

# The Shadow of Inspection: School Governance, Accountability and Governing Practices

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SCHOOL ACCOUNTABILITY  
AND STAKEHOLDER  
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# Aims of project

## To explore...

- How school governance (especially what has come to be termed 'good governance') is shaped and informed by particular legal, moral, technical and professional judgements.
- How school governance is enacted and decided through the formal delegation of powers to different individuals, from the board of trustees (in the case of academy sponsor schools) to chairs of committees and school governors.
- To what extent and how (using what skills, knowledge and claims to expertise) school governors hold senior leadership to account for the educational and financial performance of the school, provide scrutiny of direction, offer support, and ensure clarity of vision and strategic aims.
- How through these contexts 'public accountability' is mediated, referenced and assessed through templates and benchmarks bearing a legal, finance, performance, consumer or community precedent.
- How different schools elect to engage stakeholders as part of its governance strategy – on the basis of consultative, deliberative or participative, for example.
- How school governors understand their changing role and responsibilities, and their willingness or capacity to interrupt, deconstruct, revalue, resist or de-rail the smooth flow or regular repeating of dominant discourses and practices.

# Data collection

January 2013 – April 2014

9 different types of primary and secondary schools in England (London and Norfolk), including two free schools, four converter and sponsor academies, one foundation school and two local authority maintained schools. In addition to the variety of types of school, some of the above schools operate within complex federated arrangements (soft and hard), including collaborative, multi-academy and co-operative trust models.

# Data collection (so far)

- **Telephone and face-to-face interviews**  
In-depth interviews carried out with 91 headteachers, senior leadership, school business managers, school governors (community, parent, LEA).
- **Observation material**  
38 full governing body and committee meetings observed.
- **Documentary evidence**  
Additional information collected through school policy documents (mission statement, equalities, safeguarding, child protection, curriculum, bullying, etc.), improvement plans, scheme of delegated authority, annual budget reports, governor visit reports, minutes from meetings, headteachers report to governors, articles of association, and pupil performance and progression data.
- **Literature review**  
A review of relevant government and non-government texts relating to school governance was carried out.

# Context

Between September 2002 and May 2010 under (New) Labour:

210 academies established

Since May 2010 under Coalition government:

2,481 secondary schools converted to academy status

883 schools have opened as academies under the guidance of a sponsor

1,500 primary schools have become or are becoming academies

174 free schools have been established with a further 116 proposed to open (DfE 2013)

As of February 2014:

569 academy sponsors in existence in England (GUK 2014)

# Academization: Responsibilization

- transfer of power and ownership from central government to institutions and sponsors.
- does not guarantee an improved system for monitoring and delivering public services, nor does it guarantee improved accountability or transparency.
- governing body adopt legal responsibility for the financial and educational performance of the school as well as responsibility for how well the governing body conducts itself (now the judgement of Ofsted, see Ofsted 2014).
- Such a 'high stakes' transfer of power and responsibility means increased risk for those schools wishing to plough their own furrow (risk of poor governance, poor training, poor evaluation, poor oversight, poor challenge, poor standards when left unchecked, etc.).

# Inspection, audit and professionalization

I'm certainly not opposed to parents and staff being on the governing body, but people should be appointed on a clear prospectus and because of their skills and expertise as governors; not simply because they represent particular interest groups...Running a school is in many ways like running a business, so we need more business people coming forward to become governors.

(Schools Minister Lord Nash addressing Independent Academies Association (IAA) national conference in 2013, see GUK 2013)

# Inspection, audit and professionalization

Governing bodies have a vital role to play as the non-executive leaders of our schools. It is their role to set the strategic direction of the school and hold the headteacher to account for its educational and financial performance. This is a demanding task, and we think that anyone appointed to the governing body should therefore have the skills to contribute to effective governance and the success of the school... This could include specific skills such as an ability to understand data or finances as well as general capabilities such as the capacity and willingness to learn.

(DfE's (2014: 2:1) proposed amendments to the 2012 constitution regulations for maintained school governing bodies, under consultation)

# Spotlight on school governors

- ‘Poor governance focuses on the marginal rather than the key issues. In other words, too much time spent looking at the quality of school lunches and not enough on Maths and English’ (Chief Inspector of Ofsted, Sir Michael Wilshaw, Ofsted 2013b)
- ‘Local worthies who see being a governor as a badge of status not a job of work. Discussions that ramble on about peripheral issues, influenced by fads and anecdote, not facts and analysis’ (Secretary of State Michael Gove quoted in Rayner 2012)
- ‘We are all accountable. If you can't stand the heat, stay out of the kitchen! And none of this 'just volunteers' rubbish’ (School governor speaking on recent twitter exchange hosted by UKGovChat on the topic ‘Accountability: who is answerable to whom?’, see Storify 2013)

# School governance

*Aims to describe, to evaluate and to prescribe or objectify, e.g.*

- *describe* the administrative-legal arrangement by which schools self-govern;
- to *evaluate* the performance of a school in accordance with rules or effective verifications provisionally set by certain legal, technical, professional or moral precedents;
- *to prescribe or objectify* the means and mechanisms by which ‘good’ judgments and verdicts may be formulated, grounded.

# School governance: spectre of Ofsted

governors' knowledge and understanding of how well the school is doing remain too limited. They do not demonstrate sufficient knowledge or understanding of performance data, especially data relating to the attainment and progress of different groups of students; they are therefore not well-equipped to hold the school rigorously to account. For example, they are able to state how pupil premium funding is allocated but do not know its impact. Governors' knowledge of how performance management operates is limited. In recent years governors have not been rigorous enough in checking on how the school uses the resources available to it, including finances. They are unclear about the state of the school's budget.

(Recent Ofsted inspection report (Ofsted 2013a: 8) for Cardinal Newman Catholic High School in Luton)

# School governance: spectre of Ofsted

Governors are summoned to cross-examine and be cross-examined (to hold others to account *and* to be held account themselves). Typical questions addressed to school governors by Ofsted inspectors (see Ofsted 2014) include

- Give me an example of a time when you have had to challenge the head teacher?
- How effectively do governors fulfil the full range of their statutory duties?
- What have you learned about the school from the RAISEonline data?
- How do governors track how pupil premium is allocated and the impact that it is having on standards?

# Ofsted as an enduring and permanent 'absent presence'

- 'absence presence' (Derrida 1974): how internality (internality of systems, organizations, even narratives or texts) and interiority (if we think of identity and the formation of the subject) is made possible by the imposition of strictures, boundaries, limits or demarcations.
- the role of inspection as a spectre or shadow that continually haunts and determines, even pre-determines and shapes in advance (therefore always already present), the conditions of possibility and impossibility framing what comes to be enacted, understood and made intelligible as good governance.

# ‘Ofsted is hovering’: the shadow of inspection

And also I think it's very important that the governing body knows the school in terms of, you know, data, because that's what Ofsted want to focus on, is data, so a weak governing body will not understand the data, or will just accept the data, whereas a strong governing body will, you know, be looking at it and asking questions about it, saying well why is this trend happening, or what are we doing about that particular blip that happened that year? You know, they will look at it, and ask the question.

(Katie, Parent Governor, Montague)

# ‘Ofsted is hovering’: the shadow of inspection

And he was slightly defensive about the fact that I was questioning him, and as a result I suppose I’m slightly guarded now to make points if I don’t think they are really a hundred percent valid, or unless I really think that it’s a point that other people might be feeling is kind of useful as well really.

(Timothy, Staff Governor, Montague)

It’s got to a point now that schools are, you know, under a lot of pressure to improve, and Ofsted is hovering, has been for some years with a threat of Ofsted inspection, making sure you are improving.

(Stanley, LEA governor, Moorhead)

# ‘Ofsted is hovering’: the shadow of inspection

Yeah, but then I suppose when Ofsted come in they can call the governors more to account, and I know they do, and governance is something being looked at now very closely by Ofsted, governors have to be informed.

(Johanna, Head, Richford)

I think all these things they will have a greater impact, of course, when they think another Ofsted inspection is imminent. I need to look at it a bit more, in greater detail, and it's developed as we go through, so as we scrutinise things like self-evaluation.

(Peter, Community Governor, Montague)

# Governing with/in Ofsted

Inspectors will meet with as many governors during an inspection as is possible. They will want to know how well governing bodies use a range of information and evaluate the performance of the school, particularly in terms of pupils' progress, the leadership of teaching and the management of staff. In February 2013 Ofsted launched the data dashboard to help governors understand essential headline school performance data. Inspectors will want to know how governors are using this, and other information such as RAISEonline, to ask challenging questions which help the school to sustain high performance or to improve. The School Inspection Handbook and the subsidiary guidance contain further information about how inspectors evaluate the effectiveness of governance.

(School Improvement Plan 2014, Richford)

# Governing with/in Ofsted

Academy improvement plan for 2014. Vision, pupils.

'Laid out like Ofsted' (Johanna, Head) – see academy improvement plan, pp. 19-44, e.g. behaviour and safety, pupil achievement, etc.

Validity of vocational qualifications are questionable says Johanna, used in game-playing the league tables, most of tick boxing. 'You can play the system' (with old BTEC). New BTEC much more rigorous. (Johanna, Head). 'Easy pass rate for school'.

Autumn data – Johanna asks curriculum team leader/chair.

RAISEonline – significant minus on entry in year 11 (i.e. achieving below expected targets).

'80 is the new 90' (Richard, Chair of Governors)

'high 70s, magic 80, not beyond us, we have a fantastic Year 13, one Cambridge entrant' (Johanna)

John (staff governor) explains basic literacy for year 11s even with 10 As is still low. He tends to make eye contact only with Johanna and Richard when responding. Need to 'open up their thinking, ideas you need for Oxbridge'.

Johanna: 'Six went through to interview' at Cambridge, one received entry. 'Oxbridge project, develop them from Year 7'. 'Raise expectations early' (Richard). 'Very much a school with public school aspirations'.

EBACC – 30% last year, predicated 50% next year.

Johanna: 'Year 11 are the dodgy ones', i.e. may fall seriously short of achieving set targets.

# Governing with/in Ofsted

From about three or four years ago the senior staff have been doing three sixty reviews, and we recognise that we aspire to be outstanding for Ofsted, and we are probably due an inspection, but we do bring, we started from about two years ago, bringing in other evaluators. There's an internal evaluation anyway, and the staff will, the staff reviews, and teaching reviews, are undertaken as part of the process, will do boarding reviews independently, and we were, as you were probably aware, inspected last year, but we'd already got things in place because we've done internal review. Equally last year we've looked at the, not just Ofsted requirements, but evaluated ourselves in terms of how we'd come out, because I think that's a good benchmark to monitor things, and it does do jobs, it also prepares us for the Ofsted inspection. If we are not done this year there is a commitment to do another external, have external auditors in again to monitor that. So we get the feedback, we then have an action plan and correct anything that's not going as well as it should. There's always room for improvement.

(Stuart, Parent Governor, Child's Hill)

I think at Child's Hill one of the particular subjects would be sport, especially for girls, obviously sport is not one of the Ofsted criteria and so Child's Hill doesn't really bother too much about it.

(Oliver, Parent Governor, Child's Hill)

# Governing with/in Ofsted

I don't want to be critical of the management of the school, because I think they do the job, but I just think it is important that they are monitored by the governing body, and I'm sure they have all the answers, and they ought to have the information to provide those answers. I'm sure if Ofsted came in they would immediately pick up on it, well certainly I think they would because I know quite a lot about it, because the headteacher who I dealt with in the primary school for many years is an Ofsted inspector and she knows what it's like from the other side.

(Oliver, Parent Governor, Child's Hill)

You know we've had a recent presentation by Ofsted where it reinforced what our roles are, and the whole point about the inspection process, and kind of understand that, you know, there's an element of maintaining quality of provision and making sure all the people who speak out have the relevant support. So assisting in the smooth running of the school and kind of auditing what goes on is kind of the main role that we have in our particular college, because ultimately we are responsible for what goes on, so we need to make sure that the right people are in the right place and it's done intelligently.

(Nick, Parent Governor, Child's Hill)

# School governance

a new modality of state power and intervention – a dominant or organizing principle by which the government aim to discipline schools and solicit the performance/participation of governors through interconnected processes of responsabilization and normalization, and achieve the ‘control of control’ (Power 1994).

‘Speaking as a gov I don’t mind this absent presence! My choice to be a gov and I should be held to account’.

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BY ANDEWILKINS on MARCH 21, 2014 · 0

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BY ANDEWILKINS on MARCH 11, 2014 · 0



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