

Frameworks of Regulation: Evidence, Knowledge and Judgement in Inspection

Introduction by Jenny Ozga & Martin Lawn (Editors)

INTRODUCTION

This issue of *Sisyphus* draws on work in the research project ‘Governing By inspection: school inspection and education governance in England, Scotland and Sweden’¹. That research seeks to fill a gap in the literature on the governing of education by examining the ways in which inspection regimes may be understood as *governing* education—in this case in the three national education systems of Sweden, England and Scotland. There has been an increase in inspection activity throughout Europe (SICI, 2008), indeed there are increasingly coordinated efforts for the internationalisation of inspection outcomes in and beyond Europe as a consequence of the policy drive to improve the performance of education systems in Europe and globally, given added urgency by anxiety about the Lisbon objectives and the impact of economic crisis (Grek, Lawn, Ozga & Segerholm, 2013). In this fluid and uncertain context, there is a search by those ‘doing’ governing for more effective means of governing complex education systems (OECD, 2012), a search that is pre-occupied with

¹ Governing by Inspection: Education Governance and School Inspection In England, Scotland and Sweden funded by the Swedish Research Council (Vetenskapsrådet) and the UK Economic and Social Research Council (ESRC) (Bilateral RES 062 23 2241A). The authors acknowledge the support of their respective research councils.

establishing transferable models of governance that are effective in education systems characterised as ‘increasingly complex’ and as requiring a ‘knowledge system’ to support the effective governance of complexity. Inspection may be an element of such a system, or it may be threatened by the ubiquity and apparent reliability of data on performance: this is one of the questions that we set out to explore in our research. Indeed, it was and is our aim to locate inspectorates in the changing landscape of education, to explore the governing work that they do, and to seek to conceptualise their role in transnational and national education governance.

OECD defines the problem of governing education in terms of the need to respond to pressure from ‘below’: change is required, they say, because parents have become more diverse, individualistic and highly educated, and because the rise of data on school and pupil performance (strongly promoted by OECD’s PISA), has made stakeholders ‘more demanding’. In this framing of change, increased school autonomy is presented as a consequence of ‘demand sensitivity’ and competition that has apparently arisen spontaneously. The tensions that OECD and national governments identify as needing to be addressed through better modelling follow, in this analysis, from the combination of a need to ensure high quality, efficient, and innovative education in building a strong knowledge economy while operating under the condition of increasing complexity. This formulation presents ‘complexity’ as a naturally-occurring state, and obscures the extent to which the pursuit of neo-liberal principles of system re-design has contributed to the construction of complex, and possibly contradictory governing processes and relations, including increased individualisation and competition, and the entry of new actors-including commercial agencies, into the governing arena.

The papers in this collection all address the complexity of changes in education governance, but do not take complexity as a given. They implicitly relate increased complexity to the nature of the neo-liberal project: this is, indeed, a project that generates complexity, consisting as it does of a combination of so-called ‘market forces’, accompanied by absences (of state responsibility) and enabled through a battery of regulatory instruments and management practices. Furthermore, neo-liberalism has changed its shape over time, moving from a predominantly economic doctrine to one that encompasses political and social life; from a set of principles that guide key political actors to a programme for the creation of the conditions in which markets could most effectively function. Some key aspects are worth underlining here: firstly the

structural tensions in neo liberal system design between the fundamental commitment to reducing the role of the state and enabling system and self regulation through the market, and the need to use state regulation in order to get the market to function ‘properly’ as a distributor of goods (including ‘public’ goods). This creates constant pressure for increased regulation and centralization (for example in England in the centrally-driven push to create different kinds of schools, including Academies and Free Schools). Secondly, there is a commitment to information as the key to a well-functioning market driven society: the provision of information is necessary in order to encourage intelligent choice making and rational action, including investment in education to reduce risk and manage the future. This creates problems in terms of the management of information: complex performance data do not flow freely and require management at the very least, and possibly even ‘translation’.

Inspectorates are often translators of data-based system knowledge into actionable or practical knowledge for their national governments, as well as-in varying degrees-for schools, teachers and pupils. In fact inspection offers a key location for the exploration of governing tensions: yet inspection as governance is relatively under-researched: existing work is largely located in the national both methodologically and theoretically. It is often normative (either seeking ways to improve the relationship between inspection processes and continuous improvement or critical of the perceived negative effects of inspection on teacher/school/local autonomy). The work reported here comes from a different perspective: it is informed by earlier research on the role of data in system steering and governing (Ozga, Dahler-Larsen, Segerholm & Simola, 2011) and by contemporary scholarship on the changing nature of governance (see, for example Clarke, 2008, 2009; Jacobsson, 2006). This study moved the lens of enquiry from data and their associated technologies to the key system actors-the inspectorates of education-who carry a complex mix of responsibilities and who might be said to embody the current tensions in governing. Inspectorates stand in a particular relation to ‘governing knowledge’ (Grek, Lawn & Ozga, 2009). They combine embodied and encoded knowledge (Lave & Wenger, 1991) by bringing their expert judgement and objective data into relationship with one another; they have responsibility for ensuring that knowledge about system performance is translated into use by policy makers at all levels, and by practitioners; and they are also — to different degrees — engaged in building improvement and knowledge about improvement within



and across systems. At the same time Inspectors are responsible for ensuring that (sometimes shifting) accountability requirements are met: to greater or lesser degrees they claim independence from central governments, and offer public judgements about the performances of education systems that have political implications (Clarke, 2004).

The selected national sites in our study and their interconnections are particularly productive for the exploration of the governing work that inspectors do in their national contexts and across Europe. As indicated earlier, there is growing activity by the Standing International Conference on Inspectorates (SICI) in Europe and beyond to assert and expand the role of inspectorates in mediating data and in promoting transnational policy learning in the European education policy space (Grek et al., 2013). Furthermore the three national systems in our study — England, Scotland and Sweden — offer a range of contrasting approaches to inspection, all of which have been subject to major change during our period of study (2010-2013). There is a continuum from the centralised and highly regulatory policy space of Ofsted in England, to the re-regulated space of Sweden, where inspection was reintroduced in 2003, to Scotland, which promotes its model of self-evaluation and ‘learning’ throughout Europe and beyond. Productive contrasts between Scotland and England exist in the histories and practices of inspection, and these contrasts are sharpened within the UK by increased education policy divergence following political devolution, especially since the election of a Scottish national party government in Scotland in 2007 and 2011, and the arrival of the UK coalition government in 2010 (Ozga, Baxter, Clarke, Grek & Lawn, 2013). The changing politics of Sweden also provide an important element in our study (Rönnberg, 2009) and help explain the uneasy blend of old and new practices in the re-formed Swedish inspectorate. We turn now to a brief discussion of the research methodology.

GOVERNING BY INSPECTION: THE METHODOLOGICAL APPROACH

Inspection is not new, but the contexts in which it now operates greatly extend the demands upon it, and requires attention to the work of inspectorates in doing governing work. In this edition of *Sisyphus*, our primary focus is on exploring the relationship between knowledge and governing, as illustrated by inspection. So we are drawing here on those aspects of our research that



deal with the forms of knowledge that are prioritized in inspection events, in reports and training, and our evaluation of the relationship between judgement and evidence in these processes. We have considered the extent to which the introduction of private sector practices and commercial partners changes the nature of the knowledges that are prioritized in inspection, and we have attempted to highlight differences and similarities in the knowledge forms in play across the three systems. Methodologically, we focused our enquiry on the incidence and management of the ‘tensions in governance’ that are encapsulated in inspection, with particular attention to the ways in which these tensions play out in the relation between ‘judgement’ and ‘evidence’ in the inspection process.

In the following paragraphs we provide some background information on the overarching project methodology, as a guide to the data gathering and analysis that informs the papers presented here, as we did not want to repeat this information throughout the collection. In carrying out the investigation the following research questions guided the enquiry:

At the (inter)national/national interface: Is there an emergent European Inspection policy and how is it constructed? How do global/European ideas of inspection practice and processes for compulsory schooling enter the three national policy-making spaces?

At the (intra) national/local interface: What are the key characteristics of the three national systems of Inspection, and to what extent are they divergent or convergent? What forms of knowledge do they prioritise, and what is the relationship between judgement and evidence in these processes?

At the (inter)national/local/school interface: How do local inspection processes enter school policy? How are they negotiated? What are the characteristics of inspection processes and what constitutes evidence and judgement in the operation of inspection?

The research was divided into three phases. The first mapped European contexts of inspection through a review of relevant policy literature, official texts and web-based information to study trans-national influences on inspection in the national policy contexts, with particular attention to the agenda setting and policy learning capacities of SICI. We carried out interviews with national



actors in all three systems (30 in total) with responsibilities for ‘brokering’ international and European policy influences plus 10 interviews with policy actors responsible for European developments in inspection, including senior SICI personnel. The second phase mapped Intra-National and National Inspection Regimes through a study of the background, training, experience and ‘assumptive worlds’ of each national Inspectorate, their claims to expertise and their modes of operation. Data were gathered from published official documentation and also from the inspectorates themselves. The third phase, Mapping Inspection Practices, involved case studies of a sample of inspection ‘events’ (4 in each system) and their consequences at national/local and municipal levels through interviews and the study of local responses to inspection recommendations. Data were gathered from two sources: (i) the documentation required for inspection, including self-evaluation reports, inspection reports and post-inspection development plans (ii) interviews with key system and school level actors at (20 interviews in each system, 60 in total). We also undertook a detailed analysis of a large sample of inspection reports.

EVIDENCE, KNOWLEDGE AND JUDGEMENT IN INSPECTION

In the papers in this issue, we focus particularly on illustrating the tension that we discern between the regulatory function of inspection in the context of growing ‘complexity’ caused by information and competition, and the translation and developmental roles of inspection, that is, the work that inspectors do in providing a national (and international) picture and in supporting improvement in schools. In different ways, the papers here address some of the problems that are now embedded in inspection processes, and the three national contexts from which we draw also offer different ways in which these problems are being addressed—though it should be noted that they also illustrate the extent to which the framing of these problems is shared and distributed across Europe.

In Paper 1 *Knowledge, Inspection and the Work of Governing*, Jenny Ozga offers a discussion of the relationship between knowledge and governance and of approaches to inspection as governing work. The paper argues that a new relation between governing and knowledge can be identified in the ways in which expertise now moves beyond the traditional task of policy-informing,



conventionally done through elite or professional knowledge production in bureaucratic, hierarchical relations, towards 'applied' or integrated expertise in the formation of policy in a more complex form of governing. The paper consider a number of ways in which the transformation of knowledge and the transformation of governance are conceptualized, and suggest the interdependence of these developments, before offering some exemplification of this governing-knowledge relationship and its development drawn primarily from data from England.

Paper 2 *Travelling Inspectors and the Making of Europe: Education Policy Learning and the Case of the Scottish School Inspectorate* by Sotiria Grek examines education policy learning in Europe and argues that, contrary to dominant assumptions, education is a fruitful area for the analysis of Europeanising processes. Through examination of the case of the Scottish school inspectorate's 'European' exchanges a new level of 'political work' (Smith, 2009) is identified: that of exporting, internationalising and then importing afresh one's local/national knowledge, once it has successfully gone through the international 'test', and is therefore still relevant and future-proof (to the nation).

Paper 3 *Seeing Like an Inspector: High Modernism and Mētis in Swedish School Inspection* by Joakim Lindgren uses John C. Scott (1998)'s ideas to discuss how the Swedish state sees education, as it relies upon its technical and juridical rationality. Drawing on cross-case study data from inspection processes, it is suggested that inspectors' work involves a dual optic. On the one hand, regular supervision is explicitly conformed to a regulatory evidence-based model derived from ambitions to develop universal, objective, and neutral judgements. On the other, the concrete work of inspectors does entail modification, adaptation, and mediation of rules, templates, schemes, and standard procedures.

In Paper 4 *Outsourcing the Governing of Education: The Contemporary Inspection of Schooling in England*, Martin Lawn explores the privatization of the schools inspection service in England and the private companies who manage it, through contracts. These companies hire flexible and part time inspectors who may be led by a small number of permanent HM inspectors. This shift in the highly regulated inspection service has introduced new methods of operation, market based behaviours and commercial confidentiality into the education sector and contrasts with the older, elite, judgement-based advisory work of Her Majesty's Inspectorate (HMI).

Paper 5 *Knowledge, Authority and Judgement: The Changing Practices of School Inspection in England* by Jacqueline Baxter and John Clarke looks at the ways in



which inspection frameworks in England involve the construction and mobilisation of particular conceptions of knowledge, judgement and expertise that have changed over time and between different inspection regimes. In the work of Ofsted, these changing constructions and mobilisations of knowledge are also linked to the changing practices and criteria used in the evaluation of school performance: most dramatically the reclassification of the evaluation grade of 'satisfactory' to 'requires improvement'. The paper explores the political and governmental pressures that drive changes in the construction and mobilisation of knowledge in school inspection and consider what new problems may arise as a consequence of such changes.

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Received: January 9, 2014

Final version received: March 10, 2014

Published online: May 12, 2014

