Working Knowledge: Governing by Inspection in England and Scotland

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The Argument
This paper is concerned with the relationship between knowledge and governing, as revealed by our current research on the work of the inspectorates of schools in England and Scotland. It is informed by our working hypothesis that, as governing has changed to become more networked, less bureaucratic, more flexible and interrelated, so too has knowledge changed, moving from its traditional construction and location in disciplinary silos into a more problem-based form, involving new actors in its production; working in new ways. We suggest that these changes have the effect of reconstituting knowledge as a policy-forming, rather than a policy-informing, activity (Issakyan et al 2008, Ozga et al 2010), and that attention to the shifting forms of knowledge and knowledge production are informative in enabling better understanding of the contemporary governing of education. In examining the role of knowledge in the authority claims of the inspectorate, we draw on the work of Freeman and Sturdy (2008) and take knowledge to be socially constructed, identifying its workings in inspection in relation to three elements—the enactment of knowledge (for example in the processes of knowledge production such as observation of teaching), the embodiment of knowledge (for example in the self-presentation and ‘performance’ of the inspectorial identity), and its encoding (for example in Ofsted’s frameworks or HMIE’s HGIOS). We shall attempt to illustrate this argument in the remainder of the paper, through examination of the work done by and in the processes of knowledge production in the school inspectorates of England and Scotland. The paper will first set out briefly some information about the research project on which this paper draws, then it will discuss, in sequence, the two inspectorates in terms of their work in the processes of knowledge production before drawing some provisional conclusions.

Keywords
Knowledge; knowledge production; teaching; inspection; performativity; inspectorates; Ofsted; England; Scotland; governance; embodiment of knowledge

The overarching aims of the ‘Governing by Inspection’ project
The paper draws on current research in the Governing by Inspection project1 that examines the ways in which Inspection regimes may be understood as governing education in three national education systems: Sweden, England and Scotland. We believe that contemporary developments are particularly productive for understanding governing—on the one hand there is the persistence of performance monitoring at European and (to varying degrees) at national levels through target-setting, indicators

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1 Governing by Inspection (ESRC RES 062 23 2241A). This paper is based on the work of the UK team (Sotiria Grek, Martin Lawn, Jacqueline Baxter and John Clarke) and also draws on Joakim Lindgren’s work on knowledge and inspection for the Swedish team. See www.governingbyinspection.com for more information.
and benchmarks, and on the other the promotion of self-evaluation and ‘light touch’ inspections that may express a ‘softer’ governance turn, and a concern to promote self-regulation and collaborative learning as the best basis for constant improvement (Lawn 2006, Grek 2013). These contradictory forms create considerable governing tensions in and across different national systems and within the emergent European education policy space. We’re looking at the ways in which inspection regimes-and inspectors-reflect these tensions, encode them in their knowledge production and embody them in their work. We cannot explore in any detail here the overarching concerns and activities of the research project: in this paper we are focusing largely on the school-level activity of the inspectorates in two of our national ‘cases’, England and Scotland, with a focus on the interaction between national, local and school-level policy and in relation to the following research questions:

What are the characteristics of inspection processes and what constitutes evidence and judgement in the operation of inspection?
How do inspectorates claim authority and exercise judgement?
What kinds of knowledge production are in operation in the inspection process, and what do they tell us about power and claims to authority?

Questions of Knowledge
In focusing on knowledge and inspection for this paper, we are drawing on that part of our work which has investigated the background, training, experience and ‘assumptive worlds’ (McPherson and Raab 1987) of each national Inspectorate, including their networks, the extent to which they constitute a ‘policy community’ or an ‘elite’; the balance of lay and professional membership, their claims to expertise (especially whether these reside in ‘judgement’ or ‘evidence’) and their modes of operation. We’re examining the operationalisation of inspection in the different systems-i.e. what is examined, against what criteria, for how long, with what evidence etc. This is a challenging area for our research, not only because there has been so much change in the period of our study, in all three systems-but also because access to these processes is difficult, especially in England, where the complex system of sub-contracting inspection to three commercial companies means that many inspectors are self-employed and difficult to contact.

Previous work by members of the current project team (Grek et al 2009, Segerholm 2009, Ozga 2009) focused on the data and their role in the Europeanisation and standardisation of education. Here we try to understand the knowledge mobilised in inspection, but rather than focusing on data and their associated technologies we look at the inspectorates of education in England and Scotland who have different degrees of 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 engaged to a greater or lesser degree 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 2005, Davis and Martin 2008). These are complex positionings-and here we seek to understand how the demands of knowledge production shape those positionings and what this tells us about their governing roles and effects.
This brings us to the particular relationship that we seek to explore and establish between governing and knowledge (Grek, Lawn and Ozga 2010, Ozga 2011). Like government, knowledge has changed – especially in relation to the speed of retrieval and transfer of knowledge (Delanty, 2001; Thrift, 2005), and we view these changes as interdependent. We will return to these issues in the concluding comments, but for now we note that governing knowledge has developed in relationship with performance management regimes, alongside decentralisation and deregulation: data enables goal-governed steering of outputs and outcomes, accompanied by the monitoring of targets. Knowledge and information play a pivotal role both in the pervasiveness of new governing relations and processes (through constant collection, monitoring and distribution) and in making new governing forms-dispersed, distributed and disaggregate-possible. Governments claim that data are enabling and enhancing of the democratising potential of new (post-bureaucratic, post-professional) governing processes and relations-new, inclusive forms of knowledge production and distribution (for example the Ofsted website-especially the parentview element) are presented as more accessible and actionable than traditional (elite) knowledge production processes.

This is a strong theme in the UK coalition government’s statements about public sector reform in England, and education in particular is the site of even more data production, freely available to parents and others – much more transparency and unmediated information was promised when the coalition tool office:

*We will dismantle the apparatus of central control and bureaucratic compliance. We will instead make direct accountability more meaningful, making much more information about schools available in standardised formats to enable parents and others to assess and compare their performance. ...In future: parents, governors and the public will have access to much more information about every school and how it performs.* (DfE White Paper ‘The Importance of Teaching 2010)

In the context of education policy in England, this commitment to more and better data, from a variety of sources, is accompanied by the construction of the active citizen-consumer, engaged in the extensive interrogation of evidence in order to make the best investment choices from a range of increasingly differentiated learning opportunities (Academies, Free schools). Such a construction creates obvious difficulties for the traditional role and claims to authority of the inspectorate in England (as interpreter of data and putative source of independently generated system knowledge). In the section that follows, we focus on the changing knowledge frameworks of inspection in England, in order to illustrate the relationship between changing knowledge production processes and the changing role of the inspectorate from the 1990s to the present.

**HMI, Ofsted and the Changing Knowledge Frameworks of Inspection**

*Inspection has always been close observation exercised with an open mind by persons with appropriate experience and a framework of relevant principles*’ (Sheila Browne, former HMCI 2003:2)
‘Fundamentally, when society hires an inspector, it hires the ability to make judgements and to establish relationships’ (SICI 2010:150)

I think in England we have too much data and a lot of the inspectors don’t really understand it. (…) I mean data – you can make it say anything you want it to and it’s difficult to refute in an inspection, or to say something different from what the data appear to be saying. (…) you are in the bottom left hand quadrant. It’s very difficult to say in a report (…) well yes you are there but in actual fact the school is much better than that there are reasons why, but Ofsted will say, but the data says this. (Contract inspector14)²

Although Her Majesty’s Inspectorate (HMI) in England traces its origins to the 1830s, Ofsted (the office for standards in education) is a relative newcomer-established in 1992. Ofsted both replaced and included HMI. Ofsted is a non-ministerial government department that commissions private sector providers to carry out inspections of state schools. Inspection of LEAs is carried out by HMI. Ofsted was created because HMI-which included distinguished educationalists-were seen by reforming governments in the late 1980s/1990s as elitist, more focused on influencing government than on schools, and vulnerable to producer capture. Indeed the organisational culture of Her Majesty’s Inspectorate made a very strong impression on those who encountered it-including this senior member of the inspectorate, reflecting on his role in attempting to change the culture:

‘….it was a certain kind of style I would characterise as militaristic and hierarchical-It was driven by the sorts of people who came into the inspectorate, certainly in the post-war period…..it was very, very powerful. I thought it was both very powerful as a means of inducting people and giving them a very good professional grounding in the business of inspection. But I was also slightly concerned that it was about adopting a rather small c conservative set of attitudes and values. …And I think there was something about the code which you almost had to just discern-it wasn’t ever really taught….when you looked at the senior ranks that was actually drawn from a much narrower educational/social stratum, a predominance of people with independent school backgrounds-quite a predominance-way out of proportion to what you’d expect normally. ’(HMI02)

Ofsted was a way of dealing with the ‘complacency’ of HMI who according to Chris Woodhead, had failed to: ‘sort out the complexities of determining educational truths’. In his characteristically blunt terms:

‘There was more than a grain of truth in the accusation that HMI, like the proverbial dog, failed to bark in the night…..our job, as I saw it, was to gather the facts and then make sure that their significance was understood by everyone who had an interest in our schools. If this upset some academics and politicians, then my attitude was, frankly, so be it’

² We have a complex system of interviewee identification that conceals their identities: here we’ve used a different system to make clear the position from which people interviewed by us are speaking (i.e. HMI, contract inspector etc.).
From 1992 Ofsted kept a register of registered inspectors (RIs) who led the inspection teams set up by the contracted companies. This development enabled a huge increase in inspection activity as RIs and commercially provided inspection teams were much cheaper than HMI. Ofsted in 1992 consisted of a much reduced HMI workforce and, ‘hundreds of inspection agencies’ contracted to deliver inspections:

‘Anybody could bid for contracts and it was a highly complex matrix of structures, because for example you had sole traders bidding for work......there were literally hundreds of contractors and Ofsted’s job then was very much a matter of quality assurance of those small teams’

(HMI02)

At the same time the increase in inspection, and the recruitment of this new inspection force required efforts to ensure standardisation and consistency across the system, in the absence of coherence created by the unwritten rules and social cohesion of HMI. As a result there was a massive increase in inspection documentation, including inspection frameworks and handbooks that led to inspection being characterised-by some critics-as a ‘tick box’ activity (Baxter xx). This shift is also, of course, a shift in the basis of authority-different knowledge-based resources are being mobilised. There is a shift from the pre-reform resources-often implicit- of officer-class social behaviour, combined with professional experience and (at least in some cases) subject or pedagogic expertise, to the following of rules constructed elsewhere. At the same time as the work of the inspectorate is increasingly specified, the discourse of their independence and professional judgement continues to be invoked-generating some tension within the inspection workforce as well as within schools.

The fundamental tension in this knowledge-based regulatory process helps to explain the constant search for a satisfactory formula that would sustain the authority of inspectorial judgement while ensuring consistency across the system. There were constant changes to inspection frameworks between 1992-2010, accompanied by changes in the handbooks, and from 1995 onwards a website, in which Ofsted documentation, procedures and practices were published –along with their reports. Substantial change took place in 2005 when HMI were –to some extent-restored to their previous status by being given lead inspector roles in school inspection teams. At the same time there was a stronger emphasis on self-evaluation in the inspection process and on encouraging headteachers to operate as school improvement partners (SIPs) offering ‘challenging advice’ to one another. From 2009 onwards the number of private contractors approved by Ofsted to carry out inspections was reduced to just three, with the aim of reducing costs and improving inspection efficiency (Ofsted, 2009).

A further tension emerges here. It is not only that Ofsted’s claims to authority are complicated by strong frameworks that determine how they produce knowledge; the entry of commercial, competitive agencies into the field creates the demand for strong mechanisms of quality control, that have to co-exist with pressures to minimise costs and maximise profit. As a consequence the successful contractors-CfBT, SERCO and TRIBAL- were and are subjected to onerous systems of quality control, not only in terms of the reports produced, but also in terms of the ways in which they recruit, train

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3 They weren’t always new-this development was accompanied by the decline of LEA advisory services, which were starved of funds, and many former advisers found employment in the new inspection services.
and develop inspectors. That there is a need for quality control in a system where price is a key determinant of winning contracts, is apparent from this quotation from an inspector involved in training at one of the 3 providers:

*I was working for xxx [agency tendering for inspection contracts]- they didn’t have a clue. It was all on price not quality, they dropped the quality for the price. [The other agencies] both had much more quality. Going back to xxx, when they were brought in they really didn’t have a clue, they were dreadful, awful (...) they didn’t know what they were doing, they are better, but its taken time, around 2 years before they could even get a handle on what they had to do. (Lead Inspector xxx)*

Whatever the requirements of the different frameworks of inspection, the key criteria (attainment levels) continued to dominate. Furthermore, the pre-inspection process ensured that data dominated: inspectors use data to arrive at a baseline evaluation (using PANDA or RAISE on line-these are centralised data banks that provide detailed pupil- and class level information over time on the schools performance against national targets and in relation to comparator schools). This forms the basis of the pre-inspection commentary (PIC) that guides the work of the inspection team. Data dependency grew as the numbers of inspectors was reduced (especially since 2008 and again in 2012) [CHECK DATA]. As well as the influence of the PIC, the rules for the presentation of data in the inspection report have a highly structuring effect on the work of inspection: for example between 2005 and 2010 there was a requirement to make a tabular presentation of individual judgments in the following main areas: core systems and outcomes (against targets/indicators); standards and quality; leadership/management; spiritual, moral, social and cultural development and the school’s self-evaluation report. The inspection report (which had to be with the school’s governing body by the end of the week of inspection) required each of these categories to be judged on a 7 point scale, including 24 sub judgments-amounting to over 100 numerical judgment grades for each school-and that before adding in any subject and key stage judgments. This was a ‘simplified’ reporting system that offered ‘a new relationship with schools’ (Ofsted 2004) –an attempt to simplify the process of inspection encapsulated in the 2005 Framework that also reduced the period of notice of inspection to 2-5 days, replaced large inspection teams with small teams and thus enabled more regular inspections (with a maximum of 3 years between inspections).

The ‘new relationship’ received mixed responses from schools (Macbeath 2006) and was, perhaps, undermined by the continued prioritisation of attainment targets. Here we want to draw attention to the work of recording numerous grades in the very tight timescale of writing the report, and the inevitable reliance on formulae and concern to ‘get it right’. The monitoring system that such a complex knowledge production regime generates is also significant in shaping the work of inspection and the relations between the different actors involved (ie the inspection team, the contracted service providers, and HMI) as this rather lengthy but very revealing quotation illustrates:

‘They [the lead inspectors] are responsible for putting it all together in one report, and at the same time they will Quality Assure [QA] the sections that come in from other inspectors. When completed they will send it to the inspection service provider [ie CfBT, SERCO or TRIBAL] and they will also send the report to the QA readers that QA the report, they it goes to Ofsted and an HMI signs it off……..
...now if Ofsted/HMI say no we are not signing it off, then it becomes a key performance indicator failure for the provider, so they are paranoid about this because they get slapped, you get contract action notices that will say, that unless you improve this will happen, but at the last inspection I said, ok teaching and learning are definitely satisfactory, and he [the HMI signing off the report] said ok we agree to all that, then we came to leadership and management and we said, if teaching and learning is satisfactory then leadership and management must be too, but he said, I would have expected leadership and management to be good because if leadership and management are less than good then we couldn’t even keep the thing at satisfactory. I have some sympathy with that...

....so you get tied up in these knots and in the end what inspectors are doing is saying ok well I have to follow this rule....there isn’t a rule but I have to follow it....’ (Inspector 12).

The quotation also clearly illustrates the absence of articulation of the judgement categories (teaching and learning-leadership and management) and the rather unsophisticated negotiation processes between the reporting inspector and the HMI carrying out the QA: here we wish to underline the need for a speedy agreement and the reliance on rules-even rules that don’t exist-in arriving at a final judgement. What consequences does this have for the authority of the inspectorate in the field?

There are, of course, a number of national policy factors in play in explaining the constant change in inspection in England-this former senior inspector explains some of them:

‘But I was increasingly of the view and indeed Ofsted’s own evidence suggested it – that it looked as though we were increasingly getting less of a return on our investment. And I think there is something quite interesting there for inspection systems – that if you keep them rigidly the way they are then after a while you get fewer bangs for your buck – people start to game the system, inspectors may fall back on complacent behaviours and attitudes – your system can get locked when education generally is moving on. (HMI02)

Indeed he goes on to consider the future of inspection, in a situation where there is more and more data, and more diversity of provision, suggesting that perhaps there is a question mark over the future of Ofsted:

*I do ask myself whether what you might describe as old fashioned inspection is going to quite have the same power [....] because we’re putting more information out all the time about the performance of schools – and that’s another thing this government has done – to make all this data available – and – if that becomes more regularly used and you get a kind of “trip adviser” view of how schools are doing – you might think, well – pretty imperfect that. The problem is however imperfect it is it could leave inspection standing [still] (....). (HMI02)

The New Inspection Framework (2012)
The introduction of a new inspection framework by the UK coalition government in 2012 marks a very significant change in Ofsted’s definitions of success and failure. In
the new framework four key judgements determine how well the school is performing: achievement of pupils, quality of teaching, behaviour and safety of pupils and overall effectiveness. There is a much tighter specification of the relationship between the grades for each category and the overarching judgement. Inconsistencies are not allowed: as indicated in the earlier quotation the pre-2012 inspection reports could exhibit glaring inconsistencies, where schools were graded ‘good’ but with judgements of teaching graded only ‘satisfactory’. Under the new framework teaching must be graded as good if an overall judgement of ‘good’ is to be achieved. The new framework was promoted as ‘the product of an evolved inspection system.’ (Agency Inspector12) in which there are 2700 inspectors contracted and trained by the three agencies and quality controlled by 400 full time HMI employed directly within Ofsted (however there have been cuts in this establishment and more are rumoured).[check data]

The new framework reduced the number of judgements made by inspectors from 28 to just 4 (Ofsted, 2012), and gave much higher priority than previously to the observation of teaching and to its evaluation over time: that is, inspectors are now required to make a judgement of the extent to which pupil learning has been effective over a specific time period rather than in a single observed lesson. The 2012 Inspection Handbook (Ofsted, 2012g: 32) states that:

‘The judgement of the quality of teaching must take account of evidence of pupils’ learning and progress over time. Inspectors must not simply aggregate the grades awarded following lesson observations.’

In addition, the new framework changed the grades to be awarded by inspection from the four categories Special Measures, Satisfactory, Good and Outstanding to Special Measures, Requires Improvement, Good and Outstanding. The removal of ‘satisfactory’ as a grade reflects political frustration with the lack of impact of inspection on the performance of many schools. Data released by Ofsted in April 2012 revealed that in January 2012 out of 348 schools inspected under the new framework only 19% improved, 50% remained the same and over a quarter [28%] achieved a worse grade than on their previous inspection. This compares with 34% improving, 47% staying the same and 19% declining in performance at inspection under the previous regime in the period 2010/2011(Ofsted, 2012e). A lead inspector expressed some of the frustrations and anxieties that these changes have provoked among the inspectorate:

‘If a school is satisfactory over a period of time then how can we be an agency of improvement? We have to change something......I can appreciate that. What I don’t appreciate is that we can’t compare different schedules, these are different systems with different levels of performance: floor standards have changed, so if you are going to change the goalposts, you can’t compare four or five years ago. (Lead Inspector 09)

Despite the new emphasis on its importance there is no attempt in the framework to define good teaching, nor are there clear criteria for the observation of teaching. Furthermore there appears to be little opportunity to discuss pedagogy within the context of inspector training events, as this quotation illustrates:

‘Very little is on what schooling is about, what education is about. I attended my first company local area meeting and it was an all-day meeting and the agenda was driven by the new framework and at no time did we talk about children, education, pedagogy
how schools function it was very much about whether team members are up to scratch nothing on pedagogy, nothing at all.’ (SERCO inspector 12).

The capacity of the inspectorate to assess teaching has been questioned since the ‘reform’ of inspection in the 1990s—a particular issue is the distance of some inspectors from classroom experience. External criticisms of the capacity of the inspectorate to arrive at judgements of teaching are reflected in the 2010-11 Parliamentary Select Committee on Education review of the work of Ofsted, where it was noted that many of problems associated with inspection were attributable to the inspectors themselves, particularly those inspectors who did not have recent school experience:

‘We believe that this lack of recent and relevant experience of the front-line has contributed to a loss of faith in the inspection system. As one commentator has written, “inspectors have to be trusted and recognised as expert if they are to command the respect of the profession [they] seek[s] to regulate”’ (Parliament, 2011: section 73)

This is an interesting echo of the basis of expertise and authority that was claimed by HMI in pre-Ofsted days, and the new framework combines a very simplified set of judgements with frequent invocation of the term professional, in a way that creates considerable dissonance. For example inspectors are required to:

‘Use their professional knowledge and engage in a professional dialogue with the headteacher or senior member of staff.’ (Ofsted, 2012g: 11).

At the same time, the capacity to translate or mediate judgement as a result of such engagement is much reduced through the simplification of the framework.

Indeed the new Framework and accompanying Inspection Schedule (Ofsted 2012a, 2012g) bring considerable challenges to the role of the inspector, challenges that became apparent in our research as the training process for the new framework unfolded. Inspectors are being asked to use ‘professional judgement’ while greatly increasing the number of failing schools (an inevitable consequence of the abolition of the ‘satisfactory’ grade): they are also asked to ‘take account of context’ but value-added data are not permitted: they must assess teaching but without reference to specific criteria. There is considerable disquiet among the inspectorate, and the operationalization of the new procedures is far from smooth, and may further reveal tensions within the inspectorate itself, especially in relation to the basis of their claims to authority: ironically the return to professional judgement as a basis for knowledge-based claims is now seen as less secure than reference to formulae:

‘In the previous framework there was a very clear formula, so if you got this and this it would have to be that. This government wants to move away from that formulaic approach and build in the professional judgement. That said, what we are seeing is that when HMI read the report, cos at the moment they are reading every report, they are questioning the judgements that we made...questioning the professional judgements.’ (Contract inspector10).

Our interviewees are concerned about managing the delivery of an increased number of negative judgements, or, alternatively, the possible increase in unmerited ‘good’
grades in order to avoid those judgements and their consequences for head teachers, with whom they are supposed to be working more closely in the inspection process.

The reduction in the number of judgements does undoubtedly put increased pressure on the inspection team: as a senior Ofsted strategic manager noted, with only 4 grades:  
‘the verbal and textual recommendations [of inspection] become much more important, so it’s really very dependent on the skills of the inspector and on the need to be specific, to make clear recommendations and yet to be careful not to start instructing the school’ (Ofsted 03).

He goes on to say that: ‘*this change in the framework is a massive test for us as an inspectorate. It is very high stakes-if the proportion of failing/satisfactory schools doesn’t start to fall, the credibility of inspection as an agent of improvement falls.*’

To summarise: knowledge-based claims to authority made by the inspectorate in England have changed since the creation of Ofsted in 1992. The pre-Ofsted HMI mobilized particular social and cultural resources to support their claims to authority. To some extent these claims depended on professional status as expert and successful practitioners, as educationalists, and as members of a highly bureaucratic and hierarchical elite that embodied a particular performance of authority. Authority, for pre-Ofsted HMI, was embodied in its self-presentation, enacted in its relations with others, and encoded in its invisible, inexplicit assumptions about good practice. The various inspection frameworks since 1992 have attempted to specify in quantifiable and demonstrable terms the basis of Ofsted’s professional judgment: this specification is complicated by the organization of the inspection workforce, by the relationship between judgment and attainment data, by shifting political priorities, and by the diminishing returns of a highly regulated system that is itself highly regulated, and that reveals its insecurities in the constant revision and expansion that characterized Ofsted’s knowledge production from 1992-2010. The most recent framework attempts to mobilise the discursive resources of professionalism through its reduction of individual judgment categories and its attempted co-option of head teachers and governors, but the simultaneous removal of the satisfactory grade in the context of heightened pressure on floor target achievement and the political agenda of academisation, combine to undercut a persuasive performance of collaborative and professional knowledge production in the inspection process. We say more later about what this means for the governing of education. For the moment we turn to the case of Scotland, and the history and current development of the inspectorate’s knowledge production processes there.

**The Inspectorate in Scotland**

The development of inspection in Scotland presents an interesting contrast with the narrative of inspection in England. There are, of course, significant differences in the context of the work of knowledge production. While England is pre-occupied with developing competition and diversity of provision in pursuit of improvement in its global positioning in education, the Scottish government and its inspectorate of education use Europe to promote Scotland’s approach to inspection as ‘in line with evolving European-wide models’ (P6S-Scottish government policy-maker). They
construct the European education policy space as an area of exchange of experience and good practice, and the Scottish inspectorate uses the Standing International Conference of Inspectors (SICI) as a platform for promoting the role of professional knowledge and skills that contribute to European-wide initiatives while also stressing Scotland’s distinctiveness (Donaldson 2008; Grek and Ozga 2010, Ozga et al 2013). This focus on the national within the European policy space has to date reduced the competitive pressure on Scotland’s schools, as does the relatively soft assessment regime and the homogenous nature of state school provision. However HMI in Scotland, like their counterparts in England, have experienced very substantial change in recent years, and are currently in the process of major transformation.

Like HMI in England, Her Majesty’s Inspectors of Education in Scotland (known as HMI till 2001, then HMIE, now HMI again) have a history as a very powerful presence in Scottish education, as movers and shapers of the system since the 19th century. The small scale of the Scottish policy community, and the fact that this community is a meritocratic elite, means that they are products of the system that they inspect, and that they identify with it as it has served them well (McPherson and Raab 1988, 135). Their closeness to the profession they inspect—they are all former teachers, selected on the basis of their success in the classroom—is reflected in this quotation from a senior inspector:

*I mean the Scottish system benefits from being a relatively small system – there is probably no secondary school in Scotland that I don’t know someone teaching in or they don’t know me—that’s just the reality of it. I know every college principal, I know most of the senior managers in the colleges. That creates its own difficulties, but its maybe one of the reasons why this system has got more chance of working in Scotland than elsewhere—the networks are very tight, they’re very close.’ (HMIE02)

The inspectorate increased its power throughout the 1980s and 1990s, becoming more policy-active, but suffered a setback in a crisis over examinations in 2000–01, when it was demoted to agency status (Raffe 2005) Since the election of the minority SNP government in 2007, which became a majority SNP government in the 2011 election to the Scottish parliament, the Inspectorate has been steadily recovering its position, and, indeed, advancing beyond its traditional role to promote an identity as ‘teachers’ of good practice within Scotland and indeed, within Europe. These developments take place against a background of political and public support for the performance of the education system, which is acknowledged to be ‘good but not great’ (HMIE01).

Indeed it seems to us that the current position of the inspectorate in Scotland is strongly connected to—indeed, perhaps, dependent on—the governing ‘narrative’ of the Scottish national party (SNP) government which is, in turn, built around the idea of collective learning that provides a resource for strengthened national identity, growing national capacity and hence (the SNP government hopes) political independence. The inspectorate thus has a very important role to play as ‘translators’ of this narrative into practice through their use of judgment, evidence, and the building of trust through the knowledge production process of self-evaluation, which they propagate as a key resource for better public sector management and accountability, while they model and ‘teach’ self-evaluation within the national policy space. School self-evaluation (SSE) as set out in the key text ‘How Good is our School’ (HGIOS) is the key knowledge based regulation tool through which the inspectorate positions itself as guide and
enabler of quality assurance processes that are built and maintained by the school, using HMIE guidance. Inspection provides ‘the mirror of a national perspective against which a school can reflect its own performance.’ (HMIE02)

In 2011 a new body – Education Scotland – was created, combining HMIE with Learning and Teaching Scotland (the former curriculum development agency) and thus heavily underlining the alignment of inspection with improvement and development. Unlike Ofsted, which demonstrates considerable ambivalence about combining regulation and development, the inspectorate in Scotland has united its development and regulatory roles. The new model of inspection and the whole philosophy of Education Scotland, we were told, are to provide, within one body:

‘both that facility to provide a reflection on the national perspective, but at the same time corral the resource that is required to provide support to the school’.

(HMIE02)

Inspection, according to our informants, continues to be necessary in order to provide a national benchmark against which schools can judge the effectiveness of their own self-evaluation, but inspection must also be seen as closely linked to support:

‘You can’t help but think about support and improvement during an inspection, when you’re having a professional discussion about evidence, what has worked well and what needs to work better. What we’ve tried to do in the last 5 years, and particularly with the new inspection model, is create much more time during an inspection for professional discussion and professional dialogue to allow us to respond to issues that teachers might want to bring to the table but also to be able to sit down after a discussion or after an observation of a piece of learning and teaching and to say – from our perspective, that went well because of this, and then you say, but it didn’t appear to go so well because of this and this. And that tends to be where the professional dialogue takes place’ (HMIE05).

The role of the inspectorate is to ‘gather intelligence, advise and intervene’ to support a ‘learning system through which the professionals at the front line create the forward planning and the forward movement’. In a system described by a senior policy actor as:

‘Much more based on schools being the primary agent of self-evaluation, with what we tend to describe as a kind of peer coaching that we bring in with inspection for schools, rather than an external evaluation of schools HMIE01)

The development of a partnership view of inspection places a premium on support and developmental practices, reinforced by psychological training that seeks to develop appropriate skills

*We’re training our people quite actively in the social skills of inspection (...) we’ve got some occupational psychologists working with us to develop this framework – working on relationships with people – we must be able to win the support and constructive interest that will enable initiative. (HMIE12)*

In fact:
...how you inspect is almost more important than being right, in terms of making the judgments. I remember one time, 20 years ago, the absolute – getting the judgment right was what mattered, nothing else – whereas now it’s the social skills of being able to manage inspection to the point where you leave the school actually able to improve because they accept and are with you on the agenda – that’s the real skill of inspection (HMIE01).

These quotations illustrate the change in the basis of authority that is being attempted in the inspectorate in Scotland. Where authority has been seen to follow from professional expertise and from the status associated with the HMI role, this is now being shifted towards softer, social skills. The inspector is now required to shift school culture and build consensus among the teaching profession in support of the overarching project. This shift has required quite considerable change in the performance of authority, and has resulted in the removal of some inspectors who could not enact this new role. The changing embodiment of authority is accompanied by change in the knowledge production process of inspection, so that inspectors test the school’s view of itself using processes including classroom observation and then move into a development, rather than an inspectorial mode if they are confident in the quality of the school’s own judgment of its performance. As one senior inspector puts it:

A school’s never actually asked us to leave at this point, they always take advantage of another day or day and a half of consultancy or something they want to explore further. (HMIE03)

The inspection event, then, is constituted as a process of collective learning that binds pupils, parents, teachers and inspectors together in a shared process, with a shared purpose that builds a collective identity:

The evaluative activities involved [in HGIOS] are similar to those we encourage pupils to engage in as part of their own learning process. Taking part in them creates a community of learners. (HMIE 2007, 7)

The reference to a community of learners (Lave and Wenger 1991) sits well with the wider policy narrative. The inspectorate, with its new ‘social skills’ both models and disseminates best practice:

[Our purpose] is really being an engine for spreading best practice across the system – we are in a unique position in seeing so much front line practice across the whole country. (HMIE01)

In the current phase of our research, we find that self-evaluation is evolving; it is becoming much more than an accountability mechanism and can be said to represent and encapsulate a new governing idea (Grek 2013) in which regulation is built ‘from the ground up’ as an intelligence-led, proportionate inspection system operates to promote peer-led learning and the creation of professional learning communities with the aim of decentralizing control of learning and promoting innovation. The role of the inspectorate in this system is to ‘gather intelligence, advise and intervene’ to support a ‘learning system through which the professionals at the front line create the forward planning and the forward movement’ (HMIE07).
The role of external experts in inspection as associate members of the inspection team has also been stressed as key in cultivating learning and ‘keeping thinking fresh’ within schools. According to the document ‘The Involvement of External Experts in School Education’, this should become ‘a system where the teacher is very much the leader of learning, responsible for networking, planning and coordinating how other professionals contribute to a high quality learning experience for Scotland’s children and young people’ (HMIE 2012; 2). Both the involvement of external experts in schools as well as the moving away from self-evaluation to the creation of a ‘transformational learning system’ signal, according to Education Scotland, the need to ‘challenge very settled relationships and rhythms’ and focus efforts on (a). school ethos and relationships which support it; (b) the need for trust and for safe space for disclosure; (c) for leadership by those not in senior positions; and (d.) space for challenging the status quo’ (HMIE xx).

This development is congruent with the Scottish government’s self-promotion as a ‘learning government’ working in concert with its partners and thus creating more confident individuals that have the capacity for political independence. As a senior policy maker puts it, reflecting on the history of strong central direction with which the SNP government claims to have broken:  

(...) so for decades you have had this top down approach in education which has been civil servants telling ministers, ministers then tell local government, local government then tell directors of education and directors of education tell head teachers and then head teachers tell teachers. There is this suffocation by direction (...) so we are changing the education system, we hope, from one of dependence to one of independence. (SPolicyMaker 05)

In summary, the inspectorate presents itself as part of a national narrative of increasing autonomy and self-determination. It has sought to lose its traditionally authoritative (even authoritarian) character as embodied and enacted in the past of inspection in Scotland, and to re-present itself as supportive, enabling and developmental. Our evidence to date suggests that this is not entirely persuasive as far as the schools are concerned, in part because it is work in progress, in part because of the turmoil in the system generated by curricular change, but also because of the perceived increased political alignment of the inspectorate with government. In this, at least, there is a parallel with Ofsted.

Discussion

The material presented above illustrates an inspection service in a constant state of change, in which the search for an appropriate basis for the authority of the inspectorate has led government in England firstly to de-stabilise the ‘elite’ HMI, and to standardize and ‘technicise’ the knowledge production processes of the army of contract inspectors that has constituted the core Ofsted workforce since the 1990s. Various changes sought to support standardization through tight specification of the relationship between evidence and judgment, while the need for some expert surveillance of the contract inspectorate was recognised in the re-insertion of HMI as quality controllers in 2005. The new framework tries to address problems of lack of trust in the inspection process by seeking to mobilise rather incoherent professional discourses, and by co-opting headteachers into the process, but it also sets in place a form of judgment (requires improvement) that will greatly increase the stress experienced by both schools and
inspectors. Furthermore, it requires a judgment of teaching over time, and in the absence of other criteria, the default position will be reliance on attainment data.

This is a repertoire of knowledge production that is inconsistent and contradictory. As such, it could be said to reflect perfectly the chaotic nature of the UK governing ‘project’ that could be summarized as establishing freedom from regulation, while simultaneously using regulation to achieve the state of perfect competition that neoliberalism endlessly strives for and fails to achieve (Peck 2010). The problem of governing is addressed through a mixture of established practices of inspection, evaluation, and audit. The paradox remains, of increased centralisation following from the pursuit of freedom and the resultant direct line of control between the academies and free schools and the Minister. As one of our informants points out – as the number of academies has grown:

[You] can’t have every failing academy crossing the secretary of State’s desk – you just end up with madness. (HMI01)

In this context, Ofsted’s authority is not derived from knowledge-based collaboration in development, but from its policing of the system (s), and identifying institutional failings (House of Commons Education Committee 2011, 14). The incoherence of Ofsted’s knowledge production processes follows in part at least from its location in a ‘system of systems within systems’ – perhaps, even a ‘system less system’ (Lawn 2013). This limits Ofsted’s capacity to construct a professionally-based narrative that builds identification with a governing project. Instead Ofsted is the deliverer of (critical) judgment, especially as the new framework focuses its work on specific areas, and on underperforming or ‘coasting’ schools. There are quite sharp contradictions in the positioning of Ofsted in this disciplinary role, as this offers little scope for the political work of enrolment of support and mobilisation of values that may be necessary for successful governing. There are signs of deepening resistance to the speed, scale and scope of change in education in England, especially from the teacher unions. Given the stronger penalties on schools for failure, and the wider context of growing teacher resistance to the direction of policy, as well as the confrontational style of the Senior Chief Inspector, it seems that inspection in England, however frequent the references to professionalism in the new framework, is constituted primarily as an enforcement agency rather than a “partner” in the governing of education through expertise and example.

In Scotland the SNP government’s need to build trust and confidence in order to achieve its longer term aim of political independence requires the promotion of governing practices and relations that are consensual, inclusive and appear to shift power and authority downwards. In education, this logic is developed in a range of policies and in the new inspection regime. We can understand this shift, using a political sociology analysis (Smith 2008), as reflecting the mobilisation of interests and values to legitimise these changes and to help to problematise – however indirectly – the continuation of Scotland’s position within the UK. This supports the overarching governing project of the SNP, while also producing a performance of inspection, through self-evaluation and collaborative development that disciplines pupils, teachers and inspectors in the continuous work of self-scrutiny and self-improvement. Both organisations and individuals have, it seems, been increasingly invited to imagine themselves as auditable or inspectable performative selves (see Power 1997; Power 2005), and this reflection
of themselves, in the national “mirror” of self-evaluation, integrates their performance with that of the nation in a unifying project. The authority of the Scottish inspectorate is now (at least in theory) embodied in their social skills, and enacted in their capacity to support development.

In governing terms, we note a contrast between the disciplinary regime of Ofsted, and the self-disciplining regime promoted by Education Scotland. The new processes of collaboration in knowledge production in Scotland demands new skills from its inspectorate, and a major shift in its performance of authority. Whether this can be achieved in a way that generates trust and genuine collaboration is open to question: in governing terms there is a high risk of performativity, especially given the attempt to bring the inspectorate into the overarching governing project. In England, Ofsted’s attempts to incorporate a professional discourse into a strongly disciplinary and centralising regime are weakened by absence of trust, while its increased alignment with political agendas also undercuts the mobilisation of references to professionalism. Both regulatory regimes face governing problems: what our research demonstrates is that the knowledge basis of inspection’s claims to authority is not static, and changes according to the definition of the problems it is asked to address. These vary, but they are always governing problems.
References (unchecked, incomplete)


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