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**Title**

Professionalizing school governance: The disciplinary effects of school autonomy and inspection on the changing role of school governors

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**Abstract**

Since the 1980s state schools in England have been required to ensure transparency and accountability through the use of indicators and templates derived from the private sector and, more recently, globally circulating discourses of 'good governance' (an appeal to professional standards, technical expertise and

performance evaluation as mechanisms for improving public service delivery). The rise of academies and free schools ('state-funded independent schools') has increased demand for good governance, notably as a means by which to discipline schools, *in particular school governors* – those tasked with the legal responsibility of holding senior leadership to account for the financial and educational performance of schools. A condition and effect of school autonomy therefore is increased monitoring and surveillance of all school governing bodies. In this paper I demonstrate how these twin processes combine to produce a new modality of state power and intervention; a dominant or organizing principle by which government steer the performance of governors through disciplinary tools of professionalization and inspection, with the aim of achieving the 'control of control' (Power 1994). To explain these trends I explore how various established and emerging school governing bodies are (re)constituting themselves to meet demands for good governance.

### ***Good governance as a modality of state power***

The rise of academies and free schools ('state-funded independent schools') in England since 2010 has led to increased school autonomy for large numbers of state primary and secondary schools coupled with an increased demand for 'good governance' (an appeal to professional standards, technical expertise and performance evaluation as mechanisms for improving public service delivery), with direct consequences for school governors. Described by Ranson *et al.* as 'the largest democratic experiment in voluntary public participation' (2005, 357), school governors refer to the non-executive (unpaid) members of the governing body (GB)<sup>1</sup> who, through election or appointment, work alongside executive, senior leadership figures (headteachers, associate/deputy headteachers, school business managers, premises managers, finance directors, etc.) to support the operation and strategy of state schools. Up until the introduction of Local Management of Schools (LMS) in the 1980s, school governors performed their role in the relatively safe, comfortable and informal environment of a 'bums on seats' culture. (There are echoes of this past culture when governors talk affectionately and somewhat nostalgically about the provision of 'tea and biscuits' that circulate any governors meeting and which work ceremoniously to enjoin governors through friendly and mutually supportive conversations). During this time standards, curriculum and finance for the majority of schools remained the legal responsibility of local government, though some 'maintained' (LEA controlled) schools were permitted a level of autonomy over decisions concerning resource allocation and budget due to the capacity and

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<sup>1</sup> Depending on the type of school, GBs go by different names. For schools operating within a Multi-Academy Trust (MAT), the GB, if one exists, is called a Local Governing Body (LGB) or 'advisory group'. Under these arrangements many of the high-risk decisions concerning strategy, finance, admissions, premises and curriculum are decided by the trustees of the MAT and sent to the LGB for feedback/deliberation. In many stand-alone (converter) academies, free schools and maintained schools, the GB is called a Full Governing Body (FGB), *but technically this only applies when all governors are present*. Alongside the FGB are committees with governors who, by virtue of their expertise, deal with specific areas of governance. A typical school will have five committees – education and standards, finance and audit, human resources, premises, and pastoral and wellbeing. I have selected to use the preferred term governing body (GB) by way of condensing the varied and complicated work undertaken by school governors. Unfortunately the scope of this paper does not lend itself to a full discussion of the division of labour that underpins and animates school governance.

willingness of the GB to do so. Therefore, while school governors have for a long time (since the 1980s in fact) possessed statutory rights to influence schools, their actions (or lack of) have not been tied to any formal powers, inherent risk or liability. Today, however, local government power has been rolled back to allow *all* schools to be administratively self-governing. A consequence of this 'high-stakes' transfer of power is that school governors are tasked with the legal responsibility of holding senior leadership to account for the financial and educational performance of schools.

Earlier legislation (Education Act 1944 and Education (No 2) Act 1968) outlines the existence of 'school governing bodies' in the case of secondary schools and, similarly, 'managing bodies' in the case of primary schools. In the case of the latter, the local education authority (LEA) possessed a 'wide discretion' over composition and function (DES 1977: 2.3) while the role and constitution of GBs had to be 'set out by the local education authority in articles of government which have to be approved by the Secretary of State' (DES 1977: 2.4). Later through the 1980 Education Act the government introduced measures to specify the remit and composition of the GB, e.g. the division and role of parent governors, staff governors, LEA governors and community governors. Subsequent legislation (Education (No 2) Act 1986, Education Act 1993, Education Reform Act 1988, Education Act 2002, Education Act 2006) extended the responsibilities of school governors, principally to 'conduct the school with a view to promoting high standards of educational achievement at the school' (School Standards and Framework Act 1998, Pt. II, Chap. III, Section 38). The previous Labour government highlighted an additional key role of the GB, namely to facilitate a 'stakeholder model' of school governance, one 'designed to ensure representation of key stakeholders (parents, staff, community, LEA, foundation and sponsors)' and which 'helps GBs to be accountable to parents, pupils, staff and the local community' (DfES 2005, 7). Nonetheless, some commentators consider government attempts to specify the role of school governors and of the GB as a whole as hazy at best (Balarin et al. 2008).

Despite some confusion and uncertainty over school governor aims and direction, what is clear today is the proposed strategic function of school governors in relation to enhancing accountability. Both the government and the Office for Standards in Education, Children's Services and Skills (Ofsted, the schools inspectorate) strictly discourage school governors from engaging in the operational functions of running the school, now the key delegated role of the headteacher and senior leadership team (SLT) (see DfES 2005, Ofsted 2001, 2011). Recent announcements and statutory guidance from the Department for Education (DfE) (2013a) and Ofsted (2011) highlight instead the new, legal responsibilities to be undertaken by school governors. Specifically, school governors are branded key to facilitating 'good governance', which includes providing scrutiny of direction, enabling strategy and ensuring accountability (DfE 2013a; also see Ofsted 2011). As Chief Inspector of Schools and the head of Ofsted, Sir Michael Wilshaw (Ofsted 2013), recently commented,

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.

Echoing this, the Secretary of State for Education Michael Gove conflates 'poor governance' with 'failure to be rigorous about performance. A failure to challenge heads forensically and also, when heads are doing a good job, support them authoritatively' (Gove quoted in Rayner 2012). School governors, therefore, are expected to be more than cheerleaders for the school or what Gove describes as 'local worthies': those 'who see being a governor as a badge of status not a job of work' (Gove quoted in Rayner 2012). Instead, school governors are summoned as 'experts' (technicians, analysts and epistemic actors) who are 'skilled' and committed to ensuring accountability and shaping strategy through rigorous tracking and analysis of performance and finance data. But school governors themselves are inspected and held to account (by Ofsted and senior leadership, for example, where they are subject to performance evaluation) and encouraged to acquire new skills and attitudes as 'professionals' through internal/external training. Governors are expected to be educated and properly guided on how to effectively challenge and support schools.

In this paper I demonstrate how good governance operates as a new modality of state power and intervention – a dominant or organizing principle by which government steer the performance of governors through disciplinary tools of professionalization and inspection, with the aim to achieve the 'control of control' (Power 1994). In what follows I briefly sketch two interrelated trends which have shaped educational governance since the 1980s. Following this I specify how these trends have been articulated and combined through policy texts and political speeches specifying the role and responsibility of school governors as well as the steering capacity of non-governmental agencies in these processes. Here I demonstrate how norms and practices of inspection and professionalization have been deployed to shape the way in which GBs constitute themselves operationally, namely through an appeal to professional standards, technical expertise and the appointment of 'skilled' governors. In the final section I draw on interview and observation data to demonstrate concretely how the above 'discursive and political work of articulation' (Clarke 2008, 139) both transform the spaces in which schools operate and reconfigure the relations and practices through which school governors inhabit and perform their role.

### **Neoliberalization and depoliticization**

Since the 1980s educational governance in England has been shaped by two interrelated trends. The first is the devolution of power and responsibility to all non-maintained *and* maintained schools; a process known as decentralization or deregulation. In the case of maintained schools (schools guided and managed by the LEA), the 1988 Education Reform Act issued GBs with responsibility for the school's budget. The same piece of legislation also allowed some schools greater control over their finances, admissions, premises and staff through the acquisition of 'grant-maintained status'. Take the example of City Technology Colleges (CTCs) introduced under the terms of the Education Reform Act 1988 and the Local Management of Schools (LMS). These schools operate outside the purview of LEA management (making them non-maintained) to enable the maximum delegation of financial and managerial responsibilities to the GB (Whitty, Edwards & Gewirtz 1993). The basic legal model for CTCs (state funded and privately run pursuant to a contract with the Secretary of State) is the same model for academies and free schools today, albeit

funding agreements for academies post 2010 are variable (Wolfe 2013). Under these arrangements school governors adopt legal responsibility for the financial and educational performance of the school. An outcome of these changes is greater school autonomy, which means schools can opt out of LEA control and become administratively self-governing. But autonomy is earned ('earned autonomy'). Converter academies and free schools (both free-standing, state-funded independent schools) typically must employ temporary or permanent staff (e.g. school business manager/bursar, HR manager, finance director, estate manager) and appoint 'skilled' volunteers (e.g. school governors, preferably barristers, chartered surveyors, accountants, civil servants, middle managers, people with experience of running a business) who can help shape high-risk decisions relating to finance, curriculum, standards, human resources, premises, and strategy. These changes to the form and structure of state schools are part of a set of technologies or strategies to 'modernize' (or 'privatize') public services and reduce the influence of local government and local politics on public sector organization (Vidler and Clarke 2005).

A second, related trend to impact educational governance concerns a movement to situate schools within a culture of 'testing, targets, and tables' (DfES 2004). Ranson (2003) for example identifies four measures of accountability through which schools are made to answer: performative accountability (examinations and assessment), contract accountability (cost effectiveness), consumer accountability (parental choice), and corporate accountability (strategy and management). In this framing schools are assessed, sorted, funded and ranked on the basis of regulatory practices (e.g. testing, league table results, Ofsted inspection criteria) and disciplinary practices enacted internally by the school (performance operation and management, competitive tendering, etc.). These competitive-comparative practices echo and redeem private sector approaches to public sector organization, with rewards for those schools who best demonstrate process, performance and outcomes. Such organizational forms are evocative of New Public Management (NPM) approaches to service delivery (see Clarke and Newman 1997), namely the idea that organizations share characteristics which can be evaluated and compared to measure effectiveness, efficiency, and continuous improvement. These practices may be considered technologies of power, mechanisms by which public services are specified through processes and outcomes which lend them to audit, measurement and commensuration. Such mechanisms are well documented through different registers, including 'good governance' (IMF, World Bank), 'generic management' (Cutler and Waine 1997), Total Quality Management (TQM), 'enterprise culture' (Keat and Abercrombie 1990), 'lure of the explicit' (Green 2011, 49) and 'cult of efficiency' (Stein 2001, 7). Broadly speaking, they encompass a set of relations and practices which may be described as forms of neoliberalization.

If we take neoliberalization to mean the monetization, financialization and marketization of institutions and agents (Clarke 2008), including an enabling role for the state in disseminating, inventing or supplementing market practices and behaviours across sites and domains where they may not exist (Brown 2006), the above trends may be regarded as expressions of a neoliberal logic. In particular, they highlight how political problems formerly managed by local government are reduced to a set of discrete, largely technical practices mobilized by the professional classes in a bid to better govern schools. As Clarke suggests, neoliberalization can

be understood 'as the latest in a dishonourable history of strategies of "depoliticization" of politics that attempt to conceal the problems and conflicts of politics behind an appeal to forms of knowledge and varieties of technical expertise' (2008, 142). What this means is that the politics and practice of managing particular legal, social or financial problems (problems of population, student discipline, resource allocation, admissions, standards, ethos, community participation, etc.) remain. The difference however is that these problems are now handled discretely under the new legal authority of the executive and non-executive members of GBs, trustees and potentially unaccountable sponsors. Hence the growing demands for good governance, skilled, preferably non-partisan governors, and increased monitoring and surveillance. Problems around the wide discretion of unaccountable sponsors and GBs to exert influence over a school's budget, vision and curriculum is now a key focus of Ofsted, for example (Wintour 2014). The recent 'Trojan horse' row details how three schools in Birmingham run by Park View Educational Trust were downgraded by Ofsted to inadequate and placed in special measures for, among other things, using school budget improperly and failing to tackle potential risks of religious extremism and radicalization among students (Morris and Wintour 2014). Notably, there was expressed disappointment and anger at 'some governors exerting inappropriate influence over the running of their schools' (Adams 2014), a good example of how increased responsibility and visibility and surveillance go hand in hand.

In what follows I highlight 1) the direct implications of school autonomy for school governors in terms of function and responsibility; and 2) the mechanisms by which government and non-government agencies aim to steer the performance of school governors toward new calculative regimes of accountability and professionalization.

### **Academization: accountability deficit?**

The launch of city academies in 2000 under New Labour's 'Third Way' philosophy (Giddens 1998) heralded a new phase in the neoliberalization of state education. Designed to enlist the help of private sponsors to offer 'radical and innovative challenges to tackling educational disadvantage' (DfES 2005, 29), the city academies project granted schools and their sponsors powers to bypass local democratic processes (Beckett 2007; Hatcher and Jones 2006; Millar 2010) by circumventing the scope of local government steering and control, including the electoral mandate of local councillors to monitor and intervene in schools. As a result some commentators lambasted the academies programme as a 'loss to the community' (Unison 2010). Between September 2002 and May 2010, 210 academies opened in England under (New) Labour (BBC 2012). In May 2010 under the leadership of the Coalition government, new legislation was rolled out making it possible for all good and outstanding schools – including, for the first time, primary and special schools – to opt out of LEA control and become administratively self-governing. According to recent statistics obtained by the DfE in June 2014 (DfE 2014a), 3,924 state secondary and primary schools have converted to academy status, 1,105 schools have opened as academies under the guidance of a sponsor, and 252 academy conversions are due to open on or around September 2014. Statistics disclosed by the DfE in May 2014 also indicate that 174 free schools have been established with a further 120 proposed to open in 2014 and beyond (DfE 2014b).

Unfortunately the transfer of power and ownership from central government to institutions and agents (evocative of Prime Minister David Cameron's vision of a 'Big Society') does not guarantee an improved system for monitoring and delivering public services, nor does it guarantee improved accountability or transparency. (The government, however, is convinced by PISA (Programme for International Student Assessment) results that there is a relationship between school autonomy and school improvement, see DfE 2014c). When a school chooses to convert to academy status (or is forcibly transferred under the convert bullying of DfE-employed 'academy brokers', see Holehouse 2013) the GB and/or trustees adopt legal responsibility for the financial and educational performance of the school as well as responsibility for how well the GB conducts itself (now the judgement of Ofsted, see Ofsted 2014).

With local government support services being scaled back or withdrawn entirely to cope with huge budget cuts (£11.6bn for the period 2015-16, see BBC 2013a), there is a real and present danger of a regulatory gap. Only recently the DfE announced that 14 academy chains (including E-ACT, Academies Enterprise Trust, Academy Transformation Trust, and Prospects Academies Trust) would not be eligible to sponsor any more state schools due to a poor track record of falling educational standards and financial mismanagement (Paton 2014). (A drop in the pond when you consider as of February 2014 there are 569 academy sponsors in existence in England, see GUK 2014). The DfE itself is beginning to show signs of insecurity over their lack of powers to intervene in the running of free schools and academies, as revealed in a leaked document uncovered by the *Guardian* (Adams & Mansell 2014). Media stories from 2013 offer further examples of the problems faced by a regulatory gap in the emerging school system: Camden Juniors primary school forced into Harris academy takeover despite overwhelming opposition from consultees (Sleigh 2013); evidence of financial mismanagement at King's Science Academy (BBC 2013b); Ofsted's damning report of the Al-Madinah free school (Adams 2013); parents in special needs row with Harris academy chain (Mansell 2013); and evidence of related party transactions by the Academies Education Trust (AET) (Boffey 2013).

### **School autonomy: inspection and professionalization**

The government has partly responded to this problem – arguably a problem of its own making – by demanding, first, the inspection of all GBs. All Ofsted reports now include an evaluation of school governors in the section on leadership and management. Governors are typically assessed on whether they demonstrate sufficient knowledge or understanding of school budget and performance data. Therefore, school governors are evaluated on their preparedness and willingness to hold senior leadership to account. These interventions are justified on the grounds of an increased accountability 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.). Second, government together with Ofsted are now appealing to GBs to conduct themselves through professional standards and technical expertise provided by 'high quality' governors who possess the 'right' skills and knowledge. (And remember this is only an appeal. Governor training is not mandatory and academies and free schools are granted flexibility to



decide their size, number of subcommittees, ratio of skilled to unskilled governors, and delegation of power). As Schools Minister Lord Nash (GUK 2013) highlighted in a speech to the Independent Academies Association (IAA) national conference,

I'm certainly not opposed to parents and staff being on the GB, 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.

Echoing this, the DfE's (2014d, 2:1) proposed amendments to the 2012 constitution regulations for maintained school GBs (under consultation) argue

GBs 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 GB 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.

To complement and support the professionalization of school governors there exists a variety of non-governmental 'third sector' agencies (governor support services) offering technical advice and guidance on how GBs might conduct themselves efficiently and effectively. Key governor support agencies include the National Governors Association (NGA), Freedom and Autonomy for Schools – National Association (FASNA), Ten Governor Support, School Governors' One-Stop Shop (SGOSS), and Modern Governor. It is important to note here the application of Rhodes' conceptualization of 'policy networks', which he uses to refer to the shift from government to 'governance' (governing without government), but more specifically 'to sets of formal and informal institutional linkages between governmental and other actors shared around interests in public policy making and implementation' (2007, 1244). The key thing to note here is that the state has not been 'hollowed out' (depleted of its powers to shape the governing of public services) but rather has been reinvented through a new role, modality or rationality, that of supporting and incentivizing agencies, infrastructures or frameworks which work to locate public service professionals and volunteers through relations and practices of marketization and financialization.

From this perspective, governor support services may be considered 'policy communities' or 'policy devices' (Ball 2008) which do not work over and against the state, but in relation to the state. In other words, these non-governmental agencies do the work of the state by promoting and legitimating the entanglement of state-market interests: they work to align the politics and practice of schools with various government requirements specifying the corporate accountability and contract responsibility of schools as businesses. Much of what governor support services offer is advice which GB can use (and many of them do with great effect) to measure and evidence practices of good governance. This usually includes an emphasis on

robust monitoring of financial and educational performance; effective challenge and support to senior leadership; an awareness of key duties and priorities with a focus on enabling strategy and performance operation; and the importance of good clerking and paper trails to evidence transparency, internal audit and impact. Understood in this way, governor support networks are crucial, on the one hand, in enabling/prompting GBs to internalize the disciplinary practices by which they can self-govern as autonomous agents. On the other hand, they capture the steering power of central government, and indeed the idea of good governance as a dominant or organizing principle by which government guide the performance of governors through disciplinary tools of professionalization and inspection, and achieve the 'control of control' (Power 1994). On this account, the inspection and professionalization of GBs constitute policy technologies and disciplinary strategies aimed at inscribing difference (differences between effective and ineffective GBs, for example) together with making processes and subjects knowable and visible in order that they may be managed. According to Foucault, discipline 'normalizes' and 'of course analyzes and breaks down; it breaks down individuals, places, time, movements, actions and operations. It breaks them down into components such that they can be seen, on the one hand, and modified on the other' (2009, 56). In other words, disciplinary power works on and through human subjects as objects of the state gaze through 'a principle of compulsory visibility' (Foucault 1979, 187).

In the next section I briefly outline details of the project surrounding this paper. Following this, I draw on interview and observation data to demonstrate concretely how existing and emerging GBs are (re-)constituting themselves in response to demands for good governance, notably the role of inspection and professionalization.

### **Research data and methods**

In this article I draw on preliminary findings from an ongoing research project funded by the Economic and Social Research Council (ESRC) (grant ref. ES/K001299/1) (2012-2015). A central foci of the project concerns exploring how 'school governance' and in particular 'good governance' is shaped and informed by particular legal, moral, technical and professional judgements, and how school governance is enacted and decided through the formal delegation of powers to different individuals, from the trustees to the chairs of committees and school governors. In-depth data has been collected across nine different types of primary and secondary schools in England, including two free schools, three converter and sponsor academies, one foundation school and three community (LEA maintained) schools. As detailed in the table below, some of these schools operate within different Collaboration, Federation and Trust arrangements, including Multi-Academy Trust (MAT) and Co-operative Trust models.

**Table 1**

School Name (pseudonym)	Location	Phase of Education	Type of Establishment	Collaboration and Federation	Admissions Criteria	Recent Ofsted Rating
Millard	London	Primary School	Free School	Multi-Academy Trust (MAT)	Non-denominational, co-educational and non-selective	Pending
Canterbury	London	Secondary School	Community	Local Authority	Non-denominational, co-educational and non-selective	Satisfactory (2009)
Richford	London	Secondary School	Sponsor Academy	Multi-Academy Trust (MAT)	Non-denominational, co-educational and non-selective	Outstanding (2014)
Montague	London	Secondary School	Converter Academy	Stand-alone school	Non-denominational, co-educational and non-selective	Good (2012)
Child's Hill	Norfolk	Secondary School	Converter Academy (principally a boarding school)	Stand-alone school	Non-denominational, co-educational and separate admission arrangements for boarder and day students	Outstanding (2012)
Moorhead	London	Primary School	Community	Local Authority	Non-denominational, co-educational and non-selective	Good (2012)
Bloomsbury	London	Secondary School	Free School	Stand-alone school	Non-denominational, co-educational and non-selective	Pending
Ballard's Wood	Norfolk	Secondary School	Foundation	Trust (Co-operative Trust Model)	Non-denominational, co-educational and non-selective	Outstanding (2011)
Wingrave	Norfolk	Secondary School	Community	Local Authority	Non-denominational, co-educational and non-selective	Requires Improvement (Satisfactory) (2013)

Data collected includes telephone and face-to-face interviews (in-depth interviews carried out with 102 headteachers, senior leadership, school business managers, and school governors), observation material (42 FGB, LGB and committee meetings observed), documentary evidence (school policy documents, school 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), and relevant government and non-government texts specifying the role and responsibility of school governors. In line with the principles of conventional case study approaches (Yin 1994), the research method for the project is framed by inductive theorizing (descriptive and inferential) and the identification of instances of replication and reliability across school contexts, together with a focus on 'particularisation' (the specificity and complexity of phenomena across contexts), thick description and phenomenological meaning, namely how agency and social action is shaped inter-subjectively through the interaction of meso, micro and macro structures.

To ensure anonymity and confidentiality of material, the real names of all interviewees and schools have been replaced with a pseudonym. Similarly, pseudonyms have been used to conceal the real names of any other individuals and institutions mentioned. To 'make sense' of the data for the purpose of this article I will explore the application of some of the terms and arguments already examined above. Specifically, I utilize Foucault's (1979) conception of 'governmentality': the norms and technologies by which the state-form works to define and regulate social

life through principles and practices derived from the market. As Foucault observed, neoliberal governmentality should not be confused with laissez-faire (e.g. radically anti-state, complete deregulation and autonomy of the market from government interference) but instead 'with permanent vigilance, activity and intervention' (2008, 132). On this account, it is possible to investigate the ways in which good governance operates as a new modality of state power and intervention – a dominant or organizing principle by which government steer the performance of governors through disciplinary tools of professionalization and inspection.

### **The shadow of inspection**

As one anonymous chair of governors reported in a TES (2014) opinion column, the role of the school governor demands 'playing advocate for the school's defence in Ofsted's harsh court'. Ofsted has always occupied a permanent 'absent presence' within English state schools to the extent that schools rely heavily on satisfying Ofsted criteria over what constitutes a good or even outstanding school. Government funding for schools follows students in a market-based education system and parents typically, though not always, exercise preference over which school to send their child to using information provided by Ofsted reports and league tables. The circular logic underpinning this system means schools are always under pressure to meet Ofsted evaluations of student performance and progress. Ofsted, therefore, is always already present during any GB meeting.

And also I think it's very important that the GB knows the school in terms of, you know, data, because that's what Ofsted want to focus on, is data, so a weak GB will not understand the data, or will just accept the data, whereas a strong GB 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)

As indicated in the above interview extract, the structure and form taken by some GB meetings includes a focus on Ofsted judgements and evaluations, and the preparedness and willingness of school governors to support and challenge senior leadership through careful reading and understanding of data pertaining to student performance and progression as well as finance. Ofsted is implicated and animated through the relations and practices of school governors, considered necessary to the formulation of effective verification and measurement of good verdicts, and even constitutive of meaningful and intelligible forms of contribution and challenge. Katie above, for example, conflates a weak GB with a disengagement from or lack of understanding of data, school governors who uncritically accept what is presented to them as fact, go unquestionably with the flow and grain of consensus, or fail to 'read between the lines', as another governor told me. In contrast a strong GB will discern patterns or relationships in the data, and crucially seek justification or rationalization ('why') for decisions taken and track any instances of dips, blips or anomalies in the data. As already detailed above, in addition to classroom teaching Ofsted also inspects and evaluates school governors on their knowledge and understanding of school data:

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)

School governors are under the watchful eye of Ofsted and therefore inhabit and perform their role through a field of relations and practices always already structured with Ofsted in mind. Moreover, it is common for senior leadership and in particular chairs of governors to conduct a skills audit of governors using peer evaluation and questionnaires, and even commission a governance review performed by an independent source. The purpose of a skills audit is to identify strengths and weaknesses within the GB in order that particular governors may be allocated to committees (education and standards, premises, human resources, legal, finance, pastoral and wellbeing, etc.) that best utilizes their skills, knowledge and background. Again, the shadow of Ofsted is explicit in the decision to conduct a skills audit or provide training:

I mean the London Borough of [removed] organize training for governors continually throughout the year, and depending on what committee you are on, you sign yourself up for the current training, but as a whole GB, which something like Ofsted would affect us all, then we arrange an in-house whole GB, with the GB section, and they would get a trainer, an expert in that field to come in one evening and we would have a whole school training' (Maria, Staff Governor, Moorhead)

To assist school governors in their role, Ofsted have created the Ofsted Schools Data Dashboard (OSDD). The OSDD provides decontextualized results for each school based on student achievement levels for Key Stages 1-4. Data for 'Similar schools' and 'All schools' is represented graphically in quintiles sorted according to five categories where top quintile equals good and bottom quintile equals bad. OSDD is intended 'for governors and schools to use in their drive for improvement' (Ofsted website). In addition, Ofsted have introduced RAISEonline, an online digital archive of reports and analysis of attainment and progress levels for all schools, which schools in turn are encouraged to use as part of the self-evaluation process. The importance of these resources is well documented across all schools investigated in this study, reinforced by the regularity of their dispersion and repeated emphasis. The following is taken from a school improvement plan and documents the importance of inspection (and of OSDD and RAISEonline in particular) as discourses through which school governors are positioned and made knowable, measurable and inspectable as subjects. Knowledge equals performative efficacy:

Inspectors will meet with as many governors during an inspection as is possible. They will want to know how well GBs 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)

Ofsted inspections may therefore be considered taxonomical, signifying, orientating practices by which good governance is normalized and school governor performance may be divisible, normalized, specified and differentiated through a 'principle of compulsory visibility' (Foucault 1979, 187). As the following interview extract demonstrates, Ofsted engenders forms and practices of seeing, knowing and understanding which some school governors value as well as emulate in their role and practice:

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 GB, 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)

### **The imprint of professionalization**

In addition to inspection, the role and responsibility of school governors is changing under government demands for the professionalization of all GBs. As already indicated, the transfer of power and responsibility from central government to schools (a form of 'double devolution') translates into increased legal responsibility and (limited) liability for school governors wishing to self-govern, the implications of which are evident:

I think as we move towards a more responsible, professional era of management responsibility then what you'll be looking for will be more diverse, you'll be looking not just for people who are rooted in the community, but I think you'll be looking for people with skills to offer as well...I think to have a properly functioning set of institutions you need more people playing more roles than that, and I think when we get into setting up the subcommittees you are going to need some degree of expertise. So, for example finance committee, you are going to need people who understand accounts and how to take measured financial decisions...I think it's going to have to become more focused and more professional, because big sums of money are now being handled through each of the academies and collectively through the board. (Gordon, Company Secretary, Millard)

In a similar way to how Ofsted functions to make subjects/processes visible, explicit, divisible, differential, and therefore amenable to measurement and commensuration, the discourse and practice of professionalization operates as a dividing practice, working to separate governors on the basis of skills, knowledge and value of contribution (e.g. worth in terms of enhancing accountability).

Now you see that if you are going to have to manage all the finances, all this,

all that and so on, you need people who are professionals, not amateurs. And the trouble is that most GBs, as I say, are amateurs. I mean I'm an amateur. (David, Chair of Premises Committee, Canterbury)

School governors may be separated (and even opposed as I will go onto show) through an amateur/professional distinction. Many school governors therefore judge the value of their contribution through a market logic and economization of relations driven by technical demands, legal responsibility and management overheads. In effect, the most desirable school governors are those who possess particular 'hard skills', notably skills and knowledge which enable the GB to make the school intelligible and responsive as a cost-cutting, profit-making business. Increasingly GBs are under pressure to make themselves answerable to measures of contract accountability (cost effectiveness) and corporate accountability (strategy and management) (see Ranson 2003 for a discussion of neoliberal accountability):

I think they [school governors] are worthy people, who want to show an interest. Emma [chair of governors] and I were talking about this yesterday actually, we don't have much strength on the GB so there is a need to appoint a lot more people, but trying to find people who've got the right sort of experience from industry, commerce, that sort of thing, who want to give the time, is quite difficult. But Emma has contacts in the business world so she is actively trying to recruit people. (Tim, Community Governor, Canterbury)

Strength is equated with the presence of 'skilled' governors; in other words, a strong GB is one which is structured with particular people working at its centre, people with the right 'skills', preferably those who possess knowledge of business and finance. What the above extract captures is the changing expectations linked to the role of school governors. In 2012 the GB at Canterbury (a LEA maintained school) applied to the DfE to convert to academy status after consulting with staff, governors and parents. With the conversion expected to take place in early 2013, the GB and senior leadership at Canterbury explained how they were keen to utilize the new flexibilities and additional capital to build on their approach to delivering a unique curriculum model. In 2013 the DfE disallowed the conversion on the grounds that the commercial transfer agreement was not submitted on time, which the GB declared to be untrue. (The GB were convinced that the disallowed conversion was linked to the fact that 1) the school's achievement results were below floor target (less than 40% of pupils achieving 5 A\*-C at GCSE); and 2) the GB applied to convert as a stand-alone school with the expressed wish not to be taken over by a large academy chain). Undeterred by this setback the GB announced plans to reapply to the DfE for academy conversion, subject to the GCSE results for 2013. In planning for a successful conversion, the school senior leadership, chair of governors and some long-standing governors were adamant on a change to the composition of the GB:

I mean I don't think the GB is strong enough to go into the position of being an academy, and certainly as an academy the greater responsibility that involves for governors. I don't think the GB is up to it, so we have to get more governors with more experience from the outside world. (Tim, Community Governor, Canterbury)

The conversion from maintained to academy status therefore means greater

regulation and exclusion over who gets to enter into governance roles.

I mean in theory you can weed out weak governors, but in practice people will, to a large extent, get left alone, I know Emma has got some ideas about trying to make governors more accountable, and but I mean for example I'm pretty sure we've been talking about peer appraisal and that sort of thing, we haven't actually done it, we haven't actually done a skills audit or performance audit of governors. (Mark, LEA governor, Canterbury, London)

The amateur/professional distinction (highlighted earlier by David above) is further translated by Mark through a weak/strong divide. Weak school governors are positioned through a deficit discourse which views civic or lay knowledge as either impractical or inexpedient to the task of ensuring the school is fit for purpose as an administratively self-governing institution. The implication here is that accountability is levelled as a practice and effect of technical efficiency, and runs the risk of undercutting a 'stakeholder model' of governance which aims to ensure (at least in theory) a culture of equal participation where people of specialist and civic knowledge may be valued equally and where 'differences are voiced, deliberated and mediated' (Ranson 2011, 411). Similar to Canterbury, Wingrave (also a maintained secondary school) applied to the DfE to convert to academy status in 2013. The conversion was denied by the DfE and the GB at Wingrave elected to await the new GCSE results for 2013 before reapplying. Many school governors at Wingrave were clearly dismayed by the prospect of academy conversion, including legal responsibility for financial and educational performance:

But the governor's role is hugely different. Well, no, it's not really, in the great scheme of things, it's not different is it? But the responsibility feels so much heavier, and feels much more critical and legal and, which I'm sure it actually is now, if I'm honest, if something goes wrong and I'm meant to be in charge of it, I'd be culpable. (Maranda, Community Governor, Wingrave)

A key role for school governors in the current education landscape, especially those with increased legal responsibility under the academy model, is to enhance accountability to the funders (the DfE) and to the regulatory body (Ofsted). Contract accountability and performative accountability emerge as the key frameworks through which governors' skills, knowledge and potential contribution can be specified, differentiated and audited. Moreover, school governors are expected to possess 'hard skills' (technical expertise or specialist knowledge) to ensure a professional culture of governance driven by business values:

'Well, more in the direction of a business, and it's inevitable, you know, it's, you know, yes, I have my own views about the move towards academy schools and all the rest of it. However, that is without doubt the direction of travel, and there's no doubt at all that schools in general, and governors as well, will have to have a greater and greater understanding of business-type ideas and issues around finance. (Robert, Assistant Headteacher, Wingrave)

Ranson and Crouch (2009, 47) draw a similar conclusion in their study of school governance where they liken decentralizing education reforms with 'the expansion of professional power at the expense of elected volunteers, and the corporatizing of



school ownership'. As Clarke (2008, 38) makes clear, 'we can see how this may structure who gets to enter into governance roles, with preference being given to those who are the bearers of such 'relevant knowledge and expertise': legal and financial knowledge, business experience and so on...Others – such as the bearers of lay knowledge, or tacit knowledge of how a service works (from the vantage point of either workers or users) – may find themselves marginalised in the 'business of governance'. In fact, parallels can be drawn between the composition of GBs of housing associations within public-private partnerships and the (re)constitution of school GBs under academy and free school frameworks. In both cases, the kinds of board members who are valued most are typically those with skills in finance, legal and accounting, and who may enhance accountability to both the funders and the regulatory body (see Cowan, McDermont & Prendergast 2006). These demands have triggered a sea change in the culture of school governance marked by a shift away from a 'bums on seats' culture and a shift toward a risk-prepared, professionalized culture. Reflecting on the reconstitution of the GB of Canterbury in anticipation of converting to academy, the headteacher recalls how old actors were marginalized to make way for new actors and new expectations:

'Emma was already partially through restructuring the GB, and had already upset a few people, shall we say, in terms of encouraging their removal, and set up the members and, you know, worked out who was going to be on from the LEA, or who wasn't going to be from the LEA, so we are already well down that journey, and we are now having to unpick all of that of course, because we are not an academy. So she's having to go back and woo for a short period of time people she's originally upset...like all GBs there are some very, very good, active appropriately challenging critical friends who bring a lot to the table, and there are other who see it as a, I wouldn't say a social event because that would probably be cruel, but it does border on that. (Graham, Headteacher, Canterbury)

The squeeze on all GBs to professionalize their members and prioritize skills-based appointment (see DfE 2014d) is therefore already showing signs of affecting relations *between* governors, creating antagonism and tension where before it may not have existed. In a recent twitter exchange hosted by UKGovChat on the topic 'Accountability: who is answerable to whom?' (see Storify 2013) we can discern the extent to which some school governors are scornful of others who lack the skills necessary to ensure the survival of schools under the current 'high-stakes' environment: 'We are all accountable. If you can't stand the heat, stay out of the kitchen! And none of this 'just volunteers' rubbish!'

### **Performative efficacy and good governance**

In this paper I have considered the ways in which good governance (an appeal to professional standards, performance evaluation and technical expertise) operates as a new modality of state power and intervention; a set of policy technologies, political discourses and mobile strategies by which schools, and in particular school governors, are disciplined within new regimes of professionalization, inspection and accountability. These trends are inclusive and productive of what Ball (2003, 215) calls 'performativity': the managerial discourses and practices which require 'individual practitioners to organize themselves as a response to targets, indicators

and evaluations'. As Ball (2003, 224) goes on to later argue, 'Truthfulness is not the point – the point is their effectiveness, both in the market or for inspection or appraisal'. Today school governors are confronted by a similar interpellation: a duty to mould, train and fashion the self in ways that can be measured, audited and inspected as evidence of effectiveness, of performative efficacy. In essence, school governors are being called upon to simulate the bureaucracy once performed by local government. As Fisher and Gilbert observe, 'Bureaucracy has become decentralized. It's not (just) something to which we are subject now; it's something which we are required to actively produce ourselves' (2013, 91).

Since 2010 an unprecedented number of schools have converted to academy status and therefore opted out (or been forcibly driven out) of LEA control. According to recent statistics obtained by the DfE in June 2014 (DfE 2014c), 3,924 state secondary and primary schools have converted to academy status. Technically the same in legal terms (they constitute exempt charities and are supervised with the support of the Charity Commission by the DfE), academies and free schools operate independent of local government intervention, enabling them freedom to determine their own budget, admissions, length of school day, curriculum, and staff pay terms and conditions. A regulatory gap therefore exists (Adams & Mansell 2014). School autonomy means increased risk (risk of poor governance, poor training, poor evaluation, poor challenge, poor standards, etc.). The removal of local government steering has in turn given rise to demands for good governance, namely the inspection and professionalization of all GBs. So while the official role of school governors is to hold senior leadership to account for the financial and educational performance of the school, school governors are themselves held to account (by Ofsted and senior leadership who conduct a skills audit, for example) and in effect bound to 'a technology, a culture and a mode of regulation that employs judgements, comparisons and displays as means of incentive, control, attrition and change' (2003, 216). This is what might be called a form of 'meta-governing' – the relation and process by which government and non-governmental agencies cultivate the conditions for 'reflexive self-organization' within public sector institutions and among actors (Jessop 2011, 246).

Foucault (2008, 67) defines governmentalization as 'the function of producing, breathing life into, and increasing freedom, of introducing additional freedom through additional control and intervention'. On this account it is possible identify the doubling effect produced by processes of decentralization and deregulation. The state grants powers to schools to become administratively self-governing *but* does so through subtle, indirect forms of control and regulation which demand good governance and the fashioning of school governors as professionals (not amateurs) who can justify and evidence in market terms school processes, outcomes and performance. Regulation is thus exercised at a distance – through discourses of professionalization and accountability, for example. It sets limits on the kinds of people who get to perform the business of governance, people with the right knowledge, skills and (claims to) expertise, people who can in effect enhance accountability. This is not to assume the success of governmental projects in practice across different sites and domains. Rather, it highlights how neoliberalization operates through processes of 'roll-back' (the removal of local government steering and command, for example) and 'roll-out' (the dissemination of market values and attitudes through multiple conduits, apparatuses and the creation of new actors)

(Peck & Tickell 2002).

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