical accountability, both within MATs and between MATs and the government" (Greany & Higham, 2018, p. 86). After all then, it seems that despite political emphasis on school-led improvement and reducing local authority influence, much control still resides in the middle tier rather than in individual schools albeit in a different form (i.e., now in MATs rather than local authorities).

In conclusion, our analysis shows that the character of the middle tier differs across the four UK nations (e.g., England has less local authority involvement than the other nations). This raises a question about whether this variation reflects broader systematic characteristics of the nations, telling us something about the nature of the relationships between central and local government in the different nations, and the nations' political cultures more generally. Our discussion also shows that the middle tier in each of the four nations varies in profile, but that they share some common functions that are key to mediating the way that policy links with schools. The middle tier, through its various agencies, has two key functions. These agencies increase system cohesion through trying to reduce variability across schools (e.g., through the MAT structure in England or the local or education authorities in Scotland, Wales and Northern Ireland). These agencies also seek to enhance efficient resource allocation, using regulatory mechanisms and data generation to highlight effective teaching and learning practices (e.g., through inspection and links to assessment outcomes). In this way, the middle tier has a direct and crucial role in empowering schools to reach their full potential, which supports the governments' abilities to achieve their political goals at a distance (Rose & Miller, 2008, cited in Ozga & Lawn, 2014).

The middle tier can be perceived as both a support and a threat to teacher agency, and the line between these perceptions can be fine and blurred. The middle tier may seek to harness the agency of teachers in implementing policies, so that the responsibility for system development and improving standards

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is shared across multiple stakeholders. From this perspective, the middle tier provides necessary support for teachers to enact their autonomy. From a different perspective, the middle tier can be considered a threat to teacher agency by assuming control over functions and decisions that could otherwise be in the hands of individual schools. Since the middle tier bridges the functions of government and schools/teachers, perceptions of whether the tier is a support or a threat to teacher agency may broadly depend on the nature of relationships within the education sector.

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Appendix

Education tiers and agencies across the UK nations.

	England	Scotland	Wales	N Ireland
Macro level/ Tier 1: *Policy-making*	**Department for Education (DfE)** • Regulates the school system through 18 agencies and public bodies (some examples below) • Sets the curriculum	**Education Scotland (ES)** • A Scottish Government executive agency and directly accountable to Scottish Government ministers • Supports quality and improvement in education, including professional development • Oversees the implementation of the curriculum (set by the Scottish Government) • Inspection of schools and other education services	**Department for Education and Skills (DfES)** • Responsible for education, training and children's services (curriculum is set by the Welsh Government)	**Department of Education (DE)** • Duty to promote education and ensure the effective implementation of education policy • Delivers its functions through 11 Arm's Length Bodies (some examples below)
				Council for the Curriculum, Examinations and Assessment (CCEA) • Non-departmental public body of the DE • Sets and develops the curriculum
Meso level/ Tier 2 (Middle tier): *Policy mediation*	**National Schools Commissioner and eight Regional Schools Commissioners** • Supported by board of headteachers • Provide oversight and support to under-performing schools • Heavily involved in approving conversion to Academy status and new Free Schools		**Four Regional Consortia of local authorities** • Co-ordinate school improvement support across local authorities • Responsible for professional development • Distribute various grants to schools	**Education Authority** • Non-departmental body sponsored by the DE • Provision of education and youth services • Funding authority for all schools • Oversees provision of education services

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	England	Scotland	Wales	N Ireland
	150 local authorities • Each LA appoints a Director of Children's Services • Provide support services and brokering support between schools	**32 local education authorities** • Statutory duty to ensure adequate and efficient provision of school education in their area • Spending and accountability for educational funding • Can propose changes to education provision following a formal consultation process	**22 local authorities** • Duty to promote high standards of education and fair access to education	
	Multi-Academy Trusts • Governance of academies belonging to the trust			
	The Office for Standards in Education, Children's Services and Skills (Ofsted) • Non-ministerial government department • Inspects and regulates schools and other education services • Reports to Parliament but powers and duties reflect central government policies		**Estyn** • A Crown body independent of both the National Assembly for Wales and the Welsh Government but funded by the Welsh Government • Inspect quality and standards in education and training providers	**Education and Training Inspectorate** • A "unitary" inspectorate and part of the DE • Provides independent inspection services and policy advice for the DE
	The Office of Qualifications and Examinations Regulation (Ofqual) • Non-ministerial government department • Regulates qualifications, examinations and assessments	**Scottish Qualifications Authority (SQA)** • An executive non-departmental public body that reports to Scottish Ministers and the Scottish Parliament • National accreditation and awarding body • Regulates qualifications, examinations and assessments	**Qualifications Wales** • Independent statutory body funded by the Welsh Government • Responsible for regulating general and vocational qualifications • Regulates awarding bodies	**CCEA Regulation** • An independent function within CCEA • Responsible for the accreditation and regulation of regulated qualifications

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	England	Scotland	Wales	N Ireland
	Standards and Testing Agency (STA) • Executive agency • Provides a testing, assessment and moderation system to measure and monitor pupils' progress from reception to the end of Key Stage 2 • Develops and delivers the professional skills test for trainee teachers			
	Education and Skills Funding Agency (ESFA) • Executive agency • Accountable for funding education and skills			
	Teaching Regulation Agency • Executive agency • Regulates the teaching profession, including misconduct hearings and the maintenance of a record of teachers	**General Teaching Council for Scotland** • Independent professional body • Maintains and enhances teaching standards • Promotes and regulates the teaching profession	**Education Workforce Council** • Independent regulator for the education workforce • Contributes to improving the standards of teaching and the quality of learning	**General Teaching Council for Northern Ireland** • The statutory, independent, regulatory body for the teaching profession dedicated to enhancing the status of teaching.
Micro level/ Tier 3: *Policy enactment*	**Schools** **School leaders** **Teachers**			

Note. Information was collected from various government websites, including those for the listed bodies. Except for Wales, the categorisation into levels/tiers was based on our own understandings. The Welsh Government (2017) published a document specifying the three tiers.

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